

The Sixty-Seventh meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, September 25th, 2007, at 7:30 p.m.

Members Present Deputy Mayor Melvin Walsh
 Councillor Clarence G. Mercer
 Councillor Gerald Greenland
 Councillor Dennis Brown
 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

Deputy Mayor Walsh asked if there were any errors or omissions to the minutes of the regular meeting of September 11th, 2007, which had been circulated with the agenda.

Discussion and update regarding items from pages of the minutes as follows:

- P. 1 Update on repairs/replacement of bridge to Shearstown United Church cemetery.
- P. 6 Update on clean up of x property.
- P. 7 Signs soon to be installed regarding Jake Brake Use Not Permitted.
- P. 12 BMS Blivet sewer treatment presentation scheduled for Tuesday, November 13th.
- P. 13 Blocked access to ATV trail on privately owned property in Butlerville.

Motion 2007 - 296 - Greenland/Yetman

Resolved that the minutes of September 11th, 2007, regular meeting of council be adopted.

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

Additions to Agenda

Motion 2007 - 297 - Greenland/Mercer

Resolved that the Green Committee minutes of September 12th be added to the agenda.

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

Motion 2007 - 298 - Greenland/Seymour

Resolved that correspondence regarding Adler Place road closure and the Bay Roberts Lions Club gazebo adjacent to Veterans Quay, be added to the agenda.

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

Motion 2007 - 299 - Mercer/Yetman

Resolved that correspondence from Mariner Resource Opportunities Network Inc., be added to be agenda.

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

Motion 2007 - 300 - Mercer/Seymour

Resolved that three UMC resolutions be added to the agenda.

In favour: Deputy Mayor Walsh
Councillors: C. Mercer, G. Greenland, D. Brown, W. Yetman and B. Seymour
Opposed: 0

Abstaining: 0
Motion Carried.

Motion 2007 - 301 - Seymour/Greenland

Resolved that Councillor Seymour s concerns regarding potential future flooding of x and x properties and bus turning sign in Butlerville, be added to the agenda.

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

Business Arising from Minutes (Published Items)

Motion 2007 - 302 - Seymour/Mercer

Resolved that approval be given x to open and operate a hair salon at 188 Butlerville Road, subject to all Municipal Development Regulations and all other regulatory departments.

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

Motion 2007 - 303 - Yetman/Greenland

Resolved that approval be given x to operate a garage for small engine repairs at 28-30 Shearstown Road, subject to all Municipal Development Regulations and all other regulatory departments.

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

Motion 2007 - 304 - Greenland/Yetman

Resolved that approval be given x for the construction of a corridor connecting its buildings at Hope Avenue, as per submitted drawings, and subject to all Municipal Development Regulations and all other regulatory departments, including conditions as specified by the Fire and Life Safety and Building Accessibility Codes.

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

New Business

Item 1 : Residential building application received from x.

Motion 2007 - 305 - Yetman/Seymour

Resolved that approval be given x for the construction of a residence at Lot # 9, Badcock Boulevard, subject to all Municipal Development Regulations and all other regulatory departments.

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

Item 2 : Residential building application received from x.

Motion 2007 - 306 - Mercer/Greenland

Resolved that approval be given x for the construction of a residence at Rocky Pond Road, subject to all Municipal Development Regulations and all other regulatory departments.

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

Item 3 : Donation request received from CBN Slateworks Junior Stars hockey team.

Motion 2007 - 307 - Brown/Mercer

Resolved that a \$500.00 donation be given to the CBN Slateworks Junior Stars.

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

Item 4 : Donation request received from SUF Dawe Lodge regarding a Grocery Bingo Benefit Fundraiser for x.

Motion 2007 - 308 - Mercer/Yetman

Resolved that the letter from SUF Dawe Lodge be placed on file.

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

Item 5 : Annual Poppy Campaign donation request received from the Royal Canadian Legion, Branch 32.

Motion 2007 - 309 - Yetman/Seymour

Resolved that a \$100.00 donation be given to the Royal Canadian Legion for the Annual Poppy Campaign.

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

Item 6 : Letter received from x requesting a storm sewer system be installed adjacent to the former railway track behind their property at Cross Road.

