

**Town of Carbonear**  
**Regular Council Meeting, April 7, 2014**

Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, April 7, 2014 at 7:00 p.m.

<b>Members Present:</b>	Mayor Deputy Mayor Councillors	George Butt Jr. Frank Butt Ray Noel Bill Bowman David Kennedy Ed Goff Brenda Trickett
<b>Also Present:</b>	Town Clerk Town Administrator Director of Operations & Public Works Director of Recreation & Tourism	Cathy Somers Cynthia Davis Brian O'Grady Rob Button

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1. **Calling of Meeting to Order**  
Mayor Butt called the meeting to order at 7:00 p.m. and welcomed the media and other visitors present.
  2. **Swearing in of Councillor Brenda Trickett**  
Town Clerk called upon Councillor Brenda Trickett to take her Oath of Office. Council congratulated Councillor Trickett on winning the by-election and welcomed her to Council.
  3. **Election of Deputy Mayor**  
Town Clerk noted that council previously appointed Councillor Frank Butt as Deputy-Mayor until the by-election was held.  
Town Clerk noted that as per Section 18, Council is required to elect one Councillor to be Deputy Mayor.  
Town Clerk called for nominations for the position of Deputy Mayor.  
Councillor Bowman nominated Councillor Frank Butt for the position of Deputy Mayor. Councillor Trickett seconded the nomination.  
Town Clerk asked Councillor Frank Butt if he would accept the nomination.  
Councillor Frank Butt accepted the nomination.  
Town Clerk asked if there were any other nominations for the position of Deputy Mayor and called three times for further nominations.  
No other nominations for the position of Deputy Mayor were received.  
Councillor Frank Butt was declared Deputy Mayor Frank Butt for the Town of Carbonear by acclamation.  
Deputy Mayor Butt then took his Oath of Office for the position of Deputy Mayor.

4. Adoption of Minutes  
Regular Minutes – March 18, 2014  
**Motion 14-386** **R. Noel / F. Butt**  
*Resolved that the minutes of the March 18, 2014 Regular meeting of council be adopted as presented.*  
Favour 7; Opposed 0; **Carried**
  
5. Business Arising From Minutes  
No business arising.
  
6. Delegations  
No delegations were present to speak at the meeting.
  
7. Correspondence, Permits & Development
  - a) List of Permits Issued # 6077-6086(List attached)  
Permits:
    - 1-5 Joe Taylors Lane – New dwelling (Reviewed, included on the permit listing)
    - 7 Coral Heights – New dwelling (Reviewed & recommended)
    - 9 Coral Heights – New dwelling (Reviewed & recommended)
    - 6 O’Donovan’s Lane (Not yet reviewed by Development Committee)

**Motion 14-387** **D. Kennedy /B. Bowman**  
*Resolved to approve the list of permits #6077-6086 as per applications submitted subject to the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*  
Favour 7; Opposed 0; **Carried**
  
- 7.1 Correspondence, requiring Council’s decision  
None
  
- 7.2 Correspondence received and action taken  
Council reviewed the following correspondence and action taken:
  - a) Municipalities NL  
RE: Information on early approval and tendering of the provincial multi-year capital works program  
Copied to Council and Town Administrator
  - b) Municipal Assessment Agency Inc  
RE: Training for elected officials  
Copied to Council
  - c) MMSB  
RE: Environmental Awards – Call for nominations  
Copied to Public Works Committee and Council
  - d) Kiwanis Club of Carbonear  
Invitation for the Mayor to attend the Festival Grand Concert on Tuesday,

