

Town of Carbonear
Regular Council Meeting September 9th, 2025
Minutes of a regular meeting of the Council of the Town of Carbonear held
In Council Chambers, September 9th, 2025 at 5:30pm

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

Also Present: CAO Cynthia Davis
Town Clerk / Director of Financial Operations Cathy Somers
EDTO Kerri Abbott

1. Calling of Meeting to Order
Mayor Butt welcomed those present at the meeting or watching online through YouTube and called the meeting to order at 5:34 pm. The meeting is being recorded and will be available on YouTube. Mayor Butt called for a moment of silence in remembrance of former Councillor Guy Thoms who served on Council from 1973-1977.
2. Approval of the Agenda for September 9th, 2025 Regular Council Meeting
CAO requested to add the following to the agenda:
 - Item 7c) Committee Report, Variance request for 79 Forest Road
 - Item 7e) Accessibility Committee - Appointment of member to committee
 - Item 6.2b) Elaine Mitchell, Commissioner's Report
 - Item 6.2c) Newfoundland and Labrador Hydro, EV Charging stations

Motion 25-260 C. O'Grady / M. Seymour
Resolved to adopt the agenda with the additions as requested for the September 9th, 2025 Regular Council meeting as distributed to Council.
Favour 7; Opposed 0; **Carried**
3. Adoption of the minutes
a) Regular Meeting – August 12, 2025

Motion 25-261 S. Slade / P. Snow
Resolved to adopt the minutes of the August 12th, 2025 Regular Meeting of Council as presented.
Favour 7; Opposed 0; **Carried**
4. Business Arising from Minutes
No business arising.
5. Proclamations / Presentations / Delegations
a) Wrongful Conviction Day – October 2, 2025
Proclamation to be signed

Motion 25-262**S. Slade / R. Noel**

Whereas the loss of one's freedom due to a wrongful conviction has far-reaching and devastating consequences which not only affects the innocent individual's life but also affects the quality of life of their families and has a harmful effect on society as a whole; and

Whereas wrongful convictions question the integrity and fairness of the criminal justice system and unless corrected undermines society's trust in their criminal justice system; and

Whereas Wrongful Conviction Day is a global movement dedicated to advocating for innocent individuals who have been wrongly convicted of a crime they did not commit. The implementation and recognition of this day is the start to reaching a broader audience regarding the importance surrounding miscarriages of justice. A proclamation will assist to advocate, educate, and create awareness around those miscarriages of justice in hope for reform to minimize the effect it could have on another individual.

Therefore, the Town of Carbonear do hereby proclaim October 2, 2025, as "WRONGFUL CONVICTION DAY" in the Town of Carbonear, NL.

Favour 7; Opposed 0; **Carried**

6. Permits and Correspondence

a) Permit Listing # 10959-10985

Motion 25-263**D. Doyle / P. Snow**

Resolved to approve permits # 10959-10985 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**

7. Correspondence, requiring Council's decision

a) Cross Roads Water, Sewer, Road Upgrades (Project 17-GI-24-00053)

RE: PCA Amendment - Change Order Notice in the amount of \$9,752.58 for costs associated with site investigation, soil sampling and reporting related to the fuel tank found during excavation

Motion 25-264**S. Slade / C. O'Grady**

Whereas an old, buried oil tank had been uncovered during construction, and Whereas site remediation of contaminated soil was required,

Be it resolved to approve a PCA amendment to WSP in the amount of \$8,480.50 plus HST for sampling, analysis, coordination, and environmental report.

Favour 7; Opposed 0; **Carried**

b) Elaine Mitchell, Commissioner's Report

RE: Approval of Town of Carbonear Municipal Plan and Development Regulations 2025

Motion 25-265**D. Doyle / P. Snow**

Under the authority of Section 16, Section 17, and Section 18 of the Urban and Rural Planning Act, 2000, the Town Council of Carbonear

a) Adopted the Town of Carbonear Municipal Plan 2025 on the 12th day of August, 2025;

- b) Gave notice of the adoption of the Town of Carbonear Municipal Plan 2025 by posting notices in two prominent locations (the Town Hall lobby and the Carbonear Pool Bulletin Board), advertisement in the Shoreline News on August 21, 2025 and August 28, 2025, and by advertisement on the Town of Carbonear website starting on August 22, 2025;
- c) Set the 1st day of September, 2025 at 4:30 pm as the deadline for a signed written statement outlining objections and representations to the draft Town of Carbonear Municipal Plan.

