

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

Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, June 3, 2014 at 7:00 p.m.

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

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1. Calling of Meeting to Order  
Mayor Butt called the meeting to order at 7:05 pm.
  
2. Adoption of Minutes  
Regular Minutes – May 20, 2014  
**Motion 14-437** **R. Noel / B. Trickett**  
*Resolved that the minutes of the May 20, 2014 Regular meeting of council be adopted as presented.*  
Favour 6; Opposed 0; **Carried**
  
3. Business Arising From Minutes
  - 234 Water Street – discussion deferred for the Director of Operations and Public Works Report later in the agenda.
  
4. Delegations  
No delegations present to speak.
  
5. Correspondence, Permits & Development
  - a) List of Permits Issued # 6156 – 6187 (List attached)  
**Motion 14-438** **D. Kennedy / B. Bowman**  
*Resolved to approve the list of permits #6156-6187 as per applications received subject to the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*  
Favour 6; Opposed 0; **Carried**  
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 14-439****D. Kennedy / R. Noel**

*Resolved to approve the application to erect a fence at 6 – 8 Captain Frank's Lane subject to the fence being located and constructed in accordance with the Town of Carbonear Fence Regulations and the Carbonear Municipal Plan and Development Regulations.*

Favour 6; Opposed 0; **Carried**

**Motion 14-440****D. Kennedy / B. Trickett**

*Resolved to approve the application for a new dwelling at 49 Highroad North subject to application submitted, the application meeting the Town of Carbonear Municipal Plan and Development Regulations and subject to required approvals for a septic system from Services NL and other applicable government departments and agencies.*

Favour 6; Opposed 0; **Carried**

**Motion 14-441****D. Kennedy / B. Bowman**

*Resolved to approve the placement of a portable shelter at 17 White's Road subject to application submitted, the publication of a variance to the maximum floor area and further subject to the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*

Favour 6; Opposed 0; **Carried**

**Motion 14-442****D. Kennedy / R. Noel**

*Resolved to approve to start the process of rezoning of land on Clarke's Road from Commercial to Residential.*

Favour 6; Opposed 0; **Carried**

**Motion 14-443****D. Kennedy / B. Bowman**

*Resolved that the Town of Carbonear approve the Business Development Application to open a Massage Therapy Clinic from 27 Goff Avenue subject to the application meeting the requirements of the Carbonear Municipal Plan and Development Regulations and subject to applicable approvals from the Services NL and/or other applicable government departments and agencies.*

Favour 6; Opposed 0; **Carried**

**Motion 14-444****D. Kennedy / B. Trickett**

*Resolved to approve a permit per application submitted to replace and repair an existing fence and patio at 19 Fraize Avenue subject the Town of Carbonear Fence Regulations and Municipal Plan and Development Regulations.*

Favour 6; Opposed 0; **Carried**

**Motion 14-445****D. Kennedy / R. Noel**

*Resolved to send removal orders for portable shelters placed on the following properties without approval from Council:*

- 26 London Road
- 1 Southside Lower Road
- 132 Water Street
- 36-38 Burnt Head Road

Favour 6; Opposed 0; **Carried**

The designation of streets that should be considered minor streets per the Municipal Plan was referenced. There are streets that have already been designated. The Director of Operations and Public Works will provide a list for

Council's consideration. It was also referenced that the Municipal Plan 10 year term expires after this year and consideration to be given for a review of the plan. The committee chair indicated for Council to review other items discussed in the committee meeting for their information.

