

**Town of Bay Roberts  
Minutes of Regular Council Meeting  
Tuesday, September 10, 2013**

Eighty-Third Meeting of the Sixteenth Town Council  
Town Hall, 321 Water Street, Bay Roberts, NL

**PRESENT:**

Mayor Philip Wood	Nigel Black, CAO
Deputy Mayor Bill Seymour	Christine Bradbury, Deputy Clerk
Councillor Wade Oates	Ron Delaney, Director of Tourism & Economic Development
Councillor Gerald Greenland	Nicholas Mercer, Compass Correspondent
Councillor Walter Yetman	Shirley Hawe, Town Clerk
Councillor Melvin Walsh	
Councillor Clarence Mercer	

**CALL MEETING TO ORDER**

Mayor Wood called the meeting to order at 7:00 p.m.

**AGENDA / MINUTES**

**Agenda**

**Motion 2013 – 395 – Greenland/Yetman**

Resolved, that regular meeting agenda for September 10, 2013 is accepted as presented.  
Carried unanimously

**Minutes**

**Motion 2013 – 396 - Seymour/Oates**

Resolved, that regular meeting minutes for August 26, 2013 be adopted as presented.  
Carried unanimously

**NEW BUSINESS / STAFF REPORTS**

**Accounts Payable –August 2013**

**Motion 2013 – 397 Yetman/Greenland**

Resolved, Accounts Payable August 2013 listing be approved for payment.  
Carried unanimously

## NEW BUSINESS/STAFF REPORTS

### **Quarterly Report – Tourism & Economic Development**

#### **Motion 2013 – 398 – Seymour/Oates**

Resolved, that Quarterly Report for Tourism and Economic Development presented by Director Ron Delaney accepted as presented.

Carried unanimously

Councillor Melvin Walsh enters Chambers.

### **CAO Quarterly Report**

#### **Motion 2013 – 399 – Walsh/Yetman**

Resolved, that CAO Quarterly Report presented by Nigel Black accepted as presented.

Carried unanimously

### **Planning & Development Committee - Report**

#### **Motion 2013 – 400 – Mercer/Yetman**

Resolved, to accept the Planning & Development Report as presented.

Carried unanimously

### **Planning & Development Committee Recommendation**

#### **Commercial Vehicle Parking Permit – 180 Central Street**

##### **Motion 2013 – 401 – Mercer/Oates**

Resolved, that a temporary Commercial Vehicle Parking Permit be issued for 180 Central Street and the permit could be revisited if there were any complaints.

Carried unanimously

### **Planning & Development Committee Recommendation**

#### **New Commercial Building – 117 CB Highway**

##### **Motion 2013 – 402 – Yetman/Mercer**

Resolved, that the applicant be advised of the requirement to publish a 10 % variance in the side yard requirement for the commercial zone and that the application will be reviewed following the period for public comment.

Carried unanimously

### **Planning & Development Committee Recommendation**

#### **New Commercial Building – 80 LT Stick Drive**

##### **Motion 2013 – 403 – Yetman/Walsh**

Resolved, that approval is given applicant, as per submitted application, to construct a commercial building to be utilized as a coffee shop, convenience store and fuel pumps, at 80 LT Stick Drive, subject to the following requirements:

- (1) Approvals from Government Services and Department of Transportation and Works:
- (2) Submission of a revised plot plan
- (3) The requirements of the Town of Bay Roberts Municipal Development Regulations and all other applicable regulatory departments.

Carried unanimously

## NEW BUSINESS/STAFF REPORTS

### **Planning & Development Committee Recommendation**

#### **New Residential Building – Neck Road/Love Street**

##### **Motion 2013 – 404 – Yetman/Mercer**

Resolved, as per submitted application to construct a dwelling at Love Street/Neck Road, the applicant is directed to publish the proposed variances and the application be referred back to the Planning and Development Committee for consideration if there any responses and a subsequent recommendation to Council.

Carried unanimously

### **Planning & Development Committee Recommendation**

#### **New Residential Building – Tetford's Road**

##### **Motion 2013 – 405 – Yetman/Seymour**

Resolved, that approval is given applicant, as per submitted application, to construct a dwelling at Tetford's Road, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

### **Planning & Development Committee Recommendation**

#### **Bowering Subdivision – George Mercer Drive**

##### **Motion 2013 – 406 – Greenland/Oates**

Resolved, that approval is given to the owners of Bowering Subdivision to name the street "Anthony Place".

Carried unanimously

### **Planning & Development Committee Recommendation**

#### **Hardings Lane – Subdivision Approval**

##### **Motion 2013 – 407 – Walsh/Yetman**

Resolved, that Hardings Lane Subdivision is given final approval subject to the developer paying the required subdivision fees.

Carried unanimously

### **Planning & Development Committee Recommendation**

#### **Green's Road Extension – Proposed Road Development Agreement**

##### **Motion 2013 – 408 – Yetman/Mercer**

Resolved, Approval in Principal is given to the development agreement subject to Council receiving and approving the additional information and final draft of the agreement.

Carried unanimously

## NEW BUSINESS/STAFF REPORTS

### **Planning & Development Committee Recommendation**

#### **Action List Update – Valleyview Phase 3**

##### **Motion 2013 – 409 – Seymour/Greenland**

Resolved, write a letter to the developer accepting the subdivision and note, that the Town is not willing to cover the cost of the sidewalk repairs.

