

Town of Carbonear
Regular Council Meeting, May 4, 2009
Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, May 4, 2009 at 7:30pm

Members Present:	Mayor Councillors	Sam 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:	Deputy Mayor Town Clerk	Edward Slade Cathy Somers

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1. Calling of Meeting to Order
Mayor called the meeting to order at 7:40 pm and welcomed the resident present. Mayor Slade also passed along the Deputy Mayors regrets who could not make the meeting due to work commitments.

 3. Adoption of Minutes
 - a) April 21, 2009 Regular Meeting
Motion 09-136 **G. Mercer/F. Earle**
Resolved that the minutes of the April 21, 2009 Regular meeting of council be adopted as presented.
Favour 6; Opposed 0; **Carried**

 - b) April 21, 2009 Privileged Meeting
Motion 09-137 **F. Earle/ J. Comerford**
Resolved that the minutes of the April 21, 2009 Regular meeting of council be adopted as presented.
Favour 6; Opposed 0; **Carried**

 - c) April 24, 2009 Privileged Meeting
Motion 09-138 **F. Earle/ J. Comerford**
Resolved that the minutes of the April 24, 2009 Regular meeting of council be adopted as presented.
Favour 6; Opposed 0; **Carried**

 3. Business Arising From Minutes (April 21, 2009 Regular Meeting)
 - ▶ Councillor Mercer asked the Director of Operations and Public Works if he had an estimate for street upgrading and paving for Pond Side Road. He

advised that he estimate completed by Harris & Associates was \$227,000. Further discussion was deferred for privileged.

- ▶ Councillor Mercer also inquired about whether correspondence had been sent to the Department of Transportation and Works on completing line painting on Columbus Drive as soon as possible. Council were advised that line painting crews were started on Columbus Drive today.
- ▶ Councillor Earle asked about the lines on Town Streets. The Town Administrator advised that this was one of the issues that was on the table as part of the Union Negotiations.
- ▶ Councillor Mercer reported on Iris Kirby House and that those applying for positions would be dropping applications off at the Council Office and she would have them brought to those who would be doing the hiring on behalf of Iris Kirby House. Since Iris Kirby House is not open they did not have a drop off location.
- ▶ Councillor Earle reported that the Archaeology Survey funding application for Carbonear Island had been sent, however, there were revisions to be made. The Coordinator for Carbonear Island, the Town Administrator and himself would be meeting this week to review and rework application.

- ▶ Motions to be ratified from the April 21, 2009 Privileged Meeting of Council.

Mayor Slade requested ratification of SPE 2009-04-21-001.

Motion 09-139

T. Emberley/F. Earle

Resolved that the Town of Carbonear purchase a table for six at a cost of \$500 for the Carbonear-Hr. Grace District Progressive Conservative Association Fund-raising dinner on Friday, April 24th from the funds allocated for Councillor Travel Expenses.

Favour 6; Opposed 0; **Carried**

Councillor Earle advised that it was a good dinner and an opportunity to network with the MHA and other officials on town concerns.

Mayor Slade requested ratification of SPE 2009-04-21-002.

Motion 09-140

F. Earle/ G. Mercer

Resolved that the Town of Carbonear approve the proposed Mandate for the Special Events Committee as presented

Favour 6; Opposed 0; **Carried**

- ▶ Motions to be ratified from the April 24, 2009 Privileged Meeting of Council.

Mayor Slade requested ratification of SPE 2009-04-24-001.

Motion 09-141

F. Earle/J. Comerford

Resolved that the Town of Carbonear approve the suggestions as made by the Town Administrator to the Union as the Town's final offer to reach an agreement between the Town and the Union.

Favour 6; Opposed 0; **Carried**

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

4. Delegations

No delegations were present to speak at the meeting.

