

Town of Carbonear
Regular Council Meeting October 11, 2023
Minutes of a regular meeting of the Council of the Town of Carbonear held
In Council Chambers, October 11, 2023 at 7:30pm

Members Present: Mayor Frank Butt
Deputy Mayor Sam Slade
Councillor Danielle Doyle
Chris O'Grady
Ray Noel
Malcolm Seymour
Peter Snow

Also Present: Chief Administrative Officer Cynthia Davis
Town Clerk / Director of Financial Operations Cathy Somers
Director of Operations & Public Works Ian Farrell
EDTO Kerri Abbott

Also Absent: Director of Recreation Rob Button (on leave)

1. Calling of Meeting to Order
Mayor Butt welcomed everyone to the meeting and called the meeting to order at 7:36pm. The meeting is being broadcasted through YouTube.

Town Clerk requested a motion for the change in time for the October 11, 2023 Regular Council meeting.

Motion 23-292

S. Slade / C. O'Grady

Resolved to change the meeting time for the Regular Council Meeting for Wednesday, October 11, 2023 from 5:30 pm to 7:30 pm.

Favour 7; Opposed 0; **Carried**

2. Approval of the Agenda for October 11, 2023 Regular Meeting
Councillor O'Grady asked to add Item 7d Report from council liaison for the P.S. NaGeira Theatre Board.

Motion 23-293

C. O'Grady / P. Snow

Resolved to adopt the agenda for the October 11, 2023 Regular Council Meeting as presented to Council with the addition of Item 7d Report from council liaison for the P.S. NaGeira Theatre Board.

Favour 7; Opposed 0; **Carried**

3. Adoption of the minutes

- a) Regular Meeting – September 26, 2023
Motion 23-294 **S. Slade / M. Seymour**
Resolved to adopt the minutes of the September 26, 2023 Regular Meeting of Council as presented.
Favour 7; Opposed 0; **Carried**

4. Business Arising from Minutes

5. Proclamations / Presentations / Delegations

- a) Miles for Smiles Foundation
October, National Child Abuse Prevention Month
Proclamation to be signed.
Motion 23-295 **S. Slade / D. Doyle**
Whereas: Children are the foundation for a prosperous and innovative society, and the foundation for a child's growth and development is established when the community takes responsibility for creating healthy environments where our children can thrive;
Whereas: All children deserve to have a safe, stable, nurturing home and community to foster their healthy growth and development;
Whereas: Child abuse and neglect is an important societal concern that may affect the long-term health and well being of not only children, but also the adults they become;
Whereas: Child abuse and neglect impacts our entire society and our society's future;
Whereas: Child abuse prevention is a shared responsibility and finding solutions requires the involvement and collaboration of citizens, organizations and government entities;
Whereas: this month, we emphasize the importance of understanding the devastating problem of child abuse and neglect, and commit to learn more about the behavioural and physical signs of possible abuse.
Therefore: the Town of Carbonear do hereby proclaim the month of October, 2023 to be National Child Abuse Prevention Month in the Town of Carbonear and urge all citizens to work together to help reduce child abuse and neglect significantly in years to come.
Favour 7; Opposed 0; **Carried**

6. Permits and Correspondence

- 6.1 Permit Listing # 10381-10393
Councillor Doyle asked Council to review the list for any possible conflicts.
Motion 23-296 **D. Doyle / C. O'Grady**

Resolved to approve permits # 10381-10393 as per the applications received and conditional upon the work being completed in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.

Favour 7; Opposed 0; **Carried**

6.2 Correspondence, requiring Council's decision
None listed.

6.3 Correspondence received and action taken
Council reviewed the following correspondence and action taken:

- a) MRON
RE: Disability Employment Awareness Month
Invitation to attend: Wednesday, October 11, 11:30 am – 1:30 pm
Copied to Council.
- b) Royal Canadian Legion
RE: Poppy Campaign
Invitation for the Mayor or designate to attend the campaign kickoff at the RCL Branch 65 in Brigus on Thursday, October 26 at 7pm.
Copied to the Mayor.
- c) Municipalities NL
RE: InfoNote, October 3, Leadership award nomination open
RE: InfoNote, October 6, information on voting instructions
Copied to Council.
- d) Splash Centre
RE: Youth Employment Program
Copied to the Chief Administrative Officer and Town Clerk.
- e) Government of Canada
RE: Call for Concepts under the Pan-Canadian stream of the New Horizons for Seniors funding.
Forwarded to the Chief Administrative Officer.
- f) Immigration, Refugees and Citizenship Canada
RE: Request for the Town of Carbonear to host an information session
Copied to the Recreation, Special Events, Culture and Tourism committee.
- g) Canadian Heritage Funding Portal
RE: Museum Assistance Program Funding
Copied to the Recreation, Special Events, Culture and Tourism committee
- h) Municipal Assessment Agency
RE: 2024 Assessment Service Fee
The fee will remain at \$26 per parcel and per tenant for tax year 2024.
Forwarded to the Administration and Finance committee

RE: Reminder to vote for Mayor Tony Keats of Dover who was shortlisted as one of twenty-five mayors nominated for the World Mayor 2023 Award.
Copied to Council.

