

The Ninety-Second meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, November 25, 2008, at 6:55 p.m.

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

Also Present            Town Manager Edwin Fradsham  
                                Town Clerk Shirley Hawe  
                                Fire Chief Clarence H. Russell  
                                Firefighter Robert Seymour  
                                Compass Correspondent Lillian Simmons  
                                Road Residents - x

### **Minutes**

Mayor Littlejohn asked if there were any errors or omissions to the minutes of the regular meeting of November 10, 2008, which had been circulated with the agenda.

Discussion and update regarding the following:

- ▶ Fire hydrant flushing almost complete.
- ▶ Correction to recorded names for members present.
- ▶ Injured worker is on ease back to work basis.
- ▶ Guardrail work is started.
- ▶ BAE Newplan met with x regarding Adler Place road relocation and work is now proceeding.
- ▶ Joint Councils of C. B. North and Trinity Bay will meet on Thursday, November 27 at Salmon Cove, to discuss Waste Management.
- ▶ Mayor Littlejohn will look into a Tourism Committee request for billboard space on the TCH, east and west of the overpass / turnoff for Veteran's Memorial Highway.
- ▶ The Pigeon Inlet Quilters Guild is located in the Search and Rescue building.

### **Motion 2008 - 448 - Mercer/Yetman**

Resolved that minutes of the regular meeting of November 10, 2008, be adopted.

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

### **Additions to Agenda**

#### **Motion 2008 - 449 - Seymour/Greenland**

Resolved that 4 new items be added to the agenda.

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

#### **Motion 2008 - 450 - Greenland/Yetman**

Resolved that Planning & Development minutes of October 19, be added to the agenda.

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

### **New Business**

**Item 1 :** Letter received from x regarding ongoing burning of rubbish at the property of x, C. B. Access Road.

Area residents were present and x spoke on their behalf. X distributed pictures taken on November 3 of rubbish stored at x's site and asked if a permit to burn was issued by council or the Dept. of Environment. Fire Chief Russell advised that currently there are no regulations in place to stop anyone from burning anywhere and only in the summer months can a fire ban be put in place. Chief Russell spoke with the Dept. of

Environment regarding this issue and was informed that there currently are no relevant guidelines in place pertaining to this issue. x then read from a letter he had received from x, Environmental Officer, regarding burning of demolish waste materials, etc., in municipalities.

Mayor Littlejohn advised the residents present that the matter will be looked into further and the Dept. of Environment will be contacted for clarification of existing regulations.

**Item 2 :** Deferred til later in the meeting.

**Item 3 :** Letter received from Trinity United Church Board of Management regarding the bridge leading to the cemetery.

**Motion 2008 - 451 - Greenland/Seymour**

Resolved that Trinity United Church Board of Management be advised that BAE Newplan has submitted plans to government regarding same and our MHA, MR. Roland Butler be requested to assist us in moving this file forward.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, P. Wood, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

**Item 4 :** Letter received from x requesting permission to operate a small business enterprise at 133-135 South Road, Coley's Point.

**Motion 2008 - 452 - Seymour/Walsh**

Resolved that x must publish in the Compass, their intention to operate a small gas engine repair business and domestic plumbing service and repair in an existing building situated opposite of 133-135 South Road, Coley's Point.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, P. Wood, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

**Item 5 :** Commercial occupancy application received from x.

**Motion 2008 - 453 - Seymour/Walsh**

Resolved that approval be given, as per submitted application, to x to open and operate Brizack Kitchens cabinetry shop at 43 Central Street, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments.

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

**Item 6 :** Letter received from the Bay Arena Board of Directors seeking financial support for the arena.

**Motion 2008 - 454 - Walsh/Wood**

Resolved that a contribution in the amount of \$5,250.00, be given to assist with the long term viability of the Bay Arena regional facility.

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

**Item 7 :** Letter received from the Royal Newfoundland Constabulary Association seeking financial sponsorship for their 17<sup>th</sup> Annual Community Guide.

**Motion 2008 - 455 - Greenland/Mercer**

Resolved that the RNCA correspondence be placed on file.

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

**Item 8 :** Letter received from Ascension Collegiate requesting financial support for their annual Diplomas & Awards Night which is scheduled for Tuesday, December 16.

**Motion 2008 - 456 - Walsh/Wood**

Resolved that a \$225.00 donation be given to sponsor a scholarship for the Ascension Collegiate Diplomas & Awards Night.

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

**Item 9 :** Letter received from Ascension Collegiate Astros Cheerleading Team 2008-2009 seeking a donation for the Annual Christmas Craft Fair at Ascension Collegiate to assist in purchasing new cheerleading uniforms.

**Motion 2008 - 457 - Mercer/Seymour**

Resolved that the Astros Cheerleading Team request be placed on file.

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

**Item 10 :** Letter received from x requesting additional garbage bins be placed around town in an effort to reduce litter and offering her assistance in organizing a town cleanup.

