

**Town of Carbonear**  
**Regular Council Meeting, June 1, 2015**

Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, June 1, 2015 at 4:00 p.m.

<b>Members Present:</b>	Mayor Deputy Mayor Councillors	George Butt Jr. Frank Butt Ray Noel (absent at start of meeting) Bill Bowman Ed Goff David Kennedy Brenda Trickett
<b>Also Present:</b>	Town Administrator Town Clerk Director of Operations and Public Works Director of Economic Development & Tourism	Cynthia Davis Cathy Somers  Brian O'Grady  Kai Bath
<b>Absent:</b>	Director of Recreation	Rob Button

---

1. Calling of Meeting to Order  
Mayor Butt called the meeting to order at 4:10pm and welcomed everyone present.
2. Adoption of Minutes
  - Regular Minutes – May 19, 2015
  - Motion 15-137 F. Butt / B. Bowman**  
*Resolved that the minutes of the May 19, 2015 Regular meeting of Council be adopted as presented.*  
Favour 6; Opposed 0; **Carried**
3. Business Arising From Minutes  
None.
4. Delegations  
No delegations were listed to speak.
5. Correspondence, Permits & Development
  - a) List of Permits Issued # 6691-6749 (List Attached)  
**Motion 15-138 D. Kennedy / B. Bowman**  
*Resolved to approve the list of permits #6691 - 6749, 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**
  - b) Permit application (Not yet reviewed)
    - 14A Grassey Lane – New business

- 21 Whites's Road – Home daycare
- 43 Long's Hill – Heating contractor

5.1 Correspondence, requiring Council's decision

- a) Request for exemption to the Noise By Law for 98 London Road on July 4, 2015 for a family wedding.

**Motion 15-139**

**F. Butt / E. Goff**

*Resolved to approve an exemption to the Noise By Law for 98 London Road to hold a family wedding on July 4, 2015.*

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, Service NL - Test results of water samples collected on April 29, @ Western Petroleum, Royal Canadian Legion and the TC Square Mall Results marked satisfactory. Placed on file.
- b) Communities in Bloom  
RE: Canada's Garden Street 2015  
Forwarded to Recreation, Tourism & Culture Committee
- c) Legendary CBN Car Club to 19<sup>th</sup> Annual Vehicle Show and Shine  
RE: Request for donation  
Forwarded to Finance, Human Resources & Administration Committee
- d) Relic Rider Motorcycle Club  
RE: Request for donation to 13<sup>th</sup> annual Motorcycle Show and Shine  
Forwarded to Finance, Human Resources & Administration Committee
- e) Department of Municipal and Intergovernmental Affairs  
RE: Approval to borrow in the amount of \$50,911 for 2015 3500 Regular Cab Chasis 4x4 Pick up truck.  
Placed on file.
- f) Atlantic Canada Opportunities Agency  
RE: Acknowledgement of receipt for financial assistance project number 205787.  
Placed on file.
- g) Resident Irishtown Road  
RE: Request for extension to demolish dwelling  
Forwarded to Development committee
- h) Municipalities NL  
- Info Note – May 22, 2015  
- Canada 150 Community Infrastructure Program  
- NL Safety Council – Safety Webinar
- i) Department of Environment and Conservation ( Water Resources)  
RE: Changes to the fee for the WRMD Source Water Protection Program (Permit for development activity in the watershed)  
Copied to MEO and Town Administrator
- j) Earth Day Canada  
RE: Award to recognize local environmental heros

- Forwarded to Council and Staff, placed on file in the lobby.
- k) Joint Council  
RE: The next Joint Council meeting is rescheduled to June 4<sup>th</sup>, in Upper Island Cove. Also the Annual Dinner will take place, June 16<sup>th</sup> at 7 pm at the Harbour Breeze in Harbour Grace.
- l) NL English School Board – Manager of Communications  
RE: Invitation for the Mayor to attend opening of Carbonear Academy, Wednesday at 11 am.  
Copied to the Mayor.

