

Town of Carbonear
Regular Council Meeting, March 17, 2009
Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, March 17, 2009 at 7:30pm

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| Members Present: | Mayor Deputy Mayor Councillors | Sam Slade Edward Slade Gladys Mercer Jim Burden Terry Emberley John Comerford Fred Earle |
| Also Present: | Town Administrator Director of Operations & Public Works Director of Recreation & Tourism | Cynthia Davis Brian O'Grady Rob Button |
| Absent: | Town Clerk | Cathy Somers (Vacation) |

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1. Calling of Meeting to Order
Mayor called the meeting to order at 7:30 pm and welcomed everyone present at the meeting.
 2. Mayor Slade called for a minute of silence in memory of those who had lost their lives in the Cougar Helicopter Crash.
 3. Adoption of Minutes
 - a) March 3, 2009 Regular Meeting
Motion 09-068 **E. Slade/ J. Burden**
Resolved that the minutes of the March 3, 2009 Regular meeting of council be adopted as presented.
Favour 6; Opposed 0; **Carried**

Councillor G. Mercer arrived at the meeting in progress at 7:40 p.m.

- b) March 3, 2009 Privileged Meeting
Motion 09-069 **E. Slade / J. Comerford**
Resolved that the minutes of the March 3, 2009 Regular meeting of council be adopted as presented.

Favour 7; Opposed 0; **Carried**

3. Business Arising From Minutes

- ▶ An inquiry was made about the complaint received from Pelley's Lane concerning a resident that was reported to not be complying with the Solid Waste Disposal Regulations. It was reported that staff was monitoring the situation and had taken some photos of the area. These were distributed for Council to view. There was no violation present at this time that could be responded to by Council. The Enforcement Officer would continue to monitor the situation.

- ▶ Motions to be ratified from the March 3, 2009 Privileged Meeting of Council.

Mayor Slade requested ratification of SPE 2009-03-03-01.

Motion 09-070

E. Slade / J. Comerford

Resolved that the Town of Carbonear approve the Donations Policy as prepared by the Town Administrator and recommended by the Finance Committee.

Favour 7; Opposed 0; **Carried**

Mayor Slade requested ratification of SPE 2009-03-03-02.

Motion 09-071

E. Slade / G. Mercer

Resolved that the Town of Carbonear approve the Council Remuneration Policy as prepared by the Town Administrator and recommended by the Finance Committee.

Favour 6; Opposed 1; **Carried**

Councillor Earle opposed the motion.

Mayor Slade requested ratification of SPE 2009-03-03-03.

Motion 09-072

E. Slade / T. Emberley

Resolved that the Town of Carbonear approve payment of \$100, from the Special Projects budget to the Carbonear Fire Department towards the cost of two flag stands purchased by the Carbonear Fire Department for use within their Department.

Favour 7; Opposed 0; **Carried**

Mayor Slade requested ratification of SPE 2009-03-03-04.

Motion 09-073

E. Slade/G. Mercer

Resolved that the Town of Carbonear donate 50 cents per capita to Daffodil

Place through sponsorship of a fund-raising event to fund the donation.
Favour 7; Opposed 0; **Carried**

Mayor Slade requested ratification of SPE 2009-03-03-05.

Motion 09-074

T. Emberley/E. Slade

Resolved that the Town of Carbonear sell the property of the former Leslie Street Playground as a building lot and allocate proceeds from the sale to the Recreation budget for the Town.

Favour 7; Opposed 0; **Carried**

Mayor Slade requested ratification of SPE 2009-03-03-06.

Motion 09-075

E. Slade/ J. Burden

Resolved that the Town of Carbonear adopt the proposed Tree Policy as prepared and presented by the Town Administrator.

Favour 7; Opposed 0; **Carried**

Mayor Slade requested ratification of SPE 2009-03-03-07.

Motion 09-076

G. Mercer / E. Slade

Resolved that the Town of Carbonear approve the completion of the Electric changes for the Pool at a cost of \$1,866 as recommended.

