

**Town of Carbonear**  
**Regular Council Meeting, April 6, 2009**  
Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, April 6, 2009 at 7:30pm

**Members Present:**

Mayor	Sam Slade
Deputy Mayor	Edward Slade
Councillors	Gladys Mercer
	Jim Burden
	Terry Emberley
	John Comerford
	Fred Earle

**Also Present:**

Town Administrator	Cynthia Davis
Town Clerk	Cathy Somers
Director of Operations & Public Works	Brian O'Grady

- 
1. Calling of Meeting to Order  
Mayor called the meeting to order at 7:40 pm and welcomed everyone present at the meeting.
  2. Adoption of Minutes
    - a) March 17, 2009 Regular Meeting  
**Motion 09-099** **F. Earle / E. Slade**  
*Resolved that the minutes of the March 17, 2009 Regular meeting of council be adopted as presented.*  
Favour 7; Opposed 0; **Carried**
  3. Business Arising From Minutes
  4. Delegations  
No delegations present to speak.
  - 5.1 Correspondence, Permits & Development
    - a) List of Permits # 4266 - 4273.  
**Motion 09-100** **E. Slade / J. Comerford**  
*Resolved that the Town of Carbonear approve the list of permits # 4266-73 as presented to Council.*  
Favour 7; Opposed 0; **Carried**  
Councillor Comerford reviewed the recommendations from the Development Committee on the following items:
      - ▶ Development Request, Libertons Hill  
**Motion 09-101** **J. Comerford / F. Earle**  
*Resolved that the Town of Carbonear recommend that upon receipt of the Deed of Conveyance of the property, and development application with required easements, Council will proceed with the zoning amendment for the property.*  
Favour 7; Opposed 0; **Carried**
      - ▶ Development Application, 24 O'Driscoll's Lane

**Motion 09-102**

**J. Comerford / F. Earle**

*Resolved that the Town of Carbonear approve a permit for the construction of a ramp to the residence as 24 O'Driscolls Lane as per the revised plot plan and application as submitted and in accordance with the Carbonear Municipal Plan and Development Regulations.*

Favour 7; Opposed 0; **Carried**

- ▶ Sewer Upgrade LeMarchant Road

**Motion 09-103**

**J. Comerford / F. Earle**

*Resolved that the Town of Carbonear contract Harris & Associates to prepare a cost estimate to upgrade the 8" sewer main to a 12" sewer main from Joe Taylor's Lane to Long's Hill.*

Favour 7; Opposed 0; **Carried**

- b) Application to construct a patio at 32A Southside Lower Road

Reviewed by the Development Committee.

**Motion 09-104**

**J. Comerford / E. Slade**

*Resolved that the Town of Carbonear issue a permit to construct a patio at 32A Southside Lower Road as per the application submitted and in accordance with the Carbonear Municipal Plan and Development Regulations.*

Favour 7; Opposed 0; **Carried**

- c) Application to sub-divide property and construct a single dwelling home at English Hill

Reviewed by the Development Committee.

**Motion 09-105**

**J. Comerford / G. Mercer**

*Resolved that the Town of Carbonear issue a permit to sub-divide the property located between 14-16 English Hill and 18- 22 English Hill and issue a permit to construct a single dwelling home on Lot #1 as per the application submitted and in accordance with the Carbonear Municipal Plan and Development Regulations.*

Favour 7; Opposed 0; **Carried**

- d) Development Application to sub-divide property at 32-42 Gladstone Road

Reviewed by the Development Committee.

**Motion 09-106**

**J. Comerford / E. Slade**

*Resolved that the Town of Carbonear issue a permit to sub-divide the property of 32-42 as per the application submitted and in accordance with the Carbonear Municipal Plan and Development Regulations.*

- e) Application to construct a shed at 10 Discovery Place

Reviewed by the Development Committee.

**Motion 09-107**

**J. Comerford / F. Earle**

*Resolved that the Town of Carbonear issue a permit to construct a shed at 10 Discovery Place as per the application submitted and in accordance with the Carbonear Municipal Plan and Development Regulations.*

Favour 7; Opposed 0; **Carried**

- f) Property owner, Re. Interest in acquiring Town property at the rear of their property on Whites Road

Reviewed by the Development Committee.

