

**Town of Carbonear**  
**Regular Council Meeting, October 16<sup>th</sup>, 2017**  
Minutes of a regular meeting of the Council of the Town of Carbonear  
Held in Council Chambers, October 16<sup>th</sup>, 2017 at 4:00pm

**Members Present:** Mayor Frank Butt  
Councillors Chris O'Grady  
Danielle Doyle  
Ray Noel  
Vic Jenkins  
Amanda Hulan  
David Kennedy

**Also Present:** Town Clerk Cathy Somers  
Chief Administrative Officer Cynthia Davis  
Director of Operations & Public Works Brian O'Grady  
Director of Recreation & Tourism Rob Button

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1. Calling of Meeting to Order  
Mayor Butt welcomed everyone to the meeting and called the meeting to order at 4:04pm.
2. Adoption of Minutes
  - a) Regular Meeting – October 2, 2017  
**Motion 17-239** **C. O'Grady / V. Jenkins**  
*Resolved that the minutes of the October 2, 2017 Regular meeting of Council be adopted as presented.*  
Favour 7; Opposed 0; **Carried**

Mayor Frank Butt noted he may be in conflict on the motion being presented and then left the meeting.

Councillor Doyle left the meeting as the motion relates to a decision on whether or not Council considers her to be in conflict.

Deputy Mayor O'Grady assumed the chair.

- 2.1 Ratification of Motion  
**Motion 17-240** **R. Noel / V. Jenkins**  
*Whereas Councillor Doyle is a member of the Board of Directors of the Community Business Development Corporation (CBDC); and*  
*Whereas Councillor Doyle has stated that CBDC no longer has a monetary interest in 234 Water Street; and*  
*Whereas Councillor Doyle is requesting Council to determine whether she is in conflict of interest on any matter relating to the property of 234 Water Street;*  
*Be It Resolved that the Council of the Town of Carbonear rules that Councillor*

*Doyle is not in conflict of interest on any matter relating to 234 Water Street.  
Favour 5; Opposed 0; Carried*

Mayor Butt and Councillor Doyle were called back into the meeting.

3. Business Arising From Minutes  
No business arising.

4. Delegations  
a) None listed.

5. Correspondence, Permits & Development

a) Permit listing # 8004-8007, 8009-8016, 8017-8018, 8021  
Councillor Kennedy declared a conflict of interest on Permit #8017 as this was a permit for his property.

**Motion 17-241**

**D. Doyle / V. Jenkins**

*Resolved to approve the list of permits # 8004-8007, 8009-8016, 8018, 8021 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 Kennedy then left the meeting.

**Motion 17-242**

**D. Doyle / C. O'Grady**

*Resolved to approve permit # 8017 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 Kennedy was called back into the meeting.

5.1 Correspondence, requiring Council's decision

a) Eastern Regional Service Board  
RE: Nomination Form and Board Election Process Information Package  
Deadline Nomination October 31  
No nominations were made by Council.

b) Municipal Assessment Agency  
RE: Call for Nomination – Urban and Region Director  
Deadline October 26, 2017  
No nominations were made by Council.

5.2 Correspondence received and action taken

Council reviewed the following list of correspondence received and action taken:

a) LW Consulting  
RE: Municipal Council Official training  
Copied to CAO & Town Clerk, placed on file.

b) Property owner, Freshwater Road  
RE: Buffer around Crockers Cove Point  
Copied to Council

c) Heritage Foundation of NL  
RE: Adapting Heritage conference  
Forwarded to Recreation, Tourism & Culture committee