Now under the authority of Section 23 of the Urban and Rural Planning Act, 2000, the Town Council of Carbonear approves the Town of Carbonear Municipal Plan 2025 as adopted with the following changes:

- Appendix B of the Carbonear Development Regulations be amended to incorporate the revised road classifications as presented by the Chief Administrative Officer at the public hearing;
- Remove the reference to private roads in Policy 4-44.

Favour 6; Opposed 1; **Carried**

Mayor Butt opposed the motion as he did not feel that land on Fox Farm Road area should be changed from Commercial to Residential.

Motion 25-266

C. O'Grady / M. Seymour

Under the authority of Section 16, Section 17, and Section 18 of the Urban and Rural Planning Act, 2000, the Town Council of Carbonear

- a) Adopted the Town of Carbonear Development Regulations 2025 on the 12th day of August, 2025;
- b) Gave notice of the adoption of the Town of Carbonear Development Regulations 2025 by posting notices in two prominent locations (the Town Hall lobby and the Carbonear Pool Bulletin Board), advertisement in the Shoreline News on August 21, 2025 and August 28, 2025, and by advertisement on the Town of Carbonear website starting on August 22, 2025;
- c) Set the 1st day of September, 2025 at 4:30 pm as the deadline for a signed written statement outlining objections and representations to the draft Town of Carbonear Development Regulations.

Now under the authority of Section 23 of the Urban and Rural Planning Act, 2000, the Town Council of Carbonear approves the Town of Carbonear Development Regulations 2025 as adopted with the following changes:

- Appendix B of the Carbonear Development Regulations be amended to incorporate the revised road classifications as presented by the Chief Administrative Officer at the public hearing;
- Remove any reference to the development of private roads.

Favour 6; Opposed 1; **Carried**

Mayor Butt opposed the motion as he did not feel that land on Fox Farm Road area should be changed from Commercial to Residential.

- c) Newfoundland and Labrador Hydro

RE: EV charging stations

Motion 25-267

S. Slade / R. Noel

Whereas there are over 1700 registered electric vehicles in the province; and
Whereas visitors to the province are also using electric vehicles; and
Whereas EV travellers is an asset (i.e. coffee shops, restaurants, store/mall/shopping/outdoor space/recreation facilities, etc.) ; and

*Whereas electric vehicles use and ownership will grow;
Be it resolved to provide an approval in principle to NL Hydro to install two Ultra Fast EV charging stations/parking spaces at the Conception Bay Regional Community Centre per the information provided..*
Favour 7; Opposed 0; **Carried**

6.3.1 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

a) Government NL

- Department of Justice and Public Safety regarding Emergency Management. Forwarded to the Chief Administrative Officer.
- Department of Justice and Public Safety regarding Fire Prevention Week, October 5-11, 2025. Copied to the Chief Administrative Officer and the Fire Chief
- Department of Transportation and Infrastructure regarding Clarification on CHIF Applications through Municipal Infrastructure. Copied to the Chief Administrative Officer.
- Department of Municipal Affairs and Community Engagement regarding Long Service Award. Forwarded for review.
- Department of Municipal Affairs and Community Engagement regarding 2024 Annual Expenditure Report. Forwarded to the Chief Administrative Officer and the Town Clerk.
- Department of Justice and Public Safety regarding expression of gratitude to the Town of Carbonear Volunteer Fire Department for these efforts on the Kingston Fire. In appreciation the province have secured funding for 6 pairs of Wildland Coveralls. Forwarded to the Chief Administrative Officer and the Fire Chief
- Department of Government Modernization and Service Delivery, Government Service Centre regarding -NL Public Health Laboratory, Test results of water samples collected on August 20 at North Atlantic, Garland's Meat Shopper, Esso & Shell. All Results marked satisfactory. Copied to the Chief Administrative Officer and the Director of Operations and Public Works. Placed on file.
- Department of Jobs, Immigration and Growth. JCP program. Forwarded to Recreation, Special Events, Culture and Tourism committee
- Department of Municipal Affairs and Community Engagement regarding availability of N95 masks. Forwarded to Chief Administrative Officer
- Department of Municipal Affairs and Community Engagement regarding Regional State of Emergency Bay de Verde Peninsula. Forwarded to Chief Administrative Officer.
- Department of Municipal and Community Engagement regarding Special Assistance Grant Program. Forwarded to Public Works, Waste Management and Community Services committee
- Department of Fisheries, Forestry and Agriculture regarding Forest Travel Permit. Forwarded to Chief Administrative Officer and the Director of Operations and Public Works
- Department of Transportation and Infrastructure regarding open call for Applications 2026-2027 Funding programs. Forwarded to the Public Works, Waste Management and Community Services committee
- Department of Justice and Public Safety regarding Permit for the Fire Chief to install a Red Light and Siren on his private vehicle. Forwarded to the Chief Administrative Officer and the Fire Chief. Placed on file.

