

**Town of Carbonear
Regular Council Meeting, April 18, 2016**

Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, April 18, 2016 at 4:00 p.m.

Members Present: Mayor George Butt
Deputy Mayor Frank Butt (via teleconference)
Councillors Bill Bowman
David Kennedy
Brenda Trickett

Members Absent: Councillor Ray Noel
Ed Goff

Also Present: Chief Administrative Officer Cynthia Davis
Town Clerk Cathy Somers
Director of Operations & Public Works Brian O'Grady
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 – April 4, 2016
Motion 16-058 **D. Kennedy / B. Bowman**
Resolved that the minutes of the April 4, 2016 Regular meeting of Council be adopted as presented.
Favour 5; Opposed 0; **Carried**
3. Business Arising From Minutes
No business arising
4. Delegations
None listed
5. Correspondence, Permits & Development
 - a) List of Permits Issued #7176-7190 (List Attached)

Councillor Bowman declared a conflict of interest on Permit # 7176 as this permit was for his brother-in-law.

Motion 16-059 **D. Kennedy / B. Trickett**

Resolved to approve the list of permits #7177 – 7190, as per applications received and per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.

Favour 5; Opposed 0; **Carried**

Councillor Bowman then left the Council Chambers

Motion 16-060 **D. Kennedy / B. Trickett**

Resolved to approve permit #7176, as per the application received and per the Town of Carbonear Municipal Plan and Development Regulations and other applicable regulations and policies.

Favour 4; Opposed 0; **Carried**

Councillor Bowman was called back into the meeting.

- b) Development Applications (Not yet reviewed)
 - New dwelling – 7 Easton Place
 - Subdivide property & construct new dwelling – Tyre’s Drung

5.1 Correspondence, requiring Council’s decision

- a) Miles for Smiles – April is Child Abuse Prevention Month
Proclamation to be signed

Motion 16-061 **B. Bowman / B. Trickett**

***Whereas:** Between 2006 and 2012, 10,897 violent crimes were reported against children under the age of 18 in Newfoundland and Labrador. (Most recent statistics available)*

***Whereas:** Child Abuse Prevention Month began in 1983 to raise awareness of the alarming rates at which children were being abused and neglected; and*

***Whereas:** Every child deserves to grow up in a healthy, safe and nurturing environment; and*

***Whereas:** Child abuse continues to be one of our nation’s most serious health problems. Studies have shown child abuse and neglect causes psychological, emotional, and physical harm which can create lifelong problems for victims of abuse; and*

***Whereas:** Child abuse and neglect impacts our entire society and our society’s future; and*

***Whereas:** Child abuse prevention is a community responsibility and finding solutions depends on the involvement of all people; and*

Whereas: *this month, we emphasize the importance of understanding the devastating problem of child abuse and neglect, and commit to learn more about the behavioural and physical signs of possible abuse.*

Therefore the Town of Carbonear hereby proclaims the month of April 2016 to be Child Abuse Prevention Month in Carbonear, and urge all citizens to work together to help reduce child abuse and neglect significantly in years to come.

Favour 5; Opposed 0; **Carried**

b) **Motion to adopt**

Municipal Plan Amendment No. 22, 2016 and Development Regulations Amendment No. 32,

Motion 16-062 **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. 22, 2016 and Development Regulations Amendment No. 32, 2016.

Favour 5; Opposed 0; **Carried**

5.2 Correspondence received and action taken

Council reviewed the following correspondence and action taken:

a) Municipalities NL

- Municipal Symposium agenda
- Emergency Preparedness
- April 6 – Envirofest 2016 Grant
- Info Note – April 15
- Tidy Towns Registration

Copied to Council, Placed on file

b) Department of Municipal Affairs

RE: Real Property Tax Exemption for Productive Farm Land, Woodland and Associated Buildings

Copied to Chief Administrative Officer

c) NL Public Health Laboratory, Test results of water samples collected on March 16 @ Public Water Supply, TC Square Mall, Dept of Justice and Bemister's Hill. Results marked satisfactory. Placed on file.

d) Atlantic Infrastructure Management Network

RE: Conference and workshop (asset management planning) (June 20-21)

