

October 28th, 2003

Page 1

The Thirty Fourth meeting of the Fourteenth Town Council was held in the Town Hall with the following in attendance:

Mayor Wilbur Sparkes
Councillor Gerald Greenland
Councillor Perry Bowering
Councillor Dennis Brown
Councillor Melvin Walsh
Councillor Bill Seymour

Meeting commenced at 7:30 p.m.

Petition received from residents of Country Road regarding a problem they are experiencing with dust, noise and fumes emitting from heavy equipment being used by the Canadian Training Institute on C. B. Access Road.

Letter received from Mr. Rodney Snow requesting permission to address Council regarding the above noted petition.

Mr. Snow on behalf of his delegation asked Council if the trucks, loader, excavator, and screening plant that is used by the Canadian Training Institute near their backyards can be stopped. He advised that the dust, noise and fumes are unbearable and is causing damage to their properties and, also a creating potential health hazard.

Letter received from Mr. Arthur Dominix of the Canadian Training Institute requesting permission to address Council regarding the above noted petition.

Mr. Dominix stated that he had a letter from the Town Manager confirming approval to operate a private training school. Mr. Dominix suggested that the fumes experienced by the Country Road Residents could be coming from traffic on the C.B. Access Road and not just his equipment. He stated that his hours of operation are from 7:30 a.m. to 5:30 - 6:00 p.m. for 5 days a week and on rare occasions 7 days a week. Mr. Dominix advised that there is a dust situation and he has taken measures to correct this by covering it with calcium, Class A and crushed rock. He said that it was against the Mineral Act to bury topsoil and that he gave away some of what was screened but he shut down the screening plant after Mr. Snow had complained about it. He proposed to use remaining topsoil for landscaping the property. He also said that the noise levels are consistent with the type of business he operates.

October 28th, 2003

Page 2

It was moved by Councillor Greenland and seconded by Councillor Brown that this matter be turned over to the Works Committee for further investigation.

Motion Carried.

Concerns arising from Minutes of October 14th, 2003.

Councillor Walsh asked if the Works Committee had met with Mr. Don Mercer regarding the parking lot across from the 50+ Club. Also, Councillor Walsh inquired as to whether the water meters were installed.

Mayor Sparkes advised that the meeting with Mayor Don Coombs had taken place and that Mayor Coombs was acting on his own initiative regarding the discussion of Waste Management/Clean up of Incinerator site.

Minutes of October 14th, 2003 were approved.

Letter received from Ms. Lisa Piercey of Persona Communications regarding Persona's REACH Program which is designed to help community groups fund planned capital works programs.

Ron Delaney, Director of Economic Development, Tourism & Recreation has applied for this funding.

Copy of the Decision of the Eastern Regional Appeal Board concerning the appeal of Charlene Dawe Roach of the Coley's Point Concerned Citizens Group with regard to the decision of the Town of Bay Roberts issuing an approval in principle to Avalon Coal, Salt and Oil Ltd. to infill two ponds and construct a wharf, was tabled.

The Board upholds the decision of Council to issue an approval in principle to permit the infill of the ponds and use of the site for a yard and associated building. The Board orders that the condition in the approval in principle be amended to require the operations of Avalon Coal, Salt and Oil Ltd. be separated from all dwellings by a minimum ten metre buffer and that the buffer strip include the preservation of a 4.5 metre waterway and landscaped banks. The Board also orders that Council delay issuing the development permit until Avalon Coal, Salt and Oil Ltd. provides Council with a copy of its permit from the Dept. of Environment allowing the infilling of the ponds.

It was decided that this matter be turned over to the Works Committee.

Information was tabled regarding the Terms and Conditions of a Quarry Permit by the Dept. of Mines

and Energy. Also, 2 maps showing proposed site of Long Pond Quarry for Dawe's Concrete Products Ltd.

October 28th, 2003

Page 3

Information regarding Quarry Regulations be turned over to Works Committee.

It was suggested that the Town Manager check with the Dept. of Municipal & Provincial Affairs regarding tax issues which relate to quarry operations.

Letter received from Ms. Rona Mercer of the Bay Roberts Scouts requesting a donation to their Apple Day event.

This request to be turned over to the Finance Committee.

Letter received from Ms. Daphne Hearn of the Compass requesting financial support for the publishing of a special section in their November 4th edition profiling the Royal Canadian Legion Bay Roberts Branch #32.

