

Town of Carbonear
Regular Council Meeting, March 2, 2015
Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, March 2, 2015 at 7:00 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 Recreation And Tourism Rob Button
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 7:00pm and welcomed everyone present.
 2. Adoption of Minutes
 - Regular Minutes – February 16, 2015
Motion 15-052 R. Noel / B. Trickett
Resolved that the minutes of the February 16, 2015 Regular meeting of Council be adopted as presented.
Favour 6; Opposed 0; **Carried**
 3. Business Arising From Minutes
None
 4. Delegations
No delegations listed.
 5. Correspondence, Permits & Development
 - a) List of Permits Issued # 6613 – 6620 (List attached)
Motion 15-053 D. Kennedy / B. Bowman
Resolved to approve the list of permits #6613-6620 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

a) 5 Blueberry Crescent

Request for exemption to Noise By Law until 3am on July 11, 2015 for an outdoor wedding and also on August 7, 2015 for a family reunion. Councillors Goff and Noel declared a conflict of interest on the matter and left the meeting.

Motion 15-054

D. Kennedy / B. Trickett

Resolved to approve an exemption to the Noise By Law until 3am on July 11, 2015 for an outdoor wedding and on August 7, 2015 for a family reunion, both events taking place at 3 Blueberry Crescent.

Favour 4; Opposed 0; **Carried**

Councillors Goff and Noel were called back into the meeting.

b) Fish, Food and Allied Worker

Request that the Town of Carbonear forward a letter to Minister of Fisheries and Oceans in support of fairer allocation system for northern shrimp and Proclamation to be signed.

Motion 15-055

D. Kennedy / B. Bowman

WHEREAS most of the coastal municipalities in Newfoundland and Labrador were founded because of the fishery; and

WHEREAS the principle of adjacency has been formally and informally applied to the NL fisheries for decades; and

WHEREAS the principle of adjacency means that those who live closest to the resource should be the main beneficiaries of the harvesting of that resource; and

WHEREAS in 1997 the NL inshore fleet entered the shrimp fishery and received a commitment from the Federal Fisheries Minister that adjacency would be a guiding principle for any future northern shrimp allocations; and

WHEREAS inshore shrimp harvesters, processors, and municipalities invested millions of dollars in equipment, construction, and infrastructure to support the inshore shrimp fishery; and

WHEREAS the inshore shrimp fishery currently supports close to 3000 direct jobs in harvesting and processing, the vast majority of which are located in rural NL; and

WHEREAS Fisheries and Oceans Canada (DFO) adopted a policy in 2007 known as Last In-First Out (LIFO) that abandoned adjacency and favoured the offshore shrimp fleet; and

WHEREAS if LIFO continues to be applied, it will cause significant economic damage harvesters, plant workers, local businesses, and towns;

THEREFORE be it resolved that Council of the Town of Carbonear requests:

- that Fisheries and Oceans Canada abandon LIFO and reassert adjacency as the guiding principle for the allocation of northern shrimp; and that*
- that priority access to shrimp fishing area 6 – that which is most adjacent to the province of NL – be given to the NL inshore fleet and any adjacent special allocation license holders.*

Favour 6; Opposed 0; **Carried**

5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

a) Canadian Heritage

RE: World War Commemorations Community Fund

Forwarded to Recreation, Tourism & Culture Committee

b) Trinity Conception Placentia Health Foundation

Request for donation of one hour use of the pool and multipurpose room in support of the Trinity Conception Placentia Health Foundation 24th Annual Auction, held on Saturday, June 6, 2015 at the Harbour Breeze