Motion 2007 - 310 - Greenland/Yetman

Resolved that x correspondence be referred to the Public Works Committee for further review and recommendation.

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

Item 7 : Petition received from x and other concerned citizens requesting the enforcement of a new by-law for everyone to stoop and scoop after their animals on streets, playgrounds and school areas.

Motion 2007 - 311 - Mercer/Seymour

Resolved that: (1) Articles 14 & 26 of the Dog / Animal Regulations be published; (2) Mr. & Mrs. x be informed of the existing regulations; and (3) Municipal Enforcement Officer Bowering to monitor the situation.

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

Item 8 : Letter received from the Royal Canadian Legion, Branch 32, regarding Klondyke Days 2008.

Motion 2007 - 312 - Seymour/Yetman

Resolved that the Royal Canadian Legion correspondence be referred to the Special Events Committee for consideration.

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

Item 9 : Correspondence received from Ocean Net advising of its 3rd Annual Ocean Net Day.

Motion 2007 - 313 - Greenland/Seymour

Resolved that the Ocean Net correspondence be placed on file.

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

Item 10 : Letter received from Eastern Habitat Joint Venture advising of a wetland brainstorming session being held on October 13th & 14th in Gander.

Motion 2007 - 314 - Mercer/Seymour

Resolved that the EHJV correspondence be forwarded to Amalgamated Academy for consideration.

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

Item 11 : Fall newsletter received from Heritage Foundation NL.

Motion 2007 - 315 - Mercer/Yetman

Resolved that the Heritage Foundation NL Fall Newsletter be forwarded to Coley s Point Primary, Amalgamated Academy and Ascension Collegiate.

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

Item 12 : Correspondence received from MNL regarding the Torngat Municipal Achievement Awards.

Motion 2007 - 316 - Yetman/Brown

Resolved that the MNL correspondence be referred to Director Delaney for consideration.

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

Item 13 : Letter received from x regarding the closure of the existing roadway leading to Adler Place.

Motion 2007 - 317 - Brown/Yetman

Resolved that Mr. & Mrs. x s correspondence be referred to the Planning and Development Committee.

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

Item 14 : Letter received from the Bay Roberts Lions Club requesting arrangements be made for their club members to remove the gazebo located on property adjacent to the Marina at the Legion.

Motion 2007 - 318 - Seymour/Mercer

Resolved that the Town Manager will comply with the Bay Roberts Lions Club request.

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

Item 15 : Invitation received from Mariner Resource Opportunities Network Inc., to their Annual General Meeting on Wednesday, October 10th at Fong s Restaurant, Carbonear.

Motion 2007 - 319 - Mercer/Brown

Resolved that the MRON invitation be referred to Director Delaney for consideration.

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

Committee Reports

Finance

Motion 2007 - 320 - Brown/Yetman

Resolved that the August 2007 Payables be approved.

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

Public Works

Motion 2007 - 321 - Greenland/Yetman

Resolved that Council re-advertise for two (2) additional Operator/Labourer positions and advise applicants with resumes already on file for the Job Notice in August that then need not re-apply.

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

Motion 2007 - 322 - Greenland/Mercer

Resolved that Council re-advertise for tenders for a mini excavator with revised specifications for our future needs.

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

Motion 2007 - 323 - Greenland/Seymour

Resolved that Council re-tender construction work for Barracks Road based on a reduced scope of work.

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

Planning and Development

Motion 2007 - 324 - Greenland/Brown

Resolved that x be informed that his private boat storage activities are not in accordance with Article 35, Items 1 & 2, of the pending Town of Bay Roberts Building Occupancy and Maintenance Regulations, and therefore, Mr. x is requested to have the boat removed within thirty (30) days of being notified to do so. Also, x be advised of same.

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

Director Ron Delaney joined the meeting at 9:00 p.m.

Councillor Greenland gave an update regarding the following:

- (1) Quieting of Ownership Title is still in progress on land at Delaney s Avenue.
- (2) Town Manager will contact government officials regarding Business Park land.
- (3) Update on work at Klondyke re: Town Manager & MEO continue to ensure that remainder of work progresses and resolves issues satisfactorily.

- (4) X has not provided the requested information re: personal storage building.
- (5) Baccalieu Auto Sales commercial building application.