Favour 7; Opposed 0; **Carried**

4. Delegations

No delegations were present to speak at the meeting.

5.1 Correspondence, Permits & Development

a) List of Permits #4261-65.

Motion 09-077

F. Earle/ J. Comerford

Resolved to approve the list of permits # 4261-65.

Favour 7; Opposed 0; **Carried**

b) Café on Water, Application to open a small café at 181 Water Street

Motion 09-078

J. Comerford/E. Slade

Resolved that the Town of Carbonear approve a permit for "Café on Water" at 181 Water Street as per the application submitted, subject to the Town of Carbonear Municipal Plan and Development Regulations and per the approval of Government Services and Lands and other required approvals from government departments and agencies and subject to advising the applicant in his permit of the parking requirements on Water Street where no off street parking is provided by applicant.

Favour 7; Opposed 0; **Carried**

- c) Woodrow Snow, Application to construct a single dwelling at 48 Long's Hill
Motion 09-079 J. Comerford/T. Emberley
Resolved that the Town of Carbonear approve a permit to construct a single dwelling home at 48 Long's Hill as per the application submitted and in accordance with the Carbonear Municipal Plan and Development Regulations.
 Favour 7; Opposed 0; **Carried**
- d) Randy Butt, Application to construct a single dwelling at 10 Discovery Place
Motion 09-080 J. Comerford/E. Slade
Resolved that the Town of Carbonear approve a permit to construct a single dwelling home 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**
- e) Charles Squibb, Application to construct an extension to the single dwelling at 15 Park Avenue.
 Director of Operations and Public Works recommended approval of the application. Town Administrator to ensure that all taxes are paid, prior to the permit being issued.
Motion 09-081 J. Comerford/E. Slade
Resolved that the Town of Carbonear approve a permit to construct an extension to the single dwelling home at 15 Park Avenue as per the application submitted and in accordance with the Carbonear Municipal Plan and Development Regulations and subject to other conditions specified.
 Favour 7; Opposed 0; **Carried**
- f) Wayne Slade, Application to construct an extension to the shed at 2 Bennett's Hill
 Brian advised that he would have to check the side yard measurement, if it meets the minimum, then he recommends approval of the application.
 Recommend approval.
Motion 09-082 J. Comerford/G. Mercer
Resolved that the Town of Carbonear approve a permit to construct an extension to the shed at 2 Bennetts Hill as per the application submitted and in accordance with the Carbonear Municipal Plan and Development Regulations.
 Favour 7; Opposed 0; **Carried**

5.2 Correspondence, Requiring Council's decision.

5.3 Correspondence, Received and action taken

- a) Office of the Leader of the Opposition, House of Assembly, Newfoundland and Labrador. Questionnaire for Municipalities. Re: Infrastructure Funds and Provincial Waste Management Strategy. *Copied to Councillors.*

- Response to be discussed in privileged with Council.*
- b) Carbonear - Hr. Grace District Progressive Conservative Association. Re: Fund Raising Dinner on Friday, April 24 at 6:30 p.m. at Fong's Motel. Guest Speaker Jerome Kennedy, MHA. *Copied to Councillors.*
 - c) Letter of opposition to the variance published for 118 Forest Road. *Referred to the Development Committee.*
 - d) Mariner Resource Opportunities Network Inc. Re: Information Session on Events and Cultural Heritage offered in partnership with the Office of Immigration and Multiculturalism. *Copied to Councillors and Director of Recreation and Tourism.*
 - e) Minister of the Environment, Govt of Canada. Re: Launch of National Historic sites of Canada Cost-Sharing Program. *Recommend review of information by Heritage Liaison with Heritage Society for possible project and whether Council are in a position to provide other 50% required.*
 - f) Natural Resources Canada. Re: Survey of "Idle Free Program". *Copied to Director of Operations and Public Works for completion.*
 - g) Letter requesting review of property taxes for possible write-off. *Referred to Finance Committee for review and recommendation.*
 - h) Letter from Resident. Re: Alleging incident where snow plow lost steering due to damage to hose and oil spilled on street. *Referred to the Director of Operations and Public Works for investigation and action, if necessary. Director to report to Council next Regular Council Meeting.*

6. Committee Reports

(a) Development Committee

Motion 09-083

J. Comerford/G. Mercer

Resolved that the Town of Carbonear approve Development Regulations Amendment No. 16, 2009.

