

Town of Carbonear
Regular Council Meeting, June 9th, 2008

Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, June 9th, 2008 at 7:30pm

Members Present: Mayor Sam Slade
Councillors Gladys Mercer
Jim Burden
Terry Emberley
John Comerford
Fred Earle

Members Absent: Deputy Mayor Ned Slade

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 7:30pm and welcomed everyone present at the meeting.
2. Adoption of Minutes
 - a) May 20th, 2008 Regular Meeting
Motion 08-166 **J. Comerford / F. Earle**
Resolved that the minutes of the May 20th, 2008 regular meeting of council be adopted as presented.
Favour 6; Opposed 0; **Carried**
3. Business Arising From Minutes
 - a) Lung Association of Newfoundland and Labrador, Request for Council's support of the Association's campaign for smoke-free cars with kids.
Motion 08-167 **G. Mercer / F. Earle**
Resolved that the Town of Carbonear send a letter of support to the Lung Association of Newfoundland and Labrador, supporting their campaign for smoke-free cars with kids.
Favour 6; Opposed 0; **Carried**
4. Delegations
- 5.1 Correspondence, Permits & Development
 - a) Application to construct a single dwelling home at 142 Forest Road.
Reviewed by the Development Committee.
Motion 08-168 **J. Comerford / G. Mercer**
Resolved that the Town of Carbonear issue a permit to construct a single dwelling home at 142 Forest Road as per the application submitted and in accordance with

the Carbonear Municipal Plan and Development Regulations.

Favour 6; Opposed 0; **Carried**

- b) Application to construct a single dwelling home at 67 Burnt Heat Road.
Reviewed by the Development Committee.

Motion 08-169

J. Comerford / F. Earle

Resolved that the Town of Carbonear issue a permit to construct a single dwelling home at 67 Burnt Head Road as per the application submitted and in accordance with the Carbonear Municipal Plan and Development Regulations.

Favour 6; Opposed 0; **Carried**

- c) Crown Land Application to acquire crown land for the purpose of extending an existing cabin lot at Fling's Pond for the purpose of upgrading the septic system of the cabin lot.
Reviewed by the Development Committee.

Motion 08-170

J. Comerford / J. Burden

Resolved that the Town of Carbonear issue the municipal approval on the Crown Land Application for the purpose of extending an existing cabin lot at Fling's Pond for the purpose of upgrading the septic system of the cabin lot.

Favour 6; Opposed 0; **Carried**

- d) Application to open a gift shop, "Annie's Accessories & Gifts" from the property of 43 Highroad North
Reviewed by the Development Committee.

Motion 08-171

J. Comerford / G. Mercer

Resolved that the Town of Carbonear issue a permit to operate a gift shop, "Annie's Accessories and Gifts" from the property of 43 Highroad North, subject to receipt of approval from Government Service Centre.

Favour 6; Opposed 0; **Carried**

- e) Application to construct a garage at 20 Grassey Lane.
Reviewed by the Development Committee. The addition of the proposed garage exceeds the 7% of the lot size, allowable under the Regulations, therefore no other accessory buildings can be approved for the lot.

Motion 08-172

J. Comerford / F. Earle

Resolved that the Town of Carbonear deny the application to construct a garage at 20 Grassey Lane, as the proposed development does not meet the requirements of the Carbonear Municipal Plan and Development Regulations.

Favour 6; Opposed 0; **Carried**

- f) List of Permits #4052 - 4089.

Motion 08-173

G. Mercer / F. Earle

Resolved that the Town of Carbonear approve the list of permits #4052 - 4089.

Favour 6; Opposed 0; **Carried**

5.2 Correspondence, Requiring Council's decision

- a) Request to purchase from the Town a triangular piece of land at the rear of his property on 79 Whites Road.

Reviewed letter of request. Committee recommends approval of the request.

Motion 08-174

J. Comerford / F. Earle

Resolved that the Town of Carbonear convey to the applicant the piece of land, as identified at the rear of the property of 79 Whites Road, to the applicant for sum of \$1.00 (one dollar) subject to the purchaser assuming all legal and survey costs associated with the sale.

Favour 6; Opposed 0; **Carried**

- b) Harris & Associates, Re. Rorke Stores Timber Decked Cribbing Project, Recommendation to award contract to the lowest bidder, H & B Construction Limited in the amount of \$132,428.09.

Motion 08-175

F. Earle / G. Mercer

Resolved that the Town of Carbonear award the contract for the Rorke Stores Timber Decked Cribbing Project to H & B Construction Limited in the amount of \$132,428.09 as recommended by Harris & Associates, subject to receipt of approval of additional funds from the other government funding.

Favour 6; Opposed 0; **Carried**

- c) Harris & Associates, Re. Powell Drive, Goff Avenue & Industrial Crescent Culvert Replacement, Recommendation to award tender to the lowest bidder, Concord Paving Limited in the amount of \$968,116.20.

Motion 08-176

F. Earle / G. Mercer

Resolved that the Town of Carbonear award the contract for Powell Drive, Goff Avenue & Industrial Crescent Culvert Replacement to Concord Paving Limited in the amount of \$968,116.20 as recommended by Harris & Associates.

Favour 6; Opposed 0; **Carried**

Town Administrator to determine the scheduled start time of the project.

5.3 Correspondence, Received and action taken

Council reviewed the following correspondence and action taken:

- a) Eastern Health, Re. Response to letter regarding the number of family physicians to rural areas.

Copied to Council. Placed on file.

Mayor Slade read the letter to Council.

Town Clerk to forward copy of letter Frank Evely of the CBN Joint Councils.

