

**Town of Carbonear  
Regular Council Meeting, July 17, 2017**

Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, July 17, 2017 at 4:00 p.m.

<b>Members Present:</b>	Mayor Deputy Mayor Councillors	George Butt Frank Butt Ray Noel Bill Bowman David Kennedy Ed Goff Brenda Trickett
<b>Also Present:</b>	Town Clerk Director of Operations & Public Works	Cathy Somers Brian O'Grady
<b>Absent:</b>	CAO Director of Recreation	Cynthia Davis (on vacation) Rob Button

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1. Calling of Meeting to Order  
Mayor Butt called the meeting to order at 4:00pm and welcomed everyone present.
2. Adoption of Minutes
  - Regular Minutes June 19, 2017  
**Motion 17-164** **R. Noel / B. Bowman**  
*Resolved that the minutes of the June 19, 2017 Regular meeting of Council be adopted as presented.*  
Favour 7; Opposed 0; **Carried**
  - Special Meeting Minutes July 4, 2017  
**Motion 17-165** **R. Noel / F. Butt**  
*Resolved that the minutes of the July 4, 2017 Special meeting of Council be adopted as presented.*  
Favour 7; Opposed 0; **Carried**
3. Business Arising From Minutes  
There was no business arising from the minutes.
4. Delegations  
None listed
5. Correspondence, Permits & Development
  - a) Permit listing # 7766-7813, 7815, 7817-7818, 7820-7843, 7847-7851, 7853-7854, 7856-7859, 7862, 7864-7867  
Councillor Goff declared a conflict of interest on Permit #7862.  
**Motion 17-166** **D. Kennedy / B. Bowman**  
*Resolved to approve the list of permits # 7766-7813, 7815, 7817-7818,*

7820-7843, 7847-7851, 7853-7854, 7856-7859, 7864-7867  
*as per applications received and in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*

Favour 7; Opposed 0; **Carried**  
Councillor Goff then left the meeting.

**Motion 17-167**

**D. Kennedy / F. Butt**

*Resolved to approve the permits # 7862 as per application received and in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*

Favour 6; Opposed 0; **Carried**  
Councillor Goff was called back in to the meeting.

- b) 193 Water Street – New business  
Custom glassware / gifts  
Deferred.

5.1 Correspondence, requiring Council's decision

- a) Property owner, 37 Blueberry Crescent  
Request for exemption to the noise by-law for annual block party, Aug.12.

**Motion 17-168**

**R. Noel / D. Kennedy**

*Resolved to approve an exemption to the Noise By-Law for the annual block party being held at 37 Forest Road on August 12, 2017.*

Favour 7; Opposed 0; **Carried**

- b) Department of Municipal Affairs & Environment  
2017-2020 Multi Year Capital Works Program (Water & Sewer Upgrading - Water Street (17-MYCW-18-00033)  
Motion required to accept the agreement and to authorize the Mayor and Town Clerk to sign the agreement on behalf of Council.

**Motion 17-169**

**R. Noel / B. Trickett**

*Resolved that the Town of Carbonear enter into a multi-year capital works agreement for the financing of the Water & Sewer Upgrading – Water Street Project #17-MYCW-18-00033 in the amount of \$1,019,097 (\$924,153 net of GST/HST Rebate), which is \$739,322 Province, \$184,831 Municipal ;*

*and Be It Further resolved that the Mayor and Town Clerk are authorized to enter into this Agreement on behalf of Council.*

Favour 7; Opposed 0; **Carried**

5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

- a) Municipalities NL
- Info Note, Dates: (June 23, July 5, July 7, July 13, July 14 )  
Copied to Council

- b) Property owner, Forest Road  
R: Concern with water run off  
Forwarded to Public Works, Waste Management & Community Services Committee
- c) Property owner, Park Avenue  
RE: Crosswalk painting  
Forwarded to Public Works, Waste Management & Community Services Committee
- d) Concerned resident  
RE: safety concern at the Willoughby Playground  
Forwarded to the Director of Recreation and CAO
- e) Municipal Assessment Agency  
RE: Update on the board  
Copied to CAO and Town Clerk, Placed on file
- f) Department of Municipal Affairs & Environment
  - RE: Capital Investment Plan Approval
  - 2017 Municipal Long Service Award
  - 2016 Clean Water and Wastewater Fund, Bond Street Water Booster Station
 Copied to CAO and Town Clerk
- g) Eastern Newfoundland Regional Appeal Board  
RE: Notice of hearing  
Copied to CAO
- h) Safety on the Rock  
RE: Correspondence sent to the Mayor on mental health and addiction awareness  
Copied to the Mayor & CAO
- i) Communities Against Violence  
RE: 6<sup>th</sup> Anniversary for Pride Celebrations (Flag Raising) – Wed, July 26 @ 2pm  
Forwarded to the Mayor
- j) U-Turn Drop In Centre  
RE: Invitation for council to attend the 6<sup>th</sup> annual bbq on Saturday, August 5 (1-4pm).  
Forwarded to Council
- k) Newfoundland Power  
RE: Request that the town notify them of any planned maintenance in the area.  
Copied to CAO and Director of Operations & Public Works
- l) Keyin College  
Invitation for the Mayor to attend the graduation ceremony, August 4 @ 2:30 pm  
Copied to the Mayor
- m) Property owner, Water Street  
RE: Compliments to the Town and staff on revitalization of the Water Street area