- e) Copied to Chief Administrative Officer
Luxury Estates Retirement Home and Cottages
Invitation for the Mayor to attend the 10th anniversary open house, Saturday, April 30
The Mayor will be attending.
- f) St. Patrick's Organic Community Garden
Thank you to the Town for their support and also to advise this garden year's opening is scheduled for early June.
Copied to Council, Placed on file.
- g) Community Sector Council of NL
Confirmation of a grant in the amount of \$100 for Volunteer recognition celebrations.
Placed on file.
- h) Workplace NL
RE: OH&S Workshop and Webinar
Copied to Chief Administrative Office and Dept Heads
- i) McDonald's Restaurant
RE: McHappy Day Wednesday May 4.
The Mayor and CAO will participate
- j) Department of Justice & Public Safety
Effective September 1, 2016, ticket processing fee will increase from \$7 to \$9 per ticket.
Copied to Chief Administrative Officer and Municipal Enforcement Officer
- k) Property owner
Inquiry on land off Forest Road
Forwarded to Development Committee
- l) Department of Environment and Conservation
RE: Permits to construct (water and wastewater infrastructure)
Copied to Chief Administrative Officer and Director of Operations and Public Works, Placed on file.
- m) Advanced Education and Skills
RE: discontinuation of JobsinNL website effective April 1, 2016. Placed on file
- n) MP Ken McDonald
RE: Summer events and CIP 150 funding initiative
Copied to council, placed on file.

6. Committee Reports

- a) None listed.

7. Reports of Chief Administrative Officer and Department Heads

a) Chief Administrative Officer

CAO reviewed the following from her report:

1. Financial Report was previously distributed. Any questions can be addressed to the CAO.
2. Surplus Land Available for Sale
The tender has been advertised for 27 Willoughby Drive and 48—52 Janes Avenue. The tender will close on April 27th. The advertisement and package is attached for your information.
The parcel of Land on Goff Avenue can now be advertised for sale as well. This will be reviewed further with the Development Committee for recommendation to Council.
3. Pool Changerooms Design Fee
The quote to complete the floor plan and design and materials selection, colours, etc for tendering the project is \$4,086. This includes both changerooms. This quote seems reasonable. A motion will be required to approve the consultant for the quote provided.

Motion 16-063

F. Butt / B. Trickett

Resolved to approve Amec Foster Wheeler to complete the floor plan design, materials and colour selection required for tender of the Change Room Renovation Project at the Carbonear Swimming Pool in the amount of \$4,086.

Favour 5; Opposed 0; **Carried**

4. Approval to Sign Contract of Amec Foster Wheeler

Previously an approval was received from Council to contract Amec Foster Wheeler to be the consultant to construct the new depot. As the Town has decided to purchase a new building, a new motion is required to approve Amec Foster Wheeler as the consultants for the renovations of the building to be purchased for the new depot.

Motion 16-064

D. Kennedy / B. Trickett

Resolved to approve Amec Foster Wheeler as Prime Consultant on the renovations of the building situate 1 and 1A Pike's Lane for a Town of Carbonear Public Works Depot for a consultant fee of \$94,500 plus HST.

Favour 5; Opposed 0; **Carried**

5. Approval to Borrow—Public Works Depot

The prime consultant has provided a preliminary estimate (=/- 30%) at this point for the total project cost including purchase of the building for a new depot of \$1.53 M. An approval to borrow is required to be requested from the Department of Municipal and Intergovernmental

Affairs for this project. A motion of Council is required.

Motion 16-065

B. Trickett / B. Bowman

*Resolved to request an approval to borrow from the Department of Municipal and Intergovernmental Affairs in the amount of \$1.53 M for the purchase and renovation of the building and land at civic number 1 and 1A Pike's Lane for a Public Works Depot; and
Be it further resolved to borrow the funds from Scotiabank for a term of 5 years to be amortized over 20 years at the best lending rate that can be provided.*

Favour 5; Opposed 0; **Carried**

6. Reallocation of Lift Station Surplus to Lemarchant Street

The Prime Consultant has advised that there is a surplus of \$91,153.70 from the Lift Station Project. A request is required to be sent to the Department of Municipal and Intergovernmental Affairs to reallocate the surplus funds from the Lift Station Project to the Lemarchant Street, Phase II Project. A motion of Council is required.

Motion 16-066

D. Kennedy / B. Trickett

Resolved to request approval from the Minister of Municipal and Intergovernmental Affairs to reallocate approved funds under the Multi-Year Capital Works for the Town of Carbonear in the amount of \$91,153.70 that has been identified as surplus under Project No. MA 17-MYCW-15-00064 (Pike's Lane Lift Station) to Project No. MA 17-MYCW-15-00065 (Lemarchant Street Phase II).

Favour 5; Opposed 0; **Carried**

7. Metals Collection

The Town has been completing a metals collection the last Friday of the month. There have been a number of calls inquiring about the date of the next collection. I just wanted to confirm that it is Council's intention to continue with the collection and if so, the next collection will be scheduled for Friday, April 29.

Council advised to continue with the next collection on Friday, April 29 as suggested.

