

The Eighty-Fourth meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, July 15, 2008, at 7:35 p.m.

Members Present Deputy Mayor Melvin Walsh
 Councillor Clarence G. Mercer
 Councillor Gerald Greenland
 Councillor Dennis Brown
 Councillor Walter Yetman
 Councillor Bill Seymour

Members Absent Mayor Glenn Littlejohn

Also Present Town Manager Edwin Fradsham
 Town Clerk Shirley Hawe
 Compass Correspondent Lillian Simmons

Minutes

Deputy Mayor Walsh asked if there were any errors or omissions to the minutes of the regular meeting of June 24, 2008, which had been circulated with the agenda.

Discussion and update regarding the following:

- ▶ 36 Green's Road Extension survey marker placement.

Motion 2008 - 228 - Seymour/Mercer

Resolved that information pertaining to the old known right of way adjacent to 36 Green's Road Extension, should be obtained and copies be sent to Cox & Palmer Law Offices.

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 spoke with the daughter of the owner of 238-240 Water Street, who confirmed that they have no objection to vehicles being parked on their property.
- ▶ Further information will be gathered regarding acquisition of a Town Credit Card.

Motion 2008 - 229 - Yetman/Greenland

Resolved that minutes of the regular meeting of June 24, 2008, 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 2008 - 230 - Greenland/Seymour

Resolved that email from Bae NewPlan regarding option of routing the forcemain down Bareneed Road along Neck Road, be included for discussion during the Public Works report.

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

Motion 2008 - 231 - Greenland/Mercer

Resolved that the diagram from X regarding "Licence to Occupy" crown land at Arney's Pond Road, be included for discussion during the Public Works report.

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 2008 - 232 - Seymour/Mercer

Resolved that approval be given to X as per submitted application, to construct a dwelling at Lot # 23, Love Street Extension, Coley's Point, 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 2008 - 233 - Greenland/Yetman

Resolved that approval be given to X, as per submitted application, to construct a dwelling at Lot # 5, Love Street Extension, Coley's Point, 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 : Revised commercial building extension application received from X.

Motion 2008 - 234 - Seymour/Mercer

Resolved that the X revised application dated June 26, 2008, be tabled during the Planning and Development Committee report.

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 : Building renovations application received from Dept. of Education.

Motion 2008 - 235 - Greenland/Yetman

Resolved that approval in principle be given to the Dept. of Education, as per submitted application, for renovations to Amalgamated Academy, Track Road, Bay Roberts, 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 5 : Letter received from X requesting sods be replaced and pipes be installed in the ditch in front of his Central Street properties.

Motion 2008 - 236 - Seymour/Mercer

Resolved that X's correspondence be referred to the Public Works 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 6 : Letter received from X regarding renovations and water and sewer installation at 37 Cross Roads.

Motion 2008 - 237 - Mercer/Brown

Resolved that X be advised that 37 Cross Roads is currently serviced with town water and sewer and also, advise that a sidewalk is being installed along the opposite side of the road in front of 37 Cross Roads and therefore, access to their driveway will not be an issue.

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 : Correspondence received from X regarding land ownership at Delaney's Road, Bay Roberts.

Motion 2008 - 238 - Brown/Yetman

Resolved that X's correspondence be included for discussion in the Planning & Development Committee report.

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

July 15, 2008

Page 5

Abstaining: 0
Motion Carried.

Item 8 : Donation request received from Epilepsy NL.

Motion 2008 - 239 - Mercer/Brown

Resolved that a \$50.00 donation be given to Epilepsy NL.

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 : Letter received from Stewardship Association of Municipalities, thanking council for their participation and support during the 2008 Spring Conference.

Motion 2008 - 240 - Greenland/Mercer

Resolved that a letter of appreciation and congratulations be sent to X for their efforts in making the 2008 Spring SAM Conference a resounding success.

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

Motion 2008 - 241 - Seymour/Mercer

Resolved that the SAM 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 : Convention 2008 updates received from MNL.

Item 11 : Correspondence received from the Canadian Union of Postal Workers requesting submissions be made to Canada Post Strategic Review Committee regarding postal service.

Motion 2008 - 242 - Brown/Mercer

Resolved that the Canada Post Corporation Strategic Review resolution be signed and a submission be made requesting public hearings be held clarifying deregulation of postal services.

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 Public Safety Canada regarding an Emergency Management Training Program.

Motion 2008 - 243 - Greenland/Seymour

Resolved that Fire Chief Russell and Municipal Enforcement Officer Bowering be offered the opportunity to attend the Emergency Management Training Program, pending application acceptance by Fire Commissioner Fred Hollett.

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 : Email received advising that FCM's Green Municipal Fund offers low-interest loans for brownfield remediation.

Motion 2008 - 244 - Mercer/Yetman

Resolved that FCM's correspondence to 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 14 : Correspondence received from FCM Municipal Marketplace regarding the Canadian Red Cross Society Auxiliary Role Project.

Motion 2008 - 245 - Greenland/Brown

Resolved that the resolution expressing support for the Auxiliary Role Project be signed.

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 : Various info notes received from MNL.

Motion 2008 - 246 - Mercer/Greenland

Resolved that MNL's info note regarding the James Hiscock Memorial Scholarship be distributed to inside staff and posted in the garage for outside workers.

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 2008 - 247 - Yetman/Mercer

Resolved that Accounts Payable for June 2008, 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.

Tourism

Motion 2008 - 248 - Mercer/Greenland

Resolved that Tourism Committee minutes of April 7, 2008, be accepted.

