

**Town of Carbonear**  
**Regular Council Meeting, February 2, 2015**

Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, February 2, 2015 at 4:00 p.m.

**Members Present:** Mayor George Butt Jr.  
Councillors Ray Noel  
Bill Bowman  
David Kennedy  
Ed Goff  
Brenda Trickett

**Members Absent:** Deputy Mayor Frank Butt

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

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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
    - Regular Minutes – January 19, 2015  
**Motion 15-023 R. Noel / B. Trickett**  
*Resolved that the minutes of the January 19, 2015 Regular meeting of Council be adopted as presented.*  
Favour 6; Opposed 0; **Carried**
  3. Business Arising From Minutes
  4. Delegations
  5. Correspondence, Permits & Development
    - a) List of Permits Issued # 6596-6602 (List attached)  
**Motion 15-024 D. Kennedy / B. Bowman**  
*Resolved to approve the list of permits #6596 - 6602 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**
  - 5.1 Correspondence, requiring Council's decision  
None listed.

## 5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

- a) Municipalities NL (Info Note)
  - January 30 (Weekly update)
  - January 29 (LTD Coverage and Pension Plan)
  - January 27 (Working together to strengthen the Municipal Sector)
  - January 26 (Board reaffirms that the province must make long-term investments in our municipalities)
  - January 23 (Public Advisory – Anticipated adverse weather conditions)

Copied to council
- b) Fire & Emergency Services  
RE: Train the Trainer Training Schedule for February 2015  
Copied to the Fire Chief, placed on file
- c) Property Owner – Kelby Corner  
RE: Request for extension to remove shed  
Forwarded to Development Committee
- d) Professional Municipal Administrators  
RE: Annual General Meeting, Friday, April 17, 2015  
Copied to Town Administrator and Town Clerk
- e) Department of Environment and Conservation, Water Resources  
RE: 2014 Spring Drinking Water Quality Report  
Copied to Town Administrator, placed on file
- f) Department of Municipal and Intergovernmental Affairs  
RE: Amendment to the Municipalities Act, 1999 – Authority to sell, lease or dispose of municipal property  
Copied to Development Committee, Town Clerk and Town Administrator
- g) Junior Achievement of Newfoundland and Labrador  
Economics For Success program  
Copied to Council
- h) Baccalieu Trail SPCA  
RE: Request for meeting with council to discuss animal shelter  
Copied to Council and Town Administrator
- i) Department of Business, Tourism, Culture and Rural Development  
RE: Acknowledge receipt of application for funding for Carbonear Island Research and Exploration Project 2015  
Placed on file
- j) Department of Environment and Conservation  
2015 Clean and Safe Drinking Water Workshop – March 24-26  
Copied to Director of Operations and Public Works, placed on file
- k) NL Public Health Laboratory, Test results of water samples collected on January 5 & 7, 2015 @ Department of Justice and the TC Square Mall . Results marked satisfactory. Placed on file.
- l) Department of Municipal and Intergovernmental Affairs

Re: Training and Professional Development Opportunities  
Copied to Council, Town Administrator and Town Clerk

6. Committee Reports

a) Development Committee

Councillor Kennedy presented the recommendations from the Development Committee.

**Motion 15-025**

**D. Kennedy / R. Noel**

*Resolved to approve the development application to construct a new dwelling and a garage at 27 Bemister's Hill as per the requirements of the Town of Carbonear Municipal Plan and Development Regulations.*

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

**Motion 15-026**

**D. Kennedy / E. Goff**

*Resolved to approve the development application to install an electronic sign at 117 Columbus Drive per the requirements of the Town of Carbonear Municipal Plan and Development Regulations and per approvals required from other departments and agencies.*

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

**Motion 15-027**

**D. Kennedy / R. Noel**

*Resolved to approve the quarry request from the Department of Natural Resources for Route 70, Clarkes Road intersection per the requirements of the Town of Carbonear Municipal Plan and Development Regulations upon payment of required application fees.*

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

**Motion 15-028**

**D. Kennedy / B. Trickett**

*Resolved to approve application to repair gate at 159-161 Water Street as per application submitted.*

