

Monday - January 13th. 1913.

Regular Meeting of the Council was held at the Municipal Hall on Monday, January 13th. 1913 at 11 O'clock. a. m.

Present:- His Worship Reeve West

Councillors Mc. Gregor, Mac. Donald, Fauvel, Britton, Mayne, and Madill.

Moved by Cr. Fauvel, Seconded by Cr. Madill: - "That the Minutes of the Meeting of December 30th. 1912, be adopted as typewritten, and confirmed".

Carried unanimously.

Correspondence was received and dealt with as follows:-

B. G. Walker, J. P. - Resignation of Office of Stipendiary Magistrate.

Moved by Cr. Mc. Gregor. Seconded by Cr. Fauvel: - "That the Resignation of Mr. Walker be accepted with regret, and that he be asked to sit as a Justice of the Peace together with such other Justice or Justices, as he may deem expedient, when requested to do so by the Chief of Police, and that Mr. Walker be paid the statutory Fees".

Carried unanimously.

Solicitors - forwarding Agreement B.C.L. Ry. Co. and Burnaby, re. the construction of the 'Y' at Boundary Road.

Moved by Cr. Fauvel, Seconded by Cr. Mc. Gregor: - "That the Agreement be signed by the Reeve and Clerk, and the Corporate Seal be affixed thereto".

Carried unanimously.

Geo. H. Webster - re. Reservoir Contract, Royal Oak, asking for the appointment of an Arbitrator in the matter of disputed work on this contract.

Moved by Cr. Fauvel, Seconded by Cr. Madill: - "That Mr. Webster be notified that the whole matter is in the hands of Messrs. Cleveland and Cameron until the completion of the contract".

Carried unanimously.

Solicitors - re. Account of Dominion Bond Co. for legal expenses, advising that this Corporation are under no obligation for payment of legal expenses in connection with the validity or otherwise of the By-Laws, and stating that they consider a fee of \$25 ample for legal expenses in connection with the issue of Treasury Certificates.

Moved by Cr. Madill, Seconded by Cr. Fauvel: - "That the Clerk forward a copy of the Solicitors' letter to the Dominion Bond Co. and offer to pay the amount of \$25 as recommended therein".

Carried unanimously.

Cleveland & Cameron, re. claim F. W. Macay, enclosing copies of correspondence

Moved by Cr. Fauvel, Seconded by Cr. Mc. Gregor: - "That the correspondence

be filed for further reference.

Carried unanimously.

Solicitor - re. Slater & Boundary Rd., advising that they are unable to locate Mr. Slater.

Moved by Mr. Van Vel, Seconded by Mr. Madill: - "That the matter be referred to Councillor Mac. Donald."

Carried unanimously.

Solicitor. re. Burnaby vs. B.C.R.R. Co., advising that judgment dismissing the action had been given by Mr. Justice Murphy.

Moved by Mr. Van Vel, Seconded by Mr. Mc. Gregor: - "That the letter be tabled for consideration by the 1915 Council."

Carried unanimously.

Moved by Mr. Van Vel, Seconded by Mr. Mc. Gregor: - "That the Solicitor be asked to forward a copy of the judgment, together with the opinion of counsel; as soon as possible."

Carried unanimously.

J. L. Patterson - re. Second Narrows Bridge.

Moved by Mr. Van Vel - Seconded by Mr. Madill: - "That the letter be received and filed."

Carried unanimously.

H. D. Green Amityage - re. Pipe laying contract.

Moved by Mr. Mc. Gregor - Seconded by Mr. Madill: - "That the letter be tabled for consideration by the Engineers and the 1915 Council."

Carried unanimously.

Royal Bank of Canada - re. Tucker Contracts.

Moved by Mr. Mc. Gregor - Seconded by Mr. Madill: - "That the matter be referred to the Finance Committee."

Carried unanimously.

W. J. Holdom - asking for return of petition re. B.C.R.R. Franchise.

Moved by Mr. Mac. Donald - Seconded by Mr. Mc. Gregor: - "That the Petition be returned."

Carried unanimously.

Mayor Lee - re. North Arm Harbour Commission.

Moved by Mr. Mac. Donald - Seconded by Mr. Van Vel: - "That this Council write Mr. G. H. Lowan, Solicitor for the applicants, to the effect that Burnaby, as a party to the application for the North Arm Harbour Commission, had no knowledge that such Bill would in any way endanger the New Westminster Bill for the Fraser River Harbour Commission, and that in view of the statements made by Mayor Lee, confirmed by his letter of January 4th inst., this Council desires, and wishes to give notice, that it will not be a party to the Bill for the North Arm Harbour Commission, if in the opinion of the House, the North Arm Bill will, in any way prejudice the passing of the New Westminster Bill, and further, that a copy of this letter be sent to Mayor Lee, and the Clerks of

the Corporations of Point Grey, South Vancouver and Richmond; and also to the Corporation Solicitors, with instructions to forward a copy to the proper authorities at Ottawa, should they deem it necessary.

Carried unanimously.

