

Town of Carbonear
Regular Council Meeting, January 26, 2009
Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, January 26, 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 Recreation & Tourism Rob Button

Also Absent: Director of Operations & Public Works Brian O'Grady

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1. Calling of Meeting to Order
Mayor called the meeting to order at 7:34pm and welcomed everyone present at the meeting.
 2. January 5, 2009 Regular Meeting
Motion 09-008 **F. Earle / E. Slade**
Resolved that the minutes of the January 5, 2009 Regular meeting of council be adopted as presented.
Favour 6; Opposed 0; **Carried**
 3. Business Arising From Minutes
 4. Delegations
 - 5.1 Correspondence, Permits & Development
 - a) Application to construct a single dwelling at Chapel Hill
Reviewed by the Development Committee. Deferred for further investigation.
 - b) Application to construct a storage shed at 1 Garland's Lane
Reviewed by the Development Committee. Recommended for approval.
Motion 09-009 **F. Earle / E. Slade**
Resolved that the Town of Carbonear approve a permit to construct a storage shed at 1 Garland's Lane as per the application submitted and in accordance with the Municipal Plan and Development Regulations.
Favour 6; Opposed 0; **Carried**
 - c) Application to construct an extension to the existing single dwelling at 11 Bunker Hill

Reviewed by the Development Committee. Deferred for further investigation.

5.2 Correspondence, Requiring Council's decision.

a) CIBC, Internet E-mail, Telephone and Fax Agreement

Motion 09-010

J. Comerford / E. Slade

Resolved that:

1. *The Corporation execute the Internet E-mail, Telephone and Fax Agreement (the "Agreement") in the form attached to this resolution. Among other things, the Agreement authorizes Canadian Imperial Bank of Commerce ("CIBC") to act on instructions by telephone, fax and Internet e-mail from the authorized signatories of the Corporation as set out in the Corporation's General Banking Resolution and signing authorities and , in consideration of CIBC doing so, provides that the Corporation will indemnify CIBC from any loss that CIBC may suffer;*
2. *Those individuals who have been authorized to sign agreements under the Corporation's General Banking Resolution that has been provided to CIBC, are authorized for and on behalf of the Corporation to execute (under its corporate seal or otherwise) and deliver the Agreement to CIBC, whose signatures will be conclusive evidence of such approval; and*
3. *Any one of the persons designated in paragraph 2 of this resolution is authorized for and in the name of the Corporation to sign (under the corporate seal or otherwise) all such other documents and to do all such other acts and things as may be necessary or desirable to give effect to this resolution or as may be reasonably required by CIBC.*

Favour 6; Opposed 0; **Carried**

b) Stewardship Association of Municipalities Inc.

Re. Request for support to reduce the environmental impact of plastic bags.

Mayor read the letter to Council.

Councillor Earle suggested that we should encourage movement in this direction, but research further before making it mandatory. Council to research further with store owners, residents and the NLFM.

c) Princess Sheila NaGeira Theatre, Request for advance of their 2009 Budget in the amount of \$7,500.

Motion 09-011

F. Earle / E. Slade

Resolved that the Town of Carbonear issue payment of \$7,500 to the Princess Sheila NaGeira Theatre for the Town's contribution to their 2009 operating budget

Favour 6; Opposed 0; **Carried**

d) Harbour Authority of Carbonear, Request for letter of support for the Breakwater Project.

Reviewed by Council.

Council agreed to prepare a letter of support as requested for the Breakwater Project. Town Administrator to prepare the letter of support.

Deputy Mayor Slade asked if any funding has been received. Councillor Emberley advised that \$100,000 was received for engineering work on a breakwater project.

e) Harbour Authority of Carbonear, Request regarding water turn on for the Carbonear Wharf facility.

Council agreed with the recommendation, all contact for water turn on will go through Mr. Dave Earle, Harbour Supervisor.

- f) Harbour Authority of Carbonear, Request to be notified of any Town Functions and Special Events being held from the Carbonear Wharf.

Reviewed by Council.

Council agreed with the request. The Harbour Authority will be informed of any Town Functions and Special Events in the future.

Town Administrator to advise the Harbour Authority of Council's decision and copy letter to the Special Events Committee as well.

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 15, 2008 at Interfaith Home, Town of Carbonear Office, Midtown Restaurant and Department of Justice. All results marked satisfactory. Test results placed on file.
- b) Children's Wish, Letter of thanks and Certificate of Appreciation. Placed on file.
- c) Department of Environment and Conservation, Water Resources Management Division, 2008 Summer Drinking Water Quality Report for Carbonear. Reviewed by the Town Administrator. Report within acceptable limits. Placed on file.
- d) Department of Municipal Affairs, Request for 2009 Budget. Budget submitted to Municipal Affairs in December, 2008 after it was adopted by Council.
- e) The NL Lung Association. Notification of the launching of their "Work to Be Smoke Free" project aimed at partnering with workplaces to create smoke free environments and assist employees quitting smoking. Placed on file.
- f) Request for development on Liberton's Hill. Referred to the Development Committee.
- g) CBN Slate Works Junior Stars, Host of the 2009 Don Johnson Cup, Request for financial support. Referred to the Recreation Commission.
- h) Request for property tax exemption. Referred to the Finance Committee.
- i) Request for tax and interest adjustment. Referred to the Finance Committee.
- j) Mariner Resource Opportunities Network Inc., Request for nominations for the "Employer of Merit Award". Forwarded to Rob Button for consideration. Placed on file.
- k) Department of Municipal Affairs, Re. The Calculation of Interest on Overdue Tax Accounts. Notification that municipalities can only charge simple interest and not compound interest on overdue tax accounts. Town of Carbonear currently uses the simple interest method. Placed on file.
- l) Department of Environment and Conservation, Water Resources Management Division, Re. Notification of the 2009 Clean and Safe Drinking Water Workshop - Rural

Reactions and Remedies.