Carried unanimously

### **Finance Committee Report – CAO**

#### **Motion 2013 – 410 – Yetman/Greenland**

Resolved, to accept the Finance Committee Report as presented

Carried unanimously

### **Finance Committee Recommendation**

#### **JMC Sheastown Estuary – Request for funding**

##### **Motion 2013 – 411 – Seymour/Greenland**

Resolved, move to file and be considered during the 2014 Budget process.

Carried unanimously

### **Finance Committee Recommendation**

#### **Acct# PARSC007 – Request for Hardship Consideration**

##### **Motion 2013 – 412 – Yetman/Oates**

Resolved, request for interest charges be waived on a portion of their account is denied.

Carried unanimously

### **Finance Committee Recommendation**

#### **Acct# BADCP001 – Hardship Consideration**

##### **Motion 2013 – 413 – Yetman/Walsh**

Resolved, that the owner be advised of the requirements of the tax collection policy and that interest could only be waived if an acceptable tax payment plan was put in place that meets the policy requirements.

Carried unanimously

### **Finance Committee Recommendation**

#### **Acct# MERCC014 – Request for Reverse of Tax Charges**

##### **Motion 2013 – 414 – Oates/Walsh**

Resolved, that \$1,750 in Water/Sewer charges and \$115.84 in taxes be reversed from the account and that the remaining balance continue to be subject to interest and the requirements of the Tax Collection Policy.

Carried unanimously

## NEW BUSINESS/STAFF REPORTS

### **Finance Committee Recommendation**

#### **G.M. Fitzgerald – Shea Place Subdivision Compensation**

##### **Motion 2013 – 415 – Seymour/Yetman**

Resolved, CAO meet with the developer to discuss the outstanding issues and bring the additional information to the Committee.

Carried unanimously

### **Finance Committee Recommendation**

#### **CB Music Building – Request for Compensation**

##### **Motion 2013 – 416 – Yetman/Walsh**

Resolved, not to consider the request for waiver of taxes or compensation for loss of business, and the request for damaged pavement be referred to our project consultants for consideration.

Carried unanimously

### **Finance Committee Recommendation**

#### **Tax Account ADAMJ001 – Consideration of Tax Rate**

##### **Motion 2013 – 417 – Yetman/Walsh**

Resolved, rate for the property is correct being charges as a vacant commercial building.

Carried Unanimously

### **Finance Committee Recommendation**

#### **Land at Mad Rocks – Response to Legal Letter**

##### **Motion 2013- 418 – Yetman/Walsh**

Resolved, to place on file with no response to the letter.

Carried Unanimously

### **Finance Committee Recommendation**

#### **Bay Arena – Grant Assistance**

##### **Motion 2013 – 419 – Seymour/Walsh**

Resolved, to allow for the expenditure in advance of the grant receipt and if the grant does not get approved then the funding will be deducted from the funding that the Council would consider in 2014.

Carried Unanimously

## CORRESPONDENCE FOR ACTION

### **Paving – Old Methodist Lane**

#### **Motion 2013 – 420 – Greenland/Oates**

Resolved, to move the Public Works Committee for review and subsequent recommendation.

Carried Unanimously

## CORRESPONDENCE FOR ACTION

### **CBN Figure Skating – The Compass**

#### **Motion 2013 – 421 – Mercer/Yetman**

Resolved, to place the request for advertising from the Compass for the CBN Figure Skating Club's 40<sup>th</sup> Anniversary to file.

Carried unanimously

### **TCP Health Foundation**

#### **Motion 2013 – 422 – Oates/Seymour**

Resolved, to forward the annual donation to the Telethon in the amount of \$1500.

Carried unanimously

## CORRESPONDENCE FOR INFORMATION

### **Thank-you Letter – 22 Cleary's Road**

#### **Motion 2013 – 423 – Yetman/Oates**

Resolved, the thank-you letter for work done during the Labour Day Weekend be placed on file.

Carried Unanimously

## NEW BUSINESS/COMMITTEE REPORTS

### **Public Works Meeting – Minutes September 4, 2013**

#### **Motion 2013 – 424 – Seymour/Walsh**

Resolved, to accept the Public Works Minutes of the meeting held on September 4, 2013 as presented.

Carried Unanimously

### **Newco Metal Bin**

#### **Motion 2013 – 425 – Greenland/Yetman**

Resolved, for the Public Works Staff to continue using French's as the drop off location for all metal materials.

Carried unanimously

### **Urban Minutes of Meetings – Meetings August 16/17, 2013**

#### **Motion 2013 – 426 – Walsh/Seymour**

Resolved, to accept the Urban Municipalities Minutes of the meetings held in Corner Brook on August 16<sup>th</sup> and 17<sup>th</sup> as presented.

Carried unanimously

## RESOLUTIONS FROM PRIVILEGED MEETINGS

### **Ratify Motions of Privileged Meeting held August 26, 2013**

#### **Motion 2013 – 427 – Oates/Greenland**

Resolved, that the following privileged meeting motions be ratified:

#371 – Agenda

#372 – Minutes of July 9, 2013

#373 - Meeting Schedule Change

#374 - Adjourn Meeting

## ADJOURNMENT

### **Motion 2013 – 428 – Mercer/Walsh**

Resolved, that Council now adjourned the regular meeting at 8:50 p.m.

Carried unanimously

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Philip Wood, Mayor

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Christine Bradbury, Deputy Clerk