- i) Manager of Public Health, NL
RE: National Radon Program Presentation, October 4th at 1-3 pm
Forwarded to the Chief Administrative Officer and the Director of Operations and Public Works.
- j) Cougar Engineering and Construction Ltd ,Change Order #2 in the amount of \$7,475, Valley Road Water, Sewer and Street Upgrading, 17-GI-22-00013, Replace existing manhole
Forwarded to Public Works, Waste Management and Community Service committee.
- k) WSP E& I, Change Order # 1 Valley Road Water, Sewer and Street Upgrading, 17-GI-22-00013. adjustment in quantity in amount of \$2,990
Forwarded to Public Works, Waste Management and Community Service committee
- l) Property owner, Water Street
RE: Property clean up
Forwarded to Public Works, Waste Management and Community Service committee.

7. Committee Reports

- a) Administration and Finance
Councillor O'Grady noted the following from the Committee meeting:
 - JCP Grant has started. Employees are doing great work on grooming Nells Trail.
 - An update was provided on the 2023 Accounts Receivable stats showing: Property Tax 91.32% collected, Water/Sewer Tax 86.19% collected and Business Tax 94.18% collected.
 - Discussion took place on fire service fees and grant allocations. This will be discussed further in budget review.
 - Motion being recommended regarding the scheduling of Regular Council Meetings on Wednesday following any holiday recognized by the Town on the Monday of that week.

Motion 23-297 **C. O'Grady / P. Snow**
Resolved to adopt the revised Rules of Procedure for Conduct of Meetings as presented to Council.
Favour 7; Opposed 0; **Carried**
- b) Economic Development, Planning and Land Use Development
Councillor Doyle noted the following from the Committee meeting:

- Committee reviewed the "what we heard document" relating to Development.
- Harvest Festival and Promotions, encourage businesses to be involved in the business spotlights and to take the time to submit information on their business.

Councillor Doyle emphasized the importance of obtaining permits for development and also when you get your permit to build, to ensure it is constructed in accordance with the application as submitted.

Motions recommended by the committee:

Motion 23-298 **D. Doyle / R. Noel**

Be It 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:

- *to operate a new business (consignment store) from 46 Powell Drive conditional upon receipt of approval from Service NL and other applicable government departments and agencies;*

Favour 7; Opposed 0; **Carried**

Motion 23-299 **D. Doyle / P. Snow**

Resolved to send an order to remove the fence at 17 Pike's Lane as the development is not in compliance with the Town of Carbonear Fence Regulations.

Favour 7; Opposed 0; **Carried**

Motion 23-300 **D. Doyle / O'Grady**

Resolved to send order to remove the fence at 24 Grassey Lane as the development is not in compliance with the Town of Carbonear Fence Regulations.

Favour 7; Opposed 0; **Carried**

Councillor Doyle encouraged residents to take part in the Harvest Festival activities.

- c) **Public Works, Waste Management and Community**
Deputy Mayor Slade noted that Item 7d was deferred by the committee for discussion in privilege with all of council.
Deputy Mayor Slade noted there are a number of motions that the committee is recommending.
Mayor Butt declared a conflict of interest on the Change Order 2, Valley Road Phase 4 project as he has a brother who owns property in the area.

Councillor Noel declared a conflict of interest on the Change Order 2, Valley Road Phase 4 project as he has a brother who owns property in the area.

Mayor Butt and Councillor Noel left the Council table and took seats in the public gallery.

Deputy Mayor Slade assumed the position of Chair.

Motion 23-301

D. Doyle / P. Snow

Be It Resolved to approve Change Order 2, Valley Road Phase 4 Water, Sewer and Street Upgrading, 17-GE-22-00013 for Cougar Engineering and Construction in the amount of \$7475 to replace existing manhole.

Favour 5; Opposed 0; **Carried**

Mayor Butt and Councillor Noel returned to their seats at the Council table and Mayor Butt assumed the position of Chair.

