

And Be It Further Resolved that the Town of Carbonear request an approval to borrow from the Department of Municipal Affairs to fund the Town's share of these projects from a chartered bank providing the lowest lending rate to be amortized over a period of 10 years.

Favour 7; Opposed 0; **Carried**

Mayor Slade asked that Motion SPE09-11-03-002 be ratified.

Motion 09-313 **G. Butt / G. Mercer**

Resolved to approve to convey property for a driveway and install a driveway to class A standard for property situate at 1 Pond Side Road, in lieu of the existing driveway location that is located on property owned by the Town of Carbonear; and

Be It Further Resolved to give the Mayor and the Town Administrator the authority to sign the agreement as prepared by the Town's lawyer.

Favour 7; Opposed 0; **Carried**

Mayor Slade asked that Motion SPE09-11-03-003 be ratified.

Motion 09-314 **B. Forward / G. Butt**

Resolved to approve the following new members of the Carbonear Special Events Committee as recommended: Dianne Barrett, Audrey Butt, Richard Rossiter, Pete Snow, Andrea Gosse Butt, Cathy Barron and Ron Martin.

Favour 7; Opposed 0; **Carried**

- ▶ Motions to be ratified from the November 18th, 2009 Privileged Meeting
Mayor Slade asked that Motion SPE09-11-18-001 be ratified.

Motion 09-315 **G. Butt / C. Ash**

Resolved that the Town of Carbonear apply for funding for an Aerial Ladder/Pumper Truck in an amount not exceeding \$1.2 million;

And Be It Further resolved that the Town of Carbonear request an approval to borrow from the Department of Municipal Affairs to fund the Town's share of the Aerial Ladder/pumper Truck from a chartered bank providing the lowest lending rate to be amortized over a period of 10 years.

Favour 7; Opposed 0; **Carried**

4. Delegations – No delegations listed.

5.1 Correspondence, Permits & Development

5.2 Correspondence, Requiring Council's decision.

- a) Municipal Assessment Agency, Ballots for the positions of Avalon and Urban Director. Deadline for submission of completed ballot is 4:00pm December 18, 2009. Council to consider nominees and determine which candidate to vote for. Information received from candidates is copied and placed in Councillors trays as they are received.

This matter can be deferred until the December 7th meeting.

Candidates correspondence received to date:

Avalon Director: Deborah A. Quilty, Councillor, Town of Paradise
Paul Davis, Deputy Mayor, Town of Conception Bay South
Gerald Greenland, Councillor, Town of Bay Roberts

Urban Director: Elmo Bingle, Councillor, Town of Deer Lake

Deferred for decision at December 7th, 2009 Regular Council Meeting.

- b) MNL, Resolution to reject Proposed NAFO amendments that was passed at the Resolutions Session during our Convention, and request for Council to forward this resolution to the MP stating Council's support for the resolution and for them to reject the amendments as proposed in the prayer of resolution.

Copied to Council for consideration.

Reviewed by Council.

Motion 09-316

G. Mercer / B. Forward

Resolved that the Town of Carbonear forward a letter to Scott Andrews, MP in support of the MNL Resolution to Reject Proposed NAFO Amendments

Favour 7; Opposed 0; **Carried**

- c) Town of Hr. Grace, Request for a letter of support for the Town of Hr. Grace to obtain funding under the Joint Emergency Preparedness Program to purchase a Hovercraft for this region.

Copied to Council.

Reviewed by Council

Motion 09-317

G. Mercer / E. Goff

Resolved that the Town of Carbonear provide a letter of support to the Town of Harbour Grace to obtain funding under the Joint Emergency Preparedness Program to purchase a 'Hovercraft' for this region.

Favour 7; Opposed 0; **Carried**

5.3 Correspondence, Received and action taken

Council reviewed the following correspondence and action taken:

- a) Minister of Fisheries & Oceans, Re. Response to Council's letter of September 21, 2009 regarding the propose amendments to the 1978 Northwest Atlantic Fisheries Organization Convention.
Copied to Council. Placed on file.
- b) NL Public Health Laboratory, Test results of water samples collected Oct 21, 2009 at J. Bemister's, water samples collected on Oct. 28, 2009 at J. Bemister's and Dominion Stores, water samples collected on November 2, 2009 at Swimming Pool. All test results marked satisfactory. Placed on file.
- c) Municipal Assessment Agency Inc., Annual Report for 2008-2009.
Copy of the report has been placed on the Mayor's Desk. Council can review at their convenience.
- d) Veterans Affairs Canada, Re. Notice of receipt of application for funding under Veterans Affairs Canada's Cenotaph/Monument Restoration Program advising that the proposal has been presented to the External Review Committee for consideration.
Letter copied to Council.
- e) Resident, Request that neighbouring home's sewer line not be connected to their sewer line.
Copied to Council and referred to the Public Works, Recreation and Special Events Committee for consideration.
- f) Property Owner, Request for tax relief for a three year period while property is being renovated.
Referred to the Finance, Human Resource and Administration

