

**Town of Carbonear**  
**Regular Council Meeting, September 5, 2017**

Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, September 5, 2017 at 4:00 p.m.

|                         |  |   |
|-------------------------|--|---|
| <b>Members Present:</b> | Mayor<br>Deputy Mayor<br>Councillors                               | George Butt<br>Frank Butt<br>Ray Noel<br>Bill Bowman<br>David Kennedy<br>Ed Goff<br>Brenda Trickett |
| <b>Also Present:</b>    | CAO<br>Town Clerk  | Cynthia Davis<br>Cathy Somers   |
| <b>Absent:</b>          | Director of Operations &<br>Public Works<br>Director of Recreation | Brian O'Grady (on vacation)<br>Rob Button   |

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1. Calling of Meeting to Order  
Mayor Butt called the meeting to order at 4:00pm and welcomed everyone present.
  2. Adoption of Minutes
    - a) Regular Meeting, August 8, 2017  
**Motion 17-202** **R. Noel / B. Trickett**  
*Resolved that the minutes of the August 8, 2017 Regular meeting of Council be adopted as presented.*  
Favour 7; Opposed 0; **Carried**
  3. Business Arising From Minutes
  4. Delegations
    - a) RCMP  
Corporal Dave Hopkins of the Hr. Grace Detachment was in attendance at the meeting.  
Council identified concerns with ATV traffic on town streets and drug use within the town. Open discussion took place on the matter.  
The Town's Enforcement Officer will advise the RCMP where the ATV traffic problems are more prevalent within the town. Corporal Hopkins noted that he will review and discuss the matter with the other supervisors to determine a course of action.  
Council thanked Corporal Hopkins for attendance at the meeting.
  5. Correspondence, Permits & Development
    - a) Permit listing # 7698, 7800, 7852, 7878, 7900, 7912-7913, 7915-7937, 7939, 7941-7957, 7959-7960, 7962-7964, 7967-7971
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Councillor Kennedy declared a conflict of interest on permit #7941 as this permit was for his sister.

**Motion 17-203**

**D. Kennedy / F. Butt**

*Resolved to approve the list of permits # 7698, 7800, 7852, 7878, 7900, 7912-7913, 7915-7937, 7939, 7942-7957, 7959-7960, 7962-7964, 7967-7971 as per applications received and in accordance with the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*

Favour 7; Opposed 0; **Carried**

**Motion 17-204**

**D. Kennedy / R. Noel**

*Resolved that the Town of Carbonear approve a permit to operate a domestic saw mill for personal use from the property of 110 White's Road, subject to the following conditions:*

- *application and plans submitted;*
- *in accordance with the Carbonear Municipal Plan and Development Regulations and all codes included in the plan as well as other municipal regulations and policies;*
- *operation and maintenance of sawmill shall be in accordance with provincial guidelines and regulations;*
- *sawmill shall be operated within the accessory building on the property to reduce noise during operation;*
- *annual approval by the municipality prior to renewal by the Department of Fisheries and Land Resources is required.*

Favour 7; Opposed 0; **Carried**

**Motion 17-205**

**D. Kennedy / B. Bowman**

*Resolved that the Town of Carbonear approve a permit to complete renovations at 236 Water Street as per application submitted, subject to the following:*

- *application and plans submitted;*
- *windows that have the appearance of the windows at the time the building was initially constructed;*
- *wooden clapboard with wooden trims that is consistent with the appearance at the time the building was initially constructed;*
- *replacement deck and steps to the east side of the building shall not exceed the size of the existing steps; and*
- *in accordance with the Carbonear Municipal Plan and Development Regulations as well as any other municipal regulations or policies.*

Favour 7; Opposed 0; **Carried**

Councillor Kennedy left the meeting.

**Motion 17-206**

**D. Kennedy / B. Bowman**

*Resolved to approve the list of permits # 7941 as per application received and in accordance with the Town of Carbonear Municipal Plan and*

*Development Regulations and other applicable regulations and policies.*  
Favour 6; Opposed 0; **Carried**  
Councillor Kennedy was called back into the meeting.

