

**Town of Bay Roberts
Minutes of Regular Council Meeting
Tuesday, September 13th, 2022**

Seventeenth Meeting of the Nineteenth Town Council
Town Hall, 321 Water Street, Bay Roberts, NL

PRESENT:

Mayor Walter Yetman
Deputy Mayor Seymour
Councillor Frank Deering
Councillor Ross Petten
Councillor Dean Franey
Councillor Perry Bowering
Councillor Silas Badcock

Nigel Black, CAO
Christine Bradbury, Town Clerk

CALL MEETING TO ORDER

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

AGENDA / MINUTES

Agenda

Motion 2022 – 295

Petten/Deering

Resolved, that regular meeting agenda for September 13th, 2022 is accepted as presented.
Carried Unanimously

Approval of Minutes

Motion 2022 – 296

Seymour/Badcock

Resolved, that regular meeting minutes for August 16, 2022 be adopted as presented.
Carried Unanimously

NEW BUSINESS

Accounts Payable – July & August 2022

Motion 2022 – 297 Seymour/Franey

Resolved, that Council approved the Accounts Payable listing for the months of July and August as presented.

Carried Unanimously

Commercial Occupancy Application – 2-8 Water Street

Motion 2022 – 298 Franey/Badcock

Resolved, that Council give an *Approval in Principle* for the new Commercial Occupancy Application for 2-8 Water Street subject to all other Government agency requirements and a successful completion of a Fire & Life Safety Inspection.

Carried Unanimously

Commercial Occupancy Application – 225A Conception Bay Highway

Motion 2022 – 299 Badcock/Deering

Resolved, that Council give an *Approval in Principle* for the new Commercial Occupancy Application for 225A Conception Bay Highway subject to all other Government agency requirements and a successful completion of a Fire & Life Safety Inspection.

Carried Unanimously

Commercial Occupancy Application – 209A Conception Bay Highway

Motion 2022 – 300 Franey/Badcock

Resolved, that Council give an *Approval in Principle* for the new Commercial Occupancy Application for 209A Conception Bay Highway subject to all other Government agency requirements and a successful completion of a Fire & Life Safety Inspection.

Carried Unanimously

12-14 French’s Cove Road – Accessory Bldg. Height – Discretionary

Motion 2022 – 301 Badcock/Petten

Resolved, that Council use Section 6 of the Town of Bay Roberts Development Policy “Discretionary powers of authority” to inform the applicant to publish the notice in the Shoreline Newspaper, Town’s Website and Social Media for a period of ten days to be paid for by the applicant. Once the input period has passed the information is to come back to Council for a decision.

Carried Unanimously

Residential Dwelling Application – 952-954 Water Street

Motion 2022 – 302 Seymour/Franey

Resolved, that Council give an Approval in Principle of Sale for 952-954 Water Street pending the following conditions:

- The Municipality will not be responsible for the roadway beyond the end of the existing pavement
- Garbage box must be located at the turnaround at the end of the pavement
- Water and Sewer services will not be extended to the property boundary
- Builder must get approval from Service NL for Well and Septic services
- The Municipality is not responsible for any electrical issues that may arise
- Fire Protection will only be available as long as the roadway is kept in an acceptable standard i.e. plowed during Winter
- The applicant/developer is required to sign a waiver.

Carried unanimously

Planning and Development Committee Report

Motion 2022 – 303 Petten/Deering

Resolved, that Council accepted the Planning and Development Committee Report as presented.

Carried Unanimously

Planning and Development Committee

8 Bishop’s Road – Premium Waste Business Occupancy

Motion 2022 – 304 Franey/Badcock

Resolved, that Council approved the New Business Application for Premium Waste at 8 Bishop’s Road subject to the following conditions:

- That the Business Occupancy result in no waste/garbage being handled on site
- That the Business Occupancy result in no storage of waste bins and containers onsite with the exception of one commercial bin for the business’s onsite use
- That all vehicle maintenance and parking after business hours be confined to the interior of the building.
- Only vehicles belonging to Premium Waste are allowed to park overnight on the property

Opposed by: Councillor Bowering

Accepted by: Mayor Yetman, Deputy Mayor Seymour, Councillor Badcock, Councillor Deering, Councillor Franey, Councillor Petten

Motion Carried

Planning and Development Committee

38-40 Cross Road – Development Application (Storage Units)

Motion 2022 – 305 Petten/Franey

Resolved, that Council asked that the applicant be advised to publish their intent to construct commercial storage units at 38-40 Cross Road as a requirement of the Discretionary Use and the application be referred back to the Planning Committee for evaluation of the results of the publishing period.

Carried Unanimously

Planning and Development Committee

89 George Mercer Drive – Residential Development

Motion 2022 – 306 Deering/Badcock

Resolved, that Council asked the applicant to publish their request for two variances required for the Residential Development Application for 89 George Mercer Drive as a requirement of the Discretionary Use and then referred to the Planning and Development for further review and subsequent recommendation back to Council after the public input period has passed.

Carried Unanimously

Planning and Development Committee

Conception Bay Highway- Crosswalks – Action List #24

Motion 2022 – 307 Seymour/Badcock

Resolved, that Council referred the development of crosswalks on the Conception Bay Highway at the intersection of LT Stick Drive and in the area of the old Railway Track with consideration for an upgrade to include pedestrian crossings as a Budget Item and asked the Director of Public Works and Technical Services to investigate, acquire the cost and report to Council.

Carried Unanimously

Planning and Development Committee

Jerrett Memorial Park – Action List #14

Motion 2022 – 308 Petten/Deering

Resolved, that Council approved the development of the Kenneth Jerrett Memorial Park located at Lot 552 Water Street and asked that the developers be advised that the Town is not responsible for any damage to landscaping within 22.5 ft from the center of the road (as the sidewalk/steps appear to be close to the road/road allowance).