- b) NL Public Library has extended hours of operation to support those affected by wildfires. Copied to Council and staff. Placed in the lobby.
- c) Individual concern with contractor during road construction. Forwarded along to the contractor and the Director of Operations and Public Works.
- d) Property owner, LeMarchant Street regarding concern with disruption in water services. A response was provided.
- e) Legendary Coas of Eastern Newfoundland
 - Tourism Spring Program
 - Request to advertise in the 2026 NL Travellers Guide
 Forwarded to Recreation, Special Events, Culture and Tourism committee
- f) Knights of Columbus Dalton Assembly, 4th Degree
 RE: Invitation for Council, Staff, Municipal Enforcement Officer and residents to attend the Interfaith Prayer Service (Community World Wide Prayer) – Thursday, September 11, 2025 at 7 pm, St Patrick's Church.
- g) Gunners Pond Development Association
 RE: zoning, fees, etc. Forwarded to the Administration and Finance committee
- h) NL Health Services
 RE: 8 Week Bereavement Program, starting September. Shared on social media placed copy in lobby
- i) Trinity Conception Placentia Health Foundation
 RE: 36th Annual Telethon, St. Francis School, October 5, 2025. Request for donation. Forwarded to the Administration and Finance committee
- j) Line Road Association request for additional road grading. Forwarded to the Public Works, Waste Management and Community Services committee
- k) Natural Resources Canada – funding opportunities. Forwarded to Administration.
- l) Co Ordinator, TC Pageants request for use of the multipurpose room. Forwarded to Administration and Finance committee
- m) Kid Eat Smart Foundation of NL regarding request for donation. Forwarded to Administration and Finance committee
- n) Resident inquiry on industrial set up on property on Valley Road. Forwarded to the Public Works, Waste Management and Community Services committee
- o) Dexter Construction Company Ltd. Lemarchant Street Extension, Water Sewer and Storm Road Upgrades. Request for Change Order in the amount of \$20,772. Forwarded to Public Works, Waste Management and Community Services committee

7. Committee Reports

- a) Public Works, Waste Management & Community Services
 Deputy Mayor Slade presented the following motions:
Motion 25-268 S. Slade / R. Noel
Lemarchant Street Extension Ditch Inlet and Catch Basin
Whereas a ditch inlet, grate, and catch basin is required to effectively drain stormwater from Lemarchant Street Extension, and
Whereas the consultant has recommended approval of the contractors change order request,
Be it resolved to approve a change order to the contract with Dexter Construction Company Limited in the amount of \$20,572 plus HST
 Favour 7; Opposed 0; **Carried**

Councillor Doyle asked if the water drone would be used for our water supply.
Yes.

Is there any update on the Downtown Phase 3 Project

Deputy Mayor Slade advised the CAO met with ACOA on the matter.

CAO advised that ACOA is requesting an increase to the Town's portion for the project. She did meet with the province and ACOA. The Town advised ACOA that the Town would increase their contribution from 10% to 15% and we are looking to see if the province will increase their share as well.

Mayor Butt asked if ACOA is waiting on anything else from the Town. CAO advised, not from the Town itself, we are waiting on a response from the province. Mayor Butt asked if we could meet with ACOA to determine if they are waiting on anything else.

CAO advised she will follow up to see what the status is with the province.

CAO advised the underground work is approved. The consultant is currently working on the design including the street scape design as well.

Council inquired if any capital works projects have been approved. CAO advised all but one of the projects submitted have been rejected. The other remaining project is marked pending.

Deputy Mayor Slade noted he is surprised to see that there are no approvals on our Capital Works applications.

b) Recreation, Special Events, Culture and Tourism

Councillor Seymour advised the committee met on September 3rd.

The Committee discussed fall plans. Both the EDTO and Director of Recreation are proceeding with their fall plans.

Councillor Seymour thanked everyone in the town, especially our volunteers.

Councillor Doyle asked if the repairs have been made to the floor and doors in the multi-purpose room at the pool. CAO advised, the last update was that they are waiting on tiles for the repair. She will follow up with the Director of Recreation and advise Council.

