

**Town of Carbonear  
Regular Council Meeting, October 6, 2014**

Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, October 6, 2014 at 4:00 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 Administrator (Acting Town Clerk) Director of Operations and Public Works	Cynthia Davis Brian O'Grady
<b>Absent:</b>	Town Clerk	Cathy Somers (vacation)

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1. Calling of Meeting to Order  
Mayor Butt called the meeting to order at 4:00 pm.
  
2. Adoption of Minutes  
Regular Minutes – September 15, 2014  
**Motion 14-522** **F. Butt / R. Noel**  
*Resolved that the minutes of the September 15, 2014 Regular meeting of council be adopted as presented.*  
Favour 7; Opposed 0; **Carried**
  
3. Business Arising From Minutes
  - No business arising from minutes
  
4. Delegations
  - No delegations
  
5. Correspondence, Permits & Development
  - a) List of Permits Issued # 6487 – 6506 (List attached)  
**Councillor Goff declared a conflict of interest on permit # 6501 which was a permit issued to him.**  
**Motion 14-523** **D. Kennedy / B. Trickett**  
*Resolved to approve the list of permits #6487- 6506 excluding permit #6501 as per applications received per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*  
Favour 7; Opposed 0; **Carried**  
**Councillor Goff left the meeting at 4:08 pm.**  
**Motion 14-524** **D. Kennedy / B. Trickett**  
*Resolved to approve permit #6501 as per applications received per the*

*Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*

Favour 6; Opposed 0; **Carried**

*Councillor Goff returned to the meeting.*

Mayor Butt asked Councillor Kennedy if he would proceed with the Development Committee Report at this time.

The following recommendations were brought forward from the Development Committee:

**Motion 14-525** **D. Kennedy / B. Bowman**

*Resolved to send an order, to be drafted by the Town's lawyer, requiring the owner of the property to cease the change in use at civic # 191 Water Street that is operating without a permit from Council and contrary to the Town of Carbonear Municipal Plan and Development Regulations.*

Favour 7; Opposed 0; **Carried**

**Motion 14-526** **D. Kennedy / B. Trickett**

*Resolved to approve construction of a wheelchair ramp situate at 213 Water Street per application submitted and per the Town of Carbonear Municipal Plan and Development Regulations.*

Favour 7; Opposed 0; **Carried**

**Motion 14-527** **D. Kennedy / F. Butt**

*Resolved to approve construction of a wheelchair ramp and replace step situate at 10 Bemister's Hill per application submitted and per the Town of Carbonear Municipal Plan and Development Regulations.*

Favour 7; Opposed 0; **Carried**

**Motion 14-528** **D. Kennedy / B. Trickett**

*Resolved to approve construction of a garage situate at 5 Soper's Avenue per application submitted and per the Town of Carbonear Municipal Plan and Development Regulations.*

Favour 7; Opposed 0; **Carried**

**Motion 14-529** **D. Kennedy / R. Noel**

*Resolved that the Town of Carbonear complete the Municipal Recommendation Form for the Department of Environment and Conservation, Crown Lands Division, approving the acquisition of the right of way behind the property of 9 Long's Hill with the condition that an easement be maintained over the water main for repairs and maintenance that may be required to be completed by the Town of Carbonear.*

Favour 7; Opposed 0; **Carried**

**Motion 14-530** **D. Kennedy / R. Noel**

*Resolved that the Town of Carbonear approve in the principal the application to construct a commercial building situate at 6 Industrial Crescent per the Carbonear Municipal Plan and Development Regulations and per applicable approvals from Services NL and/or other applicable government departments and agencies.*

Favour 7; Opposed 0; **Carried**

**Motion 14-531** **D. Kennedy / B. Bowman**

*Resolved to approve construction of a wheelchair ramp situate at 2 Russell*

*Street per application submitted and per the Town of Carbonear Municipal Plan and Development Regulations.*

Favour 7; Opposed 0; **Carried**

**Motion 14-532**

**D. Kennedy / E. Goff**

*Resolved that the Town of Carbonear start the rezoning process to rezone land at the north side of Freshwater Road from Rural to Residential Rural to allow the construction of a single dwelling per application received.*

Favour 7; Opposed 0; **Carried**

**Motion 14-533**

**D. Kennedy / F. Butt**

*Resolved that the Town of Carbonear advertise a variance to the 9 m rear yard requirement at 11 Earle's Lane not to exceed 10% for the construction of a double dwelling ; and*