It was moved by Councillor Greenland and seconded by Councillor Seymour that a \$55.00 ad be purchased.

Motion Carried.

Letter received from Ms. Frances Ralph of the Compass asking Council to purchase an ad during the publication on November 4th for Remembrance Day.

It was moved by Councillor Greenland and seconded by Councillor Seymour that a \$44.00 ad be purchased.

Motion Carried.

Letter received from Mrs. Ruth Brown, ASMP Leader of the Arthritis Society, requesting financial support for its Fourth Annual Jingle Bell Walk / Run in the Conception Bay North area on Saturday, November 29th, 2003.

It was moved by Councillor Walsh and seconded by Councillor Bowering that this request be turned over to the Finance Committee.

Motion Carried.

Letter received from Mr. Robert Giannou and the Management and Staff, Targa Newfoundland thanking Council for the assistance provided by Council and its staff and for their efforts in recruiting volunteers.

Mr. Ron Delaney informed Council that there will be a meeting arranged between the Town of Bay Roberts, the Town of Spaniard's Bay and Targa Newfoundland officials to discuss future involvement in this tarmac rally.

October 28th, 2003

Page 4

Info Note received from NLFM regarding a policy document entitled "Where We Stand: Municipal Voices in the Provincial Election 2003" which provides questions Council could ask of local provincial candidates with regard to Municipal Government.

Info Note received regarding the sale of some equipment by the Town of Cupids. Also, the Town of Trepassy is searching for panels to repair their quonset hut style stadium.

These Info Notes to be placed on file.

Letter received from Environment Canada regarding the Code of Practice for the Environmental Management of Road Salts.

This letter to be placed on file.

Letter received from the Newfoundland and Labrador Regional Group of the Institute of Public Administration of Canada presenting their 2003 Fall Symposium on Wednesday, October 29th at the Airport Inn, St. John's.

Letter to be place on file.

Application received from Mr. Norman Hill of the Bay Arena Association requesting permission to build extension 30' x 109' (dressing rooms, storage) on the Bay Arena.

It was moved by Councillor Greenland and seconded by Councillor Walsh that approval be given subject to inspection by Fire Chief Clarence Russell and approval from all other regulatory departments. Motion Carried.

Application received from Mr. Sheldon Morgan requesting permission to build a residential dwelling on land situated west on the old railway bed off Barrack's Road.

It was moved by Councillor Walsh and seconded by Councillor Bowering that this request be turned over to the Works Committee. Motion Carried.

Application received from Mr. Alfred Porter requesting permission to build a residential dwelling at

136-140 Central Street.

It was moved by Councillor Greenland and seconded by Councillor Bowering that approval be given subject to all regulatory departments.

Motion Carried.

October 28th, 2003

Page 5

Letter received from Deputy Mayor Steve Kent announcing that he would like to serve as Avalon Director on the NLFM Board of Directors and asking for Councils support.

Letter to be placed on file.

Info Note received from NLFM regarding the Call for Nominations for the position of Avalon Regional Director. Also included, the Avalon Director Nomination Form.

Info Note and nomination form to be placed on file.

Letter received from Mr. Don Coombs of the Trinity Conception Placentia Health Foundation asking Council for their continued support for the 15th Annual Telethon planned for October 3rd, 2004.

Letter to be placed on file.

Letter received NLAMA regarding the 2003 Fall Symposium previously noted on page 4 of these minutes.

Minutes of Spring Meeting, Springdale, June 7th, 2003 of the Stewardship Association of Municipalities were presented and placed on file.

Councillor Seymour attended the Stewardship meeting in Gambo on Saturday, October 25th and gave an overview of what was discussed. He attended a tour of the wetlands in Gambo which proved to be very interesting as there is a permanent resident seal about 200 feet inland living off the bog. Councillor Seymour visited the Museum and Interpretation Centre and also a beautifully maintained park. The minutes from this meeting will be sent at a later date by the new secretary for the Stewardship Association.

A report submitted by Mr. Max Mercer, Control Officer, regarding vehicle wrecks and debris removal around Town, was tabled by Councillor Bowering.