- b) Department of Municipal Affairs, Re. Clarification of the procedure for Town's that would like to carry out additional work to supplement or enhance projects that are currently being funded under the Disaster Financial Assistance Agreement for Tropical Storm Chantal Damages.

Forwarded to the Town Administrator. Placed on file.

- c) Letter of opposition to the Home Based Accounting Office Application on Hiscocks Road.

Referred to the Development Committee for consideration.

- d) Law Enforcement Torch Run, Request for donation.

Referred to the Finance Committee.

- e) Department of Municipal Affairs, Re. Requirements for Gas Tax Funding Record Keeping, Audit and Reporting Requirements.

Referred to the Finance Committee.

- f) B & B Association of Newfoundland and Labrador, Report on the State of the B & B Industry in Newfoundland and Labrador.
Copied to Council for their information and consideration. Placed on file.
- g) Oceans Days, June 6th - 10th. Referred to Rob Button for consideration of project/event.
- h) Crohn's and Colitis Foundation of Canada, Request for donation.
Referred to the Finance Committee.
- i) NL Public Health Laboratory, Test results for water samples collected on May 14, 2008 at the Community Centre, Noel's Convenience, Red Circle, and North Atlantic.
All results marked satisfactory. Placed on file.
- j) Canada/Newfoundland & Labrador Business Service Network, Re. Business information kits about the Canada/Newfoundland and Labrador Business Service Network (CNLBSN) for dissemination to clients who are interested in or have inquired about starting or expanding a business.
Placed on file to be available to clients.
- k) Department of Environment and Conservation, Water Resources Management Division, RE. Draft Permit to Operate a Wastewater Collection System.
Referred to the Works Committee.
- l) MNL, Request for completion of survey, Re. Crown lands for acquisition by municipalities from the Crown.
Forwarded to the Town Administrator for completion.
- m) Fire and Emergency Services, NL, Re. Notification of extension to December 31, 2008 to complete flood damage repair work caused by Tropical Storm Chantal.
Letter placed on file.

6. Committee Reports

a) Development Committee

Councillor Comerford presented the following recommendation:

Application to construct home on Ashley Road, application received several months ago, and under investigation since that time.

Development Committee now recommends the following motion:

Motion 08-177

G.Mercer / J. Comerford

Resolved that the Town of Carbonear issue a permit to construct a single dwelling home on Ashley Road as per the application submitted, subject to receipt of confirmation of easement over the property being used to service the development with water/sewer, and in accordance with the Carbonear Municipal Plan and Development Regulations.

Favour 6; Opposed 0; **Carried**

b) Finance Committee

Councillor Comerford presented the following recommendations:

Motion 08-178

J. Comerford / F. Earle

Resolved that the Town of Carbonear waive the Business Application Permit fee for any Youth Venture Business subject to receiving a letter of confirmation from Youth Ventures.

Favour 6; Opposed 0; **Carried**

Motion 08-179

J. Comerford / J. Burden

Resolved that the Town of Carbonear approve a donation of \$100 to Emily Hurley to offset cost for her to attend the World Youth Day in Australia, as a representative from the Town of Carbonear.

Favour 6; Opposed 0; **Carried**

c) Beautification Committee

Councillor Mercer noted that some items will have to be deferred for Council's review.

Councillor Mercer commended Tim Hortons for their national campaign for no litter. Councillor Mercer noted that it was great for the Town of Carbonear to have provided a clean up week to its residents, and noted that the cost of this service was in excess of \$15,000.

Councillor Mercer thanked the Carbonear Clean and Green Committee for their commitment and for their work at the War Memorial Park.

Mayor Slade, asked if residents can still drop of tree branches at the work depot in the Industrial Park.

Town Administrator advised that they would have to call in to the office to request permission, then the Enforcement Officer will view the amount of tree branches they have and advise if they can be dropped off a the Town's property in the Industrial Park. Only small amounts of tree branches will be permitted to be dropped off at the location. Residents will have to find their own method to dispose of large amounts of tree branches.

Brian advised he checked on prices of 8" chipper, which is the size of chipper need to chip a 4" tree. The pricing is from \$20,000 to \$22,000. He will continue his investigation of this matter.

Councillor Mercer noted that in reviewing the minutes of a previous Council meeting, she noticed that the Town of Carbonear does not have a Policy on Livestock in Residential areas. She requested that Council to revisit this issue.

7. Reports from the Town Administrator and Department Heads

a) Town Administrator

To be reviewed in privilege with Council.

b) Director of Operations and Public Works

Previously copied to Council.

Brian reviewed his report with Council.

Mayor Slade advised that Several big rocks have rolled out into the area where the bridge work in being completed on Southside Lower Road. Brian to request Concord to remove the rocks.

Councillor Burden asked about regular maintenance on equipment. Brian advised the Heavy Equipment is being well checked, and more care needs to be taken with vehicle maintenance, however this is improving.

Councillor Earle asked how are establishing the priority of potholes to be repaired. Brian advised the main traffic areas such as Powell Drive, Water Street, Valley Road and Highroad South are being done, then we will move on to feeder streets, and then the minor streets.

Four loads of hot asphalt have been used to date. Brian to ensure that the Town does not go over budget for asphalt.

8. Finance

a) Operating Expenditures totaling \$26,744.89

Motion 08-180

T. Emberley / F. Earle

Resolved that the Town of Carbonear approve for payment the list of invoices totaling \$26,744.89.

Favour 6; Opposed 0; **Carried**

9. Regulations

No regulations

10. General Business

No General Business

11. Notices of Motion

No notices of motions were filed.

12. Adjournment

Motion 08-181 to adjourn at 8:08pm.

J. Comerford / F. Earle

Favour 6; Opposed 0; **Carried**

Mayor Sam Slade

Cathy Somers, Town Clerk