*Be it Further Resolved that if there are no objections to the variance proposed, the application submitted to construct a double dwelling be approved per the Town of Carbonear Municipal Plan and Development Regulations.*

Favour 7; Opposed 0; **Carried**

**Motion 14-534**

**D. Kennedy / B. Bowman**

*Resolved to approve a permit to construct a shed situate Lot 14 Line Road per application submitted and per applicable approvals from the Department of Environment and Conservation and/or other applicable government departments and agencies.*

Favour 7; Opposed 0; **Carried**

***Deputy Mayor Butt declared that he owned land in Gadden's Mash where the boundary was proposed to be extended. It was noted that the motion to extend the boundary to include Gadden's Mash was made in the previous council of which he was not a member. This motion was to remove an area where the Deputy Mayor had no conflict of interest; therefore, Council felt that no conflict existed.***

**Motion 14-535**

**D. Kennedy / E. Goff**

*Resolved to amend the Boundary Extension Application to remove the area of land referred to as the Lily Pond Area located within the boundary of the Freshwater Local Service District.*

Favour 7; Opposed 0; **Carried**

*Committee Chair, Councillor Kennedy advised Council to review the committee report and if there were any questions they could be referred to a committee member.*

5.1 Correspondence, requiring Council's decision

a) Eastern Health – Health Promotion Division

RE: World Breastfeeding Week (October 1-7, 2014)

**Motion 14-536**

**R. Noel / D. Kennedy**

***WHEREAS breastfeeding is recognized as the normative way to feed infants, and that infants who are breastfed for 6 months and beyond have significant lifelong health advantages over those who are not; and WHEREAS mothers who are successful at meeting their breastfeeding goals are more likely to be surrounded by a supportive team of family, friends,***

*coworkers, employers, healthcare providers, childcare providers, and other members of the community; and*

*WHEREAS communities which create such positive and supportive environments reap the benefits of healthier babies and mothers, a more productive workforce, improved household finances, and empowered women; and*

*WHEREAS fostering the development of communities of health and dignity, especially for mothers and children, is the vision of the Millennium Development Goals of the United Nations; and*

*WHEREAS World Breastfeeding Week 2014 celebrates the vital role of Team Breastfeed in helping families achieve their breastfeeding goals with the theme, "Breastfeeding: A Winning Goal for Life!"*

*THEREFORE, the Carbonear Council, proclaim 1-7 October 2014 to be Breastfeeding Week in the Town of Carbonear, and urge all citizens to join Team Breastfeed and cheer on the efforts of mothers, babies and families.*

Favour 7; Opposed 0; **Carried**

**Mayor Butt declared a conflict of interest on the next item on the agenda as he was employed by Canada Post. Mayor Butt left the meeting at 4:15 pm.**

b) Canadian Union of Postal Worker

Resolution – Save Canada Post – Stop the Cuts

**Motion 14-537**

**R. Noel / B. Trickett**

*WHEREAS Canada Post and the Conservatives are taking an axe to long-treasured postal services – killing good jobs, eliminating door-to-door delivery, drastically increasing postal rates and closing, downsizing and reducing hours at post offices;*

*WHEREAS Canada Post did not properly consult on these changes, effectively eliminating any opportunity for input from the people who will be most affected; and*

*WHEREAS closing and downsizing post offices, reducing post office hours, and eliminating door-to-door delivery will reduce service and eliminate thousands of jobs in communities throughout our country.*

*WHEREAS Canada Post offers a public service that needs to be protected;*

*BE IT RESOLVED THAT the Town of Carbonear write a letter to the Minister responsible for Canada Post that calls on government to reverse the changes to services announced by Canada Post, and to look instead for ways to increase service revenues in areas such as postal banking.*

*BE IT FURTHER RESOLVED THAT the Town of Carbonear ask the Federation of Canadian Municipalities to request that the federal government properly consult with the public about what kind of postal service they need before allowing Canada Post to make such major changes to public postal service.*

Favour 7; Opposed 0; **Carried**

*Mayor Butt returned to the meeting.*

c) Canadian Diabetics Association

Diabetics Awareness Month - November 2014

**Motion 14-538****F. Butt / B. Bowman**

*WHEREAS Diabetes is a serious condition affecting more than 382 million people worldwide, and more than nine million Canadians live with diabetes or pre-diabetes, 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 pre-diabetes 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 Carbonear Council do hereby proclaim the month of November 2014 as Diabetes Awareness Month and November 14<sup>th</sup>, 2014 as World Diabetes Day in the Town of Carbonear. We 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 7; Opposed 0; **Carried**

