

**Town of Carbonear
Regular Council Meeting, November 3, 2014**

Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, November 3, 2014 at 4:00 p.m.

Members Present: Mayor George Butt Jr.
Deputy Mayor Frank Butt
Councillors Ray Noel
Bill Bowman
David Kennedy
Brenda Trickett

Members Absent: Councillor Ed Goff

Also Present: Town Administrator Cynthia Davis
Town Clerk Cathy Somers
Director of Operations and
Public Works Brian O'Grady

Also Absent: Director of Recreation and
Tourism Rob Button

1. Calling of Meeting to Order
2. Adoption of Minutes
 - Regular Minutes – October 21, 2014
 - Motion 14-557 R. Noel / B. Bowman**
Resolved that the minutes of the October 21, 2014 Regular meeting of Council be adopted as presented.
Favour 6; Opposed 0; **Carried**
3. Business Arising From Minutes
4. Delegations
No delegations were present to speak.
5. Correspondence, Permits & Development
 - a) List of Permits Issued # 6534-6552
Motion 14-558 D. Kennedy / F. Butt
Resolved to approve the list of permits #6534 - 6552 as per applications received, and per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies
Favour 6; Opposed: 0; **Carried**
Councillor Kennedy noted that we are up to 26 new buildings to date this year, as compared to 22 for 2013. He noted that it is always great to see increased development in the Town.

5.1 Correspondence, requiring Council's decision

a) Canadian Diabetes

RE: Diabetes Awareness Month

Motion 14-559

R. Noel / B. Trickett

WHEREAS, Diabetes is a serious condition affecting more than 382 million people worldwide, and more than nine million Canadians live with diabetes or prediabetes, and

WHEREAS, 57,600 Newfoundlanders and Labradorians currently live with diabetes, and

WHEREAS, there is a great need to raise funds for research into better methods of treatment, and ultimately a cure, and

WHEREAS, the Canadian Diabetes Association is leading the fight against diabetes by helping people with diabetes live healthy lives while working to find a cure, and

WHEREAS, maintaining positive health and wellness can in many cases lead to the prevention of prediabetes and type 2 diabetes as well as better diabetes management, and

WHEREAS, this year, the Diabetes Awareness Month campaign focuses on prevention and early detection of prediabetes and type 2 diabetes and encourages Canadians to take the CANRISK test at DontBeRisky.ca, and

WHEREAS, the Canadian Diabetes Association encourages governmental and non-governmental organizations to observe Diabetes Awareness Month and recognize World Diabetes Day in order to raise public awareness of diabetes and its related complications, and

THEREFORE, The Town of Carbonear do hereby proclaim the month of November 2014 as Diabetes Awareness Month and November 14th, 2014 as World Diabetes Day in the Town of Carbonear. I call upon all citizens to combat this disease and its life-threatening complications by familiarizing themselves with the diabetes warning signs, making healthy lifestyle choices and by accessing the best quality of care that Newfoundland and Labrador provides to its citizens with diabetes.

Favour 6; Opposed: 0; **Carried**

b) Wastewater Treatment Upgrades

Mayor Butt read the letter of request from FCM for support for a dedicated fund for these upgrades.

Town Administrator advised this is in reference to the water treatment requirements that are required by 2020.

Motion 14-560

R. Noel / F. Butt

Resolved that the Town of Carbonear send a letter of support for a dedicated fund for Wastewater Treatment Upgrades as requested by FCM.

Favour 6; Opposed: 0; **Carried**

5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

- a) NL Public Health Laboratory, Test results of water samples collected on September October 7, 2014 @ Department of Justice, 9 Bemister's Hill, TC Square Mall and Town Office & October 20, 2014 at the TC Square Mall and Dept of Justice.
Results marked satisfactory. Placed on file.
- b) Property owner Hoyles Road
RE: Response to letter received from the Town.
Forwarded to Public Works Committee
- c) Department of Municipal and Intergovernmental Affairs, Gas Tax Secretariat
RE: Gas Tax Circular, Tendering for Gas Tax Projects
Copied to Town Administrator and Town Clerk. Placed on file.
- d) Heritage Foundation of NL and Labrador advising then application for funding under the "Fisheries Intangible Cultural Heritage Grant Program was not approved.
Forwarded to Heritage Society, placed on file
- e) Municipalities NL INFO – Copied to Council
- f) Resident Water Street, Request for water hook up
Forwarded to Development Committee
- g) Resident Mahaney's Lane, RE: Inquiry on property
Forwarded to Public Works Committee
- h) Business Owner – Water Street, Re: Sidewalk and curb
Forwarded to Public Works committee
- i) Department of Municipal and Intergovernmental Affairs, RE: 2014/2015 Municipal Operating Grant Allocation. Forwarded to Town Clerk, Town Administrator & Finance Committee.
- j) Teamsters Canada, RE: Teamsters Canada's TV ad on rail safety, link to view online. Placed on file
- k) Professional Municipal Administrators, RE: Professional Development Sessions
 - Legal Matters Affecting you and your Municipality
 - Core Program Module III (Cash handling, budgeting, financial evaluations).Copied to Council, Town Administrator and Town Clerk

