

The Eighty-Eighth meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, September 23, 2008, at 6:55 p.m.

Members Present Mayor Glenn Littlejohn
 Deputy Mayor Melvin Walsh
 Councillor Clarence G. Mercer
 Councillor Gerald Greenland
 Councillor Walter Yetman
 Councillor Bill Seymour

Also Present Town Manager Edwin Fradsham
 Town Clerk Shirley Hawe
 Fire Chief Clarence H. Russell
 Compass Correspondent Lillian Simmons

Minutes

Mayor Littlejohn asked if there were any errors or omissions to the minutes of the regular meeting of September 9, 2008, which had been circulated with the agenda.

Discussion and update regarding the following:

- ▶ Mayor Littlejohn will confirm after October 14th that the owner of 238-240 Water Street has no objection to vehicles being parked at that location.
- ▶ dma Planning & Management Services will be holding a series of meetings this month regarding the Multi-Purpose Facility Feasibility Study.
- ▶ Outstanding municipal taxes for 129A Central Street.
- ▶ Town Manager to provide total amount owing for 2008.

Motion 2008 - 357 - Mercer/Yetman

Resolved that minutes of the regular meeting of September 9, 2008, be adopted.

In favour: Mayor Littlejohn
 Deputy Mayor Walsh
 Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour

Opposed: 0
Abstaining: 0
Motion Carried.

Additions to Agenda

- Planning, Zoning & Development report for September 17.
- Application for Crown Land received from x.
- Revised survey received from x.
- Councillor concern regarding quarry behind x in Shearstown.
- Concerns of Fire Chief regarding maintenance and flushing of fire hydrants.

New Business

Item 3 : Letter, survey and revised survey received from x, as previously requested by Council.

Motion 2008 - 358 - Mercer/Walsh

Resolved that the letter and survey, dated September 18, 2008, be excused and substituted with the revised survey, signed and dated September 19, 2008 and the revised survey be accepted.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 1 & 2 : Letter from x to Eastern Newfoundland Regional Appeal Board and the Board's response letter to x.

Motion 2008 - 359 - Seymour/Yetman

Resolved that both pieces of correspondence regarding the Appeal Board be placed on file.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 4 : Letter received from x regarding the sod and drain in front of his house.

Motion 2008 - 360 - Greenland/Mercer

Resolved that x correspondence be referred to the Public Works Committee.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 5 : Correspondence received from x regarding vehicle tire damage when he hit a manhole cover on the C. B. Highway.

Motion 2008 - 361 - Yetman/Walsh

Resolved that x's correspondence be referred to the Public Works Committee and also, the Town Manager to action permanent repairs to manhole cover.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 6 : Letter received from x regarding water drainage concerns at Cleary's Subdivision.

Motion 2008 - 362 - Greenland/Mercer

Resolved that x's correspondence be referred to the Public Works Committee.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 7 : Letter received from the Municipality of Spaniard's Bay requesting the shared services of Enforcement Officer Perry Bowering in a cost sharing arrangement.

Motion 2008 - 363 - Yetman/Walsh

Resolved that the Town of Spaniard's Bay request be referred to the Executive Committee.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 8 : Letter received from x requesting a meeting to discuss further development of their family land adjacent to the property given to x and running parallel to Harding's Lane.

Motion 2008 - 364 - Yetman/Seymour

Resolved that x's request be referred to the Planning & Development Committee.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 9 : Correspondence received from x requesting approval to extend Love Street Extension for possible development and sale of seven residential building lots,

Motion 2008 - 365 - Yetman/Mercer

Resolved that x's correspondence be referred to the Planning & Development Committee.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 10 : Residential building application received from x.

Motion 2008 - 366 - Seymour/Mercer

Resolved that approval be given x, as per submitted application, to construct a dwelling at Love Street Extension, Coley's Point, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 11 : Email received from Tip of the Ice Berg Enterprises Inc., requesting a meeting regarding the future of the aquaculture facility property in Bay Roberts

It was decided that the Town Manager will arrange a meeting between the Executive Committee and x.

Item 12 : Email received from Randy Dawe, Avalon NDP Candidate, requesting council set a Town Hall meeting before October 14 to address federal and municipal issues.

Motion 2008 - 367 - Yetman/Mercer

Resolved that Mr. Dawe's email be placed on file.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 13 : Letter received from the Janeway Children's Hospital Foundation seeking support for Hayward Butler's Haunted House for Halloween fundraising event.

Motion 2008 - 368 - Greenland/Seymour

Resolved that a \$100.00 donation be given to the Janeway fundraising event.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 14 : Correspondence received from M-RON Inc., regarding their AGM on October 15 and a Public Awareness Session for Supported Employment Services on September 30.