**5.2 Correspondence received and action taken**

Council was asked to review the following correspondence and action taken and refer any questions or concerns to the Town Administrator or appropriate committee:

- a) NL Public Health Laboratory, Test results of water samples collected on September 11, 2014 @ Department of Justice & 4 Quarter's Lane, and on September 2, 2014 at 9 Bemister's Hill, TC Square Mall, Dept of Justice and Town Office. Results marked satisfactory. Placed on file.
- b) Resident Oates Place  
RE: Request to store items on property  
Forwarded to Public Works Committee for review
- c) Department of Municipal and Intergovernmental Affairs  
RE: New Building Canada Fund  
Forwarded to Town Administrator
- d) Legendary Coast  
RE: Food Tourism Seminars  
Forwarded to Recreation Committee and the Director of Recreation and Tourism

- e) Business Owner  
Request for extension for demolition clean up  
Forwarded to Public Works Committee
- f) Department of Environment and Conservation  
Water Resources Management Division  
RE: Fall 2014 Operation Education Seminars  
Forwarded to the Director of Operations and Public Works
- g) Government Purchasing Agency  
RE: Participation in Government Purchasing Agency Contracts  
(Delegation of Authority Participation form)  
Copied to Town Administrator
- h) Recreation Newfoundland & Labrador  
RE: Find your Fit Community Physical Activity Challenge  
Copied to Director of Recreation and Tourism
- i) Eastern Health  
RE: Brochure and information on Janeway Lifestyle Program  
Brochures placed in lobby on display and placed on file
- j) Department of Municipal and Intergovernmental Affairs  
RE: Copy of signed Gas Tax Agreement  
Placed on file
- k) Communities in Bloom  
Copy of the 2014 Evaluation., the Town of Carbonear received a  
4- Bloom rating and a special recognition for *Unearthing History on  
Carbonear Island*  
Placed on file
- l) Lucy Stoyles – Avalon Director  
Seeking support for re-election as Avalon Director.  
Copied to council
- m) Transport and Allied Workers Local Union 855  
RE: Distribution of Collective Agreement for 2014-2016  
Copied to town staff
- n) Fire & Emergency Services  
RE: Fire Prevention Week, October 5 – 11, 2014. This year's theme  
"*Smoke Alarms Save Lives: Test Yours Every Month*".  
Copied to Fire Chief, Placed on file.
- o) Residents of Tyre's Drung  
Request to have street named after deceased family member  
Forwarded to Public Works Committee
- p) Department of Environment and Conservation  
RE: Crown Land Application for Permit to Occupy for the purpose of  
developing a walking trail has been received is being reviewed.  
Forwarded to Development Committee
- q) Municipalities NL  
RE: Municipal Fiscal Framework Position document  
Copied to Council, placed on file
- r) Office of the Information and Privacy Commissioner

- Pamphlets and brochures to promote awareness  
Placed on display in the lobby.
- s) Baccalieu Trail Atlantic Chapter of the Kidney Foundation  
Annual Give the Gift of Life Walk – October 19, 2014, Sunday, 3 pm  
Holy Redeemer, Spaniard's Bay  
Copied to Council, placed on file
- t) Trinity Conception Shrine Club  
Request for donation to the Annual TV Auction, November 4 & 5, 2014  
Forwarded to Finance Committee for review.
- u) Property owner Willoughby Drive  
Neighbour concern  
Forwarded to Public Works Committee
- v) Communities Against Violence  
Invitation to attend 3<sup>rd</sup> Annual Community Pride Celebration  
October 9, 2014 at 4 pm. Main Lobby, Community Centre
- w) Trinity Conception CBDC  
Invitation to attend Annual General Meeting  
October 21, 2014 at 3:30 pm, 21 Industrial Crescent, Carbonear

6. Committee Reports

- a) Development Committee  
*The Development Committee Report was presented earlier in the agenda under Correspondence, Permits and Development.*
- b) Finance, Human Resources & Administration Committee  
*Committee Chair Ray Noel presented the following recommendations from the committee:*

**Motion 14-539**

**R. Noel / B. Trickett**

*WHEREAS the unionized staff with the Town of Carbonear has received an increase in wages for 2014, 2015 and 2016 as identified in the Collective Agreement for 2014-2016;*

