

**Town of Carbonear  
Regular Council Meeting, March 6, 2017**

Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, March 6, 2017 at 4:00 p.m.

|                         |   |  |
|-------------------------|---|--|
| <b>Members Present:</b> | Mayor<br>Deputy Mayor<br>Councillors                          | George Butt<br>Frank Butt<br>Ray Noel<br>Bill Bowman<br>David Kennedy<br>Ed Goff |
| <b>Members Absent:</b>  | Councillor  | Brenda Trickett  |
| <b>Also Present:</b>    | CAO<br>Town Clerk<br>Director of Operations<br>& Public Works | Cynthia Davis<br>Cathy Somers<br><br>Brian O'Grady                               |

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1. Calling of Meeting to Order  
Mayor Butt called the meeting to order at 4:05pm and welcomed everyone present.
  2. Adoption of Minutes
    - Regular Minutes February 20, 2017  
**Motion 17-039** **R. Noel / F. Butt**  
*Resolved that the minutes of the February 20, 2017 Regular meeting of Council be adopted as presented.*  
Favour 6; Opposed 0; **Carried**
  3. Business Arising From Minutes
  4. Delegations  
None listed
  5. Correspondence, Permits & Development
    - a) No permits at this time
  - 5.1 Correspondence, requiring Council's decision
    - a) Tri Con Gentle Giants Special Olympic Club, World Games in Austria Donation  
**Motion 17-040** **R. Noel / F. Butt**  
*Resolved that the Town of Carbonear donate \$200 to Sandra Smith, member of the Tri-Con Gentle Giants Special Olympics Club who will be attending the Special Olympics World Games in Austria this month.*  
Favour 6; Opposed 0; **Carried**
  - 5.2 Correspondence received and action taken  
Council reviewed the following correspondence and action taken:

- a) Municipalities NL
  - Info Note, Dates: February 24, March 2 & March 3
  - Copied to Council
- b) NL Public Health Laboratory, Test results of water samples collected on January 31, 2017 @ TC Square Mall, Department of Justice, 143 Columbus Drive & Bemister's Hill. Results marked satisfactory. Placed on file.
- c) Heritage Foundation of Newfoundland
  - RE: National Heritage Week (February 20 – 26)
  - Forwarded to Council and Recreation, Tourism & Culture Committee
  - Saturday, March 25, 2017, Heritage Tomorrow NL
  - Forwarded to Heritage Society and CAO
- d) Crime Stoppers
  - RE: Call for nominations – 2017 Police and Peace Officer of the Year Award
  - Copied to Council
- e) Property owner, Water Street
  - RE: Request for tax adjustment
  - Forwarded to Finance, Human Resources & Administration committee
- f) Business owner, Digital sign
  - RE: Request for meeting to discuss services
  - Forwarded to Finance, Human Resources & Administration committee
- g) Property owner, Forest Road
  - RE: Compliant of roaming dog in the neighbourhood
  - Forwarded to MEO for investigation
- h) Property owner, Long's Hill
  - RE: Inquiry on vacant lot
  - Forwarded to CAO
- i) PMA
  - RE: Convention agenda
  - 2017 AGM -Seats open for Board of Directors
  - Forwarded to CAO and Town Clerk
  - Donation request
  - Forwarded to Finance, Human Resources & Administration committee
- j) Department of Children, Senior and Social Development
  - Copy of correspondence sent to Knights of Columbus regarding funding approval under the Community Healthy Living Fund for facility upgrades in the amount of \$5000.
  - Placed on file.
  - Frank asked, it is for the K of C for facility upgrades.