6. Committee Reports

a) Finance, Human Resource and Administration

Deputy Mayor Ash presented the recommendations from the Finance, Human Resources and Administration Meeting

Motion 09-318

C. Ash / B. Forward

Resolved that the Town of Carbonear adjust the sewer tax and applicable interest on Account 10841 as sewer is not accessible to that lot and the lot is serviced by a septic system.

Favour 7; Opposed 0; **Carried**

Motion 09-319

C. Ash / G. Mercer

Resolved that the Town of Carbonear adjust \$1,000 in interest on Account #10842, subject to receiving payment of the remaining balance in full on the account. Payment in full must be received within 30 days of notification of this decision.

Favour 7; Opposed 0; **Carried**

Motion 09-320

C. Ash / G. Mercer

Resolved that the Town of Carbonear approve for payment the list of invoices as presented to Council totaling \$13,467.11.

Favour 7; Opposed 0; **Carried**

Motion 09-321

C. Ash / G. Mercer

Whereas the Clerk I has been on staff for several years in a temporary position, working full-time, other than the time taken for vacation, Be It Resolved that the Town of Carbonear award Karen Butt the permanent full-time position of Clerk I effective immediately.

Favour 7; Opposed 0; **Carried**

Motion 09-322

C. Ash / G. Mercer

Resolved that the Town of Carbonear implement a fee for any Municipal Plan and/or Development Regulations amendments, whereby the developer will be responsible for the full cost of a plan amendment and any associated expenses relating to the amendment, including: planning fees, advertisements, hearing costs, etc. A deposit of \$2,000 will be required when the application for the Municipal Plan and/or Development Regulations is submitted. Any additional cost will be invoiced to the developer upon completion of the amendment. This policy to be effective immediately upon adoption and could be included on the yearly Tax Rate Schedule.

Favour 7; Opposed 0; **Carried**

Motion 09-323

C. Ash / D. Kennedy

Resolved that the Town of Carbonear adopt the Fire Department Regulations as prepared by the Town Administrator and reviewed by the Finance, Human Resource and Administration Committee.

Favour 7; Opposed 0; **Carried**

Motion 09-324

C. Ash / B. Forward

Resolved that the Town of Carbonear adopt the Commercial Vehicle Regulations

as prepared by the Town Administrator and reviewed by the Finance, Human Resource and Administration Committee.

Favour 7; Opposed 0; **Carried**

Motion 09-325

C. Ash / G. Mercer

Resolved that the Town of Carbonear adopt the Recognition for Birthdays, Anniversaries Policy as prepared by the Town Administrator and reviewed by the Finance, Human Resource and Administration Committee.

Favour 7; Opposed 0; **Carried**

Mayor Slade asked if one of the milestone events is missed, for example: if a 65th birthday is missed, but the request is submitted on the 66th Birthday, can that request then be granted.

Discussed. Council agreed it could be permitted.

b) Development, Cultural and Tourism Initiatives

Councillor Kennedy presented the recommendations of the Development, Cultural and Tourism Initiatives Committee

Motion 09-326

D. Kennedy / G. Butt

Resolved that the Town of Carbonear approve the list of permits # 4550-4553 as presented to Council.

Favour 7; Opposed 0; **Carried**

Motion 09-327

D. Kennedy / B. Forward

Resolved that the Town of Carbonear approve a permit for the construction of an extension to the commercial building at 19 Industrial Crescent for use for office space, as per the application received and in accordance with the Carbonear Municipal Plan and Development Regulations.

Favour 7; Opposed 0; **Carried**

Town Administrator advised that Council should also consider a motion on the amendment requested for Mr. Penney's property.

Motion 09-328

G. Mercer / B. Forward

Resolved that the Town of Carbonear proceed with a Municipal Plan and Development Regulations Amendment to re-zone the property of 2-12 Earles Lane from Residential Medium Density to an appropriate zoning classification to allow office buildings, subject to receiving the amendment fee of \$2,000.

Favour 7; Opposed 0; **Carried**

c) Public Works, Recreation and Special Events

Councillor George Butt presented the recommendations of the Public Works, Recreation and Special Events Committee.

Motion 09-329

G. Butt / G. Mercer

Resolved that the Town of Carbonear install a street light on Cotters Street as per the application received.

