

**Town of Carbonear**  
**Regular Council Meeting, June 23<sup>rd</sup>, 2009**

Minutes of a regular meeting of the Council of the Town of Carbonear  
held in Council Chambers, June 23<sup>rd</sup>, 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 Clerk Cathy Somers  
Town Administrator Cynthia Davis  
Director of Operations & Public Works Brian O'Grady

**Members Absent:** Director of Recreation & Tourism Rob Button

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1. Calling of Meeting to Order  
Mayor Slade called the meeting to order at 7:33pm.  
Calling of Meeting to Order
  
  2. Adoption of Minutes
    - a) June 8<sup>th</sup>, 2009 Regular Meeting  
**Motion 09-191** **F. Earle / J. Comerford**  
*Resolved that the minutes of the June 8<sup>th</sup>, 2009 Regular meeting of council be adopted as presented.*  
Favour 7; Opposed 0; **Carried**
  
  3. Business Arising From Minutes  
Emberley inquired about the permit application for the Bradbury's  
Mayor declared a conflict of interest and left the chambers. Deputy Mayor Slade assumed the chair.  
Brian advised that he has received some additional information from the Department of Transportation regarding their requirements for the road upgrade and relocation outside the highway reservation. Brian indicated he would review same with Council at a later time.  
Mayor Slade was called back into the meeting and assumed the chair.

4. Delegations  
No delegations were listed.
- 5.1 Correspondence, Permits & Development
- a) List of Permits # 4381 - 4394  
**Motion 09-192** **T. Emberley / F. Earle**  
*Resolved that the Town of Carbonear approve the list of permits # 4381 - 4394.*  
Favour 7; Opposed 0; **Carried**
- b) Application to construct a patio and steps at 2 Southside Lower Road  
Reviewed by the Development Committee. Recommended for approval of a permit to replace using the same size the existing patio and steps.  
**Motion 09-193** **J. Comerford / F. Earle**  
*Resolved that the Town of Carbonear approve a permit to replace the patio and steps at 2 Southside Lower Road, as per the existing measurements and in accordance with the Carbonear Municipal Plan and Development Regulations.*  
Favour 7; Opposed 0; **Carried**
- c) Application to construct a single dwelling home at 40-42 Burnt Head Road  
Reviewed by the Development Committee. Deferred for further details on proposed location of house and future garage on the subject lot.
- d) Application to operate a flea market at 27 Highroad South  
Reviewed by the Development Committee. Not recommended for approval  
**Motion 09-194** **J. Comerford / F. Earle**  
*Resolved that the Town of Carbonear deny the permit for the application to operate a flea market at 27 Highroad South as retail shop is not a permitted use in a Residential Medium Density zone.*  
Favour 7; Opposed 0; **Carried**
- e) Application to construct a detached garage at 15 Blueberry Crescent.  
Reviewed by the Development Committee. Recommended for approval subject to publication of variance.  
**Motion 09-195** **J. Comerford / E. Slade**  
*Resolved that the Town of Carbonear approve a permit to the property owner to construct a detached garage at 15 Blueberry Crescent as per th application submitted subject to receiving no objections to the variance ad published on the application and in accordance with the Carbonear Municipal Plan and Development Regulations.*  
Favour 7; Opposed 0; **Carried**
- f) Wal-mart, Application to construct a shelter at the Wal-Mart location at the TC Square  
Reviewed by the Development Committee. Recommended for approval.  
Councillor Mercer declared a conflict of interest on the matter and left the meeting.  
**Motion 09-196** **J. Comerford / E. Slade**  
*Resolved that the Town of Carbonear approve a permit for Wal-mart to construct a smoking shelter for their employees at the proposed location at the TC Square as per*

*the application submitted and in accordance with the Carbonear Municipal Plan and Development Regulations.*

Favour 6; Opposed 0; **Carried**

Councillor Mercer was called back into the meeting.

- g) Application to construct a house and detached garage at Lot 40 Southwell Place extension.

Reviewed by the Development Committee. Deferred until completion of the sub-division with Water/Sewer, Storm Sewer and Road Construction to Class A standard, and installation of electrical services to the sub-division.

## 5.2 Correspondence, Requiring Council's decision.

- a) Proposed developer, Request for letter of support to construct 10 new houses on approved residential building lots with town water and sewer for seniors and low income rental market.

Mayor Slade read the letter to Council.

Town Administrator advised that she spoke with the developer. These houses are not planned for a particular subdivision, but would be located throughout town on various building lots owned by the developer. Discussed.

