

The One Hundredth meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, April 7, 2009, at 6:50 p.m.

Members Present Mayor Glenn Littlejohn
 Councillor Clarence G. Mercer
 Councillor Gerald Greenland
 Councillor Philip Wood
 Councillor Walter Yetman
 Councillor Bill Seymour

Member Absent Deputy Mayor Melvin Walsh

Also Present Town Manager Edwin Fradsham
 Town Clerk Shirley Hawe
 Fire Chief Clarence H. Russell
 Compass Correspondent Lillian Simmons
 Patricia George, Gaia, Ascension Collegiate
 Coley's Point Residents

Minutes

Mayor Littlejohn asked if there were any errors or omissions to the minutes of the regular meeting of March 24, 2009, which had been circulated with the agenda.

Motion 2009 - 193 - Seymour/Yetman

Resolved that minutes of the regular meeting of March 24, 2009, be approved.

In favour: Mayor Littlejohn
 Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Additions to Agenda

Motion 2009 - 194 - Greenland/Mercer

Resolved that correspondence regarding the Rocky Pond Road turnaround be included in the agenda.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Patricia George, on behalf of Gaia, gave a power point presentation pertaining to acquisition of an outdoor green gym for their student garden at Ascension Collegiate. Ms. George requested the following: (1) Water be turned on at the swimming pool; (2) Use of the Kubota to dig posts for the new archway; and, (3) Aid in purchasing the outdoor green gym.

New Business

Item 1 : Copy of letter received from Minister Dianne Whalen, advising that the Department Municipal Affairs will not cost share funding for a new ice resurfacer for the Bay Arena.

Motion 2009 - 195 - Mercer/Seymour

Resolved that Minister Whalen's letter be placed on file.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item : Correspondence received from x - (1) x give permission for Council to remove obstructing boulders on their property and use their driveway off Green's Road Extension to access any fires or for any other emergency response. (2) x acknowledge the existence of a trail on their property and agree to not block, build, or develop said trail without council's approval.

Motion 2009 - 196 - Mercer/Yetman

Resolved that x's letter pertaining to removal of boulders and use of their driveway, be placed on file.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 197 - Greenland/Yetman

Resolved that a letter be written to x requesting clarification that the “trail” referenced to in their letter of March 31, 2009, is acknowledged to be a public right of way and not an easement.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 3 : Letter received from the Town of Harbour Grace requesting conveyance to them of the Town of Bay Roberts’s interest in the former CBN Incinerator Site.

Motion 2009 - 198 - Yetman/Mercer

Resolved that the Town of Harbour Grace request be referred to the Finance Committee.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 4 : Letter received from x requesting a right of way be paved and maintained by the Town.

Motion 2009 - 199 - Mercer/Yetman

Resolved that x’s letter be referred to the Planning and Development Committee.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 5 : Letter received from Conception Bay North Skating Club requesting financial support.

Motion 2009 - 200 - Yetman/Wood

Resolved that a \$500.00 donation be given to Conception Bay North Skating Club.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 6 : Letter received from Canadian Cystic Fibrosis Foundation requesting financial support.

Motion 2009 - 201 - Seymour/Mercer

Resolved that a \$50.00 donation be given to Canadian Cystic Fibrosis Foundation.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 7 : Occupancy application received from x.

Motion 2009 - 202 - Seymour/Yetman

Resolved that x must publish her intent to open and operate a hair and nails salon from her residence located at 186 Butlerville Road.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 8 : Application received from x to construct and operate a self storage facility at 238 Country Road.

Motion 2009 - 203 - Greenland/Mercer

Resolved that x must publish their intent to construct and operate a self storage facility at 238 Country Road.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 9 : Residential building application received from x.

Motion 2009 - 204 - Yetman/Greenland

Resolved that approval be given to x, as per submitted application, to construct a dwelling at 19 Mosdell's Lane, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 10 : Residential building application received from x.

Motion 2009 - 205 - Seymour/Greenland

Resolved that x's application be deferred pending sewer service availability.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 11 : Residential building application received from x.

Motion 2009 - 206 - Greenland/Yetman

Resolved that approval be given to x, as per submitted application, to construct a dwelling at 10 Parade Street, Coley's Point, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour

Opposed: 0
Abstaining: 0
Motion Carried.

Item 12 : Residential building application received from x.

Motion 2009 - 207 - Greenland/Seymour

Resolved that approval be given to x, as per submitted application, to construct a dwelling at 8 Parade Street, Coley's Point, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 13 : Residential building application received from x.

Motion 2009 - 208 - Yetman/Mercer

Resolved that approval be given to x, as per submitted application, to construct a dwelling at 11-15 Barracks Lane, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 14 : Residential building application received from x.

Motion 2009 - 209 - Seymour/Greenland

Resolved that approval be given to x, as per submitted application, to construct a dwelling at Lot # 41, Badcock Boulevard, Valleyview Subdivison, subject to all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour

Opposed: 0
Abstaining: 0
Motion Carried.

Item 15 : Email received from the Bay Roberts Library Board requesting a representative of council to attend the Annual General Meeting.

Motion 2009 - 210 - Mercer/Yetman

Resolved that the Library Board email be placed on file.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 16 : Correspondence received from the Town of Lewisporte advising of the North Atlantic Marina & Recreational Boating Conference June 18 - 21.

Motion 2009 - 211 - Mercer/Greenland

Resolved that a representative from council the will attend the conference and boat show and Councillor Wood will present a copy of the correspondence to the Bay Roberts Royal Canadian Legion for their information.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Item 17 : Letter and nomination form received from Environment and Conservation Minister Charlene Johnson regarding the NL Environmental Awards.