6. Committee Reports

- a) Public Works, Waste Management & Community Services
Deputy Mayor Butt presented the following recommendations from the Committee:

Motion 14-561

F. Butt / W. Bowman

Resolved that the Town of Carbonear install a new street light situate at the crosswalk near intersection of Powell Drive/ Highroad South /

Southside Lower Road.

Favour 6; Opposed 0; **Carried**

Concrete Work / Intersections

The following concrete repairs and new curb are recommended:

- O'Driscoll's Lane by Playground Entrance (18m)
- O'Driscoll's Lane by Hal Fraize (40m)
- Highroad South by Randy Howell, Southside Seniors bldg (9m)
- Highroad South / White's Road to Daycare (50m)
- LeMarchant / Russell Street Intersection
- Valley Road & Ramp Intersection
- Patrick Street/O'Donovan's Intersection
- Curb Repair corner of O'Driscoll's –Lower Southside Road (3m)
- 9-11 Highroad South Replace low back with high back at the lowest point on the property

Councillor Noel and Deputy Mayor Butt declared a conflict of interest on the Valley Road portion of the recommended projects as they both have brothers who own property on Valley Road. Deputy Mayor Butt also declared a conflict of interest on the Patrick Street/O'Donovan's Intersection as his mother has property on Patrick Street. Councillor Noel and Deputy Mayor Butt then left the meeting.

Motion 14-562

D. Kennedy / B. Trickett

Resolved that the Town of Carbonear approve the concrete repairs and new curb recommended for Valley Road & Ramp intersection.

Favour 4; Opposed 0; **Carried**

Councillor Noel was called back into the meeting.

Motion 14-563

B. Bowman / D. Kennedy

Resolved that the Town of Carbonear approve the concrete repairs and new curb recommended for Patrick Street / O'Donovan's Intersection.

Favour 5; Opposed 0; **Carried**

Deputy Mayor Butt was called back into the meeting.

Councillor Bowman declared a conflict of interest on LeMarchant / Russell Street Intersection as he has a sister who owns property on LeMarchant Street. Councillor Bowman then left the meeting.

Motion 14-564

R. Noel / B. Trickett

Resolved that the Town of Carbonear approve the concrete repairs and new curb recommended for LeMarchant / Russell Street Intersection.

Favour 5; Opposed 0; **Carried**

Councillor Bowman was called back into the meeting.

Town Administrator advised that since the Committee met, some other concerns have been identified for the area on O'Driscoll's Lane, and it is now recommended to 80 metres rather than 40 metres in that area, however this would require approximately \$4,400 which is not included in

the concrete budget.

Discussed. It was felt that sufficient savings could be identified in other budget areas to cover this additional cost.

Motion 14-565 **F. Butt / R. Noel**

Resolved that the Town of Carbonear approve the concrete repairs and new curb recommended for the following projects:

- O'Driscoll's Lane by Playground Entrance (18m)
- O'Driscoll's Lane by Hal Fraize (80m)
- Highroad South by Randy Howell, Southside Seniors bldg (9m)
- Highroad South / White's Road to Daycare (50m)
- Curb Repair corner of O'Driscoll's –Lower Southside Road (3m)
9-11 Highroad South Replace low back with high back at the lowest point on the property.

Favour 6; Opposed 0; **Carried**

Councillor Bowman asked if he would be in conflict of interest on the next recommendation regarding placement of gabions between the properties of 10 & 12 LeMarchant Street because he has a sister who owns property on the other side of LeMarchant Street further to the east.

Council determined that Councillor Bowman was not in conflict of interest on this matter as he did not have any conflict of interest with the two property owners of 10 & 12 LeMarchant Street.