d) Resident concern on pot holes from the Harbour Grace Turn off to CHVO

- Drive  
Copied to the CAO
- e) Targa Newfoundland  
RE: request for a meeting to discuss a proposal  
Forwarded to Recreation, Tourism & Culture
- f) PR Director , Provincial Pee Wee Baseball  
RE: Expression of thanks and appreciation during the ALL NL Tournament with special mention to Councillor David Kennedy and Rob Button.  
Forwarded to Recreation, Tourism & Culture committee
- g) CBDC Trinity Conception  
RE: Annual General Meeting, October 17 at 3 pm, 21 Industrial Crescent  
Copied to Council
- h) Property owner, Burnt Head Road  
RE: Municipal Plan Amendment No. 23 & Nov. 34  
Forwarded to CAO
- i) Department of Service NL  
RE: BizPaL Service. BizPaL is an online service providing permit and licence information to help entrepreneurs start or grown their business.  
Copied to Council
- j) Department of Fisheries and Land Resources  
RE: License to occupy the Hiking Trail  
Copied to CAO & EDTO
- k) Property owner, Janes Avenue  
RE: Concern of condition of adjoining property  
Forwarded to Public Works, Waste Management and Community Service committee
- l) NL Public Health Laboratory, Test results of water samples collected on September 13, 2017 @ TC Square Mall, Department of Justice, 143 Columbus. Results marked satisfactory. Placed on file.
- m) Department of Transportation & Works
  - o RE: Price for Ice Control Material 2017-2018 and Site Specific Plan  
Copied to the Director of Operations & Public Works & CAO
  - o Snow clearing for emergency use in the access area from Bunker's Hill  
Forwarded to Public Works, Waste Management and Community Services Committee
- n) Ken McDonald MP Avalon  
RE: Request a meeting with the Mayor for October 12.  
Copied to the Mayor  
Mayor Butt noted he met with the MP on Oct 12.  
Any approvals for Canada 150 besides special  
Will check on outstanding application
- o) MHA Steve Crocker  
RE: Canada 150 Skating Fund (\$1000 Grant to help cost of skating day activity).  
Forwarded to Recreation, Tourism & Culture committee
- p) Department of Children, Seniors & Social Development  
RE: Grant approved in the amount of \$1500 under the Community Health Living Fund.  
Forwarded to Recreation, Tourism & Culture committee

- q) House of Assembly – Steve Crocker, MHA  
RE: Congratulations on the recent election  
Copied to council, placed on file
- r) Joint Councils of CBN  
Re: Meeting notice, Thursday, October 26 @7:30 pm  
Copied to the Mayor
- s) Department of Municipal Affairs  
RE: Information Request Form  
Copied to CAO for completion, placed on file
- t) Carbonear Heritage Society  
RE: Solar Window Film  
Forwarded to Recreation, Tourism & Culture committee

6. Committee Reports

- a) Finance, Administration & Human Resources  
Deputy Mayor O’Grady noted that there were no motions being presented at this time from the Committee.
- b) Development  
Councillor Doyle presented the following motions as recommended by the Development Committee:

**Motion 17-243**

**D. Doyle / V. Jenkins**

*Resolved to contract a planner to prepare a draft amendment for Council’s review upon payment of the deposit required in the Town’s Tax Structure from the applicant who submitted an application to construct a new dwelling on Clarke’s Road.*

Favour 7; Opposed 0; **Carried**

**Motion 17-244**

**D. Doyle / C. O’Grady**

*Resolved to approve the following development applications conditional upon the development being completed in accordance with the Carbonear Municipal Plan and Development Regulations and other regulations and policies and in accordance with other conditions as specified:*

- *117 Water Street – Replace step, patio and fence  
The step and patio is approved under Section 10 of the Development Regulations, Discretionary Powers of Council; and conditional upon the Town not being responsible for any damages that may occur from snow clearing efforts and/or street repairs to the portion of the step, patio and fence that are located within the street reservation;*
- *19 London Road - Replace front step – The step is approved under Section 10 of the Development Regulations, Discretionary Powers of Council; and conditional upon the Town not being responsible for any damages that may occur from snow clearing efforts and/or street repairs to the portion of the step that is located within the street reservation;*
- *25 Irishtown Road – repair / replace a fence – conditional upon the fence being constructed in accordance with the height requirements of the Fence Regulations; and conditional upon the Town not being responsible for any damages that may occur to the fence within the street reservation from snow clearing efforts and/or street repairs;*
- *Long Island Pond – Placement of a Portable Vinyl Shed conditional*

*upon the applicant obtaining required approvals from other government departments and agencies, where applicable.*

*23 O'Driscolls Lane added*

Favour 7; Opposed 0; **Carried**

Councillor Noel inquired about Item 4c

Mayor Frank Butt declared a conflict on this matter as it refers to his brother's property. Mayor Butt then left the meeting.

Deputy Mayor O'Grady assumed the chair,

Councillor Noel noted that he felt that an item that does not comply, should be further reviewed by the committee.

Item referred back to the Development Committee.

Mayor Butt was called back into the meeting.