5.1 Correspondence, requiring Council's decision  
*No correspondence tabled at this time.*

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 May 13, 2014 @ the Dept of Justice and 13-15 Bemister's Hill. Results marked satisfactory. Placed on file
- b) Eastern Regional Wellness Coalition Newsletter, placed on file
- c) Forestry & Agrifoods Agency  
RE: Appointment of the Town's Municipal Enforcement Officer as an Inspector under the Animal Health and Protection Act.
- d) Resident Hoyles Road  
RE: Complaint of commercial fishing equipment being stored on property Forwarded to Public Works Committee
- e) Knights of Columbus McCarthy Council  
Request for donation to the annual Talent Show/Dinner and Dance. Forwarded to Finance Committee
- f) Concerned Parent  
RE: Regarding incident at the Skateboard Park. Forwarded to Public Works committee
- g) Municipalities NL  
RE: Report on feasibility study for 911 and a copy of the PowerPoint presentation. Forwarded to council, placed on file.
- h) Royal Canadian Legion Branch #23  
RE: Suggested street names. Forwarded to Public Works Committee
- i) 589 RCAC  
Request for the Mayor to attend the 60<sup>th</sup> Annual Ceremonial Review & Banquet on Sunday, June 1, 2014. Deputy Mayor Butt to attend
- j) Eastern Health  
RE: New Grant Programs through the Community Recreation Support Programs. Copied to the Director of Recreation and Tourism and the Recreation Committee

6. Committee Reports

- a) Finance, Human Resources and Administration Committee  
Committee Chair Ray Noel presented the following recommendations from the committee meeting.

**Motion 14-446**                      **R. Noel / B. Bowman**

*Resolved that the Town of Carbonear proceed to adjust the invoice on account number 12206 for water and sewer to \$360 per year for the years 2011, 2012, 2013 and 2014 along with corresponding interest relating to the account.*

Favour 6; Opposed 0; **Carried**

Summer Games Scholarships – Councillor Noel and Councillor Kennedy were assigned to meet with the Town Administrator to review the options for the 1992 Summer Games Scholarship and the 2012 Summer Games funds that have also been provided for a scholarship.

The committee chair indicated for Council to review other items discussed in the committee meeting for their information.

b) Development Committee

*Recommendations from the Committee were completed earlier in the agenda.*

c) Public Works, Waste Management and Community Services Committee  
Councillor Noel brought forward recommendations from the committee on behalf of the Chair, Deputy Mayor Butt.

**Motion 14-447**                      **R. Noel / B. Trickett**

*Resolved to approve the collection of solid waste by Eastern Waste Management commencing January 1, 2015.*

Favour 6; Opposed 0; **Carried**

There was an inquiry about whether all snow clearing damage claims received were provided with responses. The Town Administrator confirmed that all claims received will be provided with letters indicating whether their claim was approved or refused and if refused, the reason for refusal.

An inquiry was made about a variance for the garage at 71 London Road. There were no objections received about the size of the building, so the permit was issued. There were concerns expressed from residents about the vehicle repairs that were felt to be taking place on a commercial basis. Correspondence was sent to the owner from the town. The MEO will monitor to determine if the owner ceases this activity. A report will be provided at the next committee meeting.

*Councillor Noel declared a conflict of interest on the next item raised and left the meeting.*

It was also raised that there is no agreement in place for fire protection with the Line Road Cabin Owner's Association. A notice as prepared by the Town's lawyer was placed in the paper advising that the Town would no longer be responding to fires outside the boundary where there was no fire protection agreement in place last year. The Fire Department has not been advised to cease responding to fire calls for the Line Road area beyond the Town's boundary. They will continue to respond until they receive correspondence from the town advising them otherwise.

**Motion 14-448**                      **D. Kennedy / B. Bowman**

*Resolved to post the notice advising that the Town will not respond to fire*

*calls outside the Municipal Boundary where there is no fire protection agreement in place once again and if a Fire Protection Agreement is not signed by June 30, 2014, the Fire Department to be advised not to respond to fire calls in the Line Road area outside the Town of Carbonear's Municipal Boundary.*

Favour 5; Opposed 0; **Carried**

The Town Administrator advised that she would place the notice in the Compass, on the website and on the Town's Facebook page.

Councillor Noel returned to the meeting.