Carried Unanimously

Discretionary Use of Council – Commercial Building – 247 Shearstown Road

Motion 2022 – 309 Badcock/Petten

Resolved, that Council use Section 6 of the Town of Bay Roberts Development Policy “Discretionary powers of authority” to inform the applicant to publish the notice in the Shoreline Newspaper and the Town’s Social Media for a period of ten days to be paid for by the applicant. Once the ten days is over for all information to come back to Council for a final decision on the discretionary use.

Carried Unanimously

Commercial Occupancy Application – 7 Excel Place

Motion 2022 – 310 Deering/Franey

Resolved, that Council give an Approval in Principle for the Commercial Occupancy at 7 Excel Place subject to any/all other government agency requirements, the Town’s Development Regulations and a successful completion of a Fire & Life Safety Inspection.

Carried Unanimously

CORRESPONDENCE FOR ACTION

Water & Sewer Extension Request – Central Street (End)

Motion 2022 – 311 Franey/Petten

Resolved, that Council denied the request to extend water and sewer services further along at the end of Central Street as requested by at property owner there, as any cost associated with the extension would be the responsibility of the owner/developer.

Carried Unanimously

24 Mission Lane – Culvert or Catch Basin Request

Motion 2022 – 312 Badcock/Deering

Resolved, that Council referred the request for a culvert or catch basin for 24 Mission Lane to the Public Works Department for action and completion of this request.

Carried Unanimously

344 Shearstown Road – Water Concern from Brook

Motion 2022 – 313 Franey/Badcock

Resolved, that Council referred the water concern of the property owner of 344 Shearstown Road to the Public Works Committee of Council for further review.

Carried Unanimously

TCP Health Foundation Telethon – Donation Request

Motion 2022 – 314 Badcock/Franey

Resolved, that Council will make the annual donation of \$1500 to the TCP Health Foundation Telethon on behalf of the residents of the Town.

Carried Unanimously

Business Tax Relief Request – Covid Restrictions

Motion 2022 – 315 Franey/Petten

Resolved, that Council denied the Business Tax relief request from a business owner and property owner, as there were Federal and Provincial programs available to business owners during the Covid Restrictions/Pandemic.

Carried Unanimously

CBN Junior Stars – Donation Request

Motion 2022 – 316 Franey/Badcock

Resolved, that Council will make the annual donation of \$500 to the CBN Junior Stars in support of local community junior hockey.

Carried Unanimously

Heritage Society – Shoreline Heritage Walk Signage

Motion 2022 – 317 Franey/Badcock

Resolved, that Council ask the Mayor send written correspondence on behalf of the Town in response to the Heritage Society regarding the replacement signage on the Shoreline Walk.

Carried Unanimously

Kenneth Jerrett Memorial Park – Welcome Panel

Motion 2022 – 318 Badcock/Petten

Resolved, that Council asked the CAO to contact our insurance provider regarding the possibility of General Liability Insurance Coverage under the Town for the Memorial Park and report to Council.

Carried Unanimously

Roadside Brush Concerns

Motion 2022 – 319 Seymour/Franey

Resolved, that Council referred the concerns regarding the roadside brush needing to be cut back to the Public Works Department for action.

Carried Unanimously

Proclamation – Prostrate Cancer Awareness Month – September

Motion 2022 – 320 Franey/Petten

Resolved, that Council directed the Mayor to sign the proclamation naming the month of September 2022 as Prostrate Cancer Awareness Month in the Town of Bay Roberts.

Carried Unanimously

50+ Club – Building Maintenance

Motion 2022 – 321 Bowering/Badcock

Resolved, that Council referred the correspondence regarding some required building maintenance for the 50+ Club to the Director of Recreation and Tourism for further review and action.

Carried Unanimously

CORRESPONDENCE FOR INFORMATION

Government of NL – Transportation and Infrastructure

17-RNC-23-00011 – Water, Sanitary and Storm Sewer Upgrades – Shearstown Road – Phase 1

Motion 2022 -322 Badcock/Deering

Resolved, that we the Ultimate Recipient, Town of Bay Roberts accept the cost-shared funding as outlined in the Department of Transportation and Infrastructure project approval letter dated 26th day of August, 2022, Project number 17-RNC-23-00011- Water, Sanitary and Storm Sewer Upgrades, Shearstown Road-Phase 1 with a total project value of \$2,440,000. This Council agrees to provide the Ultimate Recipient share value of \$737,485 in funding for this project and authorizes the Mayor and CAO to enter into a funding agreement with the Department of Transportation and Infrastructure on behalf of the Town of Bay Roberts.

Carried Unanimously

MNL Board of Directors - Nominations

Motion 2022 – 323 Seymour/Deering

Resolved, that Council moved to file the correspondence received from MNL regarding nominations for the Board of Directors.

Carried Unanimously

COUNCILLOR CONCERNS/NOTICE OF MOTION

Fire Protection – Updated Information for Collection

Motion 2022 – 324 Seymour/Bowering

Resolved, that Council ask the Director of Protective Services to have signs done and put in place regarding the deadline of December 31, 2022 for Fire Protections services for the Port de Grave and area for collection of information for the property owners and the need to contact the Town Council Office.

Carried Unanimously

ADJOURNMENT

Adjourn

Motion 2022 – 325 Petten/Franey

Resolved, that Council now adjourns the regular meeting at 8:31 PM.

Carried unanimously

Walter Yetman, Mayor

Christine Bradbury, Town Clerk