

Minutes of a regular meeting of the Council of the Town of Carbonear held
In Council Chambers, October 24, 2023 at 5:30pm

Members Absent: Mayor Frank Butt
Councillor Chris O'Grady

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

1. Calling of Meeting to Order
Deputy Mayor Slade welcomed everyone to the meeting and called the meeting to order at 5:31pm. The meeting is being broadcasted through YouTube.
2. Approval of the Agenda for October 24, 2023 Regular Meeting
Motion 23-312 **P. Snow / M. Seymour**
Resolved to adopt the agenda for the October 24, 2023 Regular Council Meeting as presented to Council.
Favour 5; Opposed 0; **Carried**
3. Adoption of the minutes
a) Regular Meeting – October 11, 2023
Motion 23-313 **R. Noel / P. Snow**
Resolved to adopt the minutes of the October 11th, 2023 Regular Meeting of Council as presented.
Favour 5; Opposed 0; **Carried**
4. Business Arising from Minutes
No business arising.
5. Proclamations / Presentations / Delegations
None listed.

6. Permits and Correspondence

6.1 Permit Listing # 10394-10402

Councillor Doyle asked Council to review the list for any possible conflicts.

Motion 23-314 **D. Doyle / M. Seymour**

Resolved to approve permits # 10394 - 10402 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 5; Opposed 0; **Carried**

6.2 Correspondence, requiring Council's decision

a) Department of Transportation and Infrastructure

RE: 17-GI-23-00047 – Grassey Lane Water Sewer Storm Upgrades

Approval to call public tender.

Motion 23-315 **R. Noel / P. Snow**

Resolved to proceed to advertise a Public Tender for the construction of Grassy Lane Water Sewer Storm Upgrades, Project # 17-GI-23-00047.

Favour 5; Opposed 0; **Carried**

b) Department of Transportation and Infrastructure

RE: Notification of Project Approval, Multi-Year Capital Works

Motion required to accept funding in the amount of \$739,322.

Motion 23-316 **R. Noel / P. Snow**

Be It Resolved that, we the Ultimate Recipient, Town of Carbonear accept cost-shared funding as outlined in the Department of Transportation and Infrastructure project approval letter dated the 13th day of October, 2023, Project number 17-MYCW-24-00031, for LeMarchant Street Extension Water Sewer Storm Road Upgrades with a total project value of \$1,019,097. The Town of Carbonear Council agrees to provide the Ultimate Recipient share value of \$184,831 in funding for this project and authorizes the Mayor and Town Clerk to enter into a funding agreement with the Department of Transportation and Infrastructure on behalf of the Town of Carbonear.

Favour 5; Opposed 0; **Carried**

6.3 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

a) Government of NL & Labrador

Department of Environment and Climate Change

RE: Water Sewer and Storm Upgrading – Grassey Lane, permit to construct
Placed on file

RE: Fall 2023 Operator Education Seminars

Copied to the Director of Operations and Public Works.

RE: Proposed activity in the Water Supply Area

Forwarded to Chief Administrative Officer and the Director of Operations and Public Works

Department of Municipal and Provincial Affairs

RE: Special Assistance Grant Approval in the amount of \$30,000 to assist in the cost of soil remediation for capital project.

Placed on file

RE: Circular: 2024 Municipal Budget Form

Forwarded to Chief Administrative Officer and the Town Clerk

b) Municipal Assessment Agency

RE: Newly appointed Taxpayer Representative, Mr. Allan Hawkins

Forwarded to Council. Placed on file.

RE: Invitation for Council to attend information session at the MNL conference, October 26 at 10:35. Copy of the MAA Annual Report and Financial Statements included.