**Motion 2008 - 458 - Yetman/Wood**

Resolved that x be thanked for her correspondence and advised that the Green Committee is in the process of acquiring more garbage bins for placement around the town and would welcome her assistance during next years neighbourhood cleanup.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh

Councillors: C. Mercer, G. Greenland, P. Wood, W. Yetman and B. Seymour  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 11 :** Memorandum of Agreement on the Transmittal of Information between the Office of the Chief Electoral Officer of NL and the Town of Bay Roberts.

**Motion 2008 - 459 - Walsh/Greenland**

Resolved that the Memorandum of Agreement be adopted.

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

**Item 12 :** Memorandum from Greater Avalon Regional Waste Management Committee regarding the tipping fee increase and recycling facility at Robin Hood Bay.

**Motion 2008 - 460 - Walsh/Mercer**

Resolved that the Greater Avalon Committee be advised of Council's opposition to the increase in tipping fees at Robin Hood Bay.

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

**Item 13 :** Email from Mario Tee, Torch Relays Regional Route Coordinator - Atlantic, advising that the Town of Bay Roberts is a potential stop along the route for the Vancouver 2010 Olympic Torch Relay.

**Motion 2008 - 461 - Seymour/Mercer**

Resolved that Mr. Tee's email be placed on file.

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

**Item 14 :** Correspondence received from Jeannette Holman-Price requesting support for The Jessica Campaign.

**Motion 2008 - 462 - Mercer/Seymour**

Resolved that a letter be written to FCM requesting approval of the resolution before them to put their support behind the life saving goals of The Jessica Campaign, also, copies of the letter to the Prime Minister be made available at the front desk and the poster be displayed in the lobby.

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

**Item 15 :** Letter received from Mariner Resource Opportunities Network Inc. regarding the Baccalieu Regional Games for youth ages 11 -18.

**Motion 2008 - 463 - Greenland/Seymour**

Resolved that a letter confirming the town's participation in the Regional Games be issued to M-RON.

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

**Item 16 :** Residential building application received from x.

**Motion 2008 - 464 - Greenland/Mercer**

Resolved that approval be given, as per submitted application, to x 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: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, P. Wood, W. Yetman and B. Seymour  
Opposed: 0  
Abstaining: 0  
Motion Carried.

**Item 17 :** Letter received from the Bay Roberts Lions Club requesting financial support for the Santa Claus Parade.

**Motion 2008 - 465 - Wood/Mercer**

Resolved that a \$500.00 donation be given to the Bay Roberts Lions Santa Claus Parade.

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

**Item 18 :** Letter received from x requesting a "No Exit" sign for Menchions Lane to indicate that it is a dead end road.

**Motion 2008 - 466 - Greenland/Yetman**

Resolved that a "No Exit" sign be placed at the entrance to Menchions Lane, Bay Roberts.

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



**Item 19 :** Letter received from x regarding boat building activities and excessive noise by a neighbour on the north side of their property at Green's Road.

**Motion 2008 - 467 - Yetman/Greenland**

Resolved that x letter be referred to the Planning & Development Committee.

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

**Committee Reports**

**Planning & Development**

Re: Property Development at Playground Road Extension -

**Motion 2008 - 468 - Greenland/Yetman**

Resolved that the stop work order issued to x on October 15, 2008, is to remain in effect. X must submit a plan for review outlining any proposed future development of Playground Road Extension land ie. road location and lot layout which the Committee will then review and consider for approval in principle.

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

Re: Love Street Extension Subdivision Development -

Waiting for additional information and revisions to existing subdivision regulations.

Re: x Residential Building Application -

**Motion 2008 - 469 - Greenland/Seymour**

Resolved that approval be given, as per submitted application, to x to construct a dwelling at 17 Badcock's Road, Shearstown, subject to all Municipal Development Regulations and all other regulatory departments.

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

Re: x -

Waiting receipt of formal building application & approval from government services.

Re: New Road Construction, Adler Place -

**Motion 2008 - 470 - Greenland/Walsh**

Resolved that x be written to confirm that their meeting with BAE Newplan Group addressed their concerns. Also, advise x that the road is mainly for access, therefore, curb, gutter and sidewalk is not a requirement.

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

Re: x Building Extension -

**Motion 2008 - 471 - Greenland/Yetman**

Resolved that approval be given, as per submitted application, to x to include a second storey unto their recently approved building extension at 225 C. B. Highway, Bay Roberts, subject to all Municipal Development Regulations and all other regulatory departments and also, conditional on a site visit by Councillor Yetman.

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

Re: C. B. Access Road Land Purchase Offer -

**Motion 2008 - 472 -Greenland/Walsh**

Resolved that x be advised that Council is interested in negotiating to purchase his land at C. B. Access Road, Bay Roberts, subject to x providing free and clear title to said land.

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

**Finance**

**Motion 2008 - 473 - Greenland/Mercer**

Resolved that Accounts Payable for October 2008 be approved.

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

**Tourism**

Councillor Mercer tabled the 2<sup>nd</sup> Exploration Cruise Forum report. Recommendations included preparation for a Port Readiness Workshop in our community; completion of a Port Assessment; and establishment of a Port Corporation.