- Copied to Council.
- n) Kixx Country Block the Bus Promotion  
Forwarded to Finance, Human Resources & Community Services Committee
- o) Property owner, Pondside Road  
Request for exemption to noise by law on July 8 for private outdoor party.  
Copied to the CAO for a response
- p) Property owner, Chapel Place  
RE: Guard rail  
Copied to the Director of Operations & Public Works
- q) Property owner, Valley Road  
Request for tax adjustment  
Forwarded to Finance, Human Resources & Administration committee
- r) MHA Office  
RE: Inclusion Grants Funding Program  
Forwarded to CAO, EDTO and Director of Recreation & Recreation, Tourism & Culture Committee
- s) Property owner, Drake's Hill  
RE: Disposal of lawn grass  
Forwarded to Public Works, Waste Management & Community Services Committee
- t) St. Patrick's Church  
RE: St Patrick's Cemetery Tour starting July 24 beginning at 2 pm on the Parking Lot. Admission \$5.  
Copied to Council and Staff
- u) Business Owner, Powell Drive  
RE: Inquiry on appealing business tax  
Forwarded to Town Clerk for a response
- v) Heritage Foundation of NL & Labrador  
RE: Adapting Heritage Conference  
Copied to the CAO & Recreation, Tourism & Culture committee

6. Committee Reports

- a) Finance, Human Resources & Administration  
Councillor Noel presented the following motions as recommended by the Finance, Human Resources & Administration Committee:

**Motion 17-170**

**R. Noel / F. Butt**

Resolved that the Town of Carbonear issue business tax adjustments, totaling \$29,330.98 + applicable interest for the following accounts:

113254	\$1,111.67
111928	\$ 920.15
113151	\$1,939.61
112195	\$1,089.67
113157	\$ 439.80
112226	\$2,981.34
113542	\$ 896.58

113508	\$1,387.84
113034	\$ 400.00
112177	\$ 261.75
113579	\$1,229.92
111924	\$1,815.37
113051	\$1,943.46
112990	\$3,666.24
113013	\$ 150.00
110885	\$ 157.62
113289	\$2,536.23
110397	\$2,990.69
113072	\$ 688.54
112207	\$1,107.06
112984	\$1,316.60
112374	\$ 300.84

Favour 7; Opposed 0; **Carried**

Councillor Kennedy declared a conflict of interest on the next proposed motion as the property was located next to his property.

**Motion 17-171**

**R. Noel / F. Butt**

*Resolved that the Town of Carbonear adjust the balance on Account TOWN0068 for property which was conveyed to the Town of Carbonear.*

Favour 6; Opposed 0; **Carried**

Councillor Kennedy was called back into the meeting.

**Motion 17-172**

**R. Noel / B. Trickett**

*Whereas the unionized staff with the Town of Carbonear has received an increase in wages for 2017, 2018, 2019 and 2020;*

*Be It Resolved to approve the same percentage increase received by the unionized staff for Management and full time non-unionized staff, with an additional 2.91% for 2017 for the position of Executive Assistant.*

Favour 6; Opposed 1; **Carried**

Deputy Mayor Butt opposed the motion, noting that he raised some concerns at the committee level, and would not be supporting a blanket increase.

b) Public Works, Waste Management & Community Services

Deputy Mayor Butt presented the following motions as recommended by the Public Works, Waste Management & Community Services Committee:

**Motion 17-173**

**F. Butt / R. Noel**

*Resolved to send clean up orders to the following properties:*

- *228-230 Water Street to remove an accumulation of debris on the property*
- *124 Water Street to remove abandoned vehicles and scrapped wood on the property.*

Favour 7; Opposed 0; **Carried**

**Motion 17-174****F. Butt / B. Trickett**

*Resolved to complete curb work at the intersection of Powell Drive and Industrial, replacing the curb work at the CHVO Drive and Highroad South Intersection for 2017; and*

*Be It Further Resolved to complete the CHVO Drive and Highroad South Intersection curb work in 2018.*

Favour 7; Opposed 0; **Carried**

**Motion 17-175****F. Butt / B. Trickett**

*Resolved that the Town of Carbonear install a new street light situate 12-22 Callidora Place in accordance with the Street Light Policy as identified by the Director of Operations & Public Works.*

Favour 7; Opposed 0; **Carried**

**7. Reports of Chief Administrative Officer and Department Heads****a) Director of Operations & Public Works**

The Director of Operations & Public Works reviewed the following items from this report with Council:

**New Depot:**

The Depot work is proceeding well. Expected completion date is September 30. There are now a number of sub-trades on site and all are progressing well. Our guys are working on the fence and site when time permits.