Motion 23-302

S. Slade / R. Noel

Whereas the Department of Transportation and Infrastructure has recommended that project Owner (Town of Carbonear) provide their project manager delegated authority to pay project invoices that are within project budget and without issues; and

Whereas the Owner (Town of Carbonear) will have approved tender award for the project;

Be It Resolved to delegate authority to the Chief Administrative Officer to approve payment of invoices and change orders on the condition the invoices and change orders are within project budget and are without issues.

Favour 7; Opposed 0; **Carried**

Mayor Butt declared a conflict of interest on the Change Order 1, Valley Road Phase 4 project as he has a brother who owns property in the area.

Councillor Noel declared a conflict of interest on the Change Order 1, Valley Road Phase 4 project as he has a brother who owns property in the area.

Mayor Butt and Councillor Noel left the Council table and took seats in the public gallery.

Deputy Mayor Slade assumed the position of Chair.

Motion 23-303

M. Seymour / P. Snow

Be It Resolved to approve Change Order 1, Valley Road Phase 4 Water, Sewer and Street Upgrading, 17-GE-22-00013 for WSP E & I in the amount of \$2,990 for an adjustment in quantities.

Favour 5; Opposed 0; **Carried**

Mayor Butt and Councillor Noel returned to their seats at the Council table and Mayor Butt assumed the position of Chair.

Motion 23-304

S. Slade / M. Seymour

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

Whereas the Department of Transportation and Infrastructure 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 Site-Specific Health and 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**

Motion 23-305

S. Slade / C. O'Grady

Be It Resolved to contract ACE Locksmith to supply and install a listed access control system on the personnel door at the Fire Hall at a cost of \$2,866.45 plus HST.

Favour 7; Opposed 0; **Carried**

Motion 23-306

S. Slade / R. Noel

Be It Resolved to rescind motion 23-212.

Favour 7; Opposed 0; **Carried**

Council has been looking at civic numbers on houses and remind residents and property owners of the importance of having civic numbering on their properties. Having civic numbers installed in clear view on properties assists first responders such as ambulance drivers and Fire Fighting equipment drivers to locate your property in emergency situations.

- d) Report from council liaison for the P.S. NaGeira Theatre Board
Councillor O'Grady provided the following information regarding the Theatre Board:
- Theatre bookings are up from the previous year. Current year bookings have already exceeded total prior year's bookings.
 - The fundraising concert held in June was a great success and added much needed funding.

- The Eventbrite booking software has helped greatly as patrons are no longer limited to box office hours to buy tickets. This has helped increase sales.
- Bookings in the new community room are also up significantly. The response from groups who have booked is very positive. Groups are very pleased with the room as they find it spacious and bright. They also like the accessible parking and accessible washrooms.
- As of last week, there were 15 days in October with various bookings in the community room with a number of these bookings for a full day. November is booked equally as well.
- A New Horizons Grant has been applied for which would possibly allow for some instructional classes in the Arts for seniors.
- One issue which needs to be addressed is the broken stair lift going up to the stage. The building and the theatre are accessible. There is a lift from the Community room down to the stage stairs area but the lift going up to the stage area is currently not working.

8. Reports of Chief Administrative Officer and Department Heads

a) Director of Operations and Public Works

The Director reviewed the following from his report with Council:

Infrastructure & Public Works

New flow meter is installed at Pike's Lane lift station and fully functional.

New traffic radars are installed and fully functional.

Capital Projects

MYCW Lemarchant Road Extension

Will have to complete in two phases, minimum.

Application to be submitted into MSIS this week

ICIP Screenhouse and Chlorine Building Upgrades

Consultant procurement documents are ready and planning to advertise this week.

ICIP Beach Road Sewer Upgrading

Consultant procurement documents are ready and planning to advertise this week.

ICIP Cross Roads Water Sewer Street Upgrading

Consultant procurement documents are ready and planning to advertise this week.

2023 Paving Program

Consultant procurement documents to be completed and then advertised this week or next week.

Water Street Phase 3

Consultant has completed field investigations and surveys.

Valley Road Phase 4

Working on pouring sidewalk starting Monday.

Water Street Phase 2

Curb and gutter should be finished, or nearly finished, this week.

Adelaide Street Water Sewer and Road Upgrades Phase 2

Planning to decrease scope of work and retender for Spring construction.

Grassey Lane Water Sewer Storm Upgrades

Design is complete and submitted to Environment for permit to construct.