Forwarded to Council.

c) Municipalities NL

RE: Updated MNL Board of Directors elections information

RE: MNL is proposing a 10% increase to membership fees, to be voted on by members at the upcoming Annual General Meeting

Copied to Council

d) Service Canada

RE: New Horizons Seniors Program

Additional information requested

Forwarded to Chief Administrative Officer and the Economic Development and Tourism Officer

e) Gunners Pond Development Association Inc

RE: Street numbers

Forwarded to the Fire Chief and the Chief Administrative Officer

f) Property Owner, Valley Road

RE: Ground water issue

Forwarded to the Director of Operations and Public Works

g) TC Pageant

RE: Festivals and Events for 2023-2024

Request to have newly crowned Junior Miss NL and Miss Teen Trinity Conception attend events in the Town.

Forwarded to the Economic Development and Tourism Officer and the Special Events committee

h) Softball Canada

RE: Team Sponsorship Opportunity

Forwarded to Administration and Finance committee

- i) Baccalieu Trail Animal Hospital
RE: Invitation to events
Forwarded to Council and Administration
 - j) Property Owner, Goff Avenue
RE: Request to install culvert
Forwarded to the Chief Administrative Officer and the Director of Operations and Public Works
7. Committee Reports
- a) Administration and Finance
Councillor Snow noted the following from the Committee meeting:
 - Community Collaboration Grant, looking to work on a mutually beneficial program together between the Town of Carbonear and the Town of Hr. Grace.
 - Accessibility Plan
Motion 23-317 **P. Snow / R. Noel**
Whereas the Accessibility Act NL requires that an Accessibility Plan be completed by December 31, 2023;
Be It Resolved to contract JW Consulting to complete an accessibility plan for the Town of Carbonear for the amount of \$4,800 plus HST.
Favour 5; Opposed 0; **Carried**
 - b) Economic Development, Planning and Land Use Development
Councillor Doyle noted the following from the Committee meeting:
 - Friendly reminder that permits are required for all development before construction begins and that it is very important that construction is completed as per the approved plan and conditions.
 - Businesses spotlighted during the Harvest Festival and Craft Fair this past Saturday.
 - Motions recommended by the committee:
Motion 23-318 **D. Doyle / P. Snow**
Whereas a fence application has been received for 6 Industrial Crescent;
Whereas this area is zoned commercial; and
Whereas commercial fences are required to deter unauthorized access and provide security reinforcement for equipment and supplies;
Be It Resolved to approve a 10 foot high fence in the equipment storage area to the rear of the building per Section 8 (b) of the Fence Regulations.
Favour 5; Opposed 0; **Carried**
- Motion 23-319** **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 WellnessNL providing Massage Therapy services from 195 Water Street conditional upon receipt of approval from Service NL and other applicable government departments and agencies;*
- *to complete interior renovations for a massage clinic from the property of 125 Columbus Drive conditional upon receipt of approval from Service NL and other applicable government departments and agencies;*
- *to operate a new business LeShane Seaside Vitality providing personal wellness services from 195 Water Street conditional upon receipt of approval from Service NL and other applicable government departments and agencies;*
- *to complete interior alteration to install security gates to the existing Dominion Food Store conditional upon receipt of approval from Service NL and other applicable government departments and agencies.*

Favour 5; Opposed 0; **Carried**

Motion 23-320

D. Doyle / R. Noel

Resolved to rescind Motion 23-300

Which states "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 5; Opposed 0; **Carried**

The motion refers to the incorrect property.

Motion 23-321

D. Doyle / P. Snow

Resolved to send order to remove the fence at 22 Grassey Lane as the development is not in compliance with the Town of Carbonear Fence Regulations

Favour 5; Opposed 0; **Carried**

CAO noted this is just for the portion of the fence that does not comply with the Town's Fence Regulations.

Motion 23-322

D. Doyle / P. Snow

*Whereas the Vendor Regulations Section 4 (a) requires a permit to sell or dispense goods and/or food from a vending stand; and
Whereas Section 5 (b) requires a permit fee and/or certificate to be paid in accordance with the fee structure as set forth in Schedule "C" of the Vendor Regulations;*

Be It Resolved to exempt these requirements and other related sections from the Harvest Festival Craft Fair organized by the Town of Carbonear.