- b) New Business – 213 Water Street (Massage & Lymphatic Clinic)  
Proposed Motion:

**Motion 17-207**

**D. Kennedy / F. Butt**

*Resolved that the Town of Carbonear approve the Business Development Application to open a Massage & Lymphatic Clinic from 213 Water Street in accordance with the Carbonear Municipal Plan and Development Regulations and conditional upon receipt of applicable approvals from Services NL and/or other applicable government departments and agencies.*

Favour 7; Opposed 0; **Carried**

5.1 Correspondence, requiring Council's decision

- a) 12<sup>th</sup> Annual Claude Garland Mayor's Walk - October 19, 2017  
The 12<sup>th</sup> Annual Claude Garland Memorial Walk will be held October 19, 2017.
- b) Sexual Violence Awareness Week – September 10-16, 2017  
RE: Proclamation to be signed.

**Motion 17-208**

**D. Kennedy / R. Noel**

WHEREAS The Newfoundland and Labrador Sexual Assault Crisis and Prevention Centre (NLSACPC) works to provide support, information, and education to the province of Newfoundland and Labrador, in the area of sexual violence, and

WHEREAS The NLSACPC is now commemorating the 18<sup>th</sup> anniversary of Sexual Violence Awareness Week as well as the 33<sup>rd</sup> anniversary of their Take Back the Night march to further the common goal of eliminating sexual violence, and

WHEREAS The theme for Sexual Violence Awareness Week 2017 is "Listen. Believe. Support" which recognizes the necessity of supporting survivors and the urgent need to end sexual violence and its contributing factors so that we may have safe, healthy communities, and

WHEREAS Sexual assault is a crime that can affect anyone regardless of factors like age, gender, ability, social and cultural location, or other variables; and

WHEREAS The rate of sexual assault in Newfoundland and Labrador continues to be higher than the national average, and

WHEREAS This Municipal Government recognizes the need for people of our community to live in safe and caring communities where violence is unacceptable, and supports efforts that raise awareness and educate the public, and

THEREFORE Be it resolved that the Town of Carbonear hereby proclaims September 10<sup>th</sup> – 16<sup>th</sup>, 2017 as Sexual Violence Awareness Week and encourage all citizens to become involved in activities organized throughout this week.

Favour 7; Opposed 0; **Carried**

- c) Carbonear Municipal Depot
- Change order document No. 0010 in the amount of \$4,210.66 (taxes included) to make change to overhead doors.
  - Change order document No.0011 in the amount of \$2,345.94 (taxes included) to supply and install bent metal to allow new liner panel to be fastened at top of wall.
  - Change order document No.0012 in the amount of \$5,578.65 to cut, chip, remove and replace section of concrete floor.

**Motion 17-209**

**R. Noel / B. Trickett**

*Resolved that the Town of Carbonear approve the following change orders for Carbonear Municipal Depot Project:*

- Change order document No. 0010 in the amount of \$4,210.66 (taxes included) to make change to overhead doors.
- Change order document No.0011 in the amount of \$2,345.94 (taxes included) to supply and install bent metal to allow new liner panel to be fastened at top of wall.
- Change order document No.0012 in the amount of \$5,578.65 to cut, chip, remove and replace section of concrete floor.

Favour 7; Opposed 0; **Carried**

Council inquired about the progress on the project. CAO advised the project work is on schedule.

5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

- a) Department of Municipal Affairs & Environment
- RE: Fire Protection Financial Assistance Grant, Project: FES-SA0015  
Grant approved in the amount of \$8,391.55 on a 70/30 Provincial/Municipal cost-shared basis to purchase nine (9) Portable radios and two (2) Rapid Chargers for the Fire Department. Copied to the CAO and the Fire Department, Placed on file.
  - Public Consultation on Regional Government, Carbonear, September 7 at the Royal Canadian Legion from 7-9:30pm. Copied to Council, poster placed in lobby
- b) Trinity Conception Placentia Health Foundation - 28<sup>th</sup> Annual Telethon October 1, 2017.
- Correspondence to the Volunteer Fire Department to confirm their participation in the 28<sup>th</sup> Annual Telethon. Copied to Fire Department.
  - Correspondence to the Town requesting donation and support. This item is included on the approved donation list for 2017. Cheque in the amount of \$1000 to be completed and presented by the Mayor.