Favour 7; Opposed 0; **Carried**

Motion 09-084

J. Comerford/F. Earle

Resolved that the Town of Carbonear approve Option 2 as presented by Transcontinental for the preparation of the new Town maps.

Favour 7; Opposed 0; **Carried**

(b) Works Committee

Motion 09-085

J. Burden/E. Slade

Resolved to purchase Ice Control Materials from the Department of Transportation and Works for the 2009/2010 season at a cost of \$37/tonne.

Favour 7; Opposed 0; **Carried**

Motion 09-086

J. Burden/E. Slade

Resolved to approve the installation of a street light on Ashley Road near the Forward new development per the Street Light Policy.

Favour 7; Opposed 0; **Carried**

Motion 09-087

J. Burden/E. Slade

Resolved to approve the installation of a street light on Valley Road near the Carpenter and Snow new developments per the Street Light Policy.

Favour 7; Opposed 0; **Carried**

(c) Finance Committee

Motion 09-088

E. Slade/T. Emberley

Resolved to redistribute funds in the amount of \$16,800 from the vehicle maintenance budget to debt payments to finance the purchase of a new dump/salt/sand truck for the Department of Public Works.

Favour 7; Opposed 0; **Carried**

Motion 09-089

E. Slade/J. Burden

Resolved that the Mayor and Town Clerk are authorized to enter into the Multi-Year Capital Works Agreement for Road Realignment and Traffic Lights Installation on the intersection of Columbus Drive/Goff Avenue and Forest Road on behalf of Council.

Favour 7; Opposed 0; **Carried**

Motion 09-090

E. Slade/G. Mercer

Resolved to accept the funding in the amount of \$170,890 to supplement existing funding of \$150,000 approved under project 08084 for Road Realignment and Traffic Light Installation on an 80-20 basis and further resolve to borrow the Town's share from a financial institution offering the lowest interest rate over a term of 10 years.

Motion 09-091

E. Slade/J. Comerford

Resolved to request an approval to borrow from the Department of Municipal Affairs for the enhancements and repairs from Tropical Storm Chantal from a chartered bank providing the lowest lending rate to be amortized over a period of 10 years.

Favour 7; Opposed 0; **Carried**

Motion 09-092

E. Slade/G. Mercer

Resolved that the Town of Carbonear purchase a 4 channel digital recorder with CD Burner and 500 gb hard drive at a cost of \$1,489 plus HST and further resolved to purchase an LDC TV to replace the existing monitor.

Favour 7; Opposed 0; **Carried**

Motion 09-093

E. Slade/J. Comerford

Resolved to adjust the water and sewer rate and associated interest charged on account #11568 from July 2007 to date.

Favour 7; Opposed 0; **Carried**

Motion 09-094

E. Slade/J. Comerford

Resolved to make a donation to the Newfoundland and Labrador Public Libraries for the Carbonear Memorial Public Library in the amount of \$100.

Favour 7; Opposed 0; **Carried**

7. Reports from Town Administrator and Department Heads

a) Town Administrator

Previously copied to Council. Any questions could be directed to the Town Administrator.

b) Director of Operations and Public Works

The Director of Operations and Public Works reviewed his report with Council.

Motion 09-095

E. Slade/J. Burden

Resolved to complete required repairs to the Hyundai Loader up to a maximum of \$5,000.