**Motion 09-197**

**T. Emberley / F. Earle**

*Resolved that the Town of Carbonear provide a letter of support as requested to the developer who plans to construct 10 new houses on approved residential building lots with town water and sewer for seniors and low income rental market.*

Favour 7; Opposed 0; **Carried**

- b) Residents of Blueberry Crescent, Forest Road, Mt. Royale Estates and Southwell Place, Request for exemption of noise by-law for the neighbourhood block party being held on Saturday, August 29<sup>th</sup>, 2009 at 5 Mount Royal Estates.

**Motion 09-198**

**E. Slade / F. Earle**

*Resolved that the Town of Carbonear approve an exemption to the noise by-law for the residents of Blueberry Crescent, Forest Road, Mt. Royale Estates and Southwell Place, for the neighbourhood block party being held on Saturday, August 29<sup>th</sup>, 2009 at 5 Mount Royal Estates.*

Favour 7; Opposed 0; **Carried**

## 5.3 Correspondence, Received and action taken

- a) Eastern Newfoundland Regional Appeal Board, Acknowledgement of receipt of information requested from the municipality regarding the recent appeal filed. The information will be reviewed at the next set of Board Hearings, for the Board to determine the validity of the appeal and whether or not a Hearing will be scheduled at a later date.

*Referred to and reviewed by the Development Committee.*

- b) Department of Municipal Affairs, Eastern Regional Office - Re. Application for upgrade to HVAC System - Carbonear Swimming Pool

Letter acknowledges receipt of the application MRIF #26847. The application deadline for 2009/2010 projects has expired. Information package is being prepared to provide details of the application process for 2010/2011.  
Placed on file.

- c) NL Public Health Laboratory, Sanitary reports for water samples collected on June 8, 2009 at Dept. of Justice and J. Bemister's. Reports marked satisfactory and placed on file.
- d) Harris & Associates, Re. Chlorination System Upgrading Estimate Referred to the Works Committee.
- e) Department of Health and Community Services, Office for Aging and Seniors, Re. World Elder Abuse Awareness Day - June 15, 2009.  
Copied to Council. Brochure placed on bulletin board.
- f) Residents of Southwell Place, Re. Request for paving of Southwell Place, off Forest Road.  
Copied to Council.  
Referred to the Development Committee.
- g) Resident, complaints regarding broken lift at swimming pool. Letters dated June 5, 2009 and June 16, 2009.  
Copied to Rob Button for action. Copied to Council.  
Lift was repaired and in operation on June 10<sup>th</sup>. A new actuator was also ordered, and was received on June 17<sup>th</sup>. The lift is currently working, and the new actuator will serve as a replacement upon malfunction of the old actuator.  
*Mayor Slade read both letters to Council, as the sender has requested that they be addressed by Council in their meeting.*  
*Councillor Earle suggested that we investigate other styles of lifts. The newer pools are built with sections where a ramp can be constructed.*  
*Ours was built in 1974 and is not designed to allow for a ramp installation.*  
*Town Administrator to have the Director investigate the possibility of the installation of a ramp to the pool.*
- h) Global Marine Group Inc., Re. Introduction of the company which was recently been established to provide a service to the commercial and recreational fishing industries with NL and throughout Canada and the world.  
Request for participation in this new publication "The Mariner News" by the purchase of suitable advertising space.  
Referred to the Finance Committee.
- i) Resident, Re. Complaint regarding garbage problem that exists on neighbouring property.  
Referred to and acted on by the Beautification Committee.
- j) Department of Tourism, Culture & Recreation, Re. Notification of updated trip planning maps on NewfoundlandLabrador.com.  
Copied to the Director of Recreation and Tourism to review for accuracy.

6. Committee Reports

a) Development Committee

Councillor Comerford reviewed and presented the recommendations earlier during the Correspondence, Permits & Development section of the meeting.

b) Finance Committee

**Motion 09-199**

**J. Comerford / G. Mercer**

*Resolved that the Town of Carbonear adopt the 2008 Audited Financial Statements as prepared by Byron Smith, Chartered Accountant and recommended for acceptance by the Finance Committee.*

Favour 7; Opposed 0; **Carried**

**Motion 09-200**

**J. Comerford / E. Slade**

*Resolved that the Town of Carbonear adjust the amount of interest totaling \$130.52 subject to receiving the full tax balance on Account # 13108 by July 24, 2009.*

Favour 7; Opposed 0; **Carried**

Councillor Earle declared a conflict of interest and left the meeting.

**Motion 09-201**

**J. Comerford / E. Slade**

*Resolved that the Town of Carbonear have the MAA complete a supplementary assessment on the tenant portion of the property, and review again when the business returns to full operations.*

Favour 6; Opposed 0; **Carried**

Councillor Earle was called back into the meeting.

7. Reports from Town Administrator and Department Heads

a) Town Administrator

Town Administrator reviewed her report with Council.

Town Administrator reviewed Item 1e. The Fire Department is suggesting the date of July 18 for the Car Wash for the Janeway. Agreed.