April 8, 2014

Forwarded to the Mayor

- e) Fire & Emergency Services – NL  
RE: Implementation of Province Wide Basic 911  
Forwarded to Public Works Committee, Town Administrator and Fire Chief
- f) Municipalities NL  
RE: INFO Note  
Copied to Council
- g) Eastern Health  
RE: Seeking participants for a pilot project (Colour it up Program)  
Forwarded to Council, staff and website administrator to post on website.
- h) Department of Environment and Conservation, Water Resources Management  
RE: Transmission Line Rebuild – Permit to Alter Body of Water  
Copied to the Director of Operations and Public Works and Town Administrator
- i) Department of Municipal Affairs, Office of the Minister  
RE: 2014-2017 Multi Year Capital Works Program.  
The Town of Carbonear has been approved for provincial funding in the amount of \$1,250,000.00 under the 2014/15-16/17 MYCWP.  
Copied to Council, Town Clerk & Town Administrator
- j) Department of Environment & Conservation, Water Resources Management  
RE: Courses delivered by the Atlantic Canada Water and Wastewater Association.  
Forwarded to the Director of Operations & Public Works and Public Works Committee
- k) Trademark Office  
RE: Trademark renewal for Princess Sheila Inc  
Forwarded to Finance Committee
- l) Business Owner – Proposed relocation of business  
Forwarded to Development Committee
- m) NL Public Health Laboratory, Test results of water samples collected on February 19, 2014 @ the Dept of Justice and at 13-15 Bemister's Hill.  
Results marked satisfactory. Placed on file
- n) Property owner Water Street  
RE: Frozen pipes  
Forwarded to Public Works Committee
- o) Canadian Public Works Association NL & Labrador Chapter  
RE: Notice of Spring Conference  
Forwarded to Director of Operations and Public Works
- p) Newco Metals & Auto Recycling  
RE: scrapped vehicles  
Forwarded to Public Works Committee
- q) St. James Anglican Church  
Request for donation in 150<sup>th</sup> Anniversary Booklet

Forwarded to Finance Committee

8. Committee Reports

a) Finance Committee

Councillor Noel presented the following motions as recommended by the Finance Committee:

**Motion 14-388**

**R. Noel / F. Butt**

*Resolved that the Town of Carbonear approve for payment the list of operating invoices over \$2,000 totaling \$28,413.26 as listed to Council.*

Favour 7; Opposed 0; **Carried**

**Motion 14-389**

**R. Noel / B. Bowman**

*Resolved that the Town of Carbonear purchase a half-page advertisement at a cost of \$50 in the 150<sup>th</sup> Anniversary booklet for St. James Anglican Church.*

Favour 7; Opposed 0; **Carried**

**Motion 14-390**

**R. Noel / D. Kennedy**

*Resolved that the Town of Carbonear proceed to adjust the taxes on property #112343 in the amount of \$2,622.86*

Favour 7; Opposed 0; **Carried**

**Motion 14-391**

**R. Noel / F. Butt**

*Resolved that the Town of Carbonear renew the Sheila NaGeira & Design trademark for a period of 15 years at a cost of \$1450.*

Favour 7; Opposed 0; **Carried**

Deputy Mayor Butt inquired about the Horizons ad. Town Administrator advised this ad was completed and is published province wide through Transcontinental's various newspaper publications.

Mayor Butt welcomed MHA Sam Slade to the meeting.

b) Development Committee

Councillor Kennedy presented the following motions as recommended by the Development Committee:

**Motion 14-392**

**D. Kennedy / F. Butt**

*Resolved that the Town of Carbonear enter into a new lease agreement for the Fox Farm Campground per the copy provided with an annual lease fee of \$500 per year for the first five (5) years and subject to renewal for an additional five (5) years under the same terms and conditions excluding the annual rent fee which is subject to renegotiation by the Town for the further five (5) year period.*

Favour 7; Opposed 0; **Carried**

**Motion 14-393**

**D. Kennedy / B. Bowman**

*Resolved that the Town of Carbonear approve a new dwelling at 7 Coral Heights subject to the dwelling meeting the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and*

*policies and further subject to the subdivision meeting the requirements of the Carbonear Municipal Plan and Development Regulations, Road regulations and other applicable town regulations.*

Favour 7; Opposed 0; **Carried**

Deputy Mayor Butt inquired about the naming of streets throughout the town and indicated that he had a list of historical street names, which were provided by the Heritage Society which Council agreed to use in determining new street names.

Councillor Kennedy noted that the name Coral Heights was submitted by the developer who is making a significant contribution to the development of these lots, and the Committee did not have any objection to the proposed street name.

**Motion 14-394**

**D. Kennedy / R. Noel**

*Resolved that the Town of Carbonear approve a new dwelling at 9 Coral Heights subject to the dwelling meeting the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies and further subject to the subdivision meeting the requirements of the Carbonear Municipal Plan and Development Regulations, Road regulations and other applicable town regulations.*

Favour 7; Opposed 0; **Carried**

**Motion 14-395**

**D. Kennedy / B. Bowman**

*Resolved to issue a permit to set up a building on a temporary basis for a subdivision development office on the corner of Tyre's Drung and Coral Heights per application submitted until December 2014.*

Favour 7; Opposed 0; **Carried**

**Motion 14-396**

**D. Kennedy / F. Butt**

*Resolved to approve a permit to construct a new dwelling at 1-5 Joe Taylors Lane subject to application submitted and subject to meeting the Carbonear Municipal Plan and Development Regulations and other applicable town regulations and policies.*

Favour 7; Opposed 0; **Carried**

c) Recreation Committee – Presentation

Mayor Butt announced that Randy Harris who has been a long time member of the Carbonear Recreation Commission was awarded the Recreational Recognition Award from Recreation Newfoundland and Labrador, and he called upon Randy to come forward to accept his award. Council congratulated Randy on his award.