Favour 7; Opposed 0; **Carried**

Motion 09-330

G. Butt / C. Ash

Resolved that the Town of Carbonear install street lights in the new sub-division extension off Blueberry Crescent as per the street lighting plan prepared by the

Director of Operations and Public Works and in accordance with the Town's Street Lighting Policy.

Favour 7; Opposed 0; **Carried**

Motion 09-331

G. Butt / B. Forward

Resolved that the Town of Carbonear proceed to have Quadratec include the additional work identified by Bridger Design Associates Limited relating to the existing project plans for the Carbonear Pool in the tender to be advertised on that project.

Favour 7; Opposed 0; **Carried**

Deputy Mayor Ash inquired about Item 1b discussed by the Committee, regarding the request to relocate a water line. Under current regulations, he asked if a waterline would be permitted that close to a residential dwelling. Brian advised that the distance currently required is 25 feet from the main. Deputy Mayor Ash asked if there was only one house tied into that main. Brian confirmed that there is actually two houses serviced by that main. Deputy Mayor Ash and Councillor Butt noted that this is a legitimate concern for the resident.

Town Administrator advised that there are many houses on existing streets that are very close to the road, and they are also very close to the watermains in those roads and there are other locations where watermains run through private property and these lines are also very near existing houses.

Discussed.

Councillor George Butt asked that an estimate to re-locate the line be prepared and reviewed at the next committee meeting.

Council agreed. Brian to prepare the estimate for review by the Committee.

d) Waste Management, Environment and Community Services

Councillor Mercer advised Council on the following matters discussed by the Committee:

- ▶ The Director of Operations and Public Works will be contacting Jason Synard at the City of St. John's, and Ken Kelly of Eastern Waste Management Board to get information regarding waste reduction and the committee will be making recommendations on this matter.
- ▶ Leaf collection will be done on November 26, however the committee is investigating the process of constructing a composting facility here in town.

Mayor Slade noted that a plan for a compost location is something that he would like to see implemented by the Council during their term.

Councillor Mercer indicated that there are regulations governing composting facilities, and a good plan needs to be investigated.

Councillor Goff asked if we should run this by the Joint Councils for consideration as a regional initiative. Deputy Mayor Ash concurred that this could be a regional initiative. He advised that while attending the MNL conference, he spoke with the Mayor of Grand-Falls Windsor, and they have a compost facility in Grand Falls-Windsor that is working very well for them.

Committee will investigate the matter further and consult with the Town of Grand Falls Windsor on their compost facility.

Councillor Mercer advised that Council could review the minutes of the meeting in detail. Other items would be investigated further and recommendations will be made to Council on these matters.

7. Reports from Town Administrator and Department Heads

a) Town Administrator

Town Administrator advised that she copied her report to Council. There are several items in the report that she will discuss further in privilege with Council. Mayor Slade clarified that the 2010 Capital Works application has been submitted, and that the 2011-2014 Multi-Year Capital works application deadline is December 4th, 2009.

b) Recreation Director (will report at next meeting)

c) Director of Operations and Public Works

Brian reviewed his report with Council.

- ▶ Mayor Slade noted that he has concerns with our capital project completion times, and he would like to ensure that future projects get started in the spring and summer months, rather than in the fall. Council agreed.
- ▶ Brian advised that the water on Highroad South Bridge should now be corrected.
- ▶ Councillor Mercer asked about the snow clearing schedule and routes. Brian advised that he and Brent are finalizing the schedules. Councillor Mercer requested that copies of the routes and schedules be placed in Councillor's trays. Agreed.
Copies will be placed in Councillor's trays.
Councillor Goff asked if there is a priority system determined for snow clearing. Brian advised there is and that the main streets (arterial streets) are done first, then collector streets, and minor streets, etc.
Brian will provide a copy of this policy to Council members.
- ▶ Brian advised that there is a supply of salt/sand on hand and we have had two applications to date with icy mornings.
- ▶ Theatre duct heaters
Brian advised that one of duct heaters need to be replaced in the Theatre, he advised of the two prices received to date, and that a third quote has been requested, but not yet received.

Motion 09-332

G. Mercer / G. Butt

Resolved that the Town of Carbonear contract the firm providing the lowest of three quotes received to replace the duct heater in the Theatre.

Favour 7; Opposed 0; **Carried**

- ▶ Mayor Slade asked about the problems with water run off on Long's Hill which causes ice build up in the winter months.
Brian advised there is a problem with a natural stream by the roadway and the water service lines are only about 2-3 feet below the road surface, the main drainage ditch is across the street. Staff are investigating to determine a solution to bring the water across the street to flow into the main drainage ditch. Brian will continue his investigation for a solution to the situation.

