

**Town of Carbonear**  
**Regular Council Meeting, October 23, 2018**  
Minutes of a regular meeting of the Council of the Town of Carbonear  
Held in Council Chambers, October 23<sup>rd</sup>, 2018 at 5:30pm

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

**Also Present:** CAO Cynthia Davis  
Town Clerk Cathy Somers  
Director of Operations & Public Works Brian O’Grady  
Director of Recreation Rob Button

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1. Calling of Meeting to Order  
Mayor Butt called the meeting to order at 5:31pm.
  
  - 2.1 Adoption of the Agenda for October 23, 2018 Regular Meeting  
Motion to add the following items to the agenda:
    - 5.1 c) Department of Municipal Affairs and Environment  
Small Communities Fund  
Water, Sewer, Storm & Street Upgrading / Water Street – 17-SCF-18-00077 PCA, change order in the amount of \$2,481.13 for additional design work.
  
    10. New Business  
Request for payment of Court Costs  
**Motion 18-261** **C. O’Grady / V. Jenkins**  
*Resolved to add the following item to the Agenda for October 23, 2018 Regular Council Meeting:.*
      10. New Business  
Request for payment of Court Costs  
Favour 7; Opposed 0; **Carried****Motion 18-262** **V. Jenkins / C. O’Grady**  
*Resolved to add the following items to the Agenda for October 23, 2018 Regular Council Meeting:*
      - 5.1 c) Department of Municipal Affairs and Environment  
Small Communities Fund  
Water, Sewer, Storm & Street Upgrading / Water Street – 17-SCF-18-00077 PCA, change order in the amount of \$2,481.13 for additional design work.  
Favour 7; Opposed 0; **Carried**

**Motion 18-263**

**R. Noel / D. Doyle**

*Resolved to adopt the agenda as presented and amended for the October 23, 2018 Regular Meeting of Council.*

Favour 7; Opposed 0; **Carried**

2.2 Adoption of the minutes

a) Regular Meeting – October 9, 2018

**Motion 18-264**

**D. Doyle / C. O’Grady**

*Resolved that the minutes of the October 9, 2018 Regular meeting of Council be adopted as presented.*

Favour 7; Opposed 0; **Carried**

3. Business Arising From Minutes

No Business Arising

4. Delegations

No delegations listed.

5. Correspondence, Permits & Development

a) Permit Listing # 8244, 8437, 8445, 8473-8484, 8486-8487

**Motion 18-265**

**D. Doyle / A. Hulan**

*Resolved to approve the list of permits # 8244, 8437, 8445, 8473-8484, 8486-8487 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**

5.1 Correspondence, requiring Council’s decision

b) Site Specific Health and Safety Plan – Pick up of Ice Control Materials

**Motion 18-266**

**V. Jenkins / D. Doyle**

*Whereas the Department of Transportation and Works will allow municipalities to pick up ice control materials ordered by the municipality;  
and*

*Whereas the Department of Transportation and Works requires a municipal endorsement passed by council which indicates all measures are in place to meet Occupational Health and Safety compliance standards related to the pick up of ice control materials;*

*Be It Resolved that the Carbonear Council adopts the attached Safety Plan for the pick up of ice control materials at the Transportation and Works Depot at Route 70, Birch Hills, Bay Roberts*

Favour 7; Opposed 0; **Carried**

Mayor Butt declared a conflict on Items 5.1a and 5.1c as he owns property in the Downtown area where the Water, Sewer, Storm & Street Upgrading Project for

Water Street is being carried out. Mayor Butt then left the meeting. Deputy Mayor O'Grady assumed the chair.

- a) Department of Municipal Affairs and Environment  
Multi Year Capital Works, Water, Sewer, Storm & Street Upgrading/Water Street – 17-MYCW-18-00033, change order in the amount of \$4,926.25 for additional design work.