Copied to the Director of Recreation and Tourism

- c) Knights of Columbus
Request for donation to the Regional Speak Off
Forwarded to Finance, Human Resources & Administration Committee
- d) Property owner O'Driscoll's Lane
Concern with Fire Hydrant marker
Forwarded to Public Works, Waste Management and Community Service Committee
- e) Resident
RE: Dog Park concern
Forwarded to Recreation, Tourism & Culture Committee
- f) Fire & Emergency Services
RE: Online Incident Reporting System
Copied to Town Administrator and the Fire Department
- g) Property Owner Winter Place
RE: Inquiry on Crown Land
Forwarded to Development Committee
- h) Department of Environment and Conservation
RE: ACWWA Education Workshop, St. Johns, April 7, 2015
Copied to the Director of Operations and Public Works.
- i) Town Clerk, Small Point-Adams Cove
Request for support in the nomination of Avalon Director 2015 Board Member (PMA)
Copied to Town Clerk and Town Administrator
- j) Voice for the Voiceless
RE: Promotion of healthy living for animals – Animal Welfare
Forwarded to Public Works, Waste Management and Community Service Committee
- k) Office of Public Engagement
RE: Urock Volunteer Awards
Copied to Recreation, Tourism & Culture Committee
- l) Service NL – Motor Registration
RE: Certification of official inspection
Copied to the Director of Operations and Public Works, Placed on file.
- l) Municipalities NL
February 27, 2015 – Info Note (Drinking Water Workshop)
Copied to Council
- m) Newfoundland Liquor Corporation
RE: Renewal application for liquor licence for Fire Department
Copied to Town Administrator and Fire Department

- n) Department of Municipal and Intergovernmental Affairs
RE: Year End Claims for Municipal Infrastructure Programs
Copied to Town Administrator, placed on file
- o) Harris & Associates
RE: Sewage Lift Station Upgrading – Pikes Lane
Award of tender to Newfound Construction Ltd in the amount of \$596,939.45
Copied to Town Administrator, Director of Operations and Public Works,
Placed on file
- p) NL Public Health Laboratory, Test results of water samples collected on February 17 & 19, 2015 @ Department of Justice and the TC Square Mall . Results marked satisfactory. Placed on file.
- q) Minister of Transport
RE: In response to sent regarding Canada Post announcement of a Five Point Action Plan copied to MP, Lisa Raitt.
Copied to Town Administrator, Placed on file.
- r) Department of Municipal Affairs
RE: Amendments to appeal provisions in the Urban and Rural Planning Act, 2000.
Forwarded to Development Committee

6. Committee Reports

- a) Public Works, Waste Management & Community Services
Councillor Noel presented the following motions as recommended by the PWM&CS Committee:

Motion 15-056

R. Noel / B. Trickett

Resolved that the Town of Carbonear approve the purchase of a PLC Program Re-Write from Industrial Engineering & Automation Solutions Ltd for the pump at Woodwynd Heights at a cost of \$3,800 plus HST.

Favour 6; Opposed 0; **Carried**

Councillor Noel mentioned that there is some further investigation being done on the GoBag issue.

Motion 15-057

R. Noel / B. Bowman

Resolved that the Town of Carbonear purchase a 2015 3500 Reg Cab Chassis at a cost of \$47,140 plus HST.

And Be If Further Resolved to request an approval to borrow from a chartered bank offering the lowest lending rate for a term of 60 months.

Favour 6; Opposed 0; **Carried**

Councillor Kennedy raised concerns about a recent situation where after construction of a new home, the neighbouring property was experiencing water pooling on their property. Councillor Kennedy inquired if there is any way that Council could address this issue to ensure that new development does not cause difficulty and problems for other neighbouring properties.

Councillor Goff noted that there are other similar issues in other areas of town as well.

Director of Operations and Public Works to investigate further.

Town Administrator noted that our staff did make suggestions to the property owner to correct the situation of water pooling on his property.

Councillor Kennedy noted that he would like a comparable listing of the number of vehicles we have in comparison to other similar sized municipalities.

b) Finance Meeting

Councillor Noel presented the following motions as recommended by the Finance Committee:

Motion 15-058

R. Noel / B. Trickett

RESOLVED, upon application having been made by the Clerk, that pursuant to s.139 Of the Municipalities Act, 1999, the Clerk is hereby directed to sell the real property situated at 234 Water Street, in the Town of Carbonear.

Favour 6; Opposed 0; **Carried**

Motion 15-059

R. Noel / D. Kennedy

Resolved that the Town of Carbonear adjust the Water & Sewer Tax to \$1,000 on Account Number 112328 for taxation year 2015 and future years while the building is vacant.

Favour 6; Opposed 0; **Carried**

Motion 15-060

R. Noel / B. Trickett

Resolved to approve for payment the list of operating invoices in the amount of \$12,469.20 as submitted to council.