6. Committee Reports

- a) Development Committee
  - Councillor Kennedy presented the following motions as recommended by the Development Committee:
  - Motion 17-041** **D. Kennedy / B. Bowman**
  - Resolved to send removal order to the property situate at 113 Water Street to remove an accessory building constructed contrary to the Town of Carbonear Municipal Plan and Development Regulations.*
  - Favour 6; Opposed 0; **Carried**
  - Motion 17-042** **D. Kennedy / F. Butt**

*Resolved to approve the construction of a grade level deck to include a sign situate at 191-193 Water Street as per the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies.*

Favour 6; Opposed 0; **Carried**

**Motion 17-043**

**D. Kennedy / R. Noel**

*Resolved to send removal order to remove a new dwelling north of Valley Road in the Vicinity of Cherry Orchard.*

Favour 6; Opposed 0; **Carried**

**Motion 17-044**

**D. Kennedy / R. Noel**

*Resolved to send removal order to the property situate at 6 Irishtown Road to remove a portable shelter contrary to the Town of Carbonear Municipal Plan and Development Regulations.*

Favour 6; Opposed 0; **Carried**

**Motion 17-045**

**D. Kennedy / B. Bowman**

Where as an amended plot plan has been received;

Be It resolved that the Town of Carbonear amend Motion 16-216 to read as follow:

“Be It Resolved that the Town of Carbonear issue a permit to replace the deteriorated dwelling situate at 11 Butt’s Road per Section 108 (3)(g) of the Urban and Rural Planning Act conditional upon the following:

- Application and plans submitted, as amended (new plot plan signed and dated March 9, 2017; agreed conditions signed and dated March 9, 2017);
- Carbonear Municipal Plan and Development Regulations and all codes included in the plan as well as other municipal regulations and policies;
- Payment of permit fee of \$90.00
- Applicant assuming responsibility for all costs associated to ensuring the conditions of the permit are met including surveyor costs where required.
- Applicant assuming responsibility for all costs associated with removal of any portion of the building that does not meet the standards.

Favour 6; Opposed 0; **Carried**

**Motion 17-046**

**D. Kennedy / F. Butt**

*Resolved that the Town of Carbonear convey approximately 38 square metres of land on the west side of Church Street to Marie Aisthorpe to expand her existing property at 1 Russell Street for the price of \$499 with the purchaser assuming all legal, survey and other costs relating to the purchase.*

Favour 6; Opposed 0; **Carried**

7. Reports of Chief Administrative Officer and Department Heads

a) Chief Administrative Officer

CAO reviewed the following items from her report with Council:

Financial Report—January

A report was distributed to Council.

It is early in the budget year, and there are no concerns identified to date.

Cross Roads Bridge Assessment

Nothing new to report at this time.

41-43 Goff Avenue/45-47 Goff Avenue

A draft notice to provide to Real Estate Agencies has been attached for your approval.

**Motion 17-047**                      **B. Bowman / D. Kennedy**

*Resolved that the Town of Carbonear issue an RFP-Real Estate Agencies as prepared by the CAO to the local Real Estate agencies with the Town.*

Favour 6; Opposed 0; **Carried**

Across the Doors Property

The survey has been completed for this property and received by the Town. This has been forwarded to the appraiser and the appraisal was received on Friday. The land has been appraised at \$22,500. The next step is to place a notice of tender for the land. A reserve bid has to be identified. That can be as low as 75% of the market value. If no bids are received for that amount, the land can be listed with the real estate agency for at least appraised value.

**Motion 17-048**                      **D. Kennedy / B. Bowman**

*Resolved that the Town of Carbonear list the property of 12 Across the Doors for sale, and that the Town of Carbonear reserve a bid of \$16,875 on the property.*

Favour 6; Opposed 0; **Carried**

RFP—Real Estate Companies

Attached is the RFP for Real Estate Agencies in Carbonear to select an agency to list the Goff Avenue Land as well as other land that may not sell through the Public Tender Process. If there are no concerns, I will have this sent to the various agencies within the Town for response.

Fox Farm Campgrounds

A draft RFP has been completed and distributed to the FAHR Committee for their review. Once the RFP is finalized, is Council satisfied to place the notice? It is included in the Dropbox for your information. I have a closing at March 24 so there is time to review, negotiate a lease agreement for May 1.

**Motion 17-049**                      **E. Goff / R. Noel**

*Resolved that the Town of Carbonear advertise an RFP for the Fox Farm Campgrounds as prepared by the CAO.*

Favour 5; Opposed 1; **Carried**

**Deputy Mayor Butt opposed the motion.**

Deputy Mayor Butt requested a meeting with the current operator, the provincial government departments and council .