**Motion 18-267**

**V. Jenkins / D. Kennedy**

*Resolved to approve change order in the amount of \$4,926.25 for additional design work on the MYCW, Water, Sewer, Storm & Street Upgrading/Water Street Project # 17-MYCW-18-00033.*

Favour 6; Opposed 0; **Carried**

- c) Department of Municipal Affairs and Environment  
Small Communities Fund  
Water, Sewer, Storm & Street Upgrading / Water Street – 17-SCF-18-00077 PCA, change order in the amount of \$2,481.13 for additional design work.

**Motion 18-268**

**V. Jenkins / D. Kennedy**

*Resolved to approve change order in the amount of \$2,481.13 for additional design work on the MYCW, Water, Sewer, Storm & Street Upgrading/Water Street Project # 17- SCF-18-00077 PCA.*

Favour 6; Opposed 0; **Carried**

Mayor Butt was called back into the meeting and assumed the chair.

5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

- a) Statistics Canada  
RE: Engaging Canadians: Statistics Canada's National Dialogue  
Copied to the Chief Administrative Officer
- b) Department of Municipal Affairs & Environment, Municipal Infrastructure and Support Branch  
RE: Call for 2019-2020 Municipal Capital Works and Cost-Shared Funding Program Applications, Deadline to apply is December 21, 2018  
Copied to the Chief Administrative Officer
- c) Local Service District Freshwater  
RE: Update on the number of dwellings for fire protection purposes  
Forwarded to the Public Works, Waste Management & Community Services committee
- d) Community Handicapped Association  
RE: Request for donation for the Annual Christmas Party on December 2 at the Royal Canadian Legion. Included on the 2018 approved donation listing.  
Cheque to be completed in the amount of \$50.
- e) Property owner, Water Street  
Permission to pave parking lot

- Forwarded to the Public Works, Waste Management & Community Services committee
- f) Request for approval to purchase land with the intention to construct  
Forwarded to Development Committee
- g) Chris Milley, Town Manager, Portugal Cove – St. Philip's  
RE: Avalon Regional Training and Meeting – November 23 at the Holiday Inn, Portugal Cove Road  
Copied to Council.
- h) NL 911, Implementation of NG911 (Next Generation 911)  
Request for civic address data information  
Forwarded to the Director of Operations & Public Works and the Public Works, Waste Management & Community Service committee
- i) Correspondence received regarding new business on Water Street  
Forwarded to Finance and Administration committee
- j) Department of Transportation & Works
  - RE: Ice Control Materials
  - Surplus Equipment 2018
Forwarded to the Director of Operations & Public Works & Chief Administrative Officer
- k) Property owner, LeMarchant Street  
RE: Application for Street Light Installation  
Forwarded to the Public Works, Waste Management & Community Services committee
- l) Carbonear Volunteer Fire Department  
Request for replacement pumper  
Forwarded to the Finance and Administration committee
- m) Service Canada, National Grants  
Request for additional information for application for Enabling Accessibility Fund  
Forwarded to the Chief Administrative Office, Director of Recreation and the Recreation, Special Events, Culture & Tourism committee
- n) Joint Council of Conception Bay North  
RE: Request for information for the Economic Development Attractions package.  
Forwarded to the Chief Administrative Officer and the Economic Development and Tourism Officer
- o) Property owner, Adelaide Street  
RE: Complaint of neighbouring property and request to speak at the Council Meeting on the matter.  
Forwarded to the Public Works, Waste Management & Community Services committee
- p) Fire & Emergency Services  
The Fire Services Division, Department of Municipal Affairs and Environment will be coordinating a province wide, in house training

program, Operations 2020. Information on training sessions, October 18 from 7-9 pm.  
Copied to the Fire Department.