5.1 Correspondence, Permits & Development

a) List of Permits # 4296-4304

Motion 09-142 **F. Earle/ J. Burden**
Resolved to approve the list of permits # 4296-4304.
Favour 6; Opposed 0; **Carried**

- b) Lot 26, Southwell Place Extension, Application to construct a single dwelling home. Referred to the Development Committee. Deferred for further discussion on the completion of the subdivision.
- c) Lot 41, Southwell Place Extension, Application to construct a single dwelling home. Referred to the Development Committee. Deferred for further discussion on the completion of the subdivision.
- d) Lot 28 Southwell Place Extension, Application to construct a single dwelling home. Referred to the Development Committee. Deferred for further discussion on the completion of the subdivision.
- e) 48 Valley Road, Application to add a second storey to existing garage. Referred to the Development Committee. Deferred for further investigation.
- f) Bunker's Hill, Application to construct a single dwelling home. Referred to the Development Committee. Deferred for further investigation.
- g) Proposed Subdivision Development at Highroad North. Referred to the Development Committee. Deferred for further investigation.
- h) Applications referred to the Development Committee and recommended for approval subject to applications and information submitted and subject to meeting the requirements of the Town of Carbonear Municipal Plan:
 - 1. Greenhouse, 9 Northwood Estates
 - 2. Fence, 136 Water Street
 - 3. Shed, 77 Pondsides Road
 - 4. Extension to shed, 64 White's Road
 - 5. Replace veranda, 58 Pike's Lane
 - 6. Construct detached garage, 103 Forest Road
 - 7. Construct detached garage, 13 Southwell Place
 - 8. Construct fence and deck, 81A Highroad South
 - 9. Construct greenhouse, 23 Hoyles Road
 - 10. Construct fence, 9 Fraize Avenue
 - 11. Construct attached garage, 27 English Hill

Motion 09-143

F. Earle/G. Mercer

Resolved to approve applications # 1 to 11 listed in 5.1 h) per applications and information submitted and per the Town of Carbonear Municipal Plan and Development Regulations.
Favour 6; Opposed 0; **Carried**

- i) Arvo McMillan, Harbour Grace Municipal Plan Review, Proposed reservation along the track. Referred to the Development Committee.

The Director of Operations and Public Works attended an information session earlier today in Harbour Grace on the proposed Municipal Plan Review and he did not have any concerns that any changes being proposed would affect the Town of Carbonear. Most of the review was to entail zoning changes throughout the Town of Hr. Grace.

5.2 Correspondence, Requiring Council's decision.

- a) President, Line Road Association, Requesting Line Road to be graded prior to the Victoria Day Weekend to be held between May 15 and May 18. *Council has a policy in place that provides for grading of both the Line Road and Fox Farm Road when gravel roads within the municipal boundary were completed. The Director of Operations and Public Works was advised to ensure the municipal roads were completed and proceed to grade the Line Road and Fox Farm Road prior to the Victoria Day Weekend.*
- b) Graham Letto, President, Municipalities Newfoundland and Labrador, Information and Proclamation for Municipal Awareness Day 2009.

Motion 09-144

F. Earle/J. Comerford

Whereas municipal government is responsible for the provision of services that enhance the quality of life of its citizens; and

Whereas dedicated mayors, councillors and staff are essential for the effective governance of their municipalities; and

Whereas citizen involvement is essential for an active community; and

Whereas it is fitting and proper to recognize and encourage the contribution of all who work diligently for the improvement of municipalities.

Therefore be it proclaimed that on May 20, 2009 be known as Municipal Awareness Day in municipalities of Newfoundland and Labrador in recognition of the vital role of municipal government and in recognition of all whose efforts support it.

Favour 6; Opposed 0; **Carried**

- c) Nestle Waters Canada, outlining the environmental stewardship and health benefits of bottled water and concerns that banning sales of bottled water in municipal facilities will resulting in consumers consuming less healthy alternatives, and also could affect the livelihoods of 13,000 Canadians that work in the bottled water industry paying millions in taxes annually.

Discussed correspondence. Place on file.