- g) Hickman Group of Companies, Proposal to change zoning of their vacant property on Forest Road

**Motion 09-108**

**J. Comerford / G. Mercer**

*Resolved that the Town of Carbonear proceed with a Zoning Amendment as requested for the property of 121 Columbus Drive as per the proposal and plot plan received to re-zone a section of that property to Commercial, subject to receipt of the*

*required deposit.*

Favour 7; Opposed 0; **Carried**

- h) Dept. of Environment & Conservation, Re. Crown Land Grant Application for Municipal Depot & Salt Shed on Fox Farm Road  
Reviewed by the Development Committee.
- i) Resident, Opposition to the Public Notice, Re. garage construction at 118 Forest Road.  
Reviewed by the Development Committee and deferred for discussion in privilege with Council.
- j) Property owner, Request to extend sewer main 300feet west along Valley Road.  
Referred to the Development Committee for a recommendation.
- k) Home Based Business Application from the property of 118 Valley Road.  
Referred to the Development Committee.
- l) Application for Cabin Development in Line Road.  
Referred to the Development Committee.
- m) Harbour Authority of Carbonear, Application to re-direct storm sewer away from the center of the slipway and boat storage area to along the east side of the property boundary.  
Referred to the Development Committee.

5.2 Correspondence, Requiring Council's decision.

- a) Town of Bay Roberts, Proposal for Olympic Torch Relay planning for Conception Bay North.

Town Administrator to contact Mr. Delaney to determine how their committee is being set up, either with Council members or staff members from each municipality, and to notify them that the Town of Carbonear supports their suggestion to combine efforts and planning for this event.

- b) Volunteer Week, Proclamation for April 19 - 25, 2009

**Motion 09-109**

**E. Slade / G. Mercer**

*Whereas the Town of Carbonear recognizes the enormous contribution that volunteers and voluntary, community-based organizations make to the social, cultural and economic development of our province; and*

*Whereas it has been recognized that Newfoundlanders and Labradorians contribute an astonishing 35 million hours of volunteer effort annually, resulting in a significant and positive impact on the quality of life for our citizens; and*

*Whereas the Town of Carbonear acknowledges the theme "Volunteers Light Up Communities" for Volunteer Week 2009, recognizes and shows appreciation to all our citizens who volunteer, and encourages the continuation of volunteerism  
Therefore, the Town of Carbonear Council proclaims and declares the period from April 19-25 in 2009 to be observed throughout the Town of Carbonear as Volunteer Week.*

Favour 7; Opposed 0; **Carried**

Town Administrator advised that we have an open house planned for Thursday afternoon. Office staff are sending out invitations and preparing certificates for presentation to all of the volunteer groups.

5.3 Correspondence, Received and action taken

Council reviewed the following correspondence and action taken:

- a) NL Public Health Laboratory, Results of water samples taken on March 18, 2009 at 9 Bemister's and Department of Justice and water samples taken on March 4,

- 2009 at Town of Carbonear office and J. Bemister's.  
All test results satisfactory, placed on file.
- b) Town of Lewisporte, Invitation to attend the North Atlantic Marina & recreational Boating Conference, June 18-20.  
Copied to Council. Please advise if you would like to attend.
  - c) FCM - Open Letter to Municipal Councils - Update on Federal Infrastructure Funding.  
Copied to Council. Placed on file.
  - d) CBN Slate Works Junior Stars, Request for sponsorship of ad. Forwarded to the Recreation Commission for consideration.
  - e) Complaint, regarding vacant house on Long's Hill.  
Forwarded to the Enforcement Officer for investigation and review by the Beautification Committee.
  - f) Service Canada, Re. Job Creation Partnership - "Tourism Enhancement" - Project #8248965.  
Notification that application has been received and placed on file.
  - g) 2009 Municipal Symposium, April 30-May 3, 2009  
Copied to Council. Please advise if you would like to be registered.
  - h) Department of Tourism, Culture and Recreation, Office of the Minister.  
Notification of Funding available through the Community Capital Grant Program, maximum funding available \$15,000. Application deadline is April 24, 2009.  
Forwarded to Rob Button for preparation of application for funding.
  - i) Eastern Regional Wellness Coalition, Re. 2009 Atlantic Summer Institute on Healthy and Safe Communities, June 3-5, 2009 in Charlottetown, PEI.  
Copied to Rob for consideration.
  - j) Department of Tourism, Culture and Recreation. Grant application for the 2009/2010 Community Recreation Development Grant Program.  
Application deadline is April 24, 2009. Forwarded to Rob for completion on March 25, 2009.
  - k) Request for adjustment of interest on tax account.  
Referred to the Finance Committee.
  - l) Bowling Team, Request for donation.  
Referred to the Recreation Commission.
  - m) Department of Municipal Affairs, Re. Audited 2008 Annual Expenditure Report for Gas Tax due May 29, 2009.  
Referred to the Finance Committee.
  - o) Estates Office, Request for adjustment to outstanding taxes.  
Referred to the Finance Committee.
  - p) Resident, Re. Connection to Water & Sewer Service  
Request for reduction in water/sewer connection fee for work not completed properly.  
Referred to the Works Committee for investigation and recommendation.
  - q) London Road residents, complaints, Re. Sewage backup.  
Referred to the Works Committee for investigation and recommendation.
  - r) Hr. Authority of Carbonear, Request for the Town to expropriate property.  
Referred to the Works Committee for investigation and recommendation.
  - s) Resident, Request regarding clean up of remaining residue from hydraulic hose break during snow clearing.  
Referred to the Director of Operations and Public Works for investigation.