Favour 5; Opposed 0; **Carried**

- c) Public Works, Waste Management and Community Services
Councillor Noel noted there is a motion that the committee is recommending.
Councillor Noel presented the following motion:

Motion 23-323

R. Noel / D. Doyle

Be It Resolved to approve Change Order 2, Water Street Phase 2, Part A for the Prime Consultant in the amount of \$27,384.38 HST included for an additional 31.75 days resident supervision in relation to Actual Quantities and Extra Time outlined in Contract Change Order No. 4 and an additional 1.5 days resident supervision in relation to Actual Quantities and Extra Time outlined in Contract Change Order No. 5.

Favour 5; Opposed 0; **Carried**

- d) Recreation Committee
Councillor Seymour thanked outside staff and EDTO for all work done on the Harvest Festival.

Councillor Seymour presented the following motions from the Recreation Committee:

Motion 23-324

M. Seymour / R. Noel

Resolved to award the contract for the Pool Staff Room Renovations to Culture Contracting in the amount of \$44,275 including HST.

Favour 5; Opposed 0; **Carried**

Councillor Doyle asked if the contract includes a water fountain and improvements to the washroom. Director of Recreation advised there are changes to the washroom, however the project does not include a water fountain for the lobby.

Councillor Seymour advised this will be reviewed during budget consultation.

Motion 23-325

M. Seymour / R. Noel

Resolved to contract Oliver Controls & Electric Inc. to supply and install a new feeder panel to operate the new ballfield lighting at a cost of \$3,227.50 HST included.

Favour 5; Opposed 0; **Carried**

Councillor Noel inquired as to why this was needed. Director of Recreation advised this was an additional cost to upgrade the electric panel to accommodate the new lighting.

8. Reports of Chief Administrative Officer and Department Heads

a) Director of Recreation

The Director of Recreation reviewed the following from his report with Council.
Pool & Rec Maintenance

- Outside facilities are winding down. Staff are in process of winterizing all of our outdoor facilities. Will be finishing up as of November 3rd.
- Contract to be awarded for upgrades to staffroom/washroom at pool along with a door replacement. The staff will be very pleased to see this work completed.

Financial & Program Analysis

- Pool Revenue is up from this time last year and Recreation Revenue is significantly higher than last year.
- There are double the participation numbers in programming which also includes the summer program.
- Lesson registration participant numbers will be updated on the next report after lesson registration.

Programs & Grants

- Halloween Dance (Youth) taking place this Friday. Registration for this event has been well received. Still some limited space available.
- Trick or Treat Trail walk taking place Saturday on Nell's Trail. Should be a great event with over 20 businesses/service groups joining us this year to help put smiles on the children's faces and maybe a friendly scare along the way!!
- Bonfire Night is scheduled to be held on Monday, November 6th. This event is being hosted by the Special Events Committee at Paddy's Garden in partnership with the Carbonear Fire Department.

Councillor Doyle asked when Council will review the Recreation Master Plan and will the consultant come back and review the plan with council.

There is no presentation by the consultant to Council included in the proposal. This was distributed to Council as per the Committee, so that Council can review, and when everyone has had a chance to review the document, then Council can schedule a separate meeting to review the plan together. The consultant presented the plan to the CAO and the Director of Recreation. Councillor Seymour noted that this is a 122 page document and when Council reviews the document, then we will then determine how to proceed.

Deputy Mayor Slade thanked Tract Consulting for the completion of the Recreation Master Plan.

The Recreation Director noted that Tract had the final plan done when it was mentioned in a previous council meeting and he was at that time checking to see if copies were still to be provided for Council members.

Deputy Mayor Slade apologized for any misunderstanding on the matter.

Councillor Noel noted there are many visitors to the town during sporting events for softball, skateboarding, ATV runs, etc. He looks forward to growing recreation events within the Town.