8-10 LeMarchant Street ditch

Motion 14-566 **F. Butt / B. Trickett**

Resolved to place gabions along the ditch where erosion is taking place between properties situate at 10 and 12 Lemarchant Street.

Favour 6; Opposed 0; **Carried**

Motion 14-567 **F. Butt / B. TRickett**

Resolved to place the concrete blocks along the drain from the front of the building situate at 2 Gladstone Road toward Gladstone Road to control erosion along the drain.

Favour 6; Opposed 0; **Carried**

Motion 14-568 **F. Butt / B. Trickett**

Resolved to issue a cleanup order to property situate 71 London Road to remove scrapped vehicles, metals, and wooden debris from the property.

Favour 6; Opposed 0; **Carried**

Projects for consideration - Building Canada Fund

Motion 14-569 **F. Butt / B. Trickett**

Resolved that the Town of Carbonear obtain revised estimates to upgrade Bond Street water and sewer street upgrading and paving to supply the Bennett's Hill Pumphouse; upgrade the Bennett's Hill Pumphouse; connect the water main from Tyre's Drung and Hoyle's Road and upgrade the water and sewer in Tyre's Drung with an 8 inch water main.

Favour 6; Opposed 0; **Carried**

Councillor Kennedy asked protocol for getting estimates prepared for capital projects. Town Administrator advised that we would have to get quotes to complete the estimates. Previous estimates completed by our current engineering firm for part of this project could be updated to current pricing. However, further estimates would be needed for the Hoyles Road and Tyres Drung area. She suggested that the town could request a couple of quotes for the preparation of the estimates, and the project is approved, then the cost would come from the project.

Town Administrator to obtain estimate on project estimates.

Deputy Mayor Butt noted that a while ago someone placed a bag of dog feces on the door of the building and the Theatre Manager found it when she opened up the building for a Theatre event.

Discussed.

Councillor Noel suggested to refer the matter to the RCMP.

Motion 14-570

R. Noel / B. Trickett

Resolved that the Town of Carbonear refer the matter of the bag of dog feces being placed on the door of the Theatre to the RCMP for investigation.

Favour 6; Opposed 0; **Carried**

Town Administrator to follow up with the RCMP on the matter.

Councillor Kennedy inquired about a section of curb on Water Street that the business owner has requested to have repaired. Director of Operations and Public Works advised that he has discussed the matter with the business owner and made suggestion which the business owner has agreed to.

Councillor Kennedy reported some concrete damage on London Road where there is a pylon located and asked when this curb would be repaired. Director of Operations and Public Works to investigate further.

Deputy Mayor Butt noted that the neighbouring property to the west of 214 Water Street is concerned about the condition of the property at 214-216 Water Street. Town Administration advised this matter will be further reviewed by the Works Committee.

Deputy Mayor Butt noted that our building on Water Street has 1 inch gaps on the window sills, and will need repairs.

Discussed.

Place this item for consideration in the 2015 Budget preparation.

7. Reports of Town Administrator and Department Heads

- a) Town Administrator
Hiking/Walking Trail Project

Nothing new to report as we are still waiting on approval to occupy the land along the brook for the Hiking/Walking Trail. The MHA is along following up the status of the Crown Land approval.

2014-2017 Multi Year Capital Works Program

The drawings have been submitted to the Department of Municipal and Intergovernmental Affairs for review. Approval to go to tender was received today. The Director of Operations and Public Works is also reviewing the drawings. As noted in the Public Works, Waste Management and Community Services Committee, we are recommending use of an ornamental fencing resembling wrought iron for an historic look as opposed to the chain link fencing around the compound that is currently included in the specifications.

Bulk Collection and Fall Newsletter

The Executive Assistant is in the process of preparing the fall newsletter. We are hoping to have it completed and dropped off at the Post Office by end of week.

Metals collections now being done on the last Friday of every month.

2013 Audit

The auditor's were in the office last week and will be working in the office throughout the next few weeks as the continue to work on the 2013 audit.

Downtown Upgrades and Walking Trail Project

I have been in contact with the Development Officer with ACOA and she has offered to work with me on the funding proposal throughout the fall and winter. The first item that she requires is a terms of reference for the project. I am currently waiting on her to forward a sample terms of reference to start the process. I will keep the Development Committee updated on the status of the proposal.

