

Monday - August 30th, 1943.

A Regular meeting of the Council was held at the Municipal Hall on Monday August 30th, 1943 at 7.30 p.m.
Present: His Worship Reeve Willson in the chair. Councillors Wilson, Dingle, Beamish, Matheson, Gartlan, Lewis and Hatherly.

Moved by Cr. Beamish, Seconded by Cr. Hatherly: "That the minutes of the previous meeting be adopted as written and confirmed."
Carried unanimously.

Moved by Cr. Hatherly, Seconded by Cr. Lewis: "That the name of Cr. Matheson be added to the Committee of the Council appointed to act as Committee with the representatives of the Burnaby Fire Fighters Assn. and that the said Association be asked to nominate one additional member to the Committee."
Carried unanimously.

Correspondence was received and dealt with as follows:

Secy. Burnaby Town Planning Commission recommending that the Council make arrangements for the payment of \$10.00 per month to the Secretary of the Commission retroactive to the first sitting of the Commission. Moved by Cr. Wilson, Seconded by Cr. Lewis: "That the letter be received and that the Secretary to the Commission be paid \$10.00 per month for his services to the Commission retroactive to April 1943."
Carried unanimously.

Secy. Burnaby Town Planning Commission - forwarding the following resolution, viz:

"That the Burnaby Municipal Council be asked to consider the advisability of instructing the Building Department to issue, not more than one building permit on any one parcel of land."

Moved by Cr. Hatherly, Seconded by Cr. Wilson: "That the suggestion of the Town Planning Commission be adopted."
Carried unanimously.

Without motion it was resolved that this matter be discussed at the next meeting of the Health, Sanitation and Building Committee.

The Building Inspector submitted request from W.L. Bradley of his department to be relieved of his duties and recommended that his resignation be accepted, as from ~~August 24th~~ September 24th, 1943. Moved by Cr. Wilson, Seconded by Cr. Hatherly: "That the resignation be accepted and that Mr. Bradley be granted his usual two weeks holidays."
Carried unanimously.

A.C. Bell, Building Inspector, submitting his resignation to take effect as from September 30th, 1943.

Moved by Cr. Wilson, Seconded by Cr. Lewis: "That the resignation be not accepted and that Mr. Bell be invited to attend the Council at the next meeting of the Health, Sanitation and Building Committee."
Carried unanimously.

Marjorie Browning, et al - complaining of the condition of the pathway on Britton St. between Kingsway and Stride Avenue.

Moved by Cr. Dingle, Seconded by Cr. Wilson: "That the letter be received and that the subject matter thereof be referred to the Engineer for report."
Carried unanimously.

Charles C Bell, Municipal Solicitor, wrote requesting that as he is now required to attend all meetings of the Council and Committees that his retainer be increased to \$900.00 per annum. Moved by Cr. Wilson, Seconded by Cr. Beamish: "That the retainer be continued at the present rate (\$600.00) and that Mr. Bell be required to attend meetings of the Council only."

An Amendment was Moved by Cr. Matheson, Seconded by Cr. Lewis: "That the motion be amended to read 'That the retainer of the Solicitor be increased to \$900.00 per annum and that he be required to attend all meetings of Council and Committees.'"

The amendment carried - Crs. Hatherly and Beamish voting in the negative.

The motion as amended was then put and carried - Crs. Hatherly and Beamish voting against.

Secretary, Burnaby School Board, wrote requesting that Miss Ruth Watson be re-transferred from the School Board Office to the Municipal Hall staff. Moved by Cr. Gartlan, Seconded by Cr. Wilson: "That this matter be referred to the Personnel Committee."
Carried unanimously.

Miss Ruth M. Watson submitted application for an opening on the Corporation office staff in keeping with her seniority and capabilities as Clerk. Moved by Cr. Hatherly, Seconded by Cr. Wilson: "That this application be referred to the Personnel Committee."
Carried unanimously.

