

Town of Carbonear
Regular Council Meeting, November 3, 2008
Minutes of a regular meeting of the Council of the Town of Carbonear
held in Council Chambers, November 3, 2008 at 7:30pm

Members Present: Mayor Sam Slade
Deputy Mayor Ned 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 called the meeting to order at 7:38pm and welcomed everyone present at the meeting.

 2. Adoption of Minutes
 - a) October 21, 2008 Regular Meeting
Motion 08-269 **E. Slade / J. Burden**
Resolved that the minutes of the October 21st, 2008 Regular meeting of council be adopted as presented.
Favour 7; Opposed 0; **Carried**

 - b) October 21, 2008 Privileged Meeting
Motion 08-270 **G. Mercer / J. Comerford**
Resolved that the minutes of the October 21st, 2008 Privileged meeting of council be adopted as presented.
Favour 7; Opposed 0; **Carried**

 3. Business Arising From Minutes
 - ▶ Deputy Mayor Slade asked if the insurance adjuster has been speaking with Mr. McTavish. Town Administrator advised that the adjuster has been speaking with him by phone, and will be out to speak with him in person as well.
 - ▶ Motions from the October 21, 2008 Privileged Meeting to be ratified. Mayor Slade asked that Motion SPE 2008-10-21-001 be ratified.
Motion 08-271 **F. Earle / E. Slade**

Resolved that the Town of Carbonear accept the new members for the Special Events Committee as recommended by the Special Events Committee.

Favour 7; Opposed 0; **Carried**

Mayor Slade asked that Motion SPE 2008-10-21-002 be ratified.

Motion 08-272 **E. Slade / J. Comerford**

Resolved that the Town of Carbonear approve in principle the proposal submitted for cottage development on Southside Lower Road subject to road improvements as per the Towns requirements for Road Development Standards.

Favour 7; Opposed 0; **Carried**

Mayor Slade asked that Motion SPE 2008-10-21-003 be ratified.

Motion 08-273 **F. Earle / E. Slade**

Resolved that the Town of Carbonear enter a team in the RCMP Battle of the Brains Fund-raising activity.

Favour 7; Opposed 0; **Carried**

4. Delegations

a) Cliff Penney, Issue on Penney's Lane/Butt's Lane

Mr. Penney was present at the meeting, but no longer wanted to make a presentation to Council on the above mentioned matter.

5.1 Correspondence, Permits & Development

a) Permit Listing, # 4225 - # 4236.

Councillor Mercer declared a conflict of interest on permit # 4225.

Motion 08-274 **F. Earle / E. Slade**

Resolved that the Town of Carbonear approve the list of permits #4225- 4236, excluding #4225.

Favour 7; Opposed 0; **Carried**

Councillor Mercer left the Council Chambers.

Motion 08-275 **T. Emberley / F. Earle**

Resolved that the Town of Carbonear approve the permits #4225.

Favour 6; Opposed 0; **Carried**

Councillor Mercer was called back into the meeting

b) NL Water Resources Management Division, Re. Application for a Development in the Island Pond/Flings Pond Protected Public Water Supply Area.

Referred to the Development Committee for consideration.

Not yet reviewed by the Development Committee.

Town Administrator advised that this was previously approved subject to approval from Environment. Environment has now granted their approval of the application, so Council can proceed to grant approval of the application.

Motion 08-276 **F. Earle / J. Comerford**

Resolved that the Town of Carbonear advise the Department of Environment and Conservation, Water Resources Management that they do not have any concerns

associated with the application for agricultural development, with use of root crops, as submitted for Crown Land into the Island Pond/Flings Long Pond Protected Public Water Supply Area used by the Town of Carbonear.

Favour 6; Opposed 0; **Carried**

- c) Application to construct a single dwelling with attached garage at 68-70 Long's Hill Referred to the Development Committee.
- d) Application to construct a privacy fence exceeding 73" in height at 38 Water Street Referred to the Development Committee.

Motion 08-277

J. Comerford / F. Earle

Resolved that the Town of Carbonear approve a permit for fence construction on the property of 38 Water Street as per the application submitted, with the northern section of the fence exceeding the height of 73".

Favour 7; Opposed 0; **Carried**

- e) Crown Land application for land on Forest Road Referred to the Development Committee.

5.2 Correspondence, Requiring Council's decision
None tabled.

5.3 Correspondence, Received and action taken

Council reviewed the following correspondence and action taken:

- a) NL Public Health Laboratory, Test results for three water samples collected from the Carbonear Swimming Pool on October 15, 2008; test results of water samples collected on Oct 7, 2008 at Town of Carbonear Office and Red Circle; and test results of water samples collected on September 22, 2008 at Dept. of Justice and J. Bemister's Hill.
Test results satisfactory and placed on file.
- b) NL Department of Tourism, Culture and Recreation, Office of the Minister Notification of approval of a Community Capital Grant of \$15,000 to assist with the interior renovations to the Carbonear Swimming Pool.
- c) NL Department of Municipal Affairs, Office of the Minister, Re. Memo on Provincial Solid Waste Management Strategy, as it relates to Teepee Incinerators, Three Regional Facilities, C&D Waste Disposal Sites at Transfer Facilities and End User Costs.
Copied to Council.
- d) Municipal Assessment Agency Inc., Subject: 2009 Assessment Service Fees Placed in the 2009 Budget File for consideration by the Finance Committee.
Mayor Slade asked if this was an increase from 2008. Town Administrator advised it was increased by approximately \$7,000.
- e) Recreation NL, 2009 Award Program, Copied to Rob for consideration of nominations. Deadline for nominations is January 31, 2009.