Moved by Cr. Mc. pegor. Seconded by Cr. Fan Vel: - "That the Tender of the Canadian Mineral Rubber Co. for the complete work of paving Kingsway according to the Plans and Specifications for the sum of \$334,000, under the terms of their letter dated 30th December 1912; be accepted; they, the said Canadian Mineral Rubber Co. undertaking to sign the Contract to execute the work for that sum and undertaking to maintain the pavement for Ten years, payment for the work on the said contract to be made as follows:-

During the year 1913.

Corporation of Burnaby	\$164,000
Government Grant	<u>83,500</u>
Total	<u>250,500</u>

During the year 1914

Portion of Government Grant \$61,600.

always provided that the Engineers certify that work to the value of the aforesaid amounts has been executed; and as a guarantee of good faith, to leave in the hands of this Corporation, 10% of the amount of the Paving Contract proper, viz: - \$21,900, subject however to the passing of the By Law now to be submitted to the Ratepayers - subject also to a good and sufficient Bond to be executed by the said Canadian Mineral Rubber Co. in favour of this Corporation, indemnifying this Corporation and the Government of British Columbia against any damages, costs or otherwise that might accrue by virtue of any infringement upon patents covering materials used in the construction of the said pavement or otherwise, the said Bond to be satisfactory to the Minister of Public Works; and subject also to the amount to be paid by the Crown to be placed in the Estimates, being passed by the Legislature, and subject also to any protective clauses that the Solicitor to this Corporation may add to the present approved Contract, and subject to confirmation by the 1913 Council.

The work to be started immediately after the passing of the Estimate by the Legislature, and in the event of such Estimate not passing for the amount agreed upon, this Agreement to be null and void at the option of Burnaby.

Carried unanimously

Moved by Cr. Fan Vel, Seconded by Cr. Madill: - "That a copy of the foregoing Resolution be sent to the Hon. the Minister of Public Works, and to the Canadian Mineral Rubber Co., and that all cheques for Tenders & Profiles be returned to the unsuccessful tenderers."

Carried unanimously



1 Plan Reports - (a) Tentative.

2 164. Lots 64 to 71, D.L. 129.

3 Recommend that above plan be approved on condition that
4 the owner of Lot 42 on the west side of sub-division, allows
5 the half road on the North and the 20 foot lane in the
6 centre to continue through this property.

7 165 Lots 3 and 4, Block 4, South half D.L. 116.

8 Recommend for approval as submitted

9 (b). Final Plans

10 "I have examined the following Final Plans, and as they
11 are in order, I would recommend that I be authorised
12 to endorse the same.

13 170 119. Lots 63 to 80, Blocks 19 and 20, D.L. 93.

14 .. 165. West half of Block 5, D.L. 99.

15 .. 145. Block 2, D.L. 13.

16 .. 161 Sublot 1. Block 5, D.L. 96.

17 .. 162 Sub lot 1. Blocks 1 to 4. D.L. 96.

18 Sgd. F. L. Macpherson - Engineer.

19 Moved by Cr. Mac. Donald. Seconded by Cr. Madill:- "That the
20 Plan Reports be adopted".

21 Carried unanimously.

22 Reports of Finance Committee:-

23 Your Committee met on December 30th. 1912, and recommend:-

24 1. That Pay Rolls, amounting to \$12941.85, be paid.

25 2. That General Accounts, amounting to \$29404.94, be paid.

26 3. That Contract Accounts, amounting to \$8106.04, be paid.

27 4. That the December Salaries of the Comptroller, Clerk, Engineer
28 and Chief of Police, be increased \$15 each, of the Collector
29 Assessor, Water Superintendent and Police Sergeant \$15 each,
30 and of the other members of the permanent Staff, \$10 each.

31 5. That the Report of Councillor Fan Vel re. purchase of Horses
32 and Feed, be adopted.

33 Your Committee met on January 6th. inst. and
34 recommend:-

35 1. That General Accounts, amounting to \$303.30, be paid.

36 2. That Contract Accounts, amounting to \$500, be paid.

37 Moved by Cr. Fan Vel, Seconded by Cr. Madill:- "That the Reports of
38 the Finance Committee be adopted".

39 Carried unanimously.

40 Moved by Cr. Madill - Seconded by Cr. Mc. peor:- "That the Medical
41 Health Officer be authorised to have certain premises on the
42 North Road fumigated by the Sanitary Inspector of the
43 City of New Westminster; the cost of such fumigation
44 to be charged to Burnaby".

45 Carried unanimously

1 The Council then adjourned sine die.
 2 Confirmed

~~D. M. Reely~~
Reeve.

3
 4 Omitted.
 5

6 The Engineer submitted a Report on the application of Mr A. E. Rand
 7 for foreshore rights on Burrard Inlet, opposite D.L. 114.
 8 Moved by Mr. Fanuel, Seconded by Mr. Madill: - "That this Council
 9 do not object to the granting of the Foreshore Rights applied for
 10 by Mr A. E. Rand, provided a Street Land be reserved at the
 11 easterly 55 ft. of the foreshore, and that a copy of the Report
 12 of the Engineer be sent to the Minister of Marine & Fisheries at
 13 Ottawa".
 14

15 Carried unanimously.
 16

17 Confirmed

~~D. M. Reely~~
Reeve.

