

**Town of Bay Roberts
Minutes of Regular Council Meeting
Tuesday, April 12, 2011**

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

In Attendance:

Council	Mayor Glenn Littlejohn Deputy Mayor Philip Wood Councillor Clarence G. Mercer Councillor Gerald Greenland Councillor Walter Yetman Councillor Melvin Walsh Councillor Bill Seymour
Staff	Nigel Black, Chief Administrative Officer Shirley Hawe, Town Clerk
Public	Terry Roberts, Compass Correspondent Bernard Chard Arthur Dominix

Call to Order

Mayor Littlejohn called the meeting to order at 7:05 p.m.

A moment of silence was held in memory of the late Chesley Brown. Mr. Brown served two terms as Councillor for the Town from 1989-1997.

1.0 Agenda

1.1 Approval of Agenda

Motion 2011 – 775 – Mercer/Walsh

Resolved, that regular meeting agenda for April 12, 2011, be accepted.

Carried unanimously

2.0 Minutes

2.1 Approval of Minutes

Motion 2011 – 776 – Walsh/Seymour

Resolved, that regular meeting minutes for March 22, 2011, be adopted as presented.

Carried unanimously

3.0 New Business / Staff Reports

3.1 Commercial Occupancy Application – 442 CB Highway

Motion 2011 – 777 – Yetman/Walsh

Resolved, that approval be given tenant, as per submitted application, to open and operate a hair salon, Posh Hair Nails Aesthetics, at 442 Conception Bay Highway, subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.

Carried unanimously

4.0 Correspondence for Action

4.1 Mission Lane One Way – 1A Mission Lane

4.2 Mission Lane One Way – 9 Mission Lane

Motion 2011 – 778 – Greenland/Seymour

Resolved, that items 4.1 & 4.2 regarding proposed changes to Mission Lane be referred to the Public Works Committee for further review.

Carried unanimously

4.3 Purchase of Town Land behind Bay Arena

Motion 2011 – 779 – Yetman/Mercer

Resolved, that correspondence regarding a requesting to purchase Town land behind the Bay Arena be referred to the Executive Committee for review.

Carried unanimously

4.4 Application to Operate Quarry at Jacks Hill

Motion 2011 – 780 – Walsh/Mercer

Resolved, that approval be given applicant to operate a quarry at Jacks Hill, Country Road, subject to payment of the annual \$1,000 fee, and further subject to obtaining a permit from the Dept. of Natural Resources. Approval is also subject to the Town's Municipal Development regulations and those required by all other regulatory departments.

Carried unanimously

4.5 Road Upgrades to Jacks Hill

Motion 2011 – 781 – Seymour/Greenland

Resolved, that correspondence requesting assistance by grading the road that leads to Jacks Hill in Country Road be referred to the Public Works Committee.

Carried unanimously

Arthur Dominix and Bernard Chard left the Chambers.

4.0 Correspondence for Action

4.6 Water & Sewer Services Availability – 230 Central Street

Councillor Mercer declared a conflict of interest and left the Chambers.

Motion 2011 – 782 – Yetman/Greenland

Resolved, that correspondence regarding availability of water and sewer services to the property, 230 Central Street, be referred to the Public Works Committee.

Carried unanimously

Councillor Mercer returned to the Chambers.

4.7 Safety Concern – 136A North Road**Motion 2011 – 783 – Walsh/Mercer**

Resolved, that correspondence regarding safety concerns exiting the driveway at 136A North Road be referred to MEO Bowering for further investigation.

Carried unanimously

4.8 Coley's Point Post Office – Postal Union Resolution to Stop Rural PO Closure**Motion 2011 – 784 – Mercer/Walsh**

Resolved that the Government of Canada order the management of the Canada Post Corporation to immediately cease and desist the practice of closing rural Post Offices and abandon all intent to close all rural Post Offices currently under review.

Carried unanimously

Motion 2011 – 785 – Walsh/Wood

Resolved, that a letter be written to Canada Post Corporation requesting inclusion in the decision making process regarding any upcoming changes to Coley's Point Post Office.

Carried unanimously

4.9 Amalgamated Academy Awards Ceremony – Sponsorship**Motion 2011 – 786 – Seymour/Yetman**

Resolved, that a donation of \$225 be given to Amalgamated Academy in sponsorship of the Annual Awards Night.

Carried unanimously

4.10 Bay Arena Minor Hockey – Donation Request**Motion 2011 – 787 – Mercer/Seymour**

Resolved, that the donation request by the Bay Arena Minor Hockey Association's Atom B Rovers All-Star team be placed on file.

Carried unanimously

4.0 Correspondence for Action

4.11 Crohn's & Colitis – Donation Request**Motion 2011 – 788 – Wood/Mercer**

Resolved, that the donation request by the Crohn's & Colitis Foundation be placed on file.
Carried unanimously

4.12 Royal Canadian Legion Campaign Office – Donation Request**Motion 2011 – 789 – Wood/Walsh**

Resolved, that the donation request by the Royal Canadian Legion Campaign Office be placed on file.
Carried unanimously

4.13 Easter Seals NL – Donation Request**Motion 2011 – 790 – Wood/Mercer**

Resolved, that Easter Seal's request for financial assistance be placed on file.
Carried unanimously

4.14 URock Volunteer Awards

Mayor Littlejohn will participate in the 2011 URock Volunteer Awards celebrating the province's young volunteers.