6. Committee Reports

a) Development Committee

**Motion 15-140**

**D. Kennedy / F. Butt**

*Resolved to issue a permit for the construction of a garage at 154 Forest Road per application submitted with the amended location per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*

Favour 6; Opposed 0; **Carried**

**Motion 15-141**

**D. Kennedy / B. Trickett**

*Resolved to approve a permit to replace existing shed situate at the Line Road per the application submitted, per the Town of Carbonear Municipal Plan and Development Regulations and upon receipt of applicable approvals from the Department of Environment and Conservation and other applicable government departments and agencies.*

Favour 6; Opposed 0; **Carried**

**Motion 15-142**

**D. Kennedy / F. Butt**

*Resolved to approve the construction of a garage situate at 21A Water Street as per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.*

Favour 6; Opposed 0; **Carried**

**Motion 15-143**

**D. Kennedy / E. Goff**

*Resolved to approve the construction of a shed situate at 36-40 Burnt Head Road per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies provided there is no objections or representations received to the variance proposed.*

Favour 6; Opposed 0; **Carried**

**Motion 15-144**

**D. Kennedy / B. Bowman**

*Resolved to approve the construction of an extension to a garage situate at 36–38 Burnt Head Road per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies provided there is no objections or representations received to the variance proposed.*

Favour 6; Opposed 0; **Carried**

**Motion 15-145**

**D. Kennedy / B. Trickett**

*Resolved to approve the construction of a shed situate at 33 Adelaide Street provided there are no objections to the variance to the maximum floor area and*

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

Favour 6; Opposed 0; **Carried**

**Motion 15-146**

**D. Kennedy / F. Butt**

*Resolved to approve construction of a deck situate at 34 Southside Lower Road per application submitted where the deck will not exceed the size of the existing deck in accordance with the discretionary powers of the council per Section 10 of the Development Regulations.*

Favour 6; Opposed 0; **Carried**

**Motion 15-147**

**D. Kennedy / B. Trickett**

*Resolved to approve construction of a shed situate at 154 Water Street per application submitted in accordance with the discretionary powers of the council per Section 10 of the Development Regulations.*

Favour 6; Opposed 0; **Carried**

**Motion 15-148**

**D. Kennedy / B. Bowman**

*Resolved to approve the construction of a fence situate at 2A Ash Avenue per application submitted per exception section 8(b) of the Fence Regulations.*

Favour 6; Opposed 0; **Carried**

**Motion 15-149**

**D. Kennedy / F. Butt**

*Resolved that the Town of Carbonear approve the application to operate a business from 38 Valley Road provided no objections or representations are received from the discretionary use advertisement in the local paper, per application submitted and per the Town of Carbonear Municipal Plan and Development Regulations and other regulations and policies.*

Favour 6; Opposed 0; **Carried**

**Motion 15-150**

**D. Kennedy / B. Bowman**

*Resolved that the Town of Carbonear approve a business development application to operate an Art Gallery from 195 Water Street as per the Town of Carbonear Municipal Plan and Development Regulations and per applicable approvals from Service NL and/or other applicable government departments and agencies.*

Favour 6; Opposed 0; **Carried**

**Motion 15-151**

**D. Kennedy / E. Goff**

*Resolved that the Town of Carbonear approve the application for repairs and renovations to 131 Water Street where vinyl siding is approved on the sides and back of the building but wooden clapboard on the front with wide trims and single hung windows per the Town of Carbonear Municipal Plan and Development Regulations and per applicable approvals from Service NL and/or other applicable government departments and agencies.*

*Question:*

*Councillor Kennedy inquired if it should be three sides with clapboard and the section already completed with vinyl siding.*

*Town Administrator confirmed that as was discussed in the Development Committee the applicant indicated that he would prefer vinyl siding due to ease of maintenance and where the building was two stories high and even higher on the back, this was preferred. A suggestion made by Council during a*

*discussion session prior to the Council Meeting proposed vinyl siding on the back and sides and wood siding on the front of the building. The Town Administrator and the Director of Operations and Public Works met with property owner to discuss the development proposed and the requirements of the development regulations. The suggestion by Council was proposed along with the use of the wider corners and trims around windows to keep the original look of the building. The applicant felt that was a fair compromise and was satisfied with the proposal. He would have the siding color matched for the paint for the wooden siding.*

Favour: 4; Opposed 2; **Carried**

Deputy Mayor Frank Butt and Councillor Bowman opposed the motion.