**Motion 2008 - 474 - Mercer/Walsh**

Resolved that the Exploration Cruise Forum report be accepted.

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

**Special Events**

Councillor Wood tabled minutes for October 29 & November 12 and also noted that two Ascension Collegiate students are the newest members to the committee.

**Motion 2008 - 475 - Wood/Mercer**

Resolved that the Special Events minutes for October 29 & November 12 be accepted.

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

**Recreation**

Councillor Yetman tabled minutes for October 27 & November 17 and noted that the committee is waiting for input and comments from the Tourism and Special Events regarding smoke free recreation facilities and also gave an update on the Multi-Purpose Facility Feasibility Study.

**Motion 2008 - 476 - Yetman/Walsh**

Resolved that the Recreation minutes of October 27 & November 17 be accepted.

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

## **UMC**

Deputy Mayor Walsh noted that the next UMC meeting will take place the end of February 2009 at St. John's.

## **50 Plus Club**

Councillor Seymour noted that Christmas Raffles will be held November 27, 28 & 29 at the Club Room starting at 7:00 p.m.

## **Wetlands**

Councillor Seymour spoke about Stewardship Association members from Corner Brook touring our wetlands and conservation areas of Muddy Hole and the Shearstown Estuary.

## **Fire Department**

Fire Chief Russell & Firefighter Robert Seymour gave a presentation on a refurbished fire search and rescue vehicle for sale by Eastcan Fire Equipment Limited, New Brunswick. The 1993 Ford 800 series diesel engine rescue vehicle with a one year warranty, appears to be in excellent condition and is priced at \$115,000.00 and negotiable.

## **Update Action Items List**

Re: Fence obstructing view at Delaney's Avenue, Shearstown -

## **Motion 2008 - 477 - Walsh/Greenland**

Resolved that x Delaney's Avenue, Shearstown, be advised that they have two (2) weeks from receipt of registered letter, to have the fence removed or town workers will remove the fence and all associated removal costs will be the responsibility of the property owner.

In favour: Mayor Littlejohn  
Deputy Mayor Walsh  
Councillors: C. Mercer, G. Greenland, P. Wood, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

Re: Delinquent Business Tax for 206-208 Water Street -

**Motion 2008 - 478 - Greenland/Mercer**

Resolved that x be given two (2) weeks from receipt of registered letter, to make arrangement for payment of all outstanding municipal taxes.

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

**Mayor's Report**

An in camera meeting will take place on Tuesday, December 2 at 5:30 p.m. with x and tentatively x, Planning Consultant, at 7:00 p.m.

The next regular council meeting will take on Tuesday, December 9 at 5:00 p.m. This meeting will be for presentation of the 2009 Budget only and other possible essentials items.

Re: Correspondence received from Morrow & Morrow Law Office regarding property at C. B. Access Road.

**Motion 2008 - 479 - Greenland/Mercer**

Resolved that the above noted correspondence be deferred to a future meeting of council.

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

**Adjournment**

**Motion 2008 - 480 - Seymour/Greenland**

Resolved that the meeting do now adjourn at 9:25 p.m.

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

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Glenn Littlejohn  
Mayor

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Shirley Hawe  
Town Clerk

A Special meeting of the Fifteenth Town Council of the Town of Bay Roberts took place in the Town Hall, Tuesday, November 25, 2008, at 9:25 p.m.

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

Also Present            Town Manager Edwin Fradsham  
                                Town Clerk Shirley Hawe

**Business deferred from regular meeting of November 25, 2008**

Correspondence received from William G. Morrow, Q.C., Morrow & Morrow Law Office, regarding the proposed purchase from x of 1.5347 hectares of land situate at C. B. Access Road, Bay Roberts. It is the opinion of Mr. Morrow that the x, do not enjoy sufficient interest in the Property to proceed with a Quieting of Titles Application.

**Motion 2008 - 481 - Mercer/Yetman**

Resolved that expropriation procedures, as per the opinion of legal counsel, be commenced immediately on the above noted property situated at C. B. Access Road, Bay Roberts.

In favour:            Mayor Littlejohn  
                                Deputy Mayor Walsh  
                                Councillors: C. Mercer, G. Greenland, P. Wood, W. Yetman and B. Seymour

Opposed:            0

Abstaining:        0

Motion Carried.

Council members were in agreement by a show of hands that two members of the Fire Department will travel to New Brunswick by invitation and with all expenses paid for by Eastcan Fire Equipment Limited.

**Adjournment**

**Motion 2008 - 482 - Greenland/Yetman**



Resolved that the special meeting do now adjourn at 10:55 p.m.

In favour: Mayor Littlejohn

Deputy Mayor Walsh

Councillors: C. Mercer, G. Greenland, P. Wood, W. Yetman and B. Seymour

Opposed: 0

Abstaining: 0

Motion Carried.

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Glenn Littlejohn  
Mayor

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Shirley Hawe  
Town Clerk