- c) NL English School District  
RE: Elections Campaign Signage  
Copied to CAO & Council. Placed on file
- d) Run the Rock - Children's Wish Foundation  
RE: Thank you to the Town for efforts towards this year's fundraiser.  
Forwarded to Recreation, Tourism & Culture committee
- e) NL Public Health Laboratory, Test results of water samples collected on July 19, 2017 and August 14, 2017 @ TC Square Mall, Department of Justice, 143 Columbus Drive & Bemister's Hill. Results marked satisfactory. Placed on file.
- f) Cohn's & Colitis Canada  
RE: Thank you for donation of \$50. This year's event raised \$17,000.  
Placed on file.
- g) Atlantic Canada Water & Waste Water Association  
RE: Fall course schedule  
Copied to Director of Operations & Public Works, placed on file.
- h) Green Leaf Resources  
Water Street Tree Assessment report  
Copied to CAO & Council
- i) Heritage Foundation of NL & Labrador  
RE: Adapt Heritage Conference  
Forwarded to Recreation, Tourism & Culture Committee
- j) Department of Children, seniors and Social Development  
RE: Accessible Taxi Program Grant  
Forwarded to Finance, Human Resources & Administration committee
- k) Municipalities NL
  - Info Notes: August 18 – Make your Make Campaign Launch
  - MNL Convention & Trade show dates, November 2-4, Corner Brook  
2017 Nomination Board of Directors – Nomination period closed on Monday, October 2, 2017
  - MNL Annual Convention & Trade Show, First call for 2017 Resolutions
Copied to Council
- l) The Newfoundland and Labrador Association for Community Living and the Coalition of Persons with Disabilities NL will be holding public Capacity Building Workshops across the province on the new individualized funding. A workshop is being held in Carbonear on October 4 from 1-4 pm.  
Copied to Council & placed in the lobby.
- m) Concerned citizen  
RE: Request that the Town consider the installation of steel boxes in the areas of town where needles were found.  
Forwarded to Public Works, Waste Management & Community Services
- n) Department of Fisheries & Land Resources  
RE: National Forest Week from September 24-30, 2017. Request to have

the Town recognize and celebrate the week.  
Forwarded to Recreation, Tourism and Culture committee & the Fire Department.

6. Committee Reports

a) Finance, Human Resources & Administration

Councillor Noel advised that there were no motions recommended at this time by the committee. He noted item 4a, referencing the reservation between Bunker Hill and English Hill. The Town's lawyer is recommending new signage be put in place. He provided the wording for the signage. The committee recommends the signs be completed and installed.

There were no objections from council on the recommendation.

Deputy Mayor Butt asked what the Fire Department needed to provide to have the a new pumper considered for the 2018 budget. CAO advised she has been in contact with the Fire Chief, he would have to submit a recommendation of a vehicle and approximate cost estimates for same in order for it to be considered for the 2018 budget.

7. Reports of Chief Administrative Officer and Department Heads

a) CAO Report

CAO presented the following from her report:

Sale of Land – 50 Goff Avenue

Motion recommended to list the property of 50 Goff Avenue with the Real Estate Agency.

**Motion 17-210**

**D. Kennedy / R. Noel**

*Resolved that the Town of Carbonear list the property of 50 Goff Avenue with the Real Estate Agency for a list price of the Town's original purchase price plus improvements.*

Favour 7; Opposed 0; **Carried**

Gas Tax Project

The CIP (Capital Investment Plan) has been approved. The area along the beach is included in the paving that was tendered and awarded.