9. Reports of Town Administrator and Department Heads

a) Director of Operations and Public Works

- The calls on frozen lines have ceased. Water leak are being repaired as they come in.

- The new e-prom chip for the tower clock has been installed. The clock should now automatically change to and from Daylight savings time on schedule.
- We had to purchase an additional 100 tons of salt and sand. This should get us through this winter.
- The recycler is out and we continue to repair potholes.
- The tender has closed on the small loader (sidewalk plow) with all attachment (bucket, blade, sweeper, asphalt miller and snow blower). The amount in the budget for the loader and all the accessories was \$132,500.00. The lowest bid was \$116,955.00. I am requesting council's approval to award this to the successful bidder, Atlantic Powertrain and Equipment.

**Motion 14-397**

**R. Noel / D. Kennedy**

*Resolved to award the tender for the small loader with attachments to Atlantic Powertrain and Equipment for the price of \$116,955.*

Favour 7; Opposed 0; **Carried**

Town Administrator advised that we would also need a motion to request an approval to borrow to finance that purchase.

**Motion 14-398**

**R. Noel / B. Trickett**

*Resolved that the Town of Carbonear request an approval to borrow from the financial institution providing the lowest lending rate for a term of 5 years to finance the purchase of the small loader with attachments to Atlantic Powertrain and Equipment for the price of \$116,955.*

Favour 7; Opposed 0; **Carried**

- We have allowed in the budget for the purchase of a new, ride on, line painting machine. This tender is now closed. The amount in the budget was \$12,000.00. The successful bid was \$11,102.25. I would like council's approval to award this to the successful bidder, S&S Supply.

**Motion 14-399**

**B. Bowman / E. Goff**

*Resolved to award the tender for the ride on line painting machine to S & S Supply for the price of \$11,102.25.*

Favour 7; Opposed 0; **Carried**

- The old asphalt recycler was advertised for sale with a minimum bid of \$3000.00. The highest (only) bid received was for \$3450.00. I would like council approval to proceed with this sale to Concord Paving.

**Motion 14-400**

**D. Kennedy / B. Trickett**

*Resolved that the Town of Carbonear sell the old asphalt recycler to the highest bidder, Concord Paving, for the price of \$3,450.*

Favour 7; Opposed 0; **Carried**

- We advertised the sale of the 1999 Chev pickup with a minimum bid of \$600.00 and the 2003 Chev with a minimum bid of \$1200.00. We did not receive any bid on these pickups. We could re-advertise

at \$400 and \$800 and possibility get rid of these vehicles.....your thoughts?

Discussed.

Director of Operations and Public Works to advertise the sale of the 1999 Chev pickup and the 2003 Chev for sale to the highest bidder.

- The fire department has now received 2 quotes for the work they are planning at the hall. This includes replacing the fire escape, replacing the exterior door at the top of the fire escape, replacing two windows, replacing the siding on the front and installing eaves trough on the front and north side. The two bids were \$18,243.00 and \$14,850.00. This falls within the budget amount approved. I believe this bid to be reasonable for the work being completed. The Fire Department is requesting approval to award this to the lowest bidder, Les Swain Contracting.

Council discussed whether or not Deputy Mayor Butt was considered to be in conflict as he is a member of the Carbonear Fire Department. Council felt that there was no monetary gain for Councillor Butt on this matter.

**Motion 14-401**

**R. Noel / D.** *Resolved that the*

*Town of Carbonear Council determined that Deputy Mayor Frank Butt is not in conflict of interest on the matter to award the contract for the Repairs to the Fire Hall.*

Favour 6; Opposed 0; **Carried**

**Motion 14-402**

**F. Butt / B. Trickett**

*Resolved that the Town of Carbonear award the contract for repairs to the Carbonear Fire Hall to Les Swain Contracting for the sum of \$14,850.*

Favour 7; Opposed 0; **Carried**

- The Hot air furnace has failed in the garage at the works yard. We have repaired it several times but this last visit the repairman reported that it was beyond repair. I have obtained 3 quotes for a new furnace. The lowest bid is \$2150.00 + tax from Dwyer's plumbing and heating. This cost will be covered in the works budget. I request council approval to proceed with this purchase.