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

**Motion 15-029**

**D. Kennedy / B. Bowman**

*Resolved that the Town of Carbonear approve the development application at 2 Dwyers Lane to encase the existing concrete front step with wood where the step will not exceed the size of the existing step subject to the Carbonear Municipal Plan and Development Regulations.*

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

**Motion 15-030**

**D. Kennedy / R. Noel**

*Resolved to approve application for construction of a fence at 30 Masonic Avenue as per the requirements of the Town of Carbonear Municipal Plan and Development Regulations and Fence Regulations.*

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

**Motion 15-031**

**D. Kennedy / E. Goff**

*Resolved to complete the Municipal Recommendation Form approving the purchase of Crown Land at Garland's Lane per the application submitted.*

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

**Motion 15-032**

**D. Kennedy / R. Noel**

*Resolved to approve a separate electrical service to a garage situate at 25 Cross Roads.*

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

**Motion 15-033**

**D. Kennedy / B. Bowman**

*Resolved to send an order to owner of a business operating from 45A English Hill to cease the business operation without the required permits from Council.*

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

**Motion 15-034**

**D. Kennedy / B. Bowman**

*Resolved to send an order to owner of a business operating from 2A Connolly's Hill to cease the business operation without the required permits from Council.*

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

**Motion 15-035**

**D. Kennedy / E. Goff**

*Resolved to send an order to owner of a business operating from 8 Patrick Street to cease the business operation without the required permits from Council.*

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

*Details of the recommended minimum bids for the two lots, 41-43 Goff Avenue and 45-47 Goff Avenue as noted in the Town Administrator's report were reviewed with Council.*

**Motion 15-036**

**D. Kennedy / B. Bowman**

*Resolved that the Town of Carbonear proceed to advertise through public tender two parcels land on Goff Avenue: 41-43 Goff Avenue and 45-47 Goff Avenue with a minimum bid of \$75,000 for each of the two parcels as recommended by the Town Administrator.*

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

Councillor Kennedy also noted the following:

- Line Road – Cabin Development  
The committee has recommended to proceed to have a Municipal Plan and Development Regulations amendment drafted.
- It has been determined that there are property owners who have a subsidiary apartment in an accessory building on their properties. The Committee has recommended that the Town Administrator forward written correspondence to these property

owners advising that subsidiary apartments are not a permitted use in an accessory building.

7. Reports of Town Administrator and Department Heads

a) Town Administrator

2014-2017 Multi Year Capital Works Program

Currently waiting on feedback from the Consultant. The Director reviewed the tenders and there was an inquiry made concerning the pumps bid by the lowest bidder. A report will be provided once further information is available.

2013 Audit

The auditor is scheduled to be at the office on February 3 to conclude the audit. It typically does not take long to prepare the Financial Statements. The intention is to schedule the audit for 2014 to be completed for submission to Municipal Affairs by the June 30 deadline.

Municipal Land for Tender

Reviewed these details earlier in the meeting during the Development Committee recommendations. Minimum bid for each lot will be \$75,000.

Eastern Regional Appeal Board

For Council's information, the Aisthorpe Appeal is still ongoing. The appeal hearing has been deferred twice. It has also been to Supreme Court. The new hearing is scheduled for March.

The Town has been notified that an appeal of the order of the change of use of 191 Water Street property has also been received by the Eastern Regional Appeal Board. The time of the appeal has not been set to date. I will forward the details of the situation to the Secretary of the Appeal Board as required.

Website

If Council does not have any objections, we can set up for launching of the Economic Development Video at the next Regular Council Meeting. Town Administrator to proceed to set up the launching as recommended.

b) Director of Operations and Public Works

- Pikes Lane / Beach effluent station. During the tender evaluation process an issue was identified that requires further clarification prior to the contract being awarded. This is currently being discussed. An award of the contract will be made shortly.
- The motor for our asphalt recycler is now being re-assembled. It will be benched test and re-installed this week. We hope to have it back by the beginning of next week. In the meantime we have been filling the potholes with Class "A". However, the warm/cold cycles we have been experiencing is hard on our road and makes it hard to keep class "A" in the holes.
- Our salt and sand consumption is as expected. At the present rate we will have product left over for the fall.