8. PMA Conference

CAO and Town Clerk will be attending the PMA Conference in St. John's commencing on Wednesday, April 20 to Friday, April 22, 2016.

9. Amendments to Motions

An amendment is required to the following Approval to Borrow motions to clarify that the term and amortization period corresponds with the

bank letter.

Motion 16-067

B. Trickett / D. Kennedy

Resolved to amend motion 16-054 to the following:

Resolved that the Town of Carbonear award the tender of the new tandem axle dump truck to Royal Freightliner, Mount Pearl, in the amount of \$156,080 plus HST; and

Be It Further Resolved to request an approval to borrow from the Department of Municipal and Intergovernmental Affairs in the amount of \$165,444 from Scotiabank at an interest rate of prime plus 0.25% for a term of 5 years, amortized over 10 years.

Favour 5; Opposed 0; **Carried**

Motion 16-068

D. Kennedy / B. Bowman

Resolved to amend motion 16-055 to the following:

Resolved that the Town of Carbonear submit a request to the Department of Municipal and Intergovernmental Affairs for an approval to borrow for the purchase of a sweeper in the amount of \$164,900 + HST = \$186,337; and

Be It Further Resolved to request an approval to borrow from the Department of Municipal and Intergovernmental Affairs in the amount of \$174,793 from Scotiabank at an interest rate of prime plus 0.25% for a term of 5 years amortized over 7 years.

Favour 5; Opposed 0; **Carried**

Motion 16-069

B. Trickett / D. Kennedy

Resolved to amend motion 16-042 to the following:

Resolved that the Town of Carbonear award the tender for the purchase of a trailer mounted sewer/vacuum unit as tendered, to the lowest bidder, Saunders Equipment, in the amount of \$157,183.00

(HST included); and

Be It Further Resolved to request an approval to borrow from the Department of Municipal and Intergovernmental Affairs in the amount of \$147,445 from Scotiabank at an interest rate of prime plus 0.25% for a term of 5 years, amortized over 7 years.

Favour 5; Opposed 0; **Carried**

b) Director of Operations and Public Works

Pikes Lane / Beach effluent station.

The final commissioning took place on Thursday, April 14, 2016. Only a few minor deficiencies were identified and will be corrected by the contractor. None of the deficiencies affect the normal operation of the system; therefore the system was put in service around 3:30pm Thursday, April 14, 2016.

Shift Work is now over for the season. After hours call in will be used if necessary.

New Depot:

- The seller has a copy of the purchase and sale agreement for review and signing.
- The consultant has provided us with a signed copy of our contract for their services. Town signing is required.
- The consultant has provided the town with a preliminary layout for review. They have also provided us with a preliminary estimate that can be used for financial planning. (as reported by the CAO)
- The outside workers have been informed of the Town's plans to relocate to the Pikes Lane site. This was well received by the staff.
- The Director of Operations has reviewed the preliminary layout and will meet with the consultant to discuss it further. Once this is complete we can proceed with the design work/construction drawing in preparation for tender.
- The project is scheduled to be complete on or before Nov 11, 2016.

We continue to work on our roads whenever the weather permits.

The old sweeper has gone up for sale by tender. The minimum bid is \$5500.00. I anticipate doing a little better than minimum.

The sander that was in the Sterling Dump truck was small for the size of the truck. Due to the small volume (weight) of sand the truck lacked traction for plowing and sanding. We moved this sander to one of the 1 ton, dual wheel trucks. This works well in the smaller truck. I would recommend we purchase a tail gate sander for the Sterling. This will allow us to completely load the truck giving the weight needed for sanding and plowing. The funds to purchase of this tailgate sander can be obtained from the proceeds of the disposal of the old sweeper. The cost of the sander will be approx. the same as the proceeds from the sale. Council approval would be required.

Discussed. Deferred for review by the Works Committee.

We should have approval from Municipal Affairs on the Hoyle's Rd/Tyres Drung cross connection within the next couple of weeks, hopefully by the end of April. There is enough funds remaining from the Pikes Lane effluent station to cover the cost of the cross connection. The CAO is making a request to the minister to have these funds reallocated to the LeMarchant Rd. project for this purpose. Two pumphouses on the north side.

I have compiled a list of asphalt work and concrete work for this year. If any councilors have something that they feel should be added to this list, please let me know and I will investigate the area.

This will be presented at the next Works Committee meeting.

2005 624J Loader:

We have identified an oil leak and brake issue with the rear axle of this loader. We had the mechanic from NorTrax (John Deere Dealer) stop by our garage. The mechanic informed us that the axle would have to be pulled out to determine the problem. The loader was sent to St. John's and the axle was dismantled. The diagnosis was poor. Replacement of the axle is recommended at a cost in the \$30,000 - \$35,000 range (quote attached).