Eastern Regional Appeal Board Hearings

The hearing for two appeals took place on August 23. The following are the two appeals heard:

- A third party appeal opposing Council's approval of a new garage at 14 O'Driscoll's Lane
- An appeal opposing subdivision of a property that would leave a garage on a lot without a main dwelling in violation of the Town of Carbonear Municipal Plan and Development Regulations.

Municipal Plan and Development Regulations Amendment – Crocker's Cove Point

The above referenced amendments have been released from Provincial

Review. Resolution to adopt are now required.

**Motion 17-211** **D. Kennedy / B. Bowman**  
*Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear adopts Municipal Plan Amendment No. 23, 2017.*

Favour 7; Opposed 0; **Carried**

**Motion 17-212** **D. Kennedy / B. Bowman**  
*Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear adopts Development Regulations Amendment No. 34, 2017.*

Favour 7; Opposed 0; **Carried**

ACOA Application for Funding – Downtown Streetscapes

Approval is required from Council to make application for the Downtown Streetscapes component of the Water Street Project. Council resolution required.

**Motion 17-213** **R. Noel / B. Trickett**  
*Resolved that the Town of Carbonear make application to ACOA for funding for the Downtown Streetscapes component of the Water Street Project.*

Favour 7; Opposed 0; **Carried**

Financial Report

A copy of the Financial Report for July was previously provided to Council. Any questions can be addressed to the CAO.

8. Finance

a) **Operating Invoices:** over \$2,000.00 totaling.....**\$62,616.22**

**Motion 17-214** **R. Noel / B. Trickett**  
*Resolved that the Town of Carbonear approve for payment the list of invoices as submitted totaling \$62,616.22.*

Favour 7; Opposed 0; **Carried**

b) Capital Invoices:

|  |                            |
|--|----------------------------|
| <u>Water, Sewer &amp; Storm Sewer (Part A) – Bond Street</u>         |                            |
| PN 11-126, (MA 17-CWWF-17-00027), Claim No. 2                        |                            |
| Concord Paving Ltd .....   | \$330,196.05               |
| <u>Water, Sewer &amp; Storm Sewer (Part A &amp; B) – Bond Street</u> |                            |
| PN 11-126 (MA 17-CWWF-17-00027), Engineering Invoice #6174           |                            |
| Harris & Associates.....   | \$24,260.49                |
| Town Depot, Eastern Contracting Ltd, Project number 189893           |                            |
| Certificate No. 0005.....  | <u>\$274,034.93</u>        |
| <b>Total Invoices:</b> .....   | <b><u>\$628,491.47</u></b> |

**Motion 17-215** **R. Noel / F. Butt**  
*Resolved that the Town of Carbonear approve for payment the list of capital invoices as submitted totaling \$628,491.47.*

Favour 7; Opposed 0; **Carried**

9. Regulations

None listed.

10. New Business

- Mayor Butt noted that we received correspondence that the New Building Canada Fund has approved \$550,000 for the Water and Sewer Upgrading Water Street project.
- Councillor Goff noted that we have received an estimate of \$13,869 to complete the Final Report for the Carbonear Archeological Dig.

**Motion 17-216**

**E. Goff / F. Butt**

*Resolved that the Town of Carbonear contract Roy Skanes to complete the Final Report for the Carbonear Island Archeological Dig at a cost of \$13,869.*

Favour 7; Opposed 0; **Carried**

- Deputy Mayor Butt congratulated Vic Jenkins on his retirement from his position with the town last week after 18 years of service.
- Councillor Bowman noted that additional funding has been approved for the extension of the Pondsides walking trail. The start date for the project is September 11.

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11. Notices of Motion

No notices of motions were filed.

12. Adjournment

**Motion 17-217**

**F. Butt / R. Noel**

*Resolved that the meeting adjourn at 4:59 p.m.*

The next meeting will be on Monday, September 18<sup>th</sup>, 2017 at 4:00pm.

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Mayor George Butt

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Cathy Somers, Town Clerk