*BE IT RESOLVED TO approve the average increase received by unionized staff for Management and non-unionized staff translated into a percentage for 2014, 2015 and 2016; and*

*Be it further resolved that where that percentage increase equates to less than the hourly pay increase for unionized staff, the same hourly rate per the 2014-2016 Collective Agreement be provided.*

Favour 7; Opposed 0; **Carried**

**Motion 14-540**

**R. Noel / F. Butt**

*Resolved to approve for payment the list of operating invoices in the amount of \$19,485.13 as submitted to council.*

Favour 7; Opposed 0; **Carried**

**Motion 14-540**

**R. Noel / F. Butt**

*Resolved that the Town of Carbonear approve renewal for membership of the International Council of Shopping Centers at a cost of \$120.38 (tax included).*

Favour 7; Opposed 0; **Carried**

**Motion 14-541**

**R. Noel / B. Trickett**

*Resolved that the Town of Carbonear donate pool gift certificates for the Annual Conception Shrine Club TV Auction in the amount of \$50.*

Favour 7; Opposed 0; **Carried**

**Motion 14-542**

**R. Noel / B. Trickett**

*Resolved that the Town of Carbonear donate pool gift certificates for the Annual Conception Shrine Club TV Auction in the amount of \$50.*

Favour 7; Opposed 0; **Carried**

**Motion 14-543**

**R. Noel / F. Butt**

*Resolved that the Town of Carbonear purchase a 1/3 page ad in the 2015 Newfoundland and Labrador Traveller's Guide at a cost of \$2035.00.*

Favour 7; Opposed 0; **Carried**

*Committee Chair, Councillor Noel advised Council to review the committee report and if there were any questions they could be referred to a committee member.*

*Mayor Butt informed Council that a cheque in the amount of \$1,000, as approved by Council, was presented at the Trinity-Conception-Placentia Health Foundation Telethon on Sunday.*

- c) *Public Works, Waste Management & Community Services Committee Committee Chair, Deputy Mayor Butt advised Council that there were no recommendations to come forward at this time. He encouraged Council to review the minutes and refer any questions to a committee member.*

7. Reports of Town Administrator and Department Heads

a) Town Administrator

*The Town Administrator reported on the status of the Walking Trail Project. She also advised Council that a Capital Investment Plan was required to be submitted to the Gas Tax Secretariat for approval. The Director of Operations and Public Works would complete a list of infrastructure work required for Council's consideration and Council could select the projects for completion. The Town Administrator also advised that Council would also have to select projects for the Building Canada Fund that has been announced that they would like to make application. The Director of Operations and Public Works would complete a list for Council's consideration for this funding as well. The Town has not received approval of the Pike's Station Lift Station Upgrades (Multi Year Capital Works Project) drawings to date. The Director has concerns that if this project is not completed in the fall, the lift station will not be able to handle the higher flows experienced in the spring. Staff will follow up further on the project status. The Town Administrator also reported that the RFP for demolition of the building at 234 Water Street has been advertised. The closing is scheduled for October 10. There have been 5 to 6 proposal specifications picked up for consideration.*

8. Finance

- a) **Operating Invoices:** over \$2,000.00 totaling \$19,485.13.



The motion to approve was made during the Finance, Administration and Human Resources Committee Report.

9. Regulations  
No changes to regulations.
10. General Business
  - The Director of Operations and Public Works was asked for an update on the mechanical problems with the recycler. The Director reported that there appears to be problems with the engine. The warranty period has only just expired; however, there is only 300 hours on the machine. He is contacting the company to determine if they can assist due to the low hours on the machine.
  - The Director of Operations and Public Works also advised that the department was planning on transferring the sander from the single axle dump to the 1 ton dump truck since the single axle truck towed the trailer for the excavator and the sander would not work with the hitch. There would not be any change to service since the smaller truck could hold the sander so no change to capacity of sand carried. He just wanted to make council aware so that if they received reports that the truck was plowing but not spreading sand, they were aware of the situation. There would still be just as many sand trucks spreading sand as in other years just a different truck being used.
11. Notices of Motion  
No notices of motions were filed.
12. Adjournment  
**Motion 14-544** **F. Butt / R. Noel**  
*Resolved that the meeting adjourn at 4:35 p.m.*

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Mayor George Butt Jr.

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Cynthia Davis, Town Administrator