Item 15 : Email received from Heritage Foundation of NL advising of a special one day cemetery workshop on October 18.

Motion 2008 - 369 - Mercer/Yetman

Resolved that the Heritage Advisory Board be advised of the workshop and the correspondence be placed on file.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 16 : CBN Joint Councils minutes of May 29 were tabled for discussion.

Motion 2008 - 370 - Walsh/Seymour

Resolved that the CBN Joint Councils minutes be placed on file.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 17 : Crown Land application received from x.

Motion 2008 - 371 - Walsh/Yetman

Resolved that the application by x for crown land located at C. B. Access Road, be denied because the said land is required for future Town use.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

Committee Reports

Public Works

Motion 2008 - 372 - Greenland/Seymour

Resolved that the verbal contract with x for road improvements at Barracks Lane be withdrawn based on lack of response by x., to the conditions as outlined in Motion 2008 - 288 for a meeting with the Town Manager and Councillor Greenland and the laying out of the markings for the road and sidewalk construction and also, the requested start and finish dates have expired.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

Planning & Development

Motion 2008 - 373 - Greenland/Yetman

Resolved that x be requested to provide a plot plan and construction methods for his proposal to erect a portable storage shed at 72 -76 Water Street.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

- Council to consider reviewing development permit fees and method for determining value of commercial applications.
- Site grubbing, excavation and in-filling should require a permit.
- Consideration be given to developing a policy and guidelines for providing Class “A” material to residents.
- Request to incorporate the former Sinnott building with the Baccalieu Trail Animal Hospital.

Motion 2008 - 374 - Greenland/Yetman

Resolved that approval in principle be given for the proposal by x to incorporate the former Sinnott building with the Baccalieu Trail Animal Hospital and to be utilized as an integral and connected part of its clinic. Development plans must be submitted before any construction work commences.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

- Mayor Littlejohn will look into the x property status.
- Town Manager will look into whether or not 2 specific businesses are operating in the town without permit.
- Mayor Littlejohn will seek further clarification from Urban and Rural Planning regarding commercial application by x for 82 Green’s Road.

Fire Department

Deputy Mayor Walsh tabled a request by Fire Chief Russell for maintenance and the continuation of flushing fire hydrants throughout town. Fire Dept. regulations require minimum accepted flow for hydrants, red wooden shafts identifying location, red painted sign identifying out of order and a drawing on display at fire hall identifying all water mains that are not working and the Fire Commissioner’s office must be sent a report regarding same. The Town Manager will have this actioned.

Wetlands

The Stewardship Association of Municipalities Fall Conference is scheduled for October 17 - 18 at Stephenville Crossing.

Motion 2008 - 375 - Greenland/Yetman

Resolved that Councillor Seymour will attend the SAM Fall Conference.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2008 - 376 - Walsh/Greenland

Resolved that a By-Election for one councillor be held on November 4, 2008.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Green

Councillor Yetman commended office staff for continuing the recycling program and collecting over an ½ tonne of paper to date.

Tourism

Motion 2008 - 377 - Walsh/Seymour

Resolved that Councillor Mercer will attend the CANAL Cruise Ship forum in Corner Brook the last week of October.

In favour: Mayor Littlejohn
Deputy Mayor Walsh

Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour

Opposed: 0
Abstaining: 0
Motion Carried.

Mayor's Report

Mayor Littlejohn noted that dma Planning and Management Services will be holding a public meeting at the Bay Roberts Lions Club, Tuesday, Sept. 30 at 7:00 p.m. and a business session and stakeholders meeting on Oct. 1, regarding the Multi-Purpose Facility Feasibility Study.

Councillor Concerns

Deputy Mayor Walsh noted that guard rails need to be fixed and/or installed in certain areas and asked that this item be kept on the Public Works agenda.

Councillor Seymour noted that quarry operations appear to be taking place behind x senior citizens home in Shearstown.

Motion 2008 - 378 - Seymour/Greenland

Resolved that the owners of x provide details of their intentions regarding any future extension to the building at 73 Shearstown Road. Present quarry and excavation activities must cease immediately pending approval of any future development plans.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour

Opposed: 0
Abstaining: 0
Motion Carried.

Fire Chief Russell noted that a dedication for the Walter D. Baggs Firefighters Garden will take place at the Fire Hall grounds on Sunday, September 29 at 2:00 p.m.

Adjournment

Motion 2008 - 379 - Walsh/Mercer

Resolved that the meeting do now adjourn at 8:10 p.m.

In favour: Mayor Littlejohn
Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, W. Yetman and B. Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Glenn Littlejohn
Mayor

Shirley Hawe
Town Clerk