6. Committee Reports

- a) Development Committee
Councillor Comerford advised that he filed the single recommendation from the Development Committee during the Permits section of the meeting. The other items

are deferred for discussion in privilege with Council.

7. Reports from Town Administrator and Department Heads

a) Town Administrator

Town Administrator advised that she previously distributed her report to Council members. Any questions can be directed to the Town Administrator.

Deputy Mayor Slade asked for the Enforcement Officer to monitor the Lions Club location for the bonfire, and to barricade the entrances to the Lions Club parking lot. Director of Operations and Public Works will monitor this situation.

Councillor Earle asked about the project start date for the Traffic Lights, it may be next spring before it starts.

Town Administrator advised that she is waiting on surveys for the properties that have to be acquired to complete the project.

Councillor Earle inquired about the Rorke Museum Cribbing.

Town Administrator advised that construction is continuing at the contractor's location, they will be delivering more cribbing to the site this week, and Marilyn Gear is monitoring the project and checking on activity with the contractor.

Councillor Earle asked about the Willoughby Extension progress. Town Administrator advised that we are now waiting on the legal agreement to be drafted. The time frame for completion is not known, she will have to check on that matter.

Councillor Comerford asked how the budget planning is progressing.

Town Administrator advised that the Finance Chair would have to set a time for the meeting. Deputy Mayor Slade advised that the Finance Committee Meeting to discuss the preliminary 2009 budget plans would be on Wednesday afternoon, 2:30pm.

b) Director of Operations and Public Works

Brian reviewed his report.

Councillor Burden recommended that we move the sewer line on Liberton's Hill

Town Administrator advised that this was previously discussed and that if it had to be replaced we would put it in the shoulder of the road.

Brian to investigate further to determine if this needs to be relocated.

Councillor Earle asked if there are any culverts to be salvaged on the various Chantal project locations. Brian advised he is picking up any of the used culverts that are in good shape.

Concern addressed by resident on Horwoods Hill. Headwall that is being constructed, should take care of the concern raised.

Deputy Mayor Slade asked about work being done just west of Milton's Bridge.

Brian advised that there is a new culvert being installed, and the road is being elevated about .5 metre. Culverts are being increased from 24 inches to 30 inches in diameter. All culverts are being increased in size along that road and another one has been added.

Councillor Earle asked if Council should look at the housing area furthest to the west on Valley Road in regards to the culverts in front of these properties. Brian advised that we have cleaned out all of these ditches and run a culvert across the road by Mr. Green's as well. This should take care of any increased water flow.

Brian commended Harris and Associates on the work they are doing, every time he visits a site, one of their representatives are their monitoring the progress.

Councillor Mercer noted that the contract work seems to be much tidier.

Councillor Burden asked about the pooling of water on the Highroad South Bridge. Brian confirmed that there is a small amount of water pooling there, and the engineering firm and contractor have been contacted and advised on the matter.

Councillor Earle asked to ensure that the War Memorial be cleaned and tidied before November 11th. Four blocks remaining to be cut, and then they will be installed. Brian will ensure that it is cleaned and tidied on Monday. Brian to ensure the red brick is level with the new brick, contractor to complete.

Council thanked the crews for their dedication and work

Councillor Earle inquired about Salt & Sand. Brian advised that the mixture, should be ready in the next day or so and he is now getting quotes on trucking the material to Carbonear. 1600 tonnes have been ordered. Mix is 75/25 sand/salt. We currently have a supply of salt and sand on hand, if needed.

8. Finance

- a) List of Operating Invoices, totaling \$23,202.32

Motion 08-278

E. Slade / F. Earle

Resolved that the Town of Carbonear approve for payment the list of invoices as presented totaling \$23,202.32.

Favour 7; Opposed 0; **Carried**

- b) Capital Invoices

Bridges Upgrading

Harris & Associates, Invoice # 4909	\$ 10,158.02
Harris & Associates, Invoice # 4921	2,594.11
Concord Paving, Claim #3	135,043.19

Tropical Storm Chantal Damage Repairs

Harris & Associates, Invoice # 4919	15,208.73
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New Sub-Division

Harris & Associates, Invoice #4945

2,768.50

Total Capital Invoices

\$ 165,772.55

Motion 08-279

E. Slade / G. Mercer

Resolved that the Town of Carbonear approve for payment the list of capital invoices as presented totaling \$165,772.55.

Favour 7; Opposed 0; **Carried**

9. Regulations

No regulations listed.

10. General Business

Town Administrator to send letter of congratulations to Minister Kennedy on his appointment as Minister of Finance.

11. Notices of Motion

No notices of motions were filed.

12. Adjournment

Motion 08-280 to adjourn at 8:25pm.

G. Mercer / F. Earle

Favour 7; Opposed 0; **Carried**

Mayor Sam Slade

Cathy Somers, Town Clerk