- d) Carbonear Volunteer Fire Department, Requesting that the Town of Carbonear entertain the idea of posting signage within the boundaries of the Town for the purpose of helping people from outside the community locate the fire department.

Discussed request. There was discussion around whether directional signage was necessary since the fire department was voluntary, therefore,

not manned. It was felt that signage identifying the emergency number should be posted. The Director of Operations and Public Works would contact the Fire Chief for further clarification.

5.3 Correspondence, Received and action taken

- a) Dianne Whalen, MHA, Minister of Municipal Affairs, Announcement of one time increase in MOG's by 13% for 2009.
Mayor Slade read correspondence. Correspondence from the Town of Carbonear to Jerome Kennedy, MHA thanking the province for allocating the additional funding was also read for the information of Councillors.
- b) Newfoundland and Labrador Alliance for the Control of Tobacco. Thank you for making recreation areas smoke free and requesting that appropriate signage be installed. Copied to the Director of Recreation and Tourism for action.

The Town Administrator was advised to write the Minister to request a meeting with Council.

- c) NL Public Health Laboratory, Results of water samples collected on Apr 7, 2009 at Dept of Justice, J. Bemister's and Feb 24 & 25 at Town Council Office and J. Bemister's.
Test results satisfactory, placed on file.
- d) Jacques Whitford Stantec Limited, Offering consulting services for development of ICSP's under the Federal Gas Tax Agreement that must be completed by March 31, 2010. Referred to the Finance Committee.
- e) Request for Tax Adjustment. Referred to the Finance Committee.
- f) Carbonear Volunteer Fire Department, Requesting that the Council make application for Bunker Suits, boots, helmets and SCBA that need replacement under 80-20 funding. Estimated total \$23,835. Referred to the Finance Committee.
- g) Avalon's Achievement Competition, Requesting Financial Support. Referred to the Finance Committee.
- h) Marshall Cleaning Services, Requesting an increase in monthly fees due to increasing costs. Referred to the Finance Committee.
- i) Request for Tax Adjustment. Deferred to the Finance Committee.

6. Committee Reports

- (a) Development Committee - *Report copied to Council and resolution for recommended applications were obtained in 5.1 h).*

7. Reports from Town Administrator and Department Heads

- a) Town Administrator
Previously copied to Council. Council was encouraged by the number of information packages picked up by prospective developers. Council were hoping for some promising proposals.
- b) Director of Operations and Public Works
The Director of Operations and Public Works reviewed his report with Council.

Councillor Mercer inquired about the disposal of shingles. It was identified that shingles were required to be separated from household and other clean up or demolition garbage. There were concerns raised about the shingles and other garbage not being covered and concerns that if shingles were not covered, were they going somewhere other than the Robin Hood Bay Landfill Site. There were some areas of concern identified. The Enforcement Officer to investigate further. When a permit to shingle a house was issued, he could monitor to ensure that shingles were disposed of in a proper manner.

Councillor Burden identified that the Town of Victoria actually parks their truck on the residents property so they can place shingles in the back for disposal. The Director of Operations and Public Works would investigate further. The Town Administrator advised that she would not recommend this for the Town of Carbonear. The Town of Carbonear is much larger and we require all equipment and she would not recommend parking one of the new dump trucks on private property for shingles to be dropped into it. There are a number of roofs repaired in the Town annually.

There was an inquiry about whether a permit was issued to shingle a house on the South Side. The Town Administrator indicated that she would have to investigate since general repair permits are issued at the front desk.

There was discussion on the poor condition of Earle's Lane. An option proposed was removing the asphalt from Earle's Lane and maintaining as a gravel road until the asphalt plant opens and the road could be resurfaced. The estimated resurfacing cost provided by the Director of Operations and Public Works was approximately \$15,000. This as resurfacing only and did not include an work sub-surface. The Director will investigate further.