6. Committee Reports

a) Development

Councillor Doyle advised that the Development Committee met on October 11, 2018. The following items from the meeting were reviewed with Council by Councillor Doyle:

- Town website  
The EDTO continues to work on the website. The Deputy Mayor and Councillor Doyle will meet with the EDTO to review the changes to the website this week
- The Committee is reviewing an application for Crown Land – Columbus Drive
- The Committee is reviewing an application for a development on 2 Gladstone Road.
- The Committee reviewed an application to place a temporary sign on the property of 139 Columbus Drive, it was noted that the Town is waiting on a sign amendment from the Town's planner.
- The following motion is being recommended on the development applications that were reviewed and recommended for approval:

**Motion 18-269 D. Doyle / V. Jenkins**

*Resolved to approve the following applications in accordance with applications submitted, the Town of Carbonear Municipal Plan and Development Regulations and other conditions as specified:*

- *180 Water Street to complete renovations to existing building subject to meeting the requirement of the Heritage area and per applicable approvals from the Service NL and/or other applicable government departments and agencies.*
- *120 Forest Road to complete an extension to an existing shed in accordance with Section 10 of the Development Regulations, Discretionary Powers of Authority*
- *TC Square Mall to open a retail store Fairwater/Labels per applicable approvals from the Service NL and/or other applicable government departments and agencies.*
- *1 Highroad South to complete renovations per application submitted per applicable approvals from the Service NL and/or other applicable government departments and agencies.*

Favour 7; Opposed 0; **Carried**

- Proposed development, 97 Columbus Drive  
Correspondence has been sent to the proposed developer for the property of 97 Columbus Drive.

b) Finance and Administration

Deputy Mayor O'Grady advised that the Finance Committee met on October 16 and he reviewed the following items from that meeting:

- Heritage Financial Incentives Program

A copy of the draft has been forwarded to committee for review. Hopefully it will be ready for recommendation at the next Regular Council meeting.

- Social Media Policy  
The Social Media Policy has been forwarded for review. The EA will resend to Council to allow them the opportunity to review prior to adoption at the next meeting.
- Policy on correspondence received  
The Town Clerk checked with some larger municipalities in the province but did not find a similar policy. She will continue to research further. Deferred
- There were two donation requests reviewed, one was approved on the Donations Listing for 2018. The other has already received a donation.
- The Fire Department has requested Council to consider the purchase a new pumper truck to replace the truck purchased 19 years ago. The CAO will contact Fire & Emergency Services on their policy on equipment replacement plans and lifetime of vehicles. The Committee will continue their review of this request.
- CBDC / Kiwanis Club Business luncheon on October 19, at Fong's Restaurant was well attended by Council and staff.
- CBN Joint Council, Request to release Drug and Alcohol policy  
The Town received a request from the CBN Joint Council to obtain a copy of the Town of Carbonear Drug and Alcohol Policy. The committee has no issue with sharing the policy. The policy will be reviewed with all Town Staff, Department Heads will review with each of their staff members.
- Property owner, Canada Place  
RE: Inquiry on property tax  
Town Clerk responded in writing to the property owner, the committee reviewed the correspondence.
- Request for donation for sporting activity. Reviewed by Committee, however the request does not meet the Town's donation policy.
- Pending ruling on court cases. As of the date of the meeting there was no ruling received on the Martland case.  
CAO advised that she has since received notification of the ruling and that the ruling received was in favour of the Town on that case.
- A/R Report - The Town Clerk provided the committee with an update on the receivables balance which was \$752,773.80 which is down significantly from the previous year. The Town Clerk has also prepared a list of properties to receive Notice of Tax Arrears pending sale of property for tax arrears. There are some other properties that will have to be reviewed with the Town's lawyer, before proceeding with notice of tax arrears on these properties.
- Budget preparations will be started and the committee will review their first draft of the budget with Council for their input.
- Confidentiality – The importance of maintaining confidentiality within the office was raised. This will be reviewed by the Town Clerk with the office staff.
- Recycling / Education Promotional items  
The recycling cloth bags have arrived, we are now waiting on the labels for the packaging and they will then be sent out to all households.

c) Public Works, Waste Management & Community Services

Councillor Jenkins noted that the committee met on October 18 and he reviewed the following items from that meeting:

- Tree Assessment  
Nothing new to report on the matter. Waiting on the arrangements from Green Leaf Resources.
- Traffic Calming Policy  
Deferred until committee has an opportunity to review. The committee will discuss further at the next committee meeting.
- No Parking signs – O'Donovan's Lane  
Signs should be installed this week.
- Lane between Russell and Lemarchant Street – It was reported that Keyin College would like to maintain a driveway from Russell Street. CAO will contact Keyin College to discuss the option to accommodate an access to Russell Street. The committee will continue their review on the matter.
- Mahaney's Lane – Request for curb and gutter  
The Director reported he contacted Harris & Associates to inquire if storm sewer was included in the upgrade to Mahaney's Lane. He will report back to committee once he has a response from Harris & Associates.
- The MEO is continuing to investigate and follow up on properties for clean up, etc.
- Application for street light installation, 25 Lemarchant Street Extension  
The Director of Operations and Public Works investigated and identified that the light would have to be placed on the pole in the vicinity of 23 Lemarchant Street to meet the Street Light Policy..

**Motion 18-270**

**V. Jenkins / A. Hulan**

*Resolved that the Town of Carbonear install a new street light on pole number 9706490 on Lemarchant Street Extension in accordance with the Street Light Policy.*

Favour 7; Opposed 0; **Carried**

- Freshwater Local Service District, update on the number of dwellings  
The Town received written correspondence from the Freshwater Local Service District advising there are 7 new dwellings that can be added for the Fire Protection invoicing. This information will be forwarded to the Town Clerk to make the necessary adjustments to the invoice for Freshwater Fire Protection.
- Resident, Bennett's Hill, correspondence regarding an issue with the stop sign and road width on Moore's Hill/Bemister's Hill and Tyre's Drung.  
Complaint that the stop sign in the area of Bemister's Hill/ Moore's Hill is partially covered by brush on the right side of the intersection. The Director reported the stop sign has been removed at the top of Bemisters Hill and a new stop sign has been installed at the top of Moore's Hill. The Director will have town staff cut back the brush in the area to increase visibility. The resident also had concerns that the road may not be wide enough near the intersection of Tyre's Drung and Bemister's Hill especially when two vehicles are traveling in the area. The Director reported he will investigate the area further and report back to committee.

Councillor Noel asked if there is any new signage installed for the new stop sign. The Director of Ops and PW advised there is a signed placed advising New Stop Sign ahead.

- NL911 - Next Generation 911 / Civic addressing initiative  
The Deputy Mayor visited the NL911 booth at the MNL convention and was provided with a package on a new initiative pertaining to civic addressing for municipalities. NL911 currently operate a basic 911 service in the province where callers provide their phone number and location of the emergency. NL911 is working towards implementing a Next Generation NG911 service which will automatically supply the caller's phone number and civic address or co-ordinates to the 911 call taker when a call is received. This service will provide efficiencies to the emergency 911 service by not having to rely on the caller or a call trace to identify the location of the emergency and the emergency service providers who will respond. In order to take advantage of the benefits of the NG911 service, each municipality will need to provide their civic address data and these have to be plotted on the map provided. If Council is considering this initiative, the collection of civic addressing information will require staff resources and time to develop in order to facilitate the implementation of this service. It was noted that every home has to be placed on the map for every street. There are funds remaining in the Administrative budget that would cover the cost to have the part time clerk to complete the project. She has experience with the Municipal Assessment Roll and would have the knowledge to complete the work required.