Item 1f Sale of former Leslie Street Playground.

Council agreed and will consider the reserve bid that the Town will place on the property.

Item 4a

Council agreed with the project as planned.

Item 4b

Heritage structures designated by the Province, Councillor Earle will put forward a notice of motion that Carbonear grant Municipal recognition of these heritage structures.

b) Director of Operations and Public Works

Brian reviewed his report with Council.

Councillor Emberley asked about Earles Lanes. Brian advised that the potholes are being filled on that street, but there is an entire section that will be removed and new

asphalt layed.

Ditching Bucket - Mercer asked if funds are in budget. Town Administrator confirmed it is.

**Motion 09-202**

**G. Mercer / E. Slade**

*Resolved that the Town of Carbonear purchase a ditching bucket at a cost of \$1,250 + HST.*

Favour 7; Opposed 0; **Carried**

**Motion 09-203**

**G. Mercer / F. Earle**

*Resolved that the Town of Carbonear issue permits to the developers on Southwell Place extension, subject to the completion of the road to Class A standard.*

Favour 7; Opposed 0; **Carried**

Councillor Earle inquired about the capital works projects that were under construction last year, and asked if the contractors could finish up these projects. Brian advised that he has already identified these project deficiencies, the contractors have been notified and the projects will be completed.

Councillor Mercer indicated about the additional gabion work to be completed on Across the Doors. Brian advised that the resident on Across the Doors has been contacted and the contracting crew will be on-site to complete the gabion project.

Councillor Earle noted that he viewed an article on alternative septic fields.

Councillor Earle to provide Brian with a copy of the article. There is a company in NL offering this service. Brian to investigate to determine if we can install these to replace areas where raw sewage is being dumped.

8. Finance

- a) List of Operating Invoices, totaling \$177,093.47

**Motion 09-204**

**F. Earle / E. Slade**

*Resolved that the Town of Carbonear approve for payment the list of invoices totaling \$177,093.47 as presented to Council.*

Favour 7; Opposed 0; **Carried**

9. Regulations

None listed.

10. General Business

- Water Conservation Program

Councillor Mercer noted that she placed this on the agenda for discussion to determine if Council needs to implement a Water Conservation Program at this point due to the very dry season that we are having.

Town Administrator to investigate water conservation policies with other municipalities and send out a newsletter and give instruction to conserve water.

Brian will continue monitoring the level of water in the water supply and a Water Ban on outside water use will be issue if necessary.

Mayor Slade asked that the water level be checked on a regular basis.  
Councillor Earle mentioned that some time ago, Councillor Burden requested that a study be completed on the water supply to consider possible solutions to damn off some water for release. Brian will pursue this matter with the Harris & Associates.

▶ News Release

Mayor Slade read a news release in response to an article filed by one of our residents in The Compass.

Copy to be forwarded to The Compass.

Copy attached.

- ▶ Councillor Mercer noted that she is recommending a Boardwalk of Memories, and request that each Council member and any interested member of the public donate a tree to be planted in their name or in memory of someone. The tree type recommended is the flowering crab tree at a cost of \$50.

Council agreed and all Council members will each donate a tree.

Councillor Mercer advised that the north entrance sign will be done this week, and Crockers Cove Look out will be completed as well.

- ▶ Councillor Earle inquired about the Tiddley sign. Brian to order the sign and have it installed.

- ▶ Councillor Mercer inquired about capital works planned for 2010/11. She noted that several streets were identified on the priority list being considered, such as LeMarchant Street, London Road, Church Street, Bond Street, and Phase III Pikes Lane under MRIF.

Town Administrator advised that the MRIF program is phased out and Phase III of Pikes Lane would have to be resubmitted under a new funding proposal.

Councillor Earle indicated that the Gut Bridge project will be done this year.

It was noted that there will still be two bridges remaining to be completed, Carbonear East and Pondsider. These two will have to be evaluated for the next round of capital works.

Mayor Slade advised the following projects are scheduled to be completed this year: Gut Bridge, Pondsider Road - Street Upgrading, Traffic Lights on Forest Road/Columbus Drive/Goff Avenue, Highroad South & Chapel Hill Street Upgrading, and Phase II Pikes Lane.

- ▶ Councillor Earle recommended that the Town of Carbonear provide Municipal Registered Heritage designations to the Provincial Heritage designations located within the Town of Carbonear.

**Motion 09-205**

**F. Earle / G. Mercer**

*Resolved that the Town of Carbonear provide Municipal Registered Heritage designations to the Provincial Heritage designations located within the Town of Carbonear.*

Favour 7; Opposed 0; **Carried**

11. Notices of Motion

12. Adjournment

**Motion 09-206** to adjourn at 8:37pm

**F. Earle / J. Burden**

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Mayor Sam Slade

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Cathy Somers, Town Clerk