CAO noted that this will delay the process. Our lawyer has advised the Town on the matter, and we are now acting on his advice. The current lease has been terminated and served on the existing operator.

Discussed.

The deadline for the proposals is March 24 and the previous operator is encouraged to submit a proposal.

- b) Director of Operations & Public Works  
Director of Ops & PW reviewed the following items from this report with Council:

New Depot:

Demolition work has started in the building. Some of the old metal storage rooms have been removed. The two small cranes have been removed as well as the east section of the crane rails and support. This is in the area where the work shops, offices, washrooms, etc. will be located. Most of the electrical demolition is complete. The concrete is cut for the sections of the floor that will be removed to accommodate the plumbing. Steel studding is ordered and is approximately 1-2 weeks away. The plumbing and floor leveling can be completed in the meantime.

Roads:

The roads have taken quite a beating with the freeze/thaw cycles we have been experiencing. We have taken the recycler out whenever possible. We also use cold patch to repair holes. Typically we will use 1 – 1.5 pallets of cold patch during the winter. This winter we are on our 4<sup>th</sup> pallet.

Salt & Sand:

Our salt and sand supply is getting low. Fortunately we had a slight reprieve over the last little while. We may be OK for the rest of the season. I will monitor and obtain more if necessary. We normally have approx 400 tons left over at the end of the season. That will not be the case this year.

Equipment Tenders:

The tenders have closed on the Loader, Compact Excavator and Trailer. I have attached a copy of the tender results as well as a spreadsheet showing the winning bid and the budget numbers for these pieces of equipment.

I will require a motion of council to award the tenders' to the successful bidders: (the prices below are before the tax rebate)

**Motion 17-050**

**R. Noel / F. Butt**

*Resolved that the Town of Carbonear award the tender for the purchase of a Wheel Loader to Nortrax for the purchase of a John Deere 624K-II 4WD Loader for the price \$343,160 HST included;*

*And Be It Further Resolved that the Town of Carbonear request an approval to borrow to finance the purchase of the John Deere 624K-II 4WD Loader for the Public Works Department in the amount of \$311,201.36(net of HST rebate) from Scotiabank at a rate of prime +0.25% and for a term of 5 years and an amortization period of 10 years.*

Favour 6; Opposed 0; **Carried**

**Motion 17-051**

**R. Noel / D. Kennedy**

Resolved that the Town of Carbonear award the tender for the purchase of a Compact Excavator to Atlantic Powertrain and Equipment for the purchase of a 2017 Yanmar VIO55-6A Excavator for the price of \$98,171.55 HST included.

Favour 6; Opposed 0; **Carried**

**Motion 17-052**

**R. Noel / B. Bowman**

Resolved that the Town of Carbonear award the tender for the purchase of a 10 Ton Trailer to Atlantic Powertrain and Equipment for the purchase of a 10 Ton Trailer for the price of \$15,640.00 HST included.

Favour 6; Opposed 0; **Carried**

**Motion 17-053**

**R. Noel / F. Butt**

Resolved that the Town of Carbonear purchase a Valve Exerciser from EMCO for the price of \$4,485.00 HST included.

Favour 6; Opposed 0; **Carried**

8. Finance

a) **Operating Invoices:** over \$2000.00 totaling..... \$20,628.07

**Motion 17-054**

**R. Noel / B. Bowman**

Resolved that the Town of Carbonear approve for payment the list of operating invoices as submitted totaling \$20,628.07.

Favour 6; Opposed 0; **Carried**

9. Regulations

None listed.

10. New Business

a) Appointment of Review Commissioner

Proposed Motion:

**Motion 17-055**

**F. Butt / R. Noel**

Resolved to appoint Mr. Derek Edwards as the Review Commissioner for the Town of Carbonear for 2017.

Favour 6; Opposed 0; **Carried**

11. Notices of Motion

No notices of motions were filed.

12. Adjournment

**Motion 17-056**

**F. Butt / R. Noel**

Resolved that the meeting adjourn at 4:32p.m.

The next meeting is scheduled for Tuesday, March 21<sup>st</sup>, 2017 @ 4:00pm.

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Mayor George Butt

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Cathy Somers, Town Clerk