**Motion 18-271**

**V. Jenkins / D. Doyle**

*Resolved that the part time clerk complete the spreadsheet and map required for Next Generation 911.*

Favour 7; Opposed 0; **Carried**

*This will assist in providing the coordinates for all houses for emergency responders.*

- Multi Materials Stewardship Board Diversion Fund  
RE: Community Waste Diversion Program 2018  
Communities are eligible to apply for a non-repayable maximum contribution of \$10,000 per project to reduce, reuse or recycle more of its waste. The EDTO prepared a draft funding proposal to increase residential participation curbside recycling in the Town. A copy of the funding proposal was forwarded to committee for review. Fund could be used to hire a student to go door to door to train and educate people on recycling and explain the cost benefits to the town. Also it could include an incentive program "Carbonear Recycling Champion Program" which could recognize the efforts of those who are currently recycling. The deadline to apply is December 3, 2018. **The committee recommends proceeding to make application for funding to the MMSB Community Waste Diversion Program 2018.**
- Fence on vacant land on Hayden Heights  
It was reported that a property on Hayden Heights has listed their home for sale and they expressed some concerns with the fence on the vacant land across the street. They felt the stand alone fence on the property was a deterrent to potential buyers and a reminder of the tragedy that occurred. The committee had no issue with removal of the fence on the property but deferred the matter for further discussion with council.



Councillor Kennedy declared a conflict of interest on the matter as this is the neighbouring property to his property on Hayden Heights. Councillor Kennedy then left the meeting.

**Motion 18-272 V. Jenkins / D. Doyle**

*Resolved that the Town of Carbonear remove the fence on the Town's property of 12 Hayden Heights.*

Favour 6; Opposed 0; **Carried**

Councillor Kennedy was called back into the meeting.

7. Reports of Chief Administrative Officer and Department Heads

a) Chief Administrative Officer

The CAO reviewed some items from her report as previously distributed to Council and noted the following:

- Tax revenue is lower than budgeted, however there is a contingency included in the budget which will offset that revenue shortfall.
- Total expenses are currently within budget and overall, there is no reason to suspect that spending will not be within budget at the end of the year.

Any questions that Council may have on the report can be addressed to the CAO.

b) Director of Operations & Public Works

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

**Roads:**

**Asphalt:**

We continue to purchasing asphalt by the ton and have been doing larger repairs around town; however the temperature is a factor in doing it this way.

**Line Painting:**

This has finished for the season

**Catch basin cleaning:**

Ongoing

**Valve Exercising:**

Ongoing

**Paving**

The Asphalt preparation crews are scheduled to be in town early next week with the Paving crews following later in the week.

**Tyre's Drung Water Main**

The Contractor has completed the installation of the new water main. This main has been test and is now in service. The only thing remaining is the final road grading and the asphalt. The asphalt will be installed at the same time the crews are in Town to complete the other asphalt work.

**Water and Sewer extension on Columbus Drive**

The water and sewer installation has started on Columbus Drive. This required a water shutdown for the initial tie in. There should not be any further interruptions of the water service for this project.

**Sidewalk and Curb repair:**

The Island on the top of Highroad South at the CHVO Drive intersection is now complete. All curb/sidewalk work is now completed for this season.

**Highway ramp:**

The contractor for the Dept of Highways has started working on the ramps. Their goal is to complete the rough in of the ramps this fall with the finish work to be completed in the spring.

**Boardwalk/Green Space**

The Pergola construction is now complete. Two walkways have been completed, connecting the Pergola to the boardwalk. The underground electrical work is complete for the lighting along that portion of the boardwalk. The light posts and lights are order and should arrive in the next couple of weeks.

**Driver feedback sign:**

One driver feedback sign remains in the Valley near the school. The second sign is installed on a moveable base and is currently positioned in the Chapel Hill area.

**Addition information:**

- The flushing hydrant has now been installed at the top of Bunkers hill.
- A stop sign has been installed at the top of Moore’s Hill and one removed from Bemister’s Hill
- “No parking” signs has been installed on the bottom section of O’Donovan’s Lane
- The fountain will soon be removed from the pond for the season

Councillor Noel inquired about leaf composting. The Director of Ops & PW advised that leaves can be brought to the composting site, if they weren’t already put out for bulk pick up.

c) Director of Recreation

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

**Pool & Rec Maintenance**

- 1.) Working on information for accessible family change room at pool. Most has been gathered and submitted. Waiting on a couple of numbers to submit external cost quotes.
- 2.) Outside Maintenance is conducting seasonal shutdown. . All playgrounds are scheduled to be closed for season by end of week. Seasonal staff will be finished as of Friday.
- 3.) Siding on pool. Director advised he received a quote of \$28,311.05 to replace this siding on the front of the pool facility.