**Motion 15-152**

**D. Kennedy / E. Goff**

*Resolved to approve the application submitted to construct a shed per the discretionary powers of Council outlined in Section 10, Part 1 of the General Development Regulations of the Town of Carbonear Municipal Plan and Development Regulations and per other applicable regulations and policies.*

Favour 6; Opposed 0; **Carried**

**Motion 15-153**

**D. Kennedy / B. Bowman**

*Resolved to approve a permit to replace a deck not to exceed the size of the existing deck at 4 Burden's Hill per the discretionary powers of Council outlined in Section 10, Part 1 of the General Development Regulations of the Town of Carbonear Municipal Plan and Development Regulations and per other applicable regulations and policies.*

Favour 6; Opposed 0; **Carried**

b) Public Works, Management & Community Service Committee

Deputy Mayor Butt presented the following recommendations from the Public Works Committee:

Deputy Mayor Butt noted that the recommendation relating to the amended Fire Department By-Laws is being deferred for further clarification with the Fire Department.

**Motion 15-154**

**F. Butt / B. Trickett**

*Resolved that the Town of Carbonear purchase a new key system from Fullerton Agencies at a cost of \$1,608.00 plus HST to supply and install a new key system for the Princess Sheila Building, Rorke Museum, Train Station and the Old Post Office.*

Favour 6; Opposed 0; **Carried**

**Motion 15-155**

**F. Butt / E. Goff**

*Resolved that the Town of Carbonear purchase a pump at a cost of \$17,753.56 + HST for the Beach Lift Station to be used temporarily until the Beach Lift Station Project can be completed as tendered.*

Favour 6; Opposed 0; **Carried**

*Councillor Kennedy inquired about the court decision on previous orders for non-compliance. Town Administrator confirmed that the court ruled in favour of the Town.*

*Councillor Goff noted that people are attaching other signs to the Town signs*

*installed in Town. Director of Operations and Public Works to have these signs removed from the Town signage.*

Council inquired about the garbage collection schedule in relation to holidays. Town Administrator advised that when there is a holiday on Monday, then collection is not until the following Friday. Originally we tried to have it so that the garbage would be picked up on the preceding Friday for those holidays, but the contractor did not agree. However, there are only two weeks in the yearly schedule that are like that.

7. Reports of Town Administrator and Department Heads

a) Town Administrator

2014-2017 Multi Year Capital Works Program

The province was waiting on the closure of the tender for the Lift Station before giving the approval to go to tender on the Lemarchant Street Project. The Pike's Lane Lift Station Project closes on Monday, June 1, at which time we will know if the tender is within the estimate provided. If so, there should be no changes required and the tender approval should be forthcoming from the province in the near future. If the tender is above the estimate, there may have to be revisions made to the proposed scope of work. In any event, the project should be able to go to tender in the near future.

2014 Audit

The auditor has commenced the audit.

Walking Trail Project

The project participants have started. They are completing the look out on the south side first. The Director is having the pond side trail marked and grubbed off by the Town's equipment so it is ready when the participants finish the pressure treated look out area.

Demolition—234 Water Street

Owner has placed the barriers and demolition has commenced to remove interior materials.

Traffic Impact Study

The Director of Operations and Public Works and I met with the consultant completing the TIS on Thursday, May 28 to provide them with information they required to complete the study. They will be installing cameras to video traffic to obtain the data they require. That information will be provided to the Town that can be used by the EDTO for marketing purposes. It will be approximately 4 weeks before the report will be available. This information has been conveyed to the prospective developer.

RCMP Musical Ride

Plans are progressing with this event. A meeting has been held with the committee which includes Councillor Goff, Councillor Tetford, Director of Recreation—Rob Button, Town Administrator—Cynthia Davis, and CAO Hr. Grace—Lisa Pike. Tickets will be printed soon so sales can commence. Tickets will be \$10 each if there are any inquiries. There will be a preshow event as well, therefore, the total show time will be approximately 1.5 to 2 hours. August 19 show date.