Councillor Doyle noted there is a significant section of Nell's Trail on the turn where there was shale, will there be any class A added. Walking on the shale is not comfortable for trail users.

CAO advised there are plans to use crusher dust to upgrade the trail as well.

c) Economic Development, Planning and Land Use Development

Councillor Doyle advised the committee met on September 3rd and noted the following:

- Order will be sent to developer who has completed work without a permit
- Reminder letter that the town is proceeding to court for non-compliance with an order.
- Further investigation to be completed on other items.
- The MEO and EDTO did not report at the meeting.
- Several Development Applications were reviewed.

Motions will be presented on these.

- Representations received on the proposed Municipal Plan and Development Regulations were reviewed by the Commission at the Public Hearing.
- Inquiry received on a neighbouring property being developed. A response will be provided.
- Staff will schedule a meeting on a proposed development on Columbus Drive.
- There are several applications waiting on additional info, some waiting on new plan to be in place as the application will then meet the requirements.

Councillor Doyle presented the following motions:

Motion 25-269

D. Doyle / P. Snow

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 home-based business (Electrical Services) from 9 Willoughby Drive conditional upon the Home-Based Business Regulations; no objections or representations being received from the discretionary use advertisement; and the application being referred back to committee and council for further review if objections are received in response to the discretionary notice advertised;*
- *to open an indoor children's playground at 120 Columbus Drive (TC Square Mall), conditional upon receipt of approval from Service NL and other applicable government departments and agencies;*
- *to approve a separate electrical service for a garage at 1 Horwood's Hill;*
- *To replace front deck not exceeding size of the deck being replaced at 35 Pondsideroad in accordance with Section 10, Discretionary Powers of Council;*

Favour 7; Opposed 0; **Carried**

Motion 25-270

D. Doyle / C. O'Grady

Resolved to refuse the application to construct a new dwelling at 23A Valley Road as the development is not in compliance with the Town of Carbonear Development Regulations as the proposed dwelling does not have frontage on a town street.

Favour 7; Opposed 0; **Carried**

Motion 25-271

D. Doyle / M. Seymour

*Resolved to approve variances requested to the building line setback at property situate 79 Forest Road conditional upon the variances being within the cumulative 10% per the Urban and Rural Planning Act; and
Further conditional upon there being no objections to the variance distributed to properties in the vicinity of 79 Forest Road and if objections are received, the application will be referred back to council for further review.*

Favour 7; Opposed 0; **Carried**

d) Administration and Finance

Councillor O'Grady advised the Administration and Finance Committee had a brief meeting on August 21st.

He noted the following:

- 2024 Audit should be completed soon and the Financial Statements provided.
- Organizational Review will be reviewed with Council.

e) Accessibility Committee – Appointment of new member

Motion 25-272**D. Doyle / R. Noel**

*Whereas there is a vacancy on the Accessibility Advisory Committee; and
Whereas an Accessibility Advisory Committee is recommending Patti O'Keefe; and
Whereas Council approves the appointment of new members to fill the vacancies on the committee;*

*Be it Resolved to appoint the Patti O'Keefe to the Accessibility Advisory Committee:
Favour 7; Opposed 0; **Carried***

8. Reports of Chief Administrative Officer and Department Heads

a) Chief Administrative Officer

CAO reviewed the following from her report:

- Budgeted Revenue should be obtained throughout the year.
- There are no concerns with expenditures to date.

If expenditures were spent equally throughout the year, there would be 58% spent to date. All departments are within budget.

Some items have exceeded budget. The budget for insurance was \$175,000 and \$193,500 has been incurred.

Computer support is up over \$10,000 due to new packages that were added to our computer system.

There are other budget areas that are not spent and the overall General Government budget is expected to be within budget.

9. Finances

- a) Operating Invoices over \$2,000.00 in the amount of..... \$ 69,958.15

Motion 25-273**C. O'Grady / M. Seymour**

Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 totaling \$69,958.15 as submitted to Council.

