

**Town of Carbonear**  
**Regular Council Meeting, January 5, 2009**  
Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, January 5, 2009 at 7:30pm

**Members Present:** Mayor Sam Slade  
Deputy Mayor Edward Slade  
Councillors Jim Burden  
Terry Emberley  
John Comerford  
Fred Earle

**Members Absent:** Councillors Gladys Mercer

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

- 
1. Calling of Meeting to Order  
Mayor called the meeting to order at 7:34pm and welcomed everyone present at the meeting.
  2. Adoption of Minutes
    - a) December 15, 2008 Regular Meeting  
**Motion 09-001** **E. Slade / J. Burden**  
*Resolved that the minutes of the December 15, 2008 Regular meeting of council be adopted as presented.*  
Favour 6; Opposed 0; **Carried**
  3. Business Arising From Minutes  
Deputy Mayor Slade asked if there was any response received from the Department of Municipal Affairs on the letter submitted by the Carbonear Island Seniors. Town Administrator advised that she has received no written response on this matter to date. Councillor Earle inquired about the possibility of a ladder being installed on the cribbing at the Rorke Museum. Town Administrator to check on this matter.
  4. Delegations  
None present
  - 5.1 Correspondence, Permits & Development
    - a) List of Permits, #4248 - 4253.  
**Motion 09-002** **T. Emberley / E. Slade**  
*Resolved that the Town of Carbonear approve the list of permits #4248-4253 as presented to Council.*  
Favour 6; Opposed 0; **Carried**

5.2 Correspondence, Requiring Council's decision.

- a) Newfoundland Broadcasting Company, Request for letter of support on their application for renewal of their licence for OZ-FM (CHOZ-FM), which is to be submitted to the CRTC by January 30, 2009.  
Reviewed and discussed by Council.  
Town Administrator to provide letter of support.
- b) FCM, Request for the Town of Carbonear's membership in FCM at a cost of \$661.21 for the period April 1, 2009 - March 31, 2010.  
Reviewed and discussed by Council.  
Council agreed that they would not register as a member of FCM for the 2009/2010 membership year.
- c) Plan-tech, Request for approval of Municipal Plan Amendment No. 10, 2008 and Development Regulations Amendment No. 15, 2008 and Municipal Plan Amendment No. 3, 2005 and Development Regulations Amendment No. 3, 2005.

**Motion 09-003**

**T. Emberley / E. Slade**

*Under the authority of Section 16, section 17 and section 18 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear*

- a) *Adopted the Carbonear Municipal Plan Amendment No. 3, 2005 on the 17<sup>th</sup> day of November, 2008,*
- b) *Gave notice of the adoption of the Town of Carbonear Municipal Plan Amendment No. 3, 2005 by advertisement inserted on the 2<sup>nd</sup> day and the 9<sup>th</sup> day of December, 2008 in The Compass newspaper.*
- c) *Set the 17<sup>th</sup> day of December, 2008 at 7:30 p.m. at the Carbonear Town Office for the holding of a public hearing to consider objections and submissions.*

*Now under section 23 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear approves the Town of Carbonear Municipal Plan Amendment No. 3, 2005 as adopted.*

*and*

*Under the authority of section 110, section 17 and section 110 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear*

- a) *Adopted the Town of Carbonear Development Regulations Amendment No. 3, 2005 on the 17<sup>th</sup> day of November, 2008*
- b) *Gave notice of the adoption of the Town of Carbonear Development Regulations Amendment No. 3, 2005 by advertisement inserted on the 2<sup>nd</sup> day and the 9<sup>th</sup> day of December, 2008 in The Compass newspaper.*

*Now under the authority of Section 23 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear approves the Carbonear Development Regulations No. 3, 2005 as adopted.*

Favour 6; Opposed 0; **Carried**

**Motion 09-004**

**J. Comerford / J. Burden**

*Under the authority of Section 16, section 17 and section 18 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear*

- a) *Adopted the Carbonear Municipal Plan Amendment No. 10, 2008 on the 17<sup>th</sup> day*

*of November, 2008,*

- b) *Gave notice of the adoption of the Town of Carbonear Municipal Plan Amendment No. 10, 2008 by advertisement inserted on the 2<sup>nd</sup> day and the 9<sup>th</sup> day of December, 2008 in The Compass newspaper.*
- c) *Set the 17<sup>th</sup> day of December, 2008 at 7:30 p.m. at the Carbonear Town Office for the holding of a public hearing to consider objections and submissions.*

*Now under section 23 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear approves the Town of Carbonear Municipal Plan Amendment No. 10, 2008 as adopted.*

*and*

*Under the authority of section 110, section 17 and section 110 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear*

- a) *Adopted the Town of Carbonear Development Regulations Amendment No. 15, 2008 on the 17<sup>th</sup> day of November, 2008*
- b) *Gave notice of the adoption of the Town of Carbonear Development Regulations Amendment No. 15, 2008 by advertisement inserted on the 2<sup>nd</sup> day and the 9<sup>th</sup> day of December, 2008 in The Compass newspaper.*

*Now under the authority of Section 23 of the Urban and Rural Planning Act 2000, the Town Council of Carbonear approves the Carbonear Development Regulations No. 15, 2008 as adopted.*

**Favour 6; Opposed 0; Carried**

### 5.3 Correspondence, Received and action taken

Council reviewed the following correspondence and action taken:

- a) NL Public Health Laboratory, Test results for water samples collected on December 10, 2008 at 9 Bemister's Hill and Department of Justice. All results marked satisfactory. Test results placed on file.
- b) Eastern Health - Provision of a copy of the Eastern Health's Annual Performance Report 2007/2008.  
Placed on file. Council may review at their convenience.
- c) Government Purchasing Agency, Re. 2009/2010 Expenditure Forecast for the Canada/Newfoundland and Labrador Infrastructure Programs. Request for completion of updated progress statements.  
Forwarded to Harris & Associates for completion.  
Placed on file.
- d) Winter Lights Celebrations, Re. Reminder to submit required information.  
Copied to the Director of Recreation and Tourism for completion and remittance to Winter Lights Celebrations.  
*Mayor Slade commented on the Winter Lights judging, the judges were in town for a full day and enjoyed the entertainment we provided, and the interaction with Council members, staff and members of the Special Events Committee. They also enjoyed dipping their feet in the icy Atlantic at Crockers Cove Beach. They indicated that they thoroughly enjoyed their stay in Carbonear. Mayor Slade thanked them for their visit to Carbonear.*
- e) Development Request for property located off the Service Road up from Bunkers Hill to the Carbonear By-Pass Road.  
Referred to the Development Committee for review.

- f) Mineral Lands Division, Referral Letter for application of Concord Paving Ltd. for Rock Quarry Permit at Route 70 Carbonear at Clarkes Road Intersection. Copied to the Director of Operations and Public Works for investigation. Referred to the Development Committee.
- g) Plantech, Development Regulations Amendment No. 16, 2009. Referred to the Development for consideration.
- h) Department of Municipal Affairs, Office of the Minister, Re. Refusal of funding for financial assistance to purchase a Rescue Combination Tool. Copied to the Fire Department. Placed on file.
- i) CAW, Re. Request for adoption of a resolution creating much needed manufacturing and servicing jobs in Canada. Referred to the Finance Committee for review and recommendation.
- j) Nestle Waters Canada, Re. Offer of service to provide their considerable industry knowledge to Council, and request for participation in any future discussions related to the continued sale of bottled water in our facilities, should such a matter be raised as an issue in our community. Placed on file for Council's consideration if needed.
- k) Department of Natural Resources, Geological Survey, Re. Notification of Timed-Release Open File NFLD/3026 - Till Geochemistry of the Cape St. Mary's Peninsula, Southeast NL. Placed on file.
- l) Resident, Request for information on Highroad North property appeal review results. Town Administrator responded to the request for information. Copied to Council for their information and consideration.
- m) MNL, Municipal Sustainability Self-Assessment Report December, 2008. Copied to Council. Placed on file.
- n) Municipal Assessment Agency, Assessment News Winter 2008. Copied to Council. Placed on file.

6. Committee Reports

No committee reports were filed.

7. Reports from Town Administrator and Department Heads

a) Town Administrator

Town Administrator advised that she previously distributed a report to Council. If Council has any questions on her report, they could be addressed to her.

b) Director of Operations and Public Works

Brian reviewed his report with Council.

Councillor Burden asked if the specs for the sand truck comply with government regulations. Brian confirmed that they do.

Councillor Earle asked if the Snow Clearing routes are the same as last year.

Brian advised that him and Brent are tweaking the routes, then they will be provided to Council, but the routes are very similar to last year.

Councillor Burden inquired about the Top Kick repairs. Brian advised reviewed the repairs completed on the topkick.

Councillor Earle asked if the sand/salt mixture is working well. Brian confirmed that

it is working well.

Deputy Mayor Slade asked if the equipment is working well. Brian indicated that there are continual problems with the aged equipment, repairs continuing.

Councillor Emberley asked if the tarp has been purchased for the sand/salt supply. Brian confirmed that the tarp has not yet been ordered but he will proceed to place the order.

Brian indicated that 60 tonnes of the new salt/sand was used up to December 31, 2008.

8. Finance

- a) List of Operating Invoices, totaling \$6,109.50

**Motion 09-005**

**E. Slade / F. Earle**

*Resolved that the Town of Carbonear approve for payment the list of operating invoices totaling \$6,109.50 as presented to Council.*

Favour 6; Opposed 0; **Carried**

- b) Capital Expenditure Invoices

Rorke Stores - Timber Decking

H & B Construction, Claim #1 \$117,588.59

Water & Sewer Upgrading - Phase I - Pike's Lane

Southern Construction (1981) Ltd., Claim 4 - Holdback \$ 51,451.71

Tropical Storm Chantal Damage Repairs

Harris & Associates, Invoice #4984 \$ 14,519.87

Concord Paving, Claim #2 (Enhancements) \$263,944.41

**Total**

**\$447,504.58**

**Motion 09-006**

**T. Emberley / E. Slade**

*Resolved that the Town of Carbonear approve for payment the list of capital expenditure invoices totaling \$447,504.58 as presented to Council.*

Favour 6; Opposed 0; **Carried**

9. Regulations

10. General Business

- ▶ Committee Appointments

Mayor noted that there were a couple of items.

Negotiations Committee will consist of Mayor Slade, Councillor Burden and the Town Administrator.

Mayor appointed Deputy Mayor Slade, Councillor Emberley and Councillor Mercer to the Legion Wall of Remembrance Committee. Mayor Slade will also sit on the committee. Mayor Slade asked Deputy Mayor Slade to contact Mr. Gary Laing to set up the first meeting of this committee.

- ▶ Tomorrow evening at 4:00pm, Scott Andrews will be here to meet with Council.

Councillor Emberley noted that he is very please with Mr. Andrews and noted that if you leave him a message, he will return your call.

11. Notices of Motion

No notices of motions were filed.

12. Adjournment  
**Motion 09-007** to adjourn at 8:24pm.  
Favour 6; Opposed 0; **Carried**

**E. Slade / J. Burden**

---

Mayor Sam Slade

---

Cathy Somers, Town Clerk