Deputy Mayor Slade thanked all the volunteers involved with these activities.

b) Chief Administrative Officer

The CAO noted the following from her report on Revenue and Expenditures to September 30, 2023 with Council:

- Budgeted Tax Revenue is pretty well on par.
- Expenditures are within budget, and each department is within budget.

Any questions, please contact the CAO.

c) Director of Operations and Public Works

The Director of Operations noted his report is brief. There are just two motions that he requires and these have been passed along to Councillor Noel.

Motion 23-326

R. Noel / M. Seymour

Be It Resolved to purchase a new paint machine from S&S Supply for the price of \$10,500 + HST.

Favour 5; Opposed 0; **Carried**

Motion 23-327

R. Noel / M. Seymour

Be It Resolved to award a contract to Black Diamond Construction in the amount of or about \$737,110 + HST pending for decreasing scope and rates to include only pavers and work relating to pavers for the Water Street Phase 2, Part B project.

Favour 5; Opposed 0; **Carried**

9. Finances

a) Operating Invoices over \$2,000.00 in the amount of..... **\$59,599.61**

Motion 23-328

P. Snow / R. Noel

Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 totaling \$59,599.61 as submitted to Council.

Favour 5; Opposed 0; **Carried**

d) Capital Invoices:

Adelaide Street Upgrades – Phase 1

Harris & Associates, Invoice # 7070..... \$24,247.38

Adelaide Street Upgrades – Phase 2

Meridian Engineering Inc. CC107528\$1,385.75

Grassey Lane Water, Sewer and Storm Upgrades

WSP E & I Canada Ltd, Inv # GM6639.....\$8,079.90

Valley Road – Phase 4 - Water, Sewer & Street Upgrading

WSP E & I Canada Ltd, Inv # GM6675.....\$41,241.77

Councillor Snow declared a conflict on Adelaide Street Phase 1 and 2 as his sister owns property in the area.

Councillor Snow then took a seat in the public gallery.

Motion 23-329 D. Doyle / M. Seymour

Resolved that the Town of Carbonear approve for payment the following capital project invoices as presented to Council:

Adelaide Street Upgrades – Phase 1

Harris & Associates, Invoice # 7070..... \$24,247.38

Favour 4; Opposed 0; **Carried**

Councillor Seymour declared a conflict on Adelaide Street Phase 2 as his mother-in-law owns property in the area.

Councillor Seymour then took a seat in the public gallery.

Motion 23-330 D. Doyle / R. Noel

Adelaide Street Upgrades – Phase 2

Meridian Engineering Inc. CC107528\$1,385.75

Favour 3; Opposed 0; **Carried**

Councillors Snow and Seymour returned to their seats at the Council table.

Motion 23-331 P. Snow / R. Noel

Resolved that the Town of Carbonear approve for payment the following capital project invoices as presented to Council:

Grassey Lane Water, Sewer and Storm Upgrades

WSP E & I Canada Ltd, Inv # GM6639.....\$8,079.90

Favour 5; Opposed 0; **Carried**

Councillor Noel declared a conflict of interest on the Valley Road, Phase 4 project as his brother owns a property in the area.

Councillor Noel then moved to the public gallery.

Motion 23-332 P. Snow / D. Doyle

Resolved that the Town of Carbonear approve for payment the following capital project invoices as presented to Council:

Valley Road – Phase 4 - Water, Sewer & Street Upgrading

WSP E & I Canada Ltd, Inv # GM6675.....\$41,241.77

Favour 4; Opposed 0; **Carried**

Councillor Noel returned to his seat at the Council table.

10. Regulations for Adoption
No regulations listed.

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

12. New Business
None

10. Adjournment
Discussion on meeting time for next meeting.

Motion 23-333

M. Seymour / D. Doyle

Resolved that the meeting adjourn at 6:19 pm and that Council meet again for a Regular Council Meeting on Wednesday, November 15th. Time of meeting to be determined.

Favour 5; Opposed 0; **Carried**



Deputy Mayor Sam Slade



Cathy Somers, Town Clerk