Equipment repair budget is fairly substantial.

Motion 16-070 **D. Kennedy / B. Bowman**

Resolved that the Town of Carbonear contract Nortrax to complete repairs to the 2005 624J Loader as quoted in the range of \$30,000 - \$35,000.

Favour 5; Opposed 0; **Carried**

Signage for road signs for the Powell/Columbus/Fox Farm Road intersection and the Goff/Columbus/Forest Road intersections cost approximately \$470 each and there are 12 signs plus the cost of installation.

Deferred for review by the Works Committee.

LED lights for Canadian Tire were in budget for that intersection, so they have all been retrofitted and installed now.

c) **Director of Recreation**

Pool & Rec Maintenance

- 1.) Replaced a few of the signs at the pool. A couple were weathered and needed replacing. I also have a new rule sign for male change room. Printing of the sign is done differently so letters can not be picked off.
- 2.) After a couple of months of trying to determine minor problem with scrubber, as the brush pad would keep cutting out, I was able to find a technician to assess it for us. Problem has been identified and parts have been ordered.
- 3.) Seasonal Maintenance will start the first week of May. Interviews for the seasonal positions are being completed tomorrow morning.

- 4) Tenders for the Garage were opened on Friday. A total of 7 packages were received. I am recommending a motion to award the tender for the tender package for the Storage Garage at the Recreation Complex be awarded to MJR Masonry, in the amount of \$35,990.00 lowest bidder tax included.

Motion 16-071

B. Trickett / D. Kennedy

Resolved that the Town of Carbonear award the tender contract for the Storage Garage at the Recreation Complex to the lowest bidder, MJR Masonry in the amount of \$35,900 HST included.

Favour 5; Opposed 0; **Carried**

Financial & Program Analysis

	<u>2016</u>	<u>2015</u>
1.) Pool Revenue -January 21 st (less HST)	\$84,363.40	\$80, 302.75
2.) Lesson Registration	524	508
3.) Pool Visitation	11,101	9560

Programs & Grants

- 1.) The second wave of the Swim to Survive program has begun. This program will finish by the first part of June.
- 2.) As the summer months are nearing, and planning for several events and programs need to start, I will be contacting the different groups and having meetings next week.

8. Finance

- a) Operating Invoices: over \$2,000.00 totaling \$114,230.57

Motion 16-072

B. Trickett / B. Bowman

Resolved that the Town of Carbonear approve for payment the list of operating invoices in the amount of \$114,230.57 as submitted to council.

Favour 5; Opposed 0; **Carried**

- b) Capital Invoices:

Lift Station Upgrading – Pike’s Lane Part A

Newfoundland Construction Ltd, Claim #2.....\$ 53,875.58

Lift Station Upgrading – Pike’s Lane Part A

Newfoundland Construction Ltd, Claim #3.....\$ 89,378.03

Lift Station Upgrading – Pike’s Lane Part A

Harris & Associates, Invoice #. 5995.....\$ 2,777.28

Street Upgrading & Paving (2015) Gas Tax

Concord Paving Ltd, Claim 1..... \$107,910.96

Total Capital Invoices..... \$253,941.85

Motion 16-073

B. Trickett / D. Kennedy

Resolved that the Town of Carbonear approve for payment the list of capital invoices in the amount of \$253,941.85 as submitted to council.

Favour 5; Opposed 0; **Carried**

9. Regulations

No regulations listed.

10. New Business

Mayor Butt noted that when an item is referred to a committee of council, then it should remain with that Committee, and should not be raised by a different committee.

Councillor Bowman noted that it gets confusing when an issue is brought up at one committee but then, reviewed in another committee. For example the fence at the Rorke Museum was brought up in Recreation, but then resurfaced in the Works Committee.

Mayor Butt noted that the provincial budget hasn't affected the LTC facility. It is still scheduled to open in the fall. The funds for ambulatory entrance has not been obtained, but they will try for that again at a later time.

Mayor Butt noted there is a meeting in Hr. Grace about the closing of the courthouse. This is a concern to the entire CBN region, Mayor Butt noted that it will be placed on the agenda for CBN Joint Councils meeting next week. The meeting is scheduled for next Thursday in North River.

Mayor Butt noted that he will be attending the Municipal Symposium, next Thursday, Friday and Saturday.

11. Notices of Motion

No notices of motions were filed.

12. Adjournment

Motion 16-074

F. Butt / B. Bowman

Resolved that the meeting adjourn at 4:58p.m. with next meeting scheduled for May 2nd, 2016 at 4:00p.m.

Mayor George Butt

Cathy Somers, Town Clerk