Secretary, Burnaby School Board, wrote requesting that the work of issuing payments and cheques as provided under Section 63, (1), of the School Act be transferred from the School Board office to the department of the Municipal Treasurer.
 Moved by Cr. Wilson, Seconded by Cr. Hatherly: "That the request of the School Board be granted."

Carried unanimously.

A. C. Bell, Municipal Solicitor, wrote submitting his opinion re the Burnaby Procedure By-law and advised that the By-laws adopted by this Council are not passed until they have received three readings pursuant to our "Rules and Regulations" therefore the delay of one day must come after the third reading.
 Moved by Cr. Hatherly, Seconded by Cr. Matheson: "That the letter be received and filed."

Carried unanimously.

George Culbert submitted application for Leave of Absence as from August 31st, 1943 to join Active Service with the Canadian Army.
 Moved by Cr. Hatherly, Seconded by Cr. Matheson: "That Leave of Absence be granted."
 Carried unanimously.

Sister M. Esther, St. Francis Leper Settlement, submitted appeal for alms.
 Moved by Cr. Hatherly, Seconded by Cr. Wilson: "That the letter be received and filed."

Carried unanimously.

COMMITTEE REPORTS:

FINANCE COMMITTEE REPORT:

Your Committee met on August 23rd, 1943 and recommend:

1. That Disbursements in the sum of \$31,128.17 be paid. ✓
2. That Allowances under Section 293 of the Municipal Act be made in the sum of \$120.58
3. That Land Sale Commissions in the sum of \$298.55 be paid.
4. That a refund of \$2.00 be made to Mr. A. K. Douglas for the overpayment of pound fees.

Moved by Cr. Beamish, Seconded by Cr. Matheson: "That the report of the Finance Committee be adopted."

Carried unanimously.

PROPERTY COMMITTEE REPORT:

Your Committee met on August 23rd, 1943 and recommend:

1. That Lot 28, Block 59, D.L. 218 be leased to Mr. H. Cripps for a term of three years at an annual rental of a sum equivalent to the annual taxes which would be levied if the land were privately owned, payable \$5.00 on the execution of the lease, balance to become due and payable on the 30th day of June in each year.

Moved by Cr. Hatherly, Seconded by Cr. Dingle: "That the report of the Property Report be adopted."

Carried unanimously.

BOARD OF WORKS & WATERWORKS COMMITTEE REPORT:

Your Committee met on August 23rd, 1943 and recommend:

1. That Estimates of Work be approved as follows, subject to funds being available.

Period September 2nd to 15th.	
Board of Works	\$3181.00
Waterworks	2266.00
Period September 1st to 30th.	
Parks	\$1120.00

Moved by Cr. Beamish, Seconded by Cr. Hatherly: "That words 'subject to funds being available' be eliminated."

Carried unanimously.

Moved by Cr. Gartlan, Seconded by Cr. Hatherly: "That report of Board of Works and Waterworks Committee be adopted as amended."

Carried unanimously.

ADMINISTRATION OF JUSTICE & FIRE COMMITTEE:

Your Committee met on August 23rd, 1943 and recommend:

1. That E. Moss and Wm. Milne having completed their probationary period be appointed to the permanent staff of No. 1 and 2 Fire Areas respectively.
 2. That the District Chief Fire Area No. 1, G. Waddell, and the Chairman be authorized to attend the Convention of the B. C. Fire Chiefs' Association and Fire College.
- Moved by Cr. Dingle, Seconded by Cr. Hatherly: "That the report of the Administration of Justice & Fire Committee be adopted."

Carried unanimously.

PARKS, LIGHT & POWER COMMITTEE:

Your Committee met on August 23rd, 1943 and recommend:

1. That damage to Standard #21, North Burnaby Ornamental Street Lighting System, be repaired at an estimated cost of \$40.00 and the usual steps for recovery of cost be taken against Mr. W. D. Edgar.

Moved by Cr. Matheson, Seconded by Cr. Dingle: "That the report of the Parks, Light & Power Committee be adopted."

Carried unanimously.

Reeve Willson submitted recommendation that the following appointments be made effective as from September 1st, 1943.