7. Reports of Chief Administrative Officer and Department Heads

a) Chief Administrative Officer

The CAO reviewed the following from her report with Council:

Sale of Land – 50 Goff Avenue

This property has been listed with the Real Estate Agency. A response has been provided to the inquiry previously received.

Gas Tax Project and Other Capital Paving

The paving is scheduled to start this week.

Downtown Revitalization Design Concepts

Tract Consulting is proposing Wednesday, November 15 @ 7pm for the public presentation if that date is suitable for Council.

Council confirmed the date recommended is fine. 5. Agreement to Agreement to Occupy for the new trail

The Town has received the agreement from the province to occupy the land for the new trail. A resolution of Council is required to accept the agreement and for the Mayor and Town Clerk to sign on Council's behalf.

**Motion 17-245**

**R. Noel / D. Doyle**

*Resolved to enter into an agreement with the Province of Newfoundland and Labrador to occupy the land required for a trail; and Be It Further Resolved that the Mayor and the Town Clerk sign the agreement on behalf of Council.*

Favour 7; Opposed 0; **Carried**

Targa 2018

Correspondence has been received from Targa requesting approval for Targa again in 2018. This has been forwarded to the Recreation, Tourism and Culture Committee for review and recommendation to Council.

Eastern Regional Appeal Board Hearings.

The hearing for two appeals took place on August 23. The Town's decision was confirmed after both hearings.

There is still an appeal waiting to be heard. Currently waiting for an appeal date. This appeal is concerning the Town's refusal to approve an extension to an accessory building that already exceeds the maximum size and that exists on a lot without a main dwelling.

Signs missing identifying highway reservation on the top of the hill as not a road

The signs have been reinstalled with the wording as recommended by the

town's lawyer per Council's approval.

Municipal Plan and Development regulations Amendment-Crocker's Cove Point

The Commissioner for the Public Hearing held on October 5 is in the process of completing a report for Council. She estimated that the Town should have the report within 2 weeks of the hearing. This will require Council review once received.

b) Director of Operations & Public Works

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

New Depot:

The depot is moving along fairly well. The office and work shop area is nearing completion. Flooring and painting is complete throughout the office/workshops/hall area. The ceramic in the washroom is ongoing and should be completed in a couple of days.

The overhead doors are installed in the service bay section of the facility. The electric openers are yet to be installed. The flooring preparation work should start in the service area this week.

I will require council approval to proceed with the following components:

Card access system: (same system/cards as Civic Centre) in the amount of \$5500.00 (Fullerton Agencies)

**Motion 17-246**

**R. Noel / D. Kennedy**

*Resolved that the Town of Carbonear approve the supply and installation of a card access system for the new works depot at a cost of \$5,500 + HST*

Favour 7; Opposed 0; **Carried**

Security system: in the amount of \$3737.00 with 24hr monitoring add to our existing monitoring service for \$25.00/month. (Fullerton Agencies)

Both of these items are included in our 2017 budget.

**Motion 17-247**

**D. Doyle / C. O'Grady**

*Resolved that the Town of Carbonear approve the supply and installation of a security system for the new works depot at a cost of \$3,737 + HST.*

Favour 7; Opposed 0; **Carried**

Director noted that the old one will be deactivated.

Motorized Gate: Supply and install of one motorized sliding chain link gate, one 4' single gate installed with 20 remotes.

\$12,535.00 + HST. This gate is included in the depot project budget. (Provincial Fence)

**Motion 17-248**

**A. Hulan / R. Noel**

*Resolved that the Town of Carbonear approve the supply and installation of one motorized sliding chain link gate, one 4' single gate with 20 remotes for the new work depot at a cost of \$12,535+HST.*

Favour 7; Opposed 0; **Carried**

Roads:

Asphalt

We had a meeting with the paving contractor (Farrell) on Wednesday Oct 11 and visited the locations on Friday, Oct 13. We expect the paving to start with the week. Beach, Rusted Place, then the remainder. Beach includes curb and sidewalk along the breakwater. It will elevate the road on the breakwater side. Patching of potholes continues with the recycler.

Ditching

Ditching is ongoing and will continue as weather permits

### Street Sweeping

Our street sweeper is in St. John's having warranty work completed.

### Bennett's Hill Pumphouse

This project has finally started. The extension of the water lines was completed on Friday, Oct 13. The concrete work will now proceed so the pump house can be enclosed before the bad weather sets in. Old pumphouse will be decommissioned after the new pump house is commissioned for use.