Legacy Fund Scholarship (2012 NL Summer Games)

Committee members Councillor Noel, Councillor Kennedy and the Town Administrator met to review the criteria for a new scholarship with the funds provided from the 2012 Summer Games. The committee will also be arranging a meeting with the Town of Hr. Grace to discuss same.

Capital Investment Plan—Gas Tax

A motion is required to approve a Capital Investment Plan Application for Gas Tax Funding. It was recommended that approximately \$300,000 be spent from the Gas Tax Allocation for road resurfacing. The following streets have been identified and a motion of council is required to approve the Capital Investment Plan.

**Motion 15-156**

**D. Kennedy / B. Bowman**

Resolved that the Town of Carbonear submit its Capital Investment Plan to the Department of Municipal and Intergovernmental Affairs for the Gas Tax Funding in the amount of \$303,732.70 for 2015 Street Paving, including Highroad South, Highroad North, Scarlet Ridge and Grasse Lane

Favour 6; Opposed 0; **Carried**

Deputy Mayor Butt inquired about ACOA Funding for the Town of Carbonear Trail Development.

Director of Economic Development advised the application deadline appears to be June 30. He noted that he has prepared an application for \$131,500 which requests 50% funding (\$65,750) from ACOA.

The application will be reviewed by the Recreation Committee and a recommendation will then be made by the Committee for Council's consideration. The Finance Committee will also need to review the application as well, to determine if Finances can be made available for the Town's commitment for this project.

8. Finance

a) **Operating Invoices:** over \$2,000.00 totaling.....32,763.06

**Motion 15-157**

**F. Butt / B. Trickett**

Resolved that the Town of Carbonear approve for payment the list of operating invoices as submitted to Council totaling \$32,763.06.

Favour 6; Opposed 0; **Carried**

9. Regulations

None listed.

10. New Business

- Councillor Kennedy advised that is piece of heavy equipment (crane) in parked on land off Forest Road extension leading in to Gunners Pond. Director of Operations and Public Works to investigate.
- Councillor Goff noted that there is garbage blowing around up at the waste recovery facility. He suggested that some fencing should be installed to contain the garbage. Town Administrator to forward a letter to Eastern Waste Management to suggest the installation of fencing at the site.
- Mayor Butt noted that the Carbonear Recreation Commission Awards Banquet is this Thursday. Mayor and Deputy Mayor will be attending another function,

Councillor Noel to bring greetings on behalf of the town. Also CBN Joint Council meeting on the same night as well. Mayor Butt asked if another Councillor could attend that meeting as well.

Mayor Butt also thanked members of Council for filling in for him by attending various events on behalf of Council.

- Mayor Butt noted that Councillor Goff and himself attended a birthday celebration for Nell Finn. Ms. Finn was the first female elected to Council and he suggested that the Development Committee consider naming a new street in her honor.
- Mayor Butt noted that he also attended the 589 AC inspection and he noted that the Air Cadets helped with the community clean up Saturday morning.

Councillor Noel entered meeting in progress.

- Deputy Mayor Butt inquired about garbage pick up for the cabin owners in Line Road. Town Administrator advised that the Town does not provide this service to that area. Eastern Waste may be able to provide that service at some point in the future, but that would be between the cabin owners and Eastern Waste directly. Deputy Mayor Butt asked if that charge gets attached to their property tax in a community. Town Administrator advised that it does not, as it does not go through our municipality.
- Deputy Mayor Butt inquired about the status of the current council photo and the re-installation of the other photos on the wall. Town Administrator to check on the current photo and re-installation of the other photos as well.
- Councillor Bowman inquired on the status of the Theatre signage. Town Administrator advised that the tender has been advertised, it closes on June 5, so there should be a recommendation to Council at the next Council meeting on this matter.

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

12. Adjournment  
**Motion 15-158** **F. Butt / R. Noel**  
*Resolved that the meeting adjourn at 5:06 p.m.*

---

Mayor George Butt

---

Cathy Somers, Town Clerk