A. J. Keel - to be Deputy Treasurer and Collector

Miss D. Smith - to be Deputy Municipal Clerk.

Moved by Cr. Hatherly, Seconded by Cr. Lewis: "That this matter be referred to the Personnel Committee."

Carried unanimously.

The Collector submitted recommendation that the following returned soldiers be granted an extension of one year for the payment of delinquent taxes as provided under Section 293 of the Municipal Act.

J. W. Logan	Lots 15, 16, Blk. 13, D.L. 121 (15) \$47.73 (16) \$29.88
H.J. Archer	Lots 6/7N, S.D. 2, Blk. 11/13, D.L. 95N. 190.55
W. Nelson	Lot 13, Block 80, D.L. 127 37.89
S. A. Small	Loy 11, Block 42/43, D.L. 151/3 98.83

Moved by Cr. Hatherly, Seconded by Cr. Lewis: "That the recommendation of the Collector be adopted and By-law be brought down."

Carried unanimously.

W. Dingle, Chairman Fire Committee, submitted recommendation that in addition to District Chief Waddell and himself, District Chief W. M. Banks also be authorized to attend the Convention of the E. C. Fire Chiefs Association and Fire College.

Moved by Cr. Hatherly, Seconded by Cr. Matheson: "That the recommendation of W. Dingle be adopted."

Carried unanimously.

In Favour: Crs. Dingle, Matheson, Hatherly, Beamish
Against: Crs. Wilson, Lewis and Gartlan.

CARRIED

Committee submitted report on application of Mrs. A. C. Rogers for a kennel license at 4604 Frances Street and recommended that said application be approved.

Moved by Cr. Lewis, Seconded by Cr. Gartlan: "That the report be received and that the applicant be advised that a kennel license is not required for three dogs."

Carried unanimously.

Property Sales Slips No. 2998 to 3024

2998	Lot 2, Blk. 41, D.L. 122/3/4. Frederick Wm. Mills	130.00	75.00
2999	Blk. 38, D.L. 86. Wm. H. & Mrs. Agnes McHugh	450.00	270.00
3000	Lot 1, Blk. 7, D.L. 187. Harry Sigm.	320.00	250.00
3001	Blk. 32, D.L. 92. John T. & Isabel E. Parsons	810.00	450.00
3002	Lot 39, Blk. 11, D.L. 151/3. Mrs. Christina DeJong	245.00	175.00 A
3003	Blk. 40, D.L. 86. Stanley George Wallace	450.00	270.00
3004	Lot 9, Blk. 12, D.L. 28 C. Jas. A. Durance	400.00	240.00
3005	Lot 18, Blk. 1, D.L. 205. Chas. F. Gentry	1155.00	650.00
3006	Lots 12, 13, Blk. 2, D.L. 80S. Wm. A. & Bethel G. Kelso	290.00	200.00
3007	Lot 3, Blk. 33, D.L. 121. Chas. Robertson	195.00	110.00
3008	Lot 6, Blk. 11, D.L. 97. Bruce Schamehorn	310.00	190.00
3009	Lot 7, Blk. 1, D.L. 29. Alfred B. Fensom	395.00	200.00
3010	Lot 2, Blk. 2, D.L. 305. Alfred Hammore	1340.00	750.00 A
3011	Lot 2, Blk. 8, D.L. 127 E.2. Theodore L. & L. A. Arnold	220.00	110.00
3012	Lot 2, Blk. 6, D.L. 186. W.R. & G. K. Carter	450.00	250.00
3013	Lot 1, Blk. 49, D.L. 122/3/4. James Head	140.00	100.00 A
3014	Lot 15, Blk. 4, D.L. 121. Mrs. Mary E. Hill	373.00	200.00
3015	Lot 28, Blk. 36, D.L. 13. Wm. E. & Mrs. E.J. Roe	350.00	200.00
3016	Lot 28, S.D. 6-8, Blk. "D", D.L. 96. Bill & Nellie Kwiatowski	460.00	275.00
3017	Lot 10, S.D. "A", Blks. 13-16, D.L. 34. Joshua H. & Harriet Greaves	400.00	300.00
3018	Lot 7, Blk. 26, D.L. 151/3. Frank F. Beaven & Walter R. Weatherhead	600.00	400.00
3019	Lots 4, 5, S.D. 2, Blks. 35-57, D.L. 98. Joseph E. Lawlor	750.00	450.00 A
3020	Lot 2, Blk. 4, D.L. 127 E.2. Richard Wm. Robson	605.00	350.00
3021	Lot 3, Blk. 6, D.L. 186. L.T. & Georgina LaFond	450.00	250.00 A
3022	Lot 3, Blk. 41, D.L. 122/3/4. Frederick Wm. Mills	150.00	75.00
3023	Lot 3, Blk. 5, D.L. 97. J. W. Page	320.00	200.00
3024	Pt. Lot 1, S.D. 7, Blk. 4, D.L. 306. Douglas Joyce	435.00	260.00

