



Deputy Mayor Ash asked that Motion SPE 10-02-10-002 be ratified.

**Motion 10-059**

**D. Kennedy / E. Goff**

*Resolved that the Town of Carbonear award the contract to install a sub-floor in the back changerooms of the Carbonear Pool to Classic Carpentry at a cost of \$7,850 + HST.*

Favour 6; Opposed 0; **Carried**

4. Delegations

- a) Debra Bradbury, Concerning the road between English Hill and Bunker Hill  
Deputy Mayor Ash invited Ms. Bradbury to make her presentation to Council. Ms. Bradbury distributed a copy of her presentation to each of the Council members. Ms. Bradbury indicated that the people voted this Council in. She noted that she has a petition with 1000 signatures on it requesting Council to fix this problem. She noted that Council advised that they would not take anything away from anyone, however they did reduce snow clearing services on this road. She then reviewed the highlighted areas of her presentation to Council (copy attached).

She noted that she feels the Municipal Plan is being manipulated by Council and staff. She noted she had a copy of a letter from Don Brennan indicating that the road would have to be moved a distance of 2.3 metres, and she advised that she is willing to give the town 2.3 metres of her property as required. She noted that she spoke with Mr. Harrington on this matter and he indicated that if the road is not fixed it could be closed. She noted that if Council does not handle this matter in the next couple of months, that her and her husband would proceed to take the matter to Supreme Court.

Deputy Mayor Ash advised that there would be no discussion on the presentation at this time, but Council members could address any questions to Ms. Bradbury for clarification of her presentation.

There were no questions from Council on the matter.

Deputy Mayor Ash thanked Ms. Bradbury for her presentation and advised that Council would consider her presentation and respond to her on the matter.

5.1 Correspondence, Permits & Development

None presented.

5.2 Correspondence, Requiring Council's decision.

None presented.

5.3 Correspondence, Received and action taken

Council reviewed the following correspondence and action taken:

- a) Resident, Request for adjustment of interest if 2008, 2009 and 2010 are paid in full by March 31, 2010.  
Referred to and reviewed by the Finance, Administration and Human Resources Committee.
- b) Department of Municipal Affairs, Circular Re. Conclusion of 2006-2010 Gas Tax Funding.

- Referred to and reviewed by the Finance, Administration and Human Resources Committee.
- c) Heritage NL, Sample proclamation for February 15<sup>th</sup> as Heritage Day, and call for nomination for the 2010 Southcott Awards for built heritage preservation. Referred to and reviewed by the Finance, Administration and Human Resources Committee.
- d) Resident, Letter of disappointment regarding increase in minimum property tax from \$150 to \$300. Referred to and reviewed by the Finance, Administration and Human Resources Committee.
- e) Resident, Concerns with Right of Way - Access to 27 Mahaney's Lane Referred to and reviewed by the Finance, Administration and Human Resources Committee.
- f) Residents, Concerns with erosion of land adjacent to residential water-front property located at Carbonear South including letter of response from Scott Andrews, M.P. on the matter. Referred to and reviewed by the Finance, Administration and Human Resources Committee.
- g) Request for donation to fund-raiser for the Community Handicapped Association. Referred to and reviewed by the Finance, Administration and Human Resources Committee.
- h) Royal Canadian Legion Branch 23, Request for donation. Referred to and reviewed by the Finance, Administration and Human Resources Committee.
- i) Princess Sheila NaGeira Theatre, Request for Release of 2010 operating grant of \$7,500. Referred to and reviewed by the Finance, Administration and Human Resources Committee.
- j) Residents, Letter of objection to Application for Taxi Service business at 77 White's Road. Referred to and reviewed by the Development, Cultural and Tourism Initiatives Committee.
- k) Newfoundland & Labrador Public Health Laboratory, Test results for water samples taken on January 26, 2010 at J. Bemisters. Results satisfactory. Placed on file.
- l) Betty Moore, Avalon Director, MAA. Re. Notification to Council to present to her any concerns or issues for discussion with the MAA on the Town's behalf. Copied to Council. Placed on file.
- m) Peggy Roche, Urban Director, MAA. Re. Notification to Council to present to her any concerns or issues for discussion with the MAA on the Town's behalf. Copied to Council. Placed on file.
- n) Department of Municipal Affairs, Eastern Regional Office. Acknowledgement of receipt of the Town's 2010 Municipal Budget, noting that the budget was reviewed and there were no material deficiencies identified. Letter placed on file.
- o) Department of Municipal Affairs, Office of the Minister. Notification of the Professional Municipal Administrators (PMA) Annual Convention and Exhibition being held from April 21-23, 2010 at the Holiday Inn, in St. John's.