6. Committee Reports

a) Development Committee

Reviewed under the Permits and Development Section of the meeting.

b) Works Committee

Councillor Burden presented the following recommendations from the Works Committee:

**Motion 09-110**

**J. Burden / T. Emberley**

*Resolved that the Town of Carbonear replace the pins/bushing on the back boom of the 2005 John Deere backhoe at a cost of \$3,500 in parts.*

Favour 7; Opposed 0; **Carried**

**Motion 09-111**

**J. Burden / G. Mercer**

*Resolved that the Town of Carbonear submit changes to Municipal Affairs for the road improvements for Highroad South to include curb and an additional pavement lane from Earles Lane to the entrance to the Hospital off Highroad South.*

Favour 7; Opposed 0; **Carried**

**Motion 09-112**

**J. Burden / T. Emberley**

*Resolved that the Town of Carbonear issue a \$200 credit on Invoice # 20067716 on Account 10646 to compensate for the additional work required to correct the original installation of stand pipe for the water service line to this property.*

Favour 7; Opposed 0; **Carried**

Councillor Earle asked that the Director of Operations to check the area of Highroad South near Discovery Place to determine what road repairs or improvements are needed in that area.

c) Finance Committee

Deputy Mayor Slade presented the following recommendations from the Finance Committee:

**Motion 09-113**

**E. Slade / G. Mercer**

*Resolved that the Town of Carbonear revise the original Capital Investment Plan to now include bridge upgrading at an approximate cost of \$391,000 and street upgrading and paving at an approximate cost of \$200,000.*

Favour 7; Opposed 0; **Carried**

**Motion 09-114**

**E. Slade / J. Comerford**

*The Committee recommends signing the MOU between the Dept of Human Resources, Labour and Employment, Office of Immigration and Multiculturalism and the Town of Carbonear for a total project value of \$10,000.*

Favour 7; Opposed 0; **Carried**

d) Beautification Committee

**Motion 09-115**

**G. Mercer / E. Slade**

*The Committee recommends the proposed dates (Area 1 - April 30 & 31, Area 2 - May 7 & 8, and Area 3 - May 14 & 15) for clean up and that a notice to be forwarded to residents between April 7 and 9.*

Favour 7; Opposed 0; **Carried**

**Motion 09-116**

**G. Mercer / J. Comerford**

*The Committee recommends the changes per draft including the addition of oil tanks*

*as a garbage container, bin or receptacle that is not approved for use.*

Favour 6; Opposed 1; **Carried**

Deputy Mayor Slade opposed the motion.

Councillor Mercer advised that we will continue our metal collections on Friday, April 17, 2009 as well but residents will have to call in to have the metals items listed for pick up.

Councillor Comerford inquired about tire collection.

Town Administrator advised that D & D Transport has the contract, but they are no longer set up at Simms Garage, but there may be other options available to us according to MMSB. She will investigate that further and will report back to Council when she has more information on the matter.