### Driver Feedback Sign

The driver feedback sign has been relocated to the school area.

### Water upgrades to small lanes

The following small lanes have been upgraded with a 2" water line and 6" sewer to replace the numerous ½" water and 4" sewer lines that existed in these lanes.

- Small Lane west of 192 Water St
- Small Lane east of Town parking lot near Compass
- Ash Avenue
- Power Heights

These Lanes will be repaved as part of the Farrell contract.

### 624K Loader Warranty

The warranty on our 2013 John Deere Loader will expire in October 2017.

These loaders can be extremely expensive to repair. A brake job will exceed \$5000.00. The cost to extend the warranty for two additional years is \$2850.00. I would recommend we extend the warranty. Council approval will be required for this expenditure.

### **Motion 17-249**

**V. Jenkins / R. Noel**

*Resolved that the Town of Carbonear approve the purchase of an extended warranty for two additional years for the 2013 John Deere Loader at a cost of \$2,850 + HST.*

Favour 7; Opposed 0; **Carried**

### 2007 GMC Dump truck

The 2007 Dump truck is one of our sand trucks. This truck is experiencing mechanical problems. It is losing coolant that causes the truck to go into limp mode (power is reduced to protect vehicle for damage). The truck cannot be used under these conditions but can "limp" to service garage. As there is no visible sign of a coolant leak we had the engine pressure tested. The test revealed a loss of pressure meaning the leak is internal. Likely a blown head gasket. This means the engine will have to be taken apart to make repairs. The quote for this is \$7726.60 + tax for parts and labour. Council approval would be required to proceed with these repairs.

### **Motion 17-250**

**C. O'Grady / V. Jenkins**

*Resolved that the Town of Carbonear approve to complete repairs to the 2007 GMC Dump Truck at a cost of \$7726.60 + HST for parts and labour.*

Favour 7; Opposed 0; **Carried**

Councillor Noel noted that some of the paving listed to be done refers to small lanes off Water Street, which are not currently named. He suggested that Council name the lanes that are not currently named. Referred to Public Works Committee for discussion and recommendation.

Director advised that the new developer on Rusted Place was requested to have his grade work done for the property before the project completion of Rusted Place.

Director to set up a time when Council can tour of the new depot.

c) Director of Recreation

The Director of Recreation reviewed the following from his report with Council:

Pool & Rec Maintenance

- 1.) Regular Maintenance has been continuing. Have completed some painting projects to ensure facility remains fresh looking.
- 2.) Recreation Seasonal staff will be finishing work on October 27<sup>th</sup>. Playgrounds will begin shutting down over the course of the next few days. I have been out to inspect and have taken notes of some issues. Thanks to several of the councillors for bringing attention to some of the issues.  
Willoughby and Soper Avenue, need new structures. After reviewing my budget, it appears there may be some dollars available to order a replacement for one of those structures this year. I will budget for the replacement of the other with next years budget. Meaning by season opening next year both playgrounds should be fixed. Which will complete my plan for playground upgrades.  
I have started seeking some prices of different structures and will have a report for the next committee meeting.

Financial & Program Analysis

	<u>2017</u>	<u>2016</u>
1.) Pool Revenue Oct. 14 <sup>th</sup> (less HST)	\$217,192.75	\$235,714.82
2.) Lesson Registration	1515	1628
3.) Pool Visitation	25,928	27,617

At last meeting question was asked how much has the decrease in lessons affecting the difference. In excess of \$11,000 (approx.61%). I believe that a lot of this shortfall was due to no Jumpstart Program last year and there was no funding approved. We should see a rebound in the lessons now that we will be offering that program again this year.

Despite the shortfall from last year, we are well on the way to reach budgeted revenue projections (\$260,000). Revenue collected is at approx. 83%, if distributed evenly revenue collected at this point would be 79%.