Councillor Goff suggested the Director look at some lighting options before landscaping the area. Director advised he would investigate some lighting options for the area.

**Roads:**

Asphalt - The crews are busy repairing the road with either purchased or recycled asphalt.

Line Painting - The line painting crew has been busy with the lines. We are currently held up waiting on the delivery of a new paint gun that is scheduled to arrive this week. They are also sending us a rebuild kit so we can rebuild the old one to have as a backup.

Ditching - Ditching is progressing. We assign a crew to this task as manpower permits.

Street Sweeping - Street cleaning is ongoing. We use the small loader with the brush and the sweeper. The small loader with the brush can only be used on rainy days.

**Bond Street Project**

The project is moving along quite well. The water and sewer has now been installed. The water is tied in at the top of the hill and can be put into service as soon as the chlorination testing result is received. We expect the results by mid week. The contractor has now started working on the storm sewer system and should have that completed this week.

**Bennett's Hill Pumphouse**

The tender closed on Friday for Part B (pumphouse) of the Bond Street

project. I do not yet have the results for this tender. I will push to have this started as soon as possible.

Berm by boardwalk

We are creating a berm and green space on east end of the new Depot property. This is progressing at a slower rate as we can only work on this when an operator is available. We are receiving a large amount of positive feedback about this site.

Driver Feedback Sign

The driver feedback sign has been ordered and, based on the projected delivery time, should arrive sometime this week.

Water upgrades to small lanes

We will be upgrading the water lines on several small lanes. This will entail installing a 2" water line and removing a number of service line. This work will start the week of July 24.

Councillor Noel inquired about the calcium for the gravel roads. Director of Ops & Public Works advised the shipment of calcium left Nova Scotia this past Friday. An extra pallet load was added to the order so that we could have some stock on hand for next year as well.

Councillor Noel also asked if he had checked on other options for equipment for applying or spreading the calcium. Director advised he would check into other equipment for this purpose and include an estimate for 2018 budget.

Councillor Bowman asked the Director to investigate installing some public parking on the east end of the new Works Depot site. Director noted that was a good suggestion and he would investigate options for implementation.

Council asked about the status of the road from D'Iberville to White's Road up past Easton Place. It was suggested that more stone is needed to make it passable.

Director advised the would follow up with the developer on this matter.

b) Town Clerk Report

Town Clerk reviewed the following items from her report with Council:

**Election Report Recommendations**

Election Day, Tuesday, September 26, 2017

**Nomination Period**

August 29 to September 5 (excluding September 2, 3 & 4)

If only one nomination day is set, candidates must be nominated between 8:00 am and 8:00pm Recommend that Nomination Day be held on Tuesday, August 29 (28 days prior to the election day) - one day only 8am-8pm. Required to be 21-28 days prior to the election day.

Notice of Nomination Day will be posted in The Compass publication on

August 15 and 22, and at other public places within Town. (This would be 7 and 14 days prior to the Nomination Day - 10 days notice is required)

Notice of Candidates would be posted in The Compass published on Tuesday, September 5, 2017 which would be 7 days after the nomination day (must be published within 7 days after nominations).

**Motion 17-176**

**R. Noel / B. Bowman**

*Resolved that the Town of Carbonear hold one nomination day for the upcoming 2017 Town of Carbonear Municipal Election on Tuesday, August 29, 2017 from 8:00am - 8:00pm.*

Favour 7; Opposed 0; **Carried**

**Consideration of an advance poll:**

Suggested date is Saturday, September 23, 2017 from 8am - 8pm. Notice of advanced poll to be published in The Compass Tuesday, September 12 and 19. (Notice must be published/posted at least once in the 7 days before the poll.)

**Motion 17-177**

**F. Butt / B. Trickett**

*Resolved that the Town of Carbonear hold an advance poll on Saturday, September 23, 2017 from 8am to 8pm for the 2017 Municipal Election.*

Favour 7; Opposed 0; **Carried**

**Swearing in of new Council**

New Council to be sworn in at the start of the Regular Council Meeting on October 2, 2017 (6 days after the election) Requirement is within 14 days of the election.)

**Appointment of an Alternate Returning Officer (ARO)**

Council has to appoint an ARO in the event that the Returning Officer can not complete her duties. Recommended to appoint Cynthia Davis at the Alternate Returning Officer.