Copied to Brian for his consideration. Placed on file.

- m) Department of Municipal Affairs, Eastern Regional Office.
Request for change in the budget submission. Change made and re-submitted.
Placed on file.
- n) NL Public Health Laboratory, Test results for water samples collected on January 7, 2009 at Town of Carbonear Office and 9 Bemister's Hill. All results marked satisfactory. Test results placed on file.
- o) Department of Environment and Conservation, Water Resources Management Division,
Permit to Operate a Class II Wastewater Collection System for the Town of Carbonear.
Placed on file.
Deputy Mayor Slade inquired if they recommended lines to be cleared by an outside company. Town Administrator advised that this would only be required if there are known problem areas, then we should do some camera testing in these areas.
- p) NLOWE, NL Organization of Women Entrepreneurs, Request for nominations for the NLOWE Entrepreneur of Year Award.
Council to consider and bring forward any recommendations for this award.
Deadline is Feb. 13, 2009.
Councillor Earle and Deputy Mayor Slade suggested some nominees. Nomination forms would be provided to Council for review, and could be brought back to Council for approval at the next meeting.
- q) Resident, request for exemption of residential water/sewer tax as house is not occupied.
Referred to the Finance Committee.
- r) Department of Environment and Conservation, Water Resources Management Division,
Request for nominations for the Water Systems Operator of the Year Award.
Council to consider and bring forward any recommendations for this award.
Deadline is March 6, 2009.
- s) Transcontinental, Request for sponsorship of ad for the 25th Anniversary of the Children's Wish Foundation.
Referred to the Finance Committee.
- t) Resident, Request for assistance with interest adjustment on account.
Referred to the Finance Committee.
- u) Department of Environment and Conservation, Water Resources Management Division,
Re. Notification of Pilot Study to Develop Action Plan on Indicators for Monitoring Corrosion Control in Drinking Water. Town of Carbonear has been chosen as a pilot location. Information copied to the Town Administrator and Director of Operations and Public Works.
Several locations, 10 households, public buildings will be monitored throughout town.
- v) Department of Municipal Affairs
Circular Re. Compliance with Public Sector Accounting Board Standards.

- Referred to the Finance Committee and the Town Administrator.
- w) Department of Municipal Affairs
Reminder of requirements for the 2008 Audited Financial Statements and 2009 Budget.
2009 Budget submitted. 2008 Audit to be completed by June, 2009.
Placed on file.

6. Committee Reports

- a) Development Committee
Recommendation filed during the permit section of the meeting.
Other items would be referred for discussion in privilege with Council.

7. Reports from Town Administrator and Department Heads

- a) Town Administrator
Town Administrator advised that her report was copied to Council. She reminded Council of the three policies that she previously prepared and copied to Council for their review which have not yet been adopted.

Discussed.

Motion 09-012

E. Slade / J. Burden

Resolved that the Town of Carbonear adopt the Bomb Threat Policy, Number A.13 as prepared and presented by the Town Administrator.

Favour 6; Opposed 0; **Carried**

Motion 09-013

F. Earle / T. Emberley

Resolved that the Town of Carbonear adopt the Real Property Tax Exemption - Service Organizations Policy, Number A.14 as prepared and presented by the Town Administrator.

Favour 6; Opposed 0; **Carried**

Proposed Street Light Installation Standards Policy to be reviewed at next privileged meeting.

Town Administrator requested an Approval to Borrow \$133,000 for the purchase of the Dump Truck, from CIBC, at the rate of prime + 1% for 8 year term.

Motion 09-014

E. Slade / F. Earle

Resolved that the Town of Carbonear request Municipal Affairs to grant an Approval to Borrow to the Town of Carbonear to Borrow \$133,000 from CIBC, at a rate of Prime +1% for a term of 8 years to finance the purchase of a Dump Truck, and Resolved that upon receiving the Approval to Borrow, that the Town of Carbonear borrow \$133,000 from CIBC, at a rate of Prime +1% for a term of 8 years to finance the purchase of a Dump Truck.

Favour 6; Opposed 0; **Carried**

- b) Director of Operations and Public Works

Director of Operations and Public Works was not present at the meeting, but he had previously copied his report to Council. Any questions could be addressed to him at a later date.

Council agreed. Town Administrator to forward letter.

Councillor Comerford asked what is the policy on lending of Town equipment. He was advised that a resident needed to borrow a sewer snake to clear a plugged sewer line, the town employee did not provide the equipment to the resident, and then the resident went to Hants Harbour and borrowed their town's sewer snake.

Town Administrator advised that there were times in the past that we provided the town's sewer snake to residents to try and clear their sewer lines. She was not aware of the details of this incident. Councillor Comerford did note that our staff responded quickly to the call, and thanked our staff for their quick response, but noted we should investigate the situation as to why a snake was lent out to the resident. Discussed. Town Administrator to have Brian investigate the circumstances surrounding this incident and report back to Council on same.

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

12. Adjournment
Motion 09-018 to adjourn at 8:36pm.
Favour 6; Opposed 0; **Carried**

F. Earle / J. Burden

Mayor Sam Slade

Cathy Somers, Town Clerk