Committee Reports

Councillor Walsh gave a report from the Fire Dept. Fund raising activities include a raffle with 2500

tickets to be sold. The Annual Council Christmas Dinner will take place on December 23rd. The 1975 Ford Fire Truck is now operating in Grande LePierre. The Fire Dept. will be taking part in a course offered by Newfoundland Power on downed power lines. \$1700.00 was raised for the TCP Health Foundation's Annual Telethon. The Fire Dept. is progressing with training for new members under the 1001 program.

October 28th, 2003

Page 6

Councillor Walsh gave a report from the Finance Committee.

It was moved by Councillor Walsh and seconded by Councillor Bowering that a \$500.00 donation be given to the Conception Bay North Junior Stars hockey team in support of icing a junior hockey team in this area.

Motion Carried.

It was moved by Councillor Walsh and seconded by Councillor Bowering that a \$300.00 donation be given to the Bay Roberts Fire Department for the Community Safety Net Program.

Motion Carried.

Councillor Walsh reminded all departments to submit their respective 2004 Budgets by Friday, October 3rd.

Councillor Brown gave a report from the Economic Development Committee.

A meeting took place on Thursday, October 23rd between Mr. Ron Delaney, Deputy Mayor Glenn Littlejohn and Mr. George Lee. The purpose of this meeting was to establish a project within the Town to encourage international business development and cultural exchange. The timing for the project is appropriate to take full advantage of the spin-off from an international student recruitment program initiated by the Avalon West School Board. The Town of Bay Roberts will partner with the Town of Zhorhan in China.

It was moved by Councillor Brown and seconded by Councillor Greenland that approval be given to proceed with involvement in this project.

Motion Carried.

Councillor Seymour presented a information pamphlet on the Springdale Wetlands.

Councillor Walsh extended thanks from the Bay Roberts 50+ Club for Council's continued support.

Mr. Terry Youden, Mrs. Gladys Youden and Mr. Lester Oliver were in attendance.

Mr. & Mrs. Youden requested to have the pavement on Payne's Road extended past their driveway boundary in compensation for allowing the Towns equipment to access their property, 21 Payne's Road, during snow clearing operations.

October 28th, 2003

Page 7

It was moved by Councillor Greenland and seconded by Councillor Brown to extend the pavement on Payne's Road approximately twenty (20) feet past the boundary of 21 Payne's Road, Butlerville, owners, Terry and Gladys Youden, with the stipulation that the Town Council is given the right to access said property, 21 Payne's Road, during snow clearing operations and general road maintenance of Payne's Road. An agreement stating the above mentioned stipulation is to be written by Acting Town Clerk and signed by Mr. & Mrs. Youden and Mayor Sparkes.
Motion Carried.

Fire Chief Clarence Russell gave a report on dilapidated and potential fire hazard properties within the Town and presented pictures of same.

The properties identified by Fire Chief Russell and Mr. Max Mercer, Control Officer, and the suggested recommendations, are as follows:

1. 552 Water Street - plywood all windows & door openings on lower level.
2. 35 Cross Road - plywood all windows & door openings on lower level.
3. 37 Cross Road - plywood all windows & door openings on lower level.
4. 746 Water Street - plywood to be re-nailed around lower level.
5. 41 South Road - plywood all windows and door openings on lower level.
6. 52 Love Street - plywood on windows at rear of building.
7. 39 South Road - clean up of land.
8. 88 South Road - plywood to all doors, electricity to be turned off in all buildings not being used, block building at the rear to be repaired or removed.

It was decided that the owners of these identified properties be written requesting that these recommendations be adhered to.

Fire Chief Russell gave an update on the situation relating to omissions with regard to the specifications for the new fire truck. Fire Chief Russell inquired when the cut off date is for the two properties in Butlerville presently hooked up to fire hydrants. Also, Fire Chief Russell advised that the Fire

Department is looking into prices for a repeater tower for the paging system.

Councillor Concerns

Councillor Bowering advised that the white fence on Bowering's Lane and across from Mr. Rupert Gushue's chain link fence, is located next to an original post and this white fence has not been moved out by the present owner.

October 28th, 2003

Page 8

Councillor Seymour inquired about funding for a boardwalk on Arney's Pond.

It was moved by Councillor Greenland and seconded by Councillor Walsh that the meeting be adjourned 9:55 p.m.

Motion Carried.

Wilbur Sparkes
Mayor

Shirley Hawe
Acting Town Clerk