4.15 Land Dispute, Water Flooding from former Rail Bed & Changes to the Subdivision Policy – Delaney's Road**Motion 2011 – 791 – Wood/Walsh**

Resolved, that all correspondence under item 4.15 regarding issues at Delaney's Road be referred to the Executive Committee for review and response.
Carried unanimously

5.0 Correspondence for Information

5.1 Correspondence regarding Pedestrian Safety Concerns at CB Highway**Motion 2011 – 792 – Wood/Mercer**

Resolved, that correspondence regarding pedestrian safety concerns on Conception Bay Highway by a resident of Bareneed Road will be responded to and then said correspondence will be placed on file.
Carried unanimously

5.0 Correspondence for Information

5.2 Municipal Awareness Day

Motion 2011 – 793 – Seymour/Mercer

Resolved, that Council will endorse the proclamation that May 18, 2011 be known as Municipal Awareness Day in the Town of Bay Roberts.

Carried unanimously

5.3 Canada Post Community Literacy Awards – Call for Nominations

Motion 2011 – 794 – Mercer/Greenland

Resolved, that Canada Post Community Literacy Awards information be placed on file.

Carried unanimously

5.4 MNL Resolution to Ban Pesticides in Cosmetics

Motion 2011 – 795 – Mercer/Wood

Resolved, that a petition to the House of Assembly calling to enact legislation banning the use of pesticides for cosmetic (non-essential) purposes in the province of NL be displayed in the town hall for public endorsement.

Carried unanimously

5.5 Accounts Payable – March 2011

Motion 2011 – 796 – Yetman/Walsh

Resolved, that Accounts Payable for March 2011 be approved.

Carried unanimously

6.0 New Business / Committee Reports

6.1 Cultural Foundation

Motion 2011 – 797 – Mercer/Walsh

Resolved, that the Cultural Foundation Financial Report for the year ending, December 31, 2010, be accepted.

Carried unanimously

6.2 Heritage Advisory Committee

Motion 2011 – 798 – Wood/Yetman

Resolved, that Heritage Advisory Committee minutes for March 3, 2011, be accepted.

Carried unanimously

6.0 New Business / Committee Reports

6.3 Planning & Development Committee**Motion 2011 – 799 – Yetman/Mercer**

Resolved, that Planning & Development minutes of March 30th, be accepted.
Carried unanimously

Residential Building Application – 107-109 Cross Road**Motion 2011 – 800 – Yetman/Mercer**

Resolved, that the residential building application for 107-109 Cross Road be denied because it does not meet the required setbacks in the Town's Development Regulations and cannot be accommodated within the allowable variances.
Carried unanimously

Residential Building Application – 13 Roach Place**Motion 2011 – 801 – Yetman/Mercer**

Resolved, that approval be given developer, as per submitted application, to construct a dwelling at 13 Roach Place, subject to the proposed development adhering to the submitted plot plan which clearly provides for the road right of way and for the restriction of improvements within that right of way, and further subject to the Town's Municipal Development Regulations and those required by all other regulatory departments.
Carried unanimously

Request to Rezone Land – 545-559 Water Street

Committee recommends that this change would be a reasonable alteration for Council to consider prior to final adoption of the draft Municipal Plan & Development Regulations.

Residential Building Application – Central Street East**Motion 2011 – 802 – Yetman/Greenland**

Resolved, that the residential building application for Central Street East (adjacent to 328-334 Central Street) be denied because it does not meet the required rear yard setback or the amount required with a 10% variance under the Town's Development Regulations.
Carried unanimously

New Subdivision – 88 Green's Road**Motion 2011 – 803 – Yetman/Walsh**

Resolved, that *Approval in Principle* be given for the development of the proposed subdivision at 88 Green's Road, subject to the developer entering into a subdivision agreement with the Town which clearly outlines the requirements of the developer and puts the necessary securities in place to see the subdivision developed.
Carried unanimously

6.0 New Business / Committee Reports

6.4 Recreation Committee

Motion 2011 – 804 – Yetman/Greenland

Resolved, that Recreation Committee minutes for January 31st and March 28th be accepted.
Carried unanimously

Green Committee

MMSB Household Hazardous Waste Day will be held on Sunday, April 17th at Ascension Collegiate parking lot.

6.5 Urban Municipalities Committee

Motion 2011 – 805 – Walsh/Yetman

Resolved, that UMC minutes for February 25th & 26th be accepted.
Carried unanimously

Motion 2011 – 806 – Mercer/Walsh

Resolved, that congratulations be extended to the Town of Conception Bay South for winning the Kraft Hockeyville 2011 title.
Carried unanimously

6.6 Fifty Plus Club

Motion 2011 – 807 – Walsh/Mercer

Resolved, that Fifty Plus Club Election of Officers report be accepted.
Carried unanimously

7.0 Adjournment

7.1 Motion to Adjourn

Motion 2011 – 808 – Mercer/Seymour

Resolved, that Council now adjourn the regular meeting at 8:15 p.m.
Carried unanimously

Glenn Littlejohn, Mayor

Shirley Hawe, Town Clerk