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

Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2008 - 249 - Brown/Seymour

Resolved that permission be given the Tourism Committee to proceed with plans for beautification and enhancement of the Conception Bay Highway "Golden Mile".

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 2008 - 250 - Greenland/Mercer

Resolved that X be issued the letter previously tabled at the June 3, 2008 meeting, with the inclusion that a fee of \$800.00 will apply for cutting and reinstatement of pavement.

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

Motion 2008 - 251 - Greenland/Mercer

Resolved that X be advised that water flooding concerns at 17 Kelly's Road will be addressed in accordance with her written request of April 28, 2008, and also, required maintenance will be carried out on the ditching from Neck Road to North Road.

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

Works Superintendent, requests Council or Executive Committee to meet with workers to outline the duties, job descriptions and Council's expectations and Pat's authority as Superintendent.

Motion 2008 - 252 - Greenland/Mercer

Resolved that a letter be written to Worker's Compensation advising that they have directed a worker to return to work, however, the Worker is not able to carry out the duties he was hired for and the Town was forced to hire a replacement worker.

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

Motion 2008 - 253 - Greenland/Brown

Resolved that X be advised that within the next couple of weeks, a new sewer line will be installed to the ocean, dedicated to the properties of Green's Road Extension.

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

Motion 2008 - 254 - Greenland/Brown

Resolved that X be advised that when the lane leading to their homes is brought to Town's standards, consideration will be given to take the road over.

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

Motion 2008 -255 - Greenland/Mercer

Resolved that X be advised town policy is that any damage to property within the road right of way, ie. 22.5' from center of the road, will not be given consideration for damage claims.

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

Opposed: 0
Abstaining: 0
Motion Carried.

Motion 2008 - 256 - Greenland/Mercer

Resolved that X be advised that an asphalt curb / swale will be installed as discussed in a site meeting with X.

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

Planning & Development

Email received from Bae NewPlan, offering 3 options regarding routing the forcemain down Bareneed Road along Neck Road.

Motion 2008 - 257 - Greenland/Seymour

Resolved that a meeting be arranged with Bae NewPlan to discuss issues outlined in email.

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

Motion 2008 - 258 - Greenland/Yetman

Resolved that X be advised that their request for a stop sign is denied because the existing road is considered the main thoroughfare including the ninety degree turn and placing a stop sign there would slow traffic flow and cause confusion with residents who have had long term use of the road.

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

Motion 2008 - 259 - Greenland/Mercer

Resolved that approval be given to X, as per submitted application, for an extension to the Bay Roberts Denture Clinic, 187 C. B. Highway, subject to all Municipal Development Regulations and all other regulatory departments, and also, approval is conditionally on the building line being a minimum of 8 feet from the boundary.

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

Motion 2008 - 260 - Greenland/Yetman

Resolved that X be advised that, as requested in her letter of June 10, 2008, the privacy fence will be removed in the area of the blind corner on Delaney's Avenue, Shearstown.

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

Motion 2008 - 261 - Greenland/Seymour

Resolved that approval be given to X, as per submitted application, for the construction of a dwelling at 387 Water Street, 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 2008 - 262 - Greenland/Mercer

Resolved that approval be given to X, as per submitted revised application dated June 26, 2008, to construct an extension to their building at 225 C. B. Highway, 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 2008 - 263 - Greenland/Yetman

Resolved that X be advised that his request to construct two new houses on the south side of Delaney's Road Extension can not be addressed until legal title of land is resolved. Council is in receipt of correspondence indicating a legal dispute in land and right of way ownership at Delaney's Road, Bay Roberts.

In favour: Deputy Mayor Walsh

Councillors: C. Mercer, G. Greenland, D. Brown, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

Motion 2008 - 264 - Mercer/Seymour

Resolved that the Town Manager will request X to provide clarification of her letter and intent regarding Delaney's Road.

In favour: Deputy Mayor Walsh

Councillors: C. Mercer, G. Greenland, D. Brown, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

Motion 2008 - 265 - Greenland/Yetman

Resolved that approval be given to X, as per submitted application, to construct a dwelling at 150 North Road, Coley's Point, 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 2008 - 266 - Greenland/Yetman

Resolved that all residential permits will state that, “The property owner will not landscape or place fixed improvements within the road right of way, which is usually 22.5 ft from center of existing road.”

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

Motion 2008 - 267 - Greenland/Mercer

Resolved that the Town Manager will contact Bae NewPlan regarding concerns with placement of sidewalk and width of the Cross Roads.

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

Diagram received from X outlining area being sought for “Licence to Occupy” from Crown Lands, Dept. of Environment and Conservation, along Arney’s Pond Road to Pepper’s Road.

It was decided that Planning & Development will present proper wording for their proposed recommendation at the next regular meeting of Council.

Recreation

Minutes of July 9 were tabled for discussion and review. Super Sports Weekend will take place from July 25 - 28.

Green

Before tonight’s regular meeting, Darren Welner of Scotia Recycling Group, gave a presentation and information session on fiber recycling.

Tidy Town Judges visited and viewed our town on June 30. An evaluation package will be presented at the annual MNL Convention this fall.

Municipal Enforcement

Minutes of July 15 were tabled for discussion and review. “No Dumping” signage will be erected in Muddy Hole and at the parking lot off the C. B. Access Road.

Requesting the Recreation Committee to look into providing poop & scoop bags and disposal containers at playgrounds and other area.

Deputy Mayor Walsh gave a report on the activities and events he attended on behalf of council.

Adjournment

Motion 2008 - 268 - Greenland/Seymour

Resolved that the meeting do now adjourn at 10:20 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