**Motion 18-273**

**R. Noel / D. Kennedy**

*Resolved that the Town of Carbonear contract Bay Builders to supply and install the replacement siding on the front side of the pool at a cost of \$28,311.05.*

Favour 7; Opposed 0; **Carried**

**Financial & Program Analysis**

	<u>2018</u>	<u>2017</u>
1.) Pool Revenue (less HST)	\$221,989.08	\$219,704.99
2.) Lesson Registration	1,489	1,515

3.) Pool Visitation 28,429 26,351

\* Summer Lesson set witnessed much lower registration compared to last year (-107). September registration has rebounded and matched that of last year (380).

Programs & Grants

1.) Been a fairly busy fall. Lots of activities happening at Recreation Complex. Senior Boys Regional High School Softball Tournament, Jr. High Girls & Boys (Grade 7/8) Softball Tournament, Harvest Run (Approx. 1100 participants and 31 schools). Grade 7/8 Regional Soccer hosted today.

This past weekend Poseidon Swim Club hosted the first swim meet of the season, 270 swimmers were registered for this event.

There have been two weekends of football tournaments as well.

2.) Youth Sports Program is ongoing, 2<sup>nd</sup> 4 week session is scheduled to begin next week. Going to continue with basketball until the Christmas break. Tuesday's and Thursday's between 4:30 and 6:30. About 20 participates. Seniors programming has started, 22 participants at our first session (sip and splat) with approx. 28 participants today at our 2<sup>nd</sup> session (fall craft).

8. Finance

a) Operating Invoices over \$2,000.00 totaling.....\$ 88,536.41

**Motion 18-274 C. O'Grady / V. Jenkins**

*Resolved that the Town of Carbonear approve for payment the list of operating invoices as submitted totaling \$88,536.41.*

Favour 7; Opposed 0; **Carried**

9. Regulations

None listed.

10. New Business

a) Request for payment of Court Costs

Mayor Butt declared a conflict of interest on this matter as it refers to the Court Costs for the appeal he filed. Mayor Butt then left the Council Meeting.

Deputy Mayor O'Grady assumed the chair. Deputy Mayor O'Grady advised that we have received the revised Bill of Costs for File # 2017 01G 8517, Frank Butt vs. Town of Carbonear. The total Bill of Costs including disbursements is \$14,958.10. A motion of Council is required to have these fees paid.

**Motion 18-275**

**R. Noel / D. Doyle**

*Resolved that the Town of Carbonear approve for payment the total Bill of Costs in the amount \$14,958.10 for File #2017 01G 8517, Frank Butt vs. Town of Carbonear.*  
Favour 6; Opposed 0; **Carried**

Mayor Butt was called back in to the meeting and assumed the chair.

Mayor Butt noted some events that he and some members of Council attended on behalf of Council since the last Council Meeting:

- Open house Fire Hall Oct 10
- Ground Breaking SPCA
- Oct 14 Childrens Wish event at Powell's Supermarket
- Oct 18 NLCU proclamation
- Marion Emberley 80<sup>th</sup> Birthday today at the Carbonear Long Term Care Facility
- Oct 19 Mayor s walk , well attended.
- Oct. 19 Business luncheon
- Oct. 15 Pregnancy and Infant Loss Awareness Vigil

Mayor Butt noted the Rock the Block Invitational Swim Meet was hosted at the Carbonear Pool this past weekend.

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

12. Adjournment  
**Motion 18-276**                      **R. Noel / C. O'Grady**  
*Resolved that the meeting adjourn at 6:20 p.m. and the next regular council meeting will be on November 13 at 5:30pm.*

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Mayor Frank Butt

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Cathy Somers, Town Clerk