Moved by Cr. Hatherly, Seconded by Cr. Lewis: "That Property Sales Slips be approved as written."

Carried unanimously.

Cr. Lewis introduced matter of taking power under Sec. 125b of Sec. 59 of the Municipal Act and the appointment of a Weights and Measures Inspector. Moved by Cr. Beamish, Seconded by Cr. Hatherly: "That this matter be referred to committee of Cr. Lewis, Reeve Willson and the Municipal Solicitor for report and recommendation."

Carried unanimously.

The Clerk submitted tenders received for sale of Corporation Tax sale property.
 Moved by Cr.Hatherly, Seconded by Cr.Wilson: "That tenders be opened by number."
 Carried unanimously.

(1) 3625 Marine Drive. One tender.

T.L.Paris \$1200.00 \$100.00 cash, balance in 14 monthly installments.
 Moved by Cr.Beamish, Seconded by Cr.Wilson: "That the tenderer be advised that
 his offer of \$1200.00 is accepted subject to terms being one-quarter cash."
 Carried unanimously.

(2) 1710 Springer Avenue. Two tenders.

(1) Wm.H.Noble - \$510.00 \$170.00 cash, balance monthly.

(2) W.T.Evans - \$550.00

Moved by Cr.Beamish, Seconded by Cr.Wilson: "That tender No.2. be accepted."
 Carried unanimously.

(3) 3380 Royal Oak Avenue One tender.

A.J.Hutchings \$1500.00 Cash on September 30th.

Moved by Cr.Hatherly, Seconded by Cr.Dingle: "That this tender be accepted."
 Carried unanimously.

(4) 4770 Pender St.E. Two tenders.

(1) Mrs. M.McTaggart - \$900.00 - \$150.00 cash, balance \$20.00 monthly.

(2) Rena E.Jackson 650.00 - \$250.00 cash, balance \$15.00 per month.
 Moved by Cr.Wilson, Seconded by Cr.Dingle: "That tender No.1. be accepted, subject
 to purchaser being advised that premises must be brought into conformity with the
 Plumbing by-laws of the Corporation prior to occupancy."
 Carried unanimously.

Moved by Cr.Gartlan, Seconded by Cr.Hatherly: "That the Council do now resolve
 into a committee of the whole with the Reeve in the chair to consider Burnaby
 Fire Department By-law 1943."

An amendment was Moved by Cr.Dingle, Seconded by Cr. Matheson: "That
 consideration of this By-law be deferred for two months."

An amendment was Moved by Cr.Lewis, Seconded by Cr.Beamish: "That this
 amendment be amended by striking out the words "two months" and by substituting
 therefore the words "two weeks"

Carried unanimously.

The amendment as amended was then put and carried unanimously.

Moved by Cr.Lewis, Seconded by Cr.Gartlan: "That the Municipal solicitor be
 invited to attend a meeting of the Committee of the whole to discuss the Fire
 By-law on Tuesday, September 7th. at 6.45 p.m."

Carried unanimously.