7. Reports from Town Administrator and Department Heads

a) Town Administrator

Report previously copied to Council.

Questions can be addressed to the Town Administrator.

Mayor Slade asked why we still do not have the Willoughby Extension proposal advertised. Town Administrator advised that we are waiting on engineering schedules. When they are available, they will be provided to the town's lawyer and we will proceed to advertise for expressions of interest in the project.

b) Director of Operations and Public Works

Brian reviewed his report with Council.

Gabions for Burkes Lane

**Motion 09-117**

**G. Mercer / E. Slade**

*Resolved that the Town of Carbonear purchase gabion cages at a cost of \$1,871.23 to construct a retaining wall at Burke's Lane.*

Favour 7; Opposed 0; **Carried**

Councillor Mercer asked if the property owner has agreed to the installation of a gabion retaining wall to replace the existing wood retaining wall. Brian advised that the property owner has agreed to the gabion retaining wall.

Ground operator kit

**Motion 09-118**

**T. Emberley / E. Slade**

*Resolved that the Town of Carbonear purchase a ground operator kit and tarp for the 2008 GMC Dump Truck for the price of \$1350 + HST for supply and installation.*

Favour 7; Opposed 0; **Carried**

**Motion 09-119**

**F. Earle / J. Burden**

*Resolved that the Town of Carbonear proceed to contract NorTrac to install the pins & bushings on the 310 John Deere Backhoe at an estimated installation cost not to exceed \$3,000.*

Favour 7; Opposed 0; **Carried**

8. Finance

a) List of Operating Invoices, totaling \$5,538.46

**Motion 09-120**

**F. Earle / J. Burden**

*Resolved that the Town of Carbonear approve for payment the list of operating invoices totaling \$5,538.46 as presented to Council.*

Favour 7; Opposed 0; **Carried** Slade/Burden 7/0

9. Regulations

10. General Business

a) Water Street, Beautification and Future Development Plans

Councillor Earle suggested that Council should set up a Committee to work on a plan for the down town area and to make improvements to the area of Water Street, Carbonear. We can probably implement some of the recommendations made in the Carbonear Island Development Strategy as it pertains to improvements to Water Street area.

Mayor Slade to consider the matter.

b) Princess Sheila Building Usage

Council discussed the concerns with the Princess Sheila Building and the request from the Carbonear Island Seniors Club to use the building for the purpose of holding their weekly meetings.

**Motion 09-121**

**G. Mercer / F. Earle**

*Resolved that the Town of Carbonear offer the use of the meeting room on the west side of the Princess Sheila Seniors Building for one night per week, either Tuesday or Thursday to the Carbonear Island Seniors Club for the purpose of holding their regular weekly meetings.*

Favour 6; Opposed 1; **Carried**

Councillor Emberley opposed the motion as he feels that the building should be made available every second Friday as well to the Carbonear Island Seniors Club.

Mr. Hayter, a member of the Princess Sheila Club was present at the meeting and asked to speak. Mayor Slade gave Mr. Hayter permission to speak. Mr. Hayter indicated that the Princess Sheila Club has been occupying the building on Friday nights even before the card games for music and entertainment.

Councillor Mercer noted that the Princess Sheila Club has used and occupied this building for the past 20 + years. Council is working with the seniors so that they have a calm quiet environment to meet and socialize. In cooperation with the Princess Sheila Club, other groups have also used the space, such as the Women's Institute and the Special Olympics.

Currently the building is occupied on Monday, Wednesday and Friday for other groups. Another night, such as Saturday or Sunday may also be provided to different groups periodically throughout the year for special functions.

Councillor Earle noted that while he was away, the provincial government made announcements on long term health care facility, school, and Iris Kirby House here in Carbonear. Councillor Earle suggested that we write a letter of thanks to Minister Kennedy for his involvement in these issues.

Town Administrator to forward letter as suggested.

Councillor Comerford passed along his condolences to Councillor Earle and family on the passing of his brother, and to Mr. Bowman and family on the passing of his mother. Council expressed their condolences as well.

11. Notices of Motion

No notices of motions were filed.

12. Adjournment  
**Motion 09-122** to adjourn at 8:35pm.  
Favour 7; Opposed 0; **Carried**

**F. Earle / J. Comerford**

---

Mayor Sam Slade

---

Cathy Somers, Town Clerk