Adelaide Street Water Sewer and Road Upgrades (Phase 1)

Awaiting as-builts from consultant to close out the project.

2022 Paving Program

Awaiting update on construction from consultant and contractor for final bit of paving.

Powell Drive Street Upgrading Phase 2

Awaiting as-builts from Consultant to close out the project.

Other Items

Water and Sewer Regulations have been revised and presented to Council.

Mayor Butt inquired about the 2023 Paving

Director advised this would be designed over the winter and advertised for early spring.

Deputy Mayor Slade inquired about decrease of water pressure in the hills, pressure down by about 25 pounds.

Director advised that when Valley Road Phase 4 project is completed and when the water line connection is completed as part of this project, this should restore full pressure to the north hills.

Councillor O'Grady inquired about the holes and gaps on Highroad South where there was work done on the 2022 paving project. Director advised this should be addressed, he is waiting to hear back from the contractor on the matter.

It was noted that there are repairs needed on the ramp going up from Valley Road to Columbus Drive, trenches in the shoulder of the road along the edge of the asphalt. Director advised he will put a request in to Department of Transportation and Infrastructure.

9. Finances

- a) Operating Invoices over \$2,000.00 in the amount of..... \$117,622.78
Councillor Seymour declared a conflict of interest on Item 2130 as his son is an employee of that company.

Motion 23-307**C. O'Grady / P. Snow**

Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 totaling \$117,622.78 as submitted to Council, excluding item 2130.

Favour 7; Opposed 0; **Carried**

Councillor Seymour left his council seat and sat in the public gallery.

Motion 23-308**C. O'Grady / S. Slade**

Resolved that the Town of Carbonear approve for payment item 2130 in the amount of \$2,468.93 as shown on the list of operating invoices over \$2,000 as submitted to Council.

Favour 6; Opposed 0; **Carried**

Councillor Seymour returned to his seat at the Council table.

b) Capital Invoices:

Gas Tax Powell Drive Phase 2

Harbourside Transportation Consultants, Inv.# 2882.....\$1,923.38

Water Street, Phase II – Part B ACOA

Harris & Associates, Invoice # 7057.....\$13,048.82

Water Street, Phase II – Part A

Black Diamond Construction Ltd. Claim No. 4.....\$88,134.38

Black Diamond Construction Ltd. Claim No. 5\$185,131.38

Black Diamond Construction Ltd. Claim No. 6\$38,232.89

Total Capital Invoices**\$326,470.85****Motion 23-309****C. O'Grady / S. Slade**

Resolved that the Town of Carbonear approve for payment the list of capital invoices as presented to Council totaling \$326,470.85

Favour 7; Opposed 0; **Carried**

10. Regulations for Adoption

a) Water and Sewer System Regulations

Motion 23-310**S. Slade / R. Noel**

Resolved to approve the amendments to the Water and Sewer System Regulations as recommended by the Public Works, Waste Management and Community Services committee and distributed to Council.

Favour 7; Opposed 0; **Carried**

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

12. New Business
Announcements

- Mayor Butt noted that he attended the Fireman's Ball on September 30th. He noted the following awards were presented:
 - 35 Years Service Award - Past Chief and Honorary Firefighter Ron Garland
 - 35 Years Service Award
 - Firefighter Frank Butt
 - Firefighter Ed Kavanagh
 - Firefighter Richard Rossiter
 - 30 Years Service Award - Firefighter Glenn Trickett
 - 25 Years Service Award – Firefighter Jeff Squibb
 - 20 Years Service Award – 2nd Assistant Chief Scott Mullins
 - 15 Years Service Award – Firefighter Dennis Ash
 - 10 Years Service Award
 - Firefighter Darren Hedd
 - Firefighter Nick Rossiter
 - Yearly scholarships
- Emily Ash was awarded both scholarships:
 - The Clifford Pike Memorial Scholarship
 - The Fred Chubbs memorial Scholarship
- Deputy Mayor Slade congratulated all the firefighters on their years of service and congratulated the scholarships recipient as well.
- Mayor Butt advised the TCP Health Foundation donation was presented and well appreciated.
- Mayor Butt noted that this week is Fire Prevention week. The theme is Cooking Safety Starts with You.


13. Adjournment

Motion 23-311

S. Slade / R. Noel

Resolved that the meeting adjourn at 8:15pm and that Council meet again for a Regular Council Meeting on Tuesday, October 24th at 5:30pm.

Favour 7; Opposed 0; **Carried**



Mayor Frank Butt



Cathy Somers, Town Clerk