Motion 2009 - 212 - Yetman/Mercer

Resolved that Minister Johnson's correspondence be referred to Director Delaney. Ascension Collegiate's Gaia group will be nominated for the Environmental Award.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour

Opposed: 0
Abstaining: 0
Motion Carried.

Item 18 : Letter received from M.P. Scott Andrews advising that a Constituency Clinic is scheduled for Wednesday, April 8 at the Royal Canadian Legion, Bay Roberts.

Item 19 : Conception Bay North Joint Councils' minutes of March 26.

Motion 2009 - 213 - Seymour/Mercer

Resolved that CBN Joint Councils' minutes be accepted.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 214 - Mercer/Yetman

Resolved that the Public Works Committee review our Waste Management Practices.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Councillor Greenland left the Chambers.

Item 20 : Councillor Yetman tabled correspondence regarding the purposed Rocky Pond Road turning circle.

Motion 2009 - 215 - Yetman/Wood

Resolved that signed documents and drawings for the purposed Rocky Pond Road turning circle be accepted and permission be given for surveys to be completed and also, the conditions as outlined in x's letter of April 6, 2009, be met.

In favour: Mayor Littlejohn
Councillors: Mercer, Wood, Yetman and Seymour

Opposed: 0
Abstaining: Councillor Greenland
Motion Carried.

Councillor Greenland returned to the Chambers.

Councillor Concerns

Councillor Greenland noted that a second stock pile of salt at x Co., Coley's Point, was allowed on a temporary basis and should be given priority to be removed before the other stock pile. Also, noise from the flapping tarp is disturbing the peace of neighbours.

Motion 2009 - 216 - Greenland/Yetman

Resolved that x provide the expected date for removal of the second stock pile of salt. Removal of the salt pile in the next couple of weeks is acceptable, however, if this is not the intention of the Company, then further consideration is required by council.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Committee Reports

Finance Committee

Motion 2009 - 217 - Mercer/Yetman

Resolved that March 2009 Accounts Payable be accepted.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Tourism Committee

Motion 2009 - 218 - Yetman/Mercer

Resolved that Pigeon Inlet minutes of March 9, 2009, be accepted.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2009 - 219 - Mercer/Yetman

Resolved that Councillor Mercer's report on Hospitality NL Tourism Summit 2009, be accepted.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Planning & Development Committee

Re: x Development - Seniors Cottages

Motion 2009 - 220 - Greenland/Seymour

Resolved that approval in principle be given to x, as per submitted documentation, to construct seniors cottages behind the Silverwood Inn, subject to the following:

- All services will terminate at Conception Bay Highway;
- Submission of design drawings and site plan;
- Receipt of approval from all government regulatory departments;
- Review of water and sewer servicing location; and,
- Review of existing tax arrears by Finance Committee.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Re: x

Correspondence received indicating x Associates Ltd., requested contractor, x Construction, to verify and confirm responsibility for installation of sound rated walls. The Town Manager will contact x to confirm the above noted, including council's request for landscaping, will be addressed.

Re: x Paintless Dent Repair

Motion 2009 - 221 - Greenland/Mercer

Resolved that approval in principle be given to x, as per submitted documentation, to construction a building to be used for the purpose of operating a small paintless dent repair business at 2 Yetman's Lane, subject to all Municipal Development Regulations and receipt of approvals all other regulatory departments.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Re: Public meeting regarding the Town Plan is set for 7:00 p.m on April 21 at the Lions Club.

Re: x Land Development

Motion 2009 - 222 - Greenland/Yetman

Resolved that approval in principle be given to x, as per submitted drawings, to extend Love Street Extension , subject to the following conditions:

- Submission of property layout and design drawings showing water and sewer, curb and gutter (on one side) and asphalt pavement;
- Water and sewer to be extended to connect to the existing 6" water and sewer lines. Existing house services to be modified as required; and,
- Further individual lot development will not be approved.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Re: x Residential Building Application

Motion 2009 - 223 - Greenland/Seymour

Resolved that approval be given to x, as per submitted application, to construct a dwelling at Lot # 11, Love Street Extension, Coley's Point, subject to the following conditions:

- The road be upgraded and extended to west boundary;
- Temporary water and sewer hook up is conditional on applicant connection to services to be installed as part of x Development; and,
- Compliance with all Municipal Development Regulations and all other regulatory departments.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

Re: Pre-construction meeting with contractor for Barracks Road improvements took place April 6 at 10:00 a.m.

Re: Town Manager gave an update from correspondence with the Department of Transportation & Works regarding traffic flow at the entrance and exit to Wescall off Conception Bay Highway; traffic flow at the intersection of Bareneed Road and the C. B. Highway; and also, concerns with a culvert crossing the C. B. Highway which cannot accommodate the water run-off from Cleary's Road and Valleyview Subdivision.

Heritage Advisory Board

Councillor Wood noted that Heritage Regulations are currently being drafted. He also noted the possibility for considering the Cable Avenue as a Municipal Heritage Site, however, residents' input will be required. Also, a decision is required regarding usage for the former railway station.

Mayor's Report

Mayor Littlejohn, on behalf of council, attended various meetings:

- Aliant representative, x, regarding telephone and web service at the Visitor's Pavilion and Marina;

- 60th Wedding Anniversary of former town employee;
- Girls All Nfld Hockey Tournament; and,
- Get the word out that we are a route community for the 2010 Olympic Torch Relay and residents 13 years or older in our community should apply online to carry the torch.

Adjournment

Motion 2009 - 224 - Mercer

Resolved that the meeting do now adjourn at 8:55 p.m.

In favour: Mayor Littlejohn
Councillors: Mercer, Greenland, Wood, Yetman and Seymour
Opposed: 0
Abstaining: 0
Motion Carried.

Glenn Littlejohn
Mayor

Shirley Hawe
Town Clerk