Motion 2007 - 325 - Greenland/Mercer

Resolved that approval in principle is given to x, Baccalieu Auto Sales Limited, for the construction of a used car sales business on a site located at 368-416 Conception Bay Highway, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments. Also, subject to Dept. of Transportation access conditions.

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

Motion 2007 - 326 - Greenland/Mercer

Resolved that x be requested to submit a revised site plan indicating a green belt area, showing greenery and trees, and assurance that the green belt does not encroach on the town road reservation.

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

Town Manager to contact developer for x and request that the conditions of their permit pertaining to tree planting in the green space, be fulfilled.

Director s Report

Director Delaney noted that the promotional video will be viewed after tonight s meeting. Sign for the Business Park will be ready for installation within a couple of weeks.

Green

Councillor Yetman tabled minutes of September 12th which included an update on the following:

- (1) Household Hazardous Waste Day.
- (2) Pamphlets developed by environmental science students at Ascension Collegiate.

- (3) Rejuvenation of Blue Box campaign.
- (4) Seeking new members and offering a seat to a member of the Joint Management Committee.
- (5) Researching the cost of roadside green boxes for pedestrian garbage.
- (6) Formulation of Budget 2008.

Recreation

Councillor Yetman gave highlights of September 24th meeting and noted that the complete minutes will be presented at next meeting.

Director Delaney will present a cost analysis breakdown on the swimming pool for 2007 at the next meeting.

Councillor Greenland took the Chair at 9:25 p.m.

Fire Department

Fire Chief Russell advised that the Disaster Plan needs to be revised and also, a committee be put in place with regard to harbour safety issues.

Discussion ensued regarding the formation of a Port Corporation or committee and it was decided to defer this matter to the next meeting of Council.

Discussion regarding potential vandalism and safety issues with the storage of a dilapidated boat on the property, Dawe s Road, Coley s Point.

Motion 2007 - 327 - Seymour/Mercer

Resolved that the owner of Dawe s Road be requested to remove or have removed the dilapidated boat, as soon as possible, due to safety concerns and the boats potential fire hazard.

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

Opposed: 0

Abstaining: 0

Motion Carried.

UMC

Deputy Mayor Walsh presented three resolutions by the Urban Municipalities Committee to be tabled at the 2007 MNL Convention. Resolutions are: (1) elimination of unincorporated areas

and establishment of minimum municipal tax; (2) tax on insurance premiums; and (3) amendment to Municipalities Act for sale of property for tax arrears.

Motion 2007 - 328 - Walsh/Brown

Resolved that endorsement be given to the three UMC resolutions.

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

Mayor s Report

Deputy Mayor Walsh gave an update regarding the following:

- (1) Presentation by Waste Management.
- (2) Energy Audit to see where towns can save money.
- (3) Municipal ticketing status.
- (4) Dilapidated Boats at government wharf -Hazardous materials being removed and tender this fall for removal in spring 2008.
- (5) Bailey Bridge reopened.
- (6) Temporary repairs for cleanup of Shearstown brook with permanent remedial work scheduled for next year.
- (7) Funding approval announcement for work on the Cross Roads is expected soon.
- (8) October council meetings are scheduled for the 16th and 30th.

Motion 2007 - 329 - Seymour/Mercer

Resolved that the next council meeting will be held on Tuesday, October 16th.

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

It was decided that Municipal Enforcement Officer Bowering be asked to give a report on the number of tickets issued and other ongoing activities at the next meeting of council.

Deputy Mayor Walsh resumed Chair at 9:50 p.m.

Wetlands

Councillor Seymour advised that minutes will soon be available from the last Wetlands meeting. Also, Ducks Unlimited will be visiting our community on October 3rd to assess damages to wetland areas by tropical storm, Chantal. Funding may be available pertaining to this matter.

Councillor Concerns

Councillor Seymour asked that: (1) consideration be given to ditching in the area of x and x due to the potential for heavy flooding; and (2) a bus turning sign be installed in Butlerville.

Adjournment

Motion 2007 - 330 - Greenland/Brown

Resolved that the meeting do now adjourn at 10:00 p.m.

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

Opposed: 0

Abstaining: 0

Motion Carried.

Melvin Walsh
Deputy Mayor

Shirley Hawe
Town Clerk