Recreation Department

The Director is requesting approval to purchase floor matting for the back change rooms. There have been complaints of the floor being slippery creating a safety hazard. He has sourced 13" x 13" snap together tiles. To cover the area required, 400 tiles are required at a cost of \$4,904.20. There is an allocation in the budget for siding in the amount of \$5,000 which has not been utilized. He is proposing to use this budget to purchase the tiles.

Due to the amount of the purchase, Council approval is required.

Motion 14-571

F. Butt / R. Noel

Resolved to approve the purchase of floor matting for the back change rooms at the Carbonear Swimming Pool in the amount of \$4,904.20.

Favour 6; Opposed 0; **Carried**

The Director has been advised by the fencing contractor that the fencing would be started the first week of November, therefore, they should be on site this week.

Town Administrator to follow up with the Director of Recreation tomorrow to make sure they are on site.

Deputy Mayor Butt advised that it was identified that persons the viewing area at the pool is not wheelchair accessible.

Discussed.

Director of Recreation and Tourism to investigate possible solutions to this situation, some suggestions were to have a window from the downstairs Multi-Purpose Room looking out to the pool area, or from some other room that may be available. There is already a window in the room between the lobby and the pool deck. Also, the option of a elevator or wheelchair lift for the stairs would be another consideration.

b) Director of Operations and Public Works

- Water and sewer leaks are being repairs as they come in.
- Pikes Lane / Beach effluent station. The plans have been received at our office for review. The plans have also been submitted to the province for approval.
- Our asphalt recycler remains at Sansom Equipment, the authorized Kubota repair shop. Bagela, the manufacturer is talking directly with Sansom to determine the cause of the problem and the action that has to be taken.
Problem with Kubota engine, only has 330 hours. Waiting for response.
- All of the new paving on this year's list is now completed.
- Ditching work is being completed around town and will continue into the fall.
- The repair to our 2008 GMC dump truck have been completed and is within the \$6000 - \$7000 range I reported at the last meeting.
- Additional asphalt repairs are also complete.
We had a problem with water entering properties near the ramp in the Valley Road. This problem was corrected with the approved asphalt work.
- We are now getting our equipment ready for the snow clearing season. We have the sander installed on the small truck as we could get black ice any morning.
- As in past year, we purchase our salt and sand through the Government Purchasing agreement. This product will soon be ready for pick up. We will be starting this shortly. We have some sand in stock that will carry us over until this is delivered. We are placing this material on our new site.
- When time permits we are moving from our old site on Goff Avenue to our new site. This is going well. We anticipate the move to be completed by early December.
- We have identified concrete work to be completed throughout the town this year. This list is to be presented by the works committee.
- If weather permits, we will be redoing the line painting in the areas

affect by the new pavement (i.e. Pondsides/Highroad South intersection)

- Our snow clearing regulations came into effect on Nov 1. This will be in our newsletter. Also our enforcement officer will be putting notices on the windshields of cars that are parked in the road reservation. This notice will serve as an advanced warning to resident to reduce problems when the snow arrives.

Deputy Mayor Butt received a call from a resident of LeMarchant Street who noted that she is having problems with water flow on to their property due to the change of elevation of the land by new construction on the neighbouring property. The property owner is wondering about constructing drainage to address the water run off on to their property. Director of Operations and Public Works advised that the property owner would be responsible to construct suitable drainage to take care of the water run off on to their property and that drainage would have to be piped across the street into the Town’s ditch. This work would be at the cost of the property owner.

Councillor Bowman asked if our new site on Goff Avenue will be fenced and if the old site will be placed on the market for sale. Director of Operations and Public Works advised that the lot would be fenced at a later time when the design layout is determined. Town Administrator advised that it is Council’s intention to offset the cost of the new land purchase by the sale of the old site. When the old site has been vacated, Council can then proceed to post the land for sale by Public Tender. It was suggested to have a sign placed on the new site indicating “Site of New Town Depot”. Director of Operations and Public Works to have a suitable sign placed on the property.

- 8. Finance
Operating Invoices: over \$2,000.00 totaling..... **\$19,589.96**

Motion 14-572 R. Noel / F. Butt

Resolved to approve for payment the list of operating invoices in the amount of \$19,589.96 as submitted to council.

Favour 6; Opposed: 0; **Carried**

- 9. Regulations
None listed.

- 10. General Business
None

- 11. Notices of Motion

No notices of motions were filed.

12. Adjournment

Motion 14-573

F. Butt / R. Noel

Resolved that the meeting adjourn at 5:02p.m.

Mayor George Butt Jr.

Cathy Somers, Town Clerk