**Motion 17-178**

**B. Bowman / D. Kennedy**

*Resolved that the Town of Carbonear appoint Cynthia Davis as the Alternate Returning Officer (ARO) for the 2017 Town of Carbonear Municipal Election.*

Favour 7; Opposed 0; **Carried**

**Separate Election for Mayor**

*Council has the option to hold a separate election for the position of Mayor or have an election for seven council members, with Council electing a Mayor after the election.*

**Motion 17-179**

**F. Butt / R. Noel**

*Resolved that the Town of Carbonear hold a separate election for the position of Mayor for the September 26, 2017 Municipal Election.*

Favour 7; Opposed 0; **Carried**



**Adoption of 2017 Tax Recovery Plan**

A copy of the 2017 Tax Recovery Plan was previously provided to Council for review and now requires a motion of Council to adopt the plan.

**Motion 17-180**

**R. Noel / F. Butt**

*Resolved that the Town of Carbonear adopt the 2017 Tax Recovery Plan as prepared by the Town Clerk.*

Favour 7; Opposed 0; **Carried**

**Other**

Town Clerk advised that although the Director of Recreation could not attend today’s meeting. He forwarded an estimate to have the dugouts repairs and is requesting a motion of council to have the repairs completed. The estimate provided is \$1,800 for each dugout.

Discussed.

**Motion 17-181**

**R. Noel / F. Butt**

*Resolved that the Town of Carbonear proceed to have the two dugouts repaired at a estimated cost of \$1,800 per dugout.*

Favour 7; Opposed 0; **Carried**

Council requested that the work be completed as soon as possible and at a time that will not interfere with weekend tournaments.

8. Finance

a) **Operating Invoices:** over \$2000.00 totaling..... \$186,699.47

**Motion 17-182**

**R. Noel / D. Kennedy**

*Resolved that the Town of Carbonear approve for payment the list of operating invoices as submitted totaling \$186,699.47.*

Favour 7; Opposed 0; **Carried**

b) **Capital Invoices:**

Town Depot, Eastern Contracting Ltd, Project number 189893	
Certificate No. 0001.....	\$34,439.98
Town Depot. Eastern Contracting Ltd, Project number 189893	
Certificate No. 0002.....	\$68,854.19
Town Depot, Eastern Contracting Ltd, Project number 189893	
Certificate No. 0004.....	\$94,035.08
Water, Sewer & Storm Sewer (Part B) Booster Station, Bond Street	
PN 11-126 (B) (MA 17-CWWF-17-00027)	
Harris & Associates, Invoice #6151.....	\$20,770.38
Water, Sewer & Storm Sewer (Parts A &B) – Bond Street	
PN 11-126 (B) (MA 17-CWWF-17-00027)	
Concord Paving Ltd .....	\$252,091.85
Water, Sewer & Storm Sewer (Part A), Bond Street	
PN 11-126 (B) (MA 17-CWWF-17-00027)	

Harris & Associates, Invoice #6152.....	\$2,919.25
Water, Sewer & Storm Sewer (Part A), Bond Street PN 11-126 (B) (MA 17-CWWF-17-00027)	
Harris & Associates, Invoice #6154.....	\$17,145.35
Street Upgrading & Paving 2017 PN 17-117 (Part A – Water Street - Beach)	
Harris & Associates, Invoice #6167.....	\$7,762.50
Street Upgrading & Paving 2017 PN 17-117 (Part B -G)	
Harris & Associates, Invoice #6187.....	<u>\$16,353.00</u>
<b>Total Capital Invoices</b> .....	<b>\$514,371.58</b>

**Motion 17-183**

**R. Noel / F. Butt**

*Resolved that the Town of Carbonear approve for payment the list of capital invoices as submitted totaling \$514,371.58.*

Favour 7; Opposed 0; **Carried**

9. Regulations  
None listed.

10. New Business  
Councillor Goff noted that there were 80 participants in the Tri-athlon this past weekend. It was a great success and he extended thanks to the many volunteers to helped make the event such a success.  
Deputy Mayor Butt noted that the Miss Junior Teen Newfoundland pageant would like to use the Theatre to hold the event. He noted that they would be charged \$600/night, which would be \$1,200 for the 2 nights required. Council advised this would be a matter that should be referred to the Theatre Board for consideration.

11. Notices of Motion  
No notices of motions were filed.

12. Adjournment  
**Motion 17-184** **F. Butt / R. Noel**  
*Resolved that the meeting adjourn at 5:00 p.m.*  
The next meeting will be at the call of the chair.

\_\_\_\_\_  
Mayor George Butt

\_\_\_\_\_  
Cathy Somers, Town Clerk