- The winter has been quite reasonable so far with regards to snow clearing. Our overtime cost are lower than average.
- The winter shift work is still in place. The shifts are as follows:  
5:00am – 1:30pm – 2 operators (7 day a week)  
1:30pm – 10:00pm – 2 operators (5 days a week, Mon – Fri)
- We have a request for a water and sewer connections for a business on Industrial Crescent. Our policy states that we do not complete water and sewer connections this time of year. At this location the water and sewer is not under the asphalt. It is off the shoulder of the road on the same side as the business. This installation can be completed without removing asphalt or impacting the road. Council approval would be required to complete this installation as it will be an exception to our policy.

**Motion 15-037**

**B. Bowman / R. Noel**

*Resolved that the Town of Carbonear complete the new water/sewer service to the property line for the new building located at 10 Industrial Crescent.*

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

- We have a failure to a 45kw duct heater in the theatre. A quote, from our maintenance contractor, to supply and install this heater, complete with SCR and controls will be \$5,202.00 + tax. Council approval would be required to proceed with this.

**Motion 15-038**

**R. Noel / B. Trickett**

*Resolved that the Town of Carbonear supply and install a new 45kw duct heater in the theatre, complete with SCR and controls at a cost of \$5,202 + HST.*

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

Council also requested that the whole system be re-evaluated for energy efficiency.

- The automatic gas sensor system at our chlorine building has failed. The sensors, receiver modules etc. will have to be replaced. This component was not upgraded during our last upgrade. These repairs have to be done as this is our gas leak warning system. The cost of these repairs is \$4,933.34 + tax. This price includes adding this system to our auto dialer so a call will come to our cells phone if a leak occurs. Council approval would be required to proceed with this repair.

**Motion 15-039**

**E. Goff / B. Trickett**

*Resolved that the Town of Carbonear complete repairs to the automatic gas sensor system at the chlorination building at a cost of \$4,933.34 + HST.*

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

- 2006 Ford – This vehicle is now out of commission. We have requested that the insurance company, for the other party, to pay the town directly for the damages.  
We are participating in the Government Purchasing Agreement

which now includes vehicles. This will speed up the purchasing process. I will have a price and recommendation for the replacement vehicle for the next council meeting.

- LeMarchant Street Project - Harris and Associates have been waiting to see the tender result (\$) for the Pike's Lane lift station project prior to putting the LeMarchant Street project out to tender. These results are now in. I have instructed them to proceed with the tendering of Phase II of the LeMarchant Street project.

8. Finance

- a) **Operating Invoices:** over \$2,000.00 totaling..... **\$53,437.89**

**Motion 15-040**

**R. Noel / B. Trickett**

*Resolved to approve for payment the list of operating invoices totaling \$53,437.89 as presented to Council.*

Favour 6; Opposed 0; **Carried**

Note: Listing #265 reduced to \$9,000 until further documentation is received from the vendor. This reduction has been reflected in the total of \$53,437.89.

9. Regulations

None listed.

10. New Business

- a) 10 Industrial Crescent – New water and sewer installation

Dealt with earlier

- b) Change in meeting time

**Motion 15-041**

**D. Kennedy / B. Bowman**

*Resolved to amend Section 1 of the Rules of Procedure for the Conduct of Meetings to read as follows:*

*“Regular meetings of council shall be held on the first and third Mondays of each month at 7:00pm in the council chamber of the Town Hall, except in July and August where there is only one meeting a month which is scheduled at the call of the chair, unless council by resolution directs otherwise.”*

Favour 6; Opposed 0; **Carried**

- c) Councillor Kennedy noted that a recently a staff member met with a property owner who was verbally abusive to that staff member. Over the years this has happened to various staff members. Councillor Kennedy noted that the staff are carrying out the policies of Council and sometimes when this information is communicated to a developer or a property owner, if it is not what the response they were hoping for then sometimes people can be verbally abusive to staff members. Councillor Kennedy asked if the Council could address this matter.

Discussed.

Finance committee meeting will discuss the matter further.

Town Administrator to discuss the issue with other towns as to policies

they have in place and also to check with the RCMP to determine if they have any recommendations in this regard.

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

12. Adjournment  
**Motion 15-041** **R. Noel / B. Bowman**  
*Resolved that the meeting adjourn at 4:33 p.m.*

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Mayor George Butt

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Cathy Somers, Town Clerk