8. Finance

a) List of Operating Invoices, totaling \$13,467.11

Approved earlier under the Finance, Human Resource and Administration

Committee report.

2. List of Capital Invoices

Water & Sewer Systems Upgrading Pikes Lane - Phase II

Harris & Associates Invoice 5124 \$ 9,756.95

Challenger Construction, Invoice Claim #1 \$706,157.49

Chlorination System Upgrading (2009)

Harris & Associates Invoice 5126 \$ 2,902.42

Gut Bridge Upgrading

Harris & Associates Invoice 5127 \$ 1,400.78

Street Upgrading & Paving - Chapel Hill & Highroad South

Harris & Associates Invoice 5125 \$ 1,090.72

Total Capital Invoices **\$721,308.36**

Motion 09-333

G. Mercer / B. Forward

Resolved that the Town of Carbonear approve for payment the list of capital invoices totaling \$721,308.36 as presented to Council.

Favour 7; Opposed 0; **Carried**

9. Regulations

a) Parking of Commercial Vehicles Regulations

Approved earlier under the Finance, Human Resource and Administration Committee report.

b) Fire Department Regulations

Approved earlier under the Finance, Human Resource and Administration Committee report.

10. General Business

Town Clerk advised that Councillor Kennedy had requested to add "Report for Recreation Committee" to the agenda. Town Clerk asked for a motion to add the item to the agenda.

Motion 09-334

D. Kennedy / C. Ash

Resolved to add "Recreation Commission Report" to the Regular Council Meeting Agenda for November 24, 2009.

Favour 7; Opposed 0; **Carried**

a) Recreation Commission Report

Councillor Kennedy reported on his meeting with the Recreation Commission on November 22nd, 2009.

▶ Commission held election of officers:

Chairperson: Jimmy Southwell

Vice-Chairperson: Colin Clarke

Treasurer: Chris Bryant

Secretary: Rodney Green

▶ Request to accept recommendation for new member: Fred Earle

Motion 09-335 **D. Kennedy / G. Mercer**

Resolved to approve Fred Earle as a member of the Recreation Commission.

Favour 7; Opposed 0; **Carried**

▶ The Commission received a request from the Town of New Perlican to obtain

the swing structures from the former Leslie Street playground. They are willing to remove it from site at their cost. The Commission would like to approve their request.

Discussed.

Motion 09-336

D. Kennedy / B. Forward

Resolved that the Town of Carbonear donate the swing structures from the former Leslie Street playground to the Town of New Perlican subject to equipment being removed from the site by the Town of New Perlican.

Favour 7; Opposed 0; **Carried**

- ▶ The Recreation Commission is obtaining further information and are planning to purchase a defibulator for use at the Carbonear Pool if the need arises.
- ▶ The Recreation Commission are planning a facility upgrade of the current canteen/washrooms building next to the pool. The project will be funded by the Commission and will include removal of the existing building, they will reuse the concrete base, rebuild the canteen and washrooms along with an attached covered deck/wharf area for the boat play structure that was installed this year.
- ▶ The Recreation Commission will be submitting their 4 year plan to Council and will have representatives come in to make that presentation to Council and review the plan with Council.
- ▶ Representatives of the Commission will be coming in to meet with the Finance Committee before their next meeting.

Councillor Goff suggested that Council should also have representatives from the Theatre Board and the Special Events Committee meet with Council as well. Agreed.

Mayor Slade asked the Town Administrator to have letters of congratulations sent to the newly elected officers of the Recreation Commission and to the newly appointed member of the Recreation Commission.

Town Administrator advised she will have the Director of Recreation and Tourism prepare these letters for the Mayor's signature.

- b) Deputy Mayor Ash asked if the letter was written to Minister Kennedy advising him of Council's decision on the Bradbury application and to request any suggestions that he may have on the issue. Town Administrator advised that the letter has been sent to Minister Kennedy as requested.
- c) Councillor Mercer extended her thanks to the Town staff for handling the activity with the H1N1 Clinics being held here at the Civic Centre. She noted that it is great that the Town is able to assist in providing this service. Council agreed. Councillor Mercer asked the Town Administrator to pass along Council's thanks to the office staff.

11. Notices of Motion

Deputy Mayor Ash asked if notice of motion was given at the last Council meeting on the Commercial Vehicle Regulations.

Town Administrator advised that notice of motion was given through Council's

decision at the last Regular Council Meeting.

12. Adjournment

Motion 09-337

C. Ash /B. Forward

Resolved to adjourn the meeting at 8:40 p.m.

Mayor Sam Slade

Cathy Somers, Town Clerk