Favour 6; Opposed 0; **Carried**

Motion 15-061

R. Noel / B. Bowman

Resolved to issue a credit of \$872.09 to the Business Tax on Account 113267 for the period the business is not operating in 2015.

Favour 6; Opposed 0; **Carried**

Motion 15-062

R. Noel / D. Kennedy

Resolved that the Town of Carbonear migrate their current employees who were enrolled in pension option #1 or pension option #3 at December 31, 2012 to pension option #12 and pension option #10 respectively, effective retroactively to January 1, 2013 and

Be It Further Resolved that all employees or new hires entering the Town's pension plan after January 1, 2013 will be enrolled in either option #1 or option #3.

Favour 6; Opposed 0; **Carried**

Motion 15-063

R. Noel / B. Trickett

Resolved that the Town of Carbonear make application under the Firefighter Equipment Program to purchase various fire fighting equipment in the amount of \$64,681.20 on an 80/20 basis (Provincial/Municipal) with the town's portion totaling \$12,876.24

Favour 6; Opposed 0; **Carried**

7. Reports of Town Administrator and Department Heads

a) Director of Operations & Public Works

Director of Operations & Public Works advised that his report had been previously forwarded to all Council members. He offered to address any questions Council may have on his report.

He brought the following items to Council's attention:

- One of the pumps at our lift station has failed. We have no option but to do the repairs as it is estimated to be 22-24 weeks for final completion of the lift station upgrade. I have considered all options including the rental of a pump but this was \$3500 per month. I cannot find a more cost effective option than repairing our existing pump. The cost of repairing our pump is \$8,000 - \$10,000. This is being done as an emergency repair.
- 2006 Ford pickup. – I am requesting approval to dispose of this asset. The pickup has been in an accident and has been taken off the road. Another vehicle backed into our truck causing damage valued at \$3661.60. This amount is being paid to the town by the other drivers insurance. The truck is not being repaired. I am requesting we dispose of the vehicle for \$499.00 + tax. Disposal of assets for under \$500 do not require tendering. This will net the town \$4160.00 which well exceeds the pre-accident value of the truck.

Motion 15-064 **R. Noel / B. Trickett**

Resolved that the Town of Carbonear dispose of the 2006 Ford Pickup for the price of \$499.00 + HST.

Favour 6; Opposed 0; **Carried**

8. Finance

- a) **Operating Invoices:** over \$2,000.00 totaling..... \$12,469.20
Motion obtained earlier in the Finance & Administration Committee Report

9. Regulations

None listed.

10. New Business

- a) Traffic Regulations – Ticketing
Ticketing for all non moving violations will start next week.
- b) Carbonear Volunteer Fire Department Executive for 2015

Motion 15-065 **B. Bowman / R. Noel**

Resolved that the Town of Carbonear approve the Carbonear Volunteer Fire Department Executive for 2015 as follows:

Chief – Brent Sweeney

1st Assistant Chief – Adam Earle

2nd Assistant Chief – Keith Keough

Captain – Jeff Squibb

Captain – Eddie Wrice
Lieutenant – Steve Barrett
Lieutenant – Scott Mullins
Secretary – Ken Burke
Treasurer – Ed Kavanagh

Favour 6; Opposed 0; **Carried**

- c) Swimming Pool Fee Exemption

Motion 15-066

R. Noel / B. Trickett

Resolved that the Town of Carbonear adopt Policy P.4 under Recreation for Swimming Pool Fee Exemption for Municipal Staff and Fire Fighters.

Favour 6; Opposed 0; **Carried**

11. Notices of Motion

These are items being suggested for Clearing.

- a) Snow Clearing Regulations

Notice of Motion R. Noel / B. Bowman

Resolved that the Town of Carbonear adopt the revised Snow Clearing Regulations.

- b) Parking of Commercial Vehicle Regulations

Notice of Motion R. Noel / E. Goff

Resolved that the Town of Carbonear adopt the revised Parking of Commercial Vehicle Regulations.

12. Adjournment

Motion 15-067

R. Noel / B. Bowman

Resolved that the meeting adjourn at 7:30 p.m.

Mayor George Butt

Cathy Somers, Town Clerk