There was discussion on new seasonal workers. Some may require safety training, however, consideration would be given to those that have already completed training. Many working in construction would already have this training. If not, the Town would have the applicable training completed.

The Director was asked to investigate shouldering for Highroad South, replace street sign on O'Driscoll's Lane that was mis-spelled, repairs to potholes on Crowdy Street and to write the Minister of Transportation and Works about areas along Columbus Drive that require shouldering.

It was pointed out that there was a street sign on the road to the former dump site recognizing it as Old Dump Road which was not a name assigned by Council. The Director explained that this was put in place by one of the outside staff in error. The Town Administrator advised that the Heritage Society had provided possible street names. She would provide a list so a street name could be assigned and a new street sign posted.

It was observed that Area 1 for clean up was completed, however, residents were still putting out bulk garbage for collection.

(c) Director of Recreation and Tourism

The Director of Recreation and Tourism reviewed his report with Council. *The Director was advised to investigate whether funds were available from a handicapped association for the lift for the pool.*

The Director would have letters of congrats completed for awards recipients of the Recreation Commission Awards Night and placed on the Mayor's desk for signature.

The Mayor thanked Councillor Earle for attending on his behalf. Mayor Slade could not attend due to work commitments.

The poor condition of the rubberized track was mentioned. It was noted that this could be the project to be undertaken once the HVAC System was upgraded.

Motion 09-145

G. Mercer/F. Earle

Resolved to approve the NO SMOKING POLICY (RECREATION / PLAYGROUND FACILTIES) as presented by the Director of Recreation and Tourism.

Favour 6; Opposed 0; **Carried**

The Town Administrator advised that she would email the policy outline for the Director to have provided in proper format for inclusion in the policy manual.

Councillor Emberley inquired about whether installing an interact machine was investigated. The Town Administrator advised that it was reviewed by the Finance Committee and it was not recommended. This was included in previous Finance Committee Minutes. The volume of small transactions would not justify the machine. It was discussed whether an increase in the fees to cover the costs would be warranted. The Director of Recreation and Tourism indicated that the fees were on par or higher than some swimming pools now and did not recommend any further increase in fees at this time. It was decided that Council would accept the previous recommendation of the Finance Committee.

8. Finance
 - a) List of Operating Invoices, totaling \$11,799.28.

Motion 09-146

G. Mercer/F. Earle

Resolved that the Town of Carbonear approve th list of operating invoices as presented for payment in the amount of \$11,799.28.

Favour 6; Opposed 0; **Carried**

9. Regulations
None listed.
10. General Business

Councillor Comerford reported on the Atlantic Canada Disaster Management

Conference attended by both him and the Town Administrator. See report attached.

An inquiry was made about when the Pike's Lane Project was scheduled to commence. The Town Administrator advised that to date, the Town only has the approval to complete the Engineering Design Initiative. There is no approval for the overall project. The Town cannot go to tender until the approval is received from the Department of Municipal Affairs. The Town Administrator to investigate further to determine when the approval can be expected.

There was some discussion on the changes to the administration of Service Canada Grants. It was understood that these projects would now be approved and administered by the Province rather than the Federal Government.

Mayor Slade inquired about an extension to the storm water culvert from Musgrave Street down the approach to the Public Wharf and into the Harbour. The Town Administrator advised that this was reviewed by the Works Committee a few weeks ago and an extension was not recommended. This was included in the Works Committee minutes that are distributed to all Council. The existing culvert goes to the water and the committee did not see the benefit of extending the culvert out further into the water since it was already under the water. Mayor Slade indicated that he could not understand how the committee could have arrived at that decision. There was some discussion around linking the public wharf and the private wharf. There were other complications with such a consideration since the Town do not have control over either the public wharf or the private wharf. Further discussion was deferred at this time.

11. Notices of Motion
None filed.

12. Adjournment
Motion 09-147 to adjourn at 9:30pm.

F. Earle/ J . Burden

Mayor Sam Slade

Cynthia A. Davis, Town Administrator