**Motion 14-403**

**R. Noel / B. Bowman**

*Resolved that the Town of Carbonear award the contract for the supply and installation of a new furnace in the Town Garage to Dwyer's Plumbing and Heating for the sum of \$2150 + tax..*

Favour 7; Opposed 0; **Carried**

- The Director of Recreation had a tender close on Friday for the supply of a new compact tractor for grounds/lawn maintenance. As he is not reporting tonight I have include the results on his behalf.

Nortrax \$21,462.07

Atlantic Powertrain \$22,054.10

NL Kobota \$20,247.34

The above price includes taxes.

The Direction of Recreation requests approval to award this to the successful bidder, NL Kubota.

**Motion 14-404**

**D. Kennedy / F. Butt**

*Resolved that the Town of Carbonear award the contract for the purchase of a new compact tractor and attachments for grounds/lawn maintenance to NL Kubota for the price of \$20,247.34.*

Favour 7; Opposed 0; **Carried**

Councillor Goff asked if the current equipment can be adapted for use with these attachments. Director of Recreation and Tourism advised that this would not be possible as the new machine is a bigger size.

There has been some concerns (mostly safety) about the temporary entrance off of Earle's Lane used to access the rear of the Hospital. I have had numerous discussions with the hospital in an effort to address the concerns. I had no luck getting a response to this issue. As a result of their inaction I placed concrete jersey barriers across the entrance. This action prompted a meeting with Transportation and Works, Hospital and Ellis Don. We now have a solution that will allow safe access for commercial vehicles. No other access will be permitted.

10. Finance

- a) **Operating Invoices:** over \$2,000.00 totaling \$28,413.26  
Dealt with earlier in the Finance Committee report.

11. Regulations  
None listed

12. General Business

- a) Defibrillator for Civic Centre/ Town Hall  
Deputy Mayor Butt suggested that we should contact the Heart & Stroke Foundation to help to provide a Defibrillator for the Civic Centre / Town Hall. Approximate cost is \$2,500.  
Councillor Kennedy suggested we could request the provincial government as well, as government previously provided all recreation facilities (stadiums and pools) with this equipment a few years ago. They may consider providing same to the Civic Centre / Town Hall as well. Council agreed. Town Administrator to draft correspondence.
- b) Public Courtesy to Town Employees  
Deputy Mayor Butt noted that people who are coming in or calling in to the front desk can be somewhat irate and disrespectful to town staff. He suggested that we include a reminder in our next Newsletter and/or install a better glass in the reception area with a speaker system installed. Discussed.  
Finance Committee to discuss options and make recommendation to



- Council on the matter.
- c) Mayor Butt asked for any items around the table.  
Councillor Trickett – Asked where cardboard can be disposed of. Town Administrator advised it needs to be cut in manageable sized pieces and placed out for pick up on garbage collection day.  
Councillor Trickett - Noted a complaint that she received regarding garbage boxes being damaged in the wind due to the contractor leaving the lids up after picking up garbage.  
Garbage contractor to be notified of the complaint.  
Councillor Goff – Advised of bad pothole on Pondsides Road near the bridge on Pondsides. Director of Operations and Public Works to include on list for asphalt patching. Councillor Goff noted that it is disappointing to see that the asphalt is not holding up in various areas around town.  
Councillor Kennedy – Advised of complaint from residents on the southside near the new hospital parking lot across from the hospital about the noise of snow clearing equipment late at night or very early in the morning.  
Director of Operations and Public Work advised that he has already referred this complaint to the hospital, as it the hospital which contracts the snow clearing of their parking lots.  
Mayor Butt – noted that he attended the 35<sup>th</sup> Anniversary celebrations for the TC Square on behalf of council.  
Deputy Mayor Butt noted that he attended the CLB inspection and dinner on behalf of council.

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

14. Adjournment  
**Motion 14-405**  
**R. Noel / F. Butt**  
*Resolved that the meeting adjourn at 7:50 p.m.*

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Mayor George Butt Jr.

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Cathy Somers, Town Clerk