Programs & Grants

- 1.) Application for basic support for the seniors group (\$1500) RECEIVED and capital funding (\$10,000) has been submitted.  
To be used for the installation of lights for the skating rinks.
- 2.) Recreation complex has been used quite well by the schools:  
Sr. High Boys Softball Regional Tournament  
Sr. High Girls Soccer Regional Tournament  
Grade 7/8 Boys and Girls Softball Tournaments  
Annual Harvest Run (vicinity of 1100 participants)  
Jr. & Sr. High Cross Country Meet
- 3.) Jumpstart funding has been committed for Swim to Survive programming this fall. Approvals have been received, waiting on student info from schools to get this program started, by first week of November at the latest.
- 4.) Bonfire Night. In discussion with Councillor Noel and the recreation, special events committee. It has been decided to host Bonfire Night on Friday, November 3<sup>rd</sup> at 7:00pm. As the 5<sup>th</sup> is a Sunday, the Town has no weekend scheduled staff, meaning it would require a call in for several staff at double time to complete the preparation of the site. Staff are able to complete by Friday, but for safety reasons, do not want to leave the site unattended for 2 days. One reason, anyone could start the fire with no one around and secondly, unwanted and hazardous burning materials



could be added without the knowledge of those lighting the fire.

**Motion 17-251** **R. Noel / D. Kennedy**

*Resolved that the Town of Carbonear celebrate bonfire night on Friday, November 3, 2017.*

Favour 7; Opposed 0; **Carried**

Councillor Noel asked to have a letter sent to the Carbonear schools for bringing 1187 participants to the Harvest Run. Agreed. Director of Recreation to complete and forward the letters.

Councillor O’Grady inquired about seniors programs and funding. Director of Recreation advised that we are assisting the Princess Sheila Senior Club with the cost for a Halloween Dance, etc. He also noted that we have \$10,000 in the budget for Seniors Recreation Initiatives and will look at other recreation programs for Seniors.

The walking program which was previously held at the Multi Purpose Room has moved to the United Church.

8. Finance

a) Operating Invoices: over \$2,000.00 totaling.....\$56,235.85

**Motion 17-252** **C. O’Grady / V. Jenkins**

*Resolved that the Town of Carbonear approve for payment the list of invoices as submitted totaling \$56,235.85.*

Favour 7; Opposed 0; **Carried**

b) Capital Invoices totaling \$422,271.31

Town Depot, Project # 189893

Eastern Contracting Ltd, Invoice #17001-06.....\$117,510.44

Eastern Contracting Ltd, Invoice #17001-07.....\$108,922.50

Water, Sewer & Storm Sewer (Part A) – Bond Street

PN 11-126 (MA 17-CWWF-17-00027), Engineering Invoice #6199

Harris & Associates.....\$17,031.97

Water, Sewer & Storm Sewer (Part B) – Bond Street

PN 11-126 (MA 17-CWWF-17-00027), Engineering Invoice #6200

Harris & Associates.....\$3,249.34

Water, Sewer & Storm Sewer (Part A & B) – Bond Street

PN 11-126 (MA 17-CWWF-17-00027),

Concord Paving Ltd.....\$168,257.47

Bridge Replacement – Crocker’s Cove Bridge

Concord Paving, PN – 16-113, CP # Final Payment.....\$5,458.59

Harris & Associates, PN – 16-113, Engineering Inv. #6213.....840.00

**Total Capital Invoices** .....**\$422,270.31**

**Motion 17-253** **C. O’Grady / R. Noel**

*Resolved that the Town of Carbonear approve for payment the list of capital invoices as submitted totaling \$422,270.31.*

Favour 7; Opposed 0; **Carried**

Councillor Kennedy noted that he would like to see some investigation done to switch to more efficient LED lighting.

Director of Recreation to investigate and report to committee on the matter.

Director of Ops and PW noted that all new facilities and replacement lighting is being completed with the more efficient LED lighting.

9. Regulations  
None listed.
10. New Business
  - a) Rules of Procedure for Conduct of Meetings  
Request to change meeting time  
Referred for further consideration by Council.  
Council discussed the time for the next regular Council meeting.  
**Motion 17-254** **R. Noel / A. Hulan**  
*Resolved that the Town of Carbonear schedule the next council meeting for Monday, November 6<sup>th</sup> at 7pm.*

Mayor Butt noted the Claude Garland Memorial Mayor's Walk will be held on October 19. He encouraged all Council members to attend.

11. Notices of Motion  
No notices of motions were filed.
12. Adjournment  
**Motion 17-255** **D. Kennedy / D. Doyle**  
*Resolved that the meeting adjourn at 4:57 p.m*  
The next meeting will be on Monday, November 6<sup>th</sup>, 2017.

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Mayor Frank Butt

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Cathy Somers, Town Clerk