Moved by Cr.Hatherly, Seconded by Cr.Gartlan: "That this Council do now resolve
 into a committee of the whole with the Reeve in the chair to consider Burnaby
 Land Sale By-law No.8. 1943."

Carried unanimously.

Committee of the Whole

Moved by Cr.Gartlan, Seconded by Cr.Lewis: "That the By-law be taken as read and
 be approved."

Carried unanimously.

Moved by Cr.Hatherly, Seconded by Cr.Gartlan: "That the Committee do now rise and
 report the by-law complete without amendment."

Carried unanimously.

The Council re-convened:

Moved by Cr.Hatherly, Seconded by Cr.Lewis: "That Burnaby Land Sale By-law No.8.
 1943 be now read a third time."

Carried unanimously.

Moved by Cr. Hatherly, Seconded by Cr.Dingle: "That the Burnaby Land Sale By-law
 No.8. 1943 do pass the Third reading."

Carried unanimously.

Moved by Cr.Hatherly, Seconded by Cr.Lewis: "That the M.W.Jones Property Sale
 By-law 1943 be introduced and read a first time."

Carried unanimously.

Moved by Cr.Hatherly, Seconded by Cr.Lewis: "That the M.W.Jones Property Sale
 By-law 1943 do pass the first reading."

Carried unanimously.

Moved by Cr. Hatherly, Seconded by Cr. Lewis: "That the M.M. Jones Property Sale By-law 1943 be now read a second time."

Carried unanimously.

Moved by Cr. Hatherly, Seconded by Cr. Lewis: "That the M.M. Jones Property Sale By-law 1943 do pass the second reading."

Carried unanimously.

Moved by Cr. Hatherly, Seconded by Cr. Lewis: "That the rules be suspended and that the Council resolve into a committee of the whole with the Reeve in the chair to consider the M.M. Jones Property Sale By-law 1943"

Carried unanimously.

Committee of the Whole

Moved by Cr. Hatherly, Seconded by Cr. Lewis: "That the Committee do now rise and report the By-law complete without amendment."

Carried unanimously.

The Council re-convened:

Moved by Cr. Hatherly, Seconded by Cr. Lewis: "That the M.M. Jones Property Sale By-law 1943 be now read a third time."

Carried unanimously.

Moved by Cr. Hatherly, Seconded by Cr. Lewis: "That the M.M. Jones Property Sale By-law 1943 do pass the Third reading."

Carried unanimously.

Moved by Cr. Lewis, Seconded by Cr. Cartlan: "That the Chairman of Finance be requested to sign the report tabled by him at the last meeting."

Carried unanimously.

The Council then adjourned until 7.45 Tuesday, September 7th, 1943.

Confirmed.

Charles Bram

Clerk.

W. J. Wallan

Reeve.

COMMITTEE OF THE WHOLE.

The Council met as a committee of the whole with the Reeve in the chair at 9.45 p.m.

The opinion of Dugald Donaghy with reference to Peat leases was received as follows:

- (1) Leases granted for term of 10 years - Opinion - Valid under Section 356 of the Municipal Act.
- (2) Option of renewal exercisable within the last six months of the ten year lease at the same rental as the last year.
Opinion - Option for renewal is illegal.
- (3) Lease gives the right to the Lessee to dig, win and obtain all peat and peat moss from the lands to a depth of six feet and to carry away and dispose of the same. Opinion - Open to attack and that there is no statutory bar against such attack being made.
- (4) Option to purchase land is contained in lease - Opinion - That provision for option is illegal.

Moved by Cr. Lewis, Seconded by Cr. Beamish: "That the letter be received and be accepted as a basis for discussion."

Carried unanimously.

Moved by Cr. Hatherly, Seconded by Cr. Dingle: "That the Corporation Solicitor be instructed to ~~serve~~ serve notice on the Lessees as to the illegal portions of the said leases."

Carried - Cr. Lewis against.

The Committee then adjourned.

Charles Bram

Clerk.

W. J. Wallan

Chairman.