- d) Theatre Board Liaison – Report on Theatre Activities  
*Councillor Bill Bowman referred Council to the written report on theatre activities that had been circulated to Council prior to the meeting. He reported that this year is shaping up to be one of the busiest and most productive years since the theatre opened. Further information was contained within the written report which he asked council to read through for their information. Any questions could be directed to him.*

## 7. Reports of Town Administrator and Department Heads

### a) Town Administrator

- The Town Administrator reported that the Town's offer of \$180,000 for land at 50 Goff Avenue for a future Works Depot was accepted by the seller per the conditions stipulated by Council. A motion is required by Council to approve this purchase.

**Motion 14-449 R. Noel / B. Bowman**

*Resolved to approve the purchase of land at 50 Goff Avenue in the amount of \$180,000 subject to approval of the Department of Municipal and Intergovernmental Affairs;*

*And be it further resolved to request an approval to borrow from the Department of Municipal and Intergovernmental Affairs for the purchase of land at 50 Goff Avenue for a future works depot site from the chartered bank with the lowest lending rate for a term of 20 years.*

Favour 6; Opposed 0; **Carried**

- The Archaeology Project is scheduled to start on Monday, June 9.
- An official from the Department of Tourism came out to meet with the Town Administrator and the Project Coordinator. He visited the site of the Hiking/Walking Trail. He provided suggestions on development of the trail and also advised that they would like to see funds allocated for a trail building professional. This is being recommended for the new trails. He also discussed the benefits of a Tourism Plan and that funding is available for such plans. The Town is also required to have a permit to occupy the rail bed. The Town has the required forms for completion.

**Motion 14-450 B. Bowman / R. Noel**

*Resolved to approve the Crown Land application for a permit to occupy the former railway bed from the Train Station Museum to the end of the*

*Town's Boundary at Bristol's Hope.*

Favour 6; Opposed 0; **Carried**

Another crown land application will be required for the trail that will be developed along the brook off Pond Side Road once the exact location is determined.

*Councillor Kennedy declared a conflict of interest and left the meeting.*

- London Road Phase II – The Town's Engineer has advised that to complete the London Road project to the NL Power Substation will require an additional \$85,000 over capital funds available. To complete the street to this point, the Town will have to provide funds from its operating budget if Council would like to complete the street to the substation.

**Motion 14-451**

**R. Noel / B. Bowman**

*Resolved to continue the London Road Project Phase II to the NL Power Substation and be it further resolved to provide the additional funds required to complete London Road Phase II from funds approved under Asphalt in the Roads Budget.*

Favour 5; Opposed 0; **Carried**

Councillor Kennedy returned to the meeting.

- The Town Administrator advised that roads proposed to be resurfaced and repaired should be selected as soon as possible and tendered if work is to be completed this summer. The Director of Operations and Public Works will have a list for Council's review in his report.
- Tourism Plan – A Tourism representative did advise that there is funding available for tourism plans which could also include the downtown that has been discussed. I emailed Tract Consulting and a representative will be available to meet with Council next week to discuss costs of such a plan. A meeting to be arranged for Thursday, June 12 at 3 pm.
- 224 Water Street Property - A meeting has been tentatively scheduled for Wed, June 4 at 3 pm for those available to meet with the mortgage holder on the property.
- Summer Students – There is nothing official received to date, however, the town is anticipating that 2 students may be approved under the provincial summer students program.
- Other items for Councillors information is included in the report that was distributed to Council for their information.

b) Director of Operations and Public Works

The Director of Operations and Public Works had circulated a report prior to the meeting for the information of Council. He highlighted the following:

- Water main flushing is ongoing. This is the last week for flushing which is taking place on the south side. Eastern Health were contacted and reminded that flushing was scheduled on the south side for this week.
- Line painting is scheduled for next week, weather permitting.
- Asphalt repairs are ongoing.