Favour 7; Opposed 0; **Carried**

b) *Capital Invoices:*Beach Road Sewer Sizing

WSP E & I Canada Ltd, Engineering Invoice # 20278222..... \$1,469.12

Cross Roads, Upgrading

WSP E & I Canada Ltd, Engineering Invoice # 20277034.....\$2,398.32

2024/2025 Paving Program

WSP E & I Canada Ltd, Engineering Invoice # 20285738..... \$3,674.25

Review of Parking Lot Site Standards, Carbonear Pool

Meridian Engineering Inc. Engineering Invoice # CC108862..... \$2,731.25

2024/2025 Paving Program

WSP E & I Canada Ltd, Engineering Invoice 20284641..... \$1,317.05

Total Capital Invoices.....\$11,589.99

Councillor Noel declared a conflict of interest on the 2024/2025 Paving Program, Forest Road – 110m as he has a son who owns property in the area.

Councillor Seymour declared a conflict of interest on the 2024/2025 Paving Program, Newfoundland Drive as he owns property in the area.

Councillor Snow declared a conflict of interest on the 2024/2025 Paving Program, Newfoundland Drive as he owns property in the area.

Mayor Butt declared a conflict of interest on the 2024/2025 Paving Program, Beverly Road as he has a brother who owns property in the area.
 Mayor Butt declared a conflict of interest on the 2024/2025 Paving Program, Quarters Lane as he has a sister-in-law who owns property in the area.
 Councillor Seymour declared a conflict of interest on the 2024/2025 Paving Program, Quarters Lane as he has a son who owns property in the area.
 Councillor Snow declared a conflict of interest on the 2024/2025 Paving Program, Quarters Lane as he has a brother-in-law who owns property in the area.
 Deputy Mayor Slade declared a conflict of interest on the 2024/2025 Paving Program, Hiscock's Road, as he has a daughter who owns property in the area.

Motion 25-274

C. O'Grady / S. Slade

Resolved that the Town of Carbonear approve for payment the following Capital Invoices:

Beach Road Sewer Sizing

WSP E & I Canada Ltd, Engineering Invoice # 20278222..... \$1,469.12

Cross Roads, Upgrading

WSP E & I Canada Ltd, Engineering Invoice # 20277034.....\$2,398.32

Favour 7; Opposed 0; **Carried**

Mayor Butt, Deputy Mayor Slade, Councillors Noel, Seymour and Snow moved the public gallery on this matter of the 2024/2025 Paving invoices listed for approval.

Motion 25-275

C. O'Grady / D. Doyle

Resolved that the Town of Carbonear approve for payment the following Capital Invoices:

2024 & 2025 Paving Program

WSP E & I Canada Ltd, Engineering Invoice # 20285738..... \$3,674.25

WSP E & I Canada Ltd, Engineering Invoice #20284641..... \$1,317.05

Favour 2; Opposed 0; **Carried**

Mayor Butt, Deputy Mayor Slade, Councillors Noel, Seymour and Snow returned to their seats at the Council table.

Motion 25-276

C. O'Grady / S. Slade

Resolved that the Town of Carbonear approve for payment the following Capital Invoices:

Review of Parking Lot Site Standards, Carbonear Pool

Meridian Engineering Inc. Engineering Invoice # CC108862..... \$2,731.25

Favour 7; Opposed 0; **Carried**

11. Notices of Motion

No notices of motions were filed

12. New Business

- a) Mayor Butt congratulated Kerri Abbott, on her appointment to Heritage NL.
- b) Mayor Butt noted there is a Community-Wide Prayer Service on Thursday, September 11 in St. Patrick's Church, at 7:00PM, an event for all First Responders. All are welcome to drop in.
- c) Mayor Butt thanked all Fire Departments that helped with the North Shore fires.

- d) Mayor Butt thanked Julia Parsons for housing many animals from the North Shore area during the wild fire and asked that a letter of appreciation be sent to her.
- e) A reminder that the Water Conservation order is still on, as water levels are still low. Consideration should be given to construct a water reservoir.

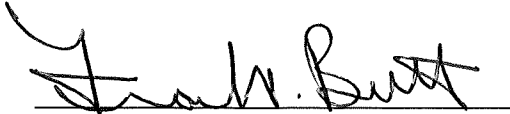
13. Adjournment

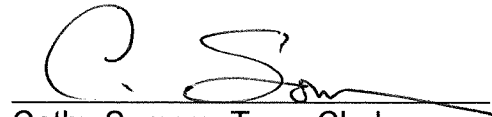
Motion 25-277

S. Slade / R. Noel

Resolved that the meeting adjourn at 6:26pm and that Council meet again for a Regular Council Meeting on Tuesday, September 23rd, 2025 at 5:30pm.

Favour 7; Opposed 0; **Carried**


Mayor Frank Butt


Cathy Somers, Town Clerk