Favour 7; Opposed 0; **Carried**

Deputy Mayor Slade inquired about the retaining wall that Councillor Burden raised at the last meeting. The Director of Operations and Public Works advised that he had inspected the wall and barricades had been placed to prevent vehicles from going too close to the wall. Upon inspection, it did not appear that there was a concern at this point in time with the wall falling in or the road falling away, however, he would monitor and the wall would have to be replaced in the spring.

Councillor Emberley inquired about a concern with a section of guard rail on Bunker's Hill. The Director confirmed that there was a concern in the area. A property owner had excavated on his property leaving little material for the posts for the guard rail. It would have to be inspected for possible solution in the spring.

Mayor Slade inquired about whether guard rail that required replacement had been identified. The Director advised that he had not had an opportunity to date.

An inquiry was made about the concrete blocks in the Line Road. The Director reported that they were frozen into the ground, however, they would

be removed and utilized by the Town in the spring.

An inquiry was made about water on Oate's Lane. The Director confirmed that there was a leak on private property and the owner had to be contacted and advised that the leak had to be repaired.

It was identified that a repair that had been completed to a water leak on Lemarchant Street had not been cleaned up. Council indicated that clean up should be completed when the leak was completed rather than days after. The Director advised that he would have the area cleaned up the next day.

Councillor Mercer identified that there were many cracks in new sidewalk locations on Water Street. It was felt that cracks should not be appearing in sidewalk that has been poured within recent years. There was concern with the quality of work. The Director would investigate further.

(c) Director of Recreation and Tourism

The Director of Recreation and Tourism reviewed his report with Council.

Mayor Slade inquired about the work that had been completed on the doors at the pool. He was advised that it is still being reviewed with the contractor. Payment was made on the invoice less a holdback to ensure that the work was completed to the Town's satisfaction.

Councillor Earle raise the concern with the HVAC unit at the pool that is aging and in desperate need of upgrade. Both the Director of Recreation and Tourism and the Director of Operations and Public Works are investigating the system. Preliminary findings seem to indicate that the operational saving of a new system may pay for the capital costs of replacement.

The Director of Recreation and Tourism reported that the Swim to Survive Program has been a great success. Two more schools have been added to the program for a total of 11 schools in the region using the pool as part of their healthy living program.

Councillor Earle extended congratulationss on the Triathalon. This event has also been very successful and has been growing in popularity and recognized as a quality triathalon. The Director reported that they are projecting 120 athletes for the upcoming season. They have been receiving applicants from across the province.

8. Finance

- a) List of Operating Invoices, totaling \$6,367.80

- b) Approval to pay Lombard Canada for Insurance Claim for water damage sustained to a home in the amount of \$1,187.03. The Town of Carbonear was found to be liable for 50% of the damages and there is a deductible of \$2,500 on property damage.

Motion 09-096

G. Mercer/F. Earle

Resolved that the Town of Carbonear approve the list of operating invoices as presented for payment in the amount of \$6,367.80 and further resolved to approve payment to Lombard Canada in the amount of \$1,187.03.

Favour 7; Opposed 0; **Carried**

9. Regulations
None listed.

10. General Business

Councillor Mercer raised the issue of refrigerators and freezers being used for garbage boxes and felt that these are not suitable garbage receptacles.

Motion 09-097

G. Mercer/J. Comerford

Resolved that the Solid Waste Disposal Regulations be amended to identify that refrigerators and freezers are not permitted to be used for garbage boxes or containers.

Favour 7; Opposed 0; **Carried**

Councillor Mercer referenced a disaster management conference that was scheduled for late April. Councillor Comerford advised that he was registered for the conference as well as the Town Administrator.

Mr. Bill Bowman, Editor of the Compass took a photo of a Council holding a cheque with the presentation for Daffodil Place.

11. Notices of Motion
None filed.

12. Adjournment

Motion 09-098 to adjourn at 8:30pm.

J. Comerford/ G. Mercer

Favour 7; Opposed 0; **Carried**

Mayor Sam Slade

Cynthia A. Davis, Town Administrator