- There were 3 dumpsters of metals picked up by town staff during clean up week.
- Class A and asphalt is being recovered from screening operations.
- The Yanmar compact loader is expected to be delivered to the town within the next 2 days.
- The auto dialer approved for installation at the chlorination building is not installed to date. The auto dialer requires a telephone line and currently waiting for the installation of the line.
- The asbestos abatement personnel at the former Bond Theatre site looked at the material on the building at 224 Water Street and they are confident that it is the same material on the former Bond Theatre Building. Pinchin LeBlanc Environmental advised that an assessment will cost \$2,500 - \$3,000. This will report on all hazardous materials that are present in the building. From this report a remediation cost can be determined. Council will discuss further before making a decision on the environmental assessment.
- A list of streets was provided in the report to Council. The Mayor suggested that Council review the streets and note any other streets they felt required work. Another meeting would be arranged once council had an opportunity to visit the streets to make a decision on streets to be completed with the funding available. The list provided will likely exceed the funds available. An approximate estimate can probably be obtained based on the cost to resurface streets in 2013.
- Vacation scheduled for June 16 – July 9.

Mayor Butt asked if there were any questions or comments for the Director. It was noted that additional speed signs should be placed. The Director indicated that they did have some signs and they would be placed in suggested areas. It was noted that typically traffic is fast on Powell Drive and Water Street East. Water Street East was particularly a concern due to the playground. It was suggested that ATV complaints continue to be received. Mayor Butt will contact the RCMP. It was also raised that the property reinstatement of NL Credit Union from the KFC water and sewer line installation still was not completed. The Director would follow up with his contact.

8. Finance

a) **Operating Invoices:** over \$2,000.00 totaling \$39,509.92

**Motion 14-452 R. Noel / B. Trickett**

*Resolved that the Town of Carbonear approve for payment the list of invoices as presented to Council totaling \$39,509.92.*

Favour 6; Opposed 0; **Carried**

9. Regulations

None

10. General Business

- The Diabetes Walk raised \$1,325. Thanks were extended to Deputy Mayor Butt and Councillor Trickett for organizing the event.
- The Mayor thanked Deputy Mayor Butt for attending the Joint Council Meeting, the Liberal Dinner and Dance and the Air Cadet Annual Review as

he was out of Town from Thursday to Monday, therefore, not available to attend himself.

- The Mayor will be attending the UMC Meeting in Clarendville this weekend, so Councillor Bowman will attend the Catholic Women's League Convention on behalf of the Town.
- The opening of the skateboard park is scheduled for next Friday. The time to be determined. It is expected to take place early afternoon.
- Household Hazardous Waste Collection and Clean up Day is scheduled for Saturday, June 7. Letters have been sent to local businesses concerning cleaning up litter and debris that has accumulated over the winter months.
- It was also noted that the Waste Recovery Facility in Hr. Grace is now taking windows.
- Councillor Goff (Special Events Liaison) reported that the lineup is finalized for the Canada Day Concert scheduled for Friday, June 28. A sign advertising the event has been placed on the highway coming into town. He suggested that the sign be kept up for the next 3 months to advertise summer events. The Special Events Committee is also looking for new volunteers for the committee. He also reported that the Community Garden was officially opening on Saturday. This project has been a great success and continues to grow.
- Councillor Bowman, Trickett and Kennedy received phone calls from residents of Irishtown Road concerning the debris on a neighbouring property which is a nuisance and frustration to the neighbourhood. The MEO visited the property and reported that they are cleaning up. He will monitor over the next couple of weeks to see if clean up continues. If clean up does not continue, Council has the option to have the clean up completed. The MEO will report further at the Public Works, Waste Management and Community Services Committee.
- Councillor Bowman reported that he attended the official opening of the Jerry and Bobby Thoms Children's Library. Approximately 90 people were present for the event.
- Councillor Trickett has received a complaint about ATV's on the streets. Residents are advised to contact the RCMP with their complaint so the RCMP has a record of the violations.

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

12. Adjournment  
**Motion 14-453**  
**R. Noel / B. Bowman**  
*Resolved that the meeting adjourn at 8:45 p.m.*

Mayor George Butt Jr.

Cynthia Davis, Town Administrator