It is recommended that Council encourage their administrators to attend.  
Copied to Council.

Town Administrator and Town Clerk registered to attend.

- p) CBN Joint Councils Association, Schedule of Meetings for 2010.  
Copied to Council.
- q) FCM, Notice of Registration cost and Annual Conference and Municipal Expo, May 28-31, 2010.  
Referred to the Finance, Administration and Human Resources Committee.

6. Committee Reports

- a) Finance, Administration and Human Resources Committee.

Deputy Mayor Ash reviewed the recommendations from the Committee with Council.

**Motion 10-060**

**G. Mercer / D. Kennedy**

*Resolved that the Town of Carbonear revoke the demolition order issued to the owner of 234 Water Street.*

Favour 6; Opposed 0; **Carried**

**Motion 10-061**

**B. Forward / G. Butt**

*Resolved that the Town of Carbonear approve for payment the list of operating invoices totaling \$23,540.58.*

Favour 6; Opposed 0; **Carried**

**Motion 10-062**

**B. Forward / D. Kennedy**

*Resolved that the Town of Carbonear request an extension for the completion date of the Gas Tax Funds projects to be September, 2010.*

Favour 6; Opposed 0; **Carried**

**Motion 10-063**

**G. Butt / B. Forward**

*Resolved that the Town of Carbonear used the remaining 2006-2010 Gas Tax Funds for the Chapel Hill Road Upgrading project.*

Favour 6; Opposed 0; **Carried**

**Motion 10-064**

**G. Mercer / G. Butt**

*Resolved that the Town of Carbonear donate \$25 to the Royal Canadian Legion Branch 23 for their Talent Night.*

Favour 6; Opposed 0; **Carried**

**Motion 10-065**

**G. Butt / B. Forward**

*Resolved that the Town of Carbonear approve for payment the amount of \$7,500 to the Princess Sheila NaGeira Theatre for their 2010 Budget Allocation.*

Favour 6; Opposed 0; **Carried**

**Motion 10-066**

**G. Mercer / G. Butt**

*Resolved that the Town of Carbonear waive the permit fee for the renovations for O'Shaughnessy House.*

Favour 6; Opposed 0; **Carried**

b) Waste Management, Environment and Community Services Committee  
Councillor Mercer advised the report was copied to Council. Further discussion will be required in a privileged meeting with Council.

c) Development, Cultural and Tourism Initiatives Committee  
Councillor Kennedy presented the Committee's recommendations to Council.

**Motion 10-067**

**D. Kennedy / B. Forward**

*Resolved that the Town of Carbonear approve the list of permits #4575 - 4577 as presented to Council.*

Favour 6; Opposed 0; **Carried**

**Motion 10-068**

**D. Kennedy / B. Forward**

*Resolved that the Town of Carbonear issue a permit for a Taxi Service to operate as a home based business from 77 White's Road, subject to the following conditions:*

- ▶ *Taxi vehicles are required to back into the driveway at the location; and to give consideration to the traffic along Whites Road when entering and exiting their location;*
- ▶ *If the volume of taxi services increases that Council may require the business to be relocated to a Commercial Area with a Taxi Stand location.*

Favour 6; Opposed 0; **Carried**

a) Public Works, Recreation and Special Events Committee  
Councillor Butt advised that the minutes of the Committee were distributed to Council. There were no motions recommended from the meeting, however there was on item that the Committee will discuss further in privilege with Council.

7. Reports from Town Administrator and Department Heads

a) Town Administrator

Town Administrator advised that she previously copied her report to Council. There are no motions required from her report, however if Council has any questions they can be addressed to her.

Councillor Kennedy noted that he is aware that people are having problems with snow being placed back into the street by property owners after the street has been cleared. He noted that the problem is more widespread than what is reported, as not all people will file their complaint.

Town Administrator advised that the Enforcement Officer has been communicating with those who are in violation of the snow clearing regulations when these violations are identified.

b) Director of Operations and Public Works

Brian reviewed his report with Council.

Council noted that it was good to see the action being taken to clear the gut bridge area.

Discussed.

It was noted that a couple of other municipalities have received funding for flood prevention due to similar problems. Town Administrator confirmed that staff are pursuing possible funding sources for this concern.

Deputy Mayor Ash advised that he has received complaints regarding the cars

parked in front of the barriers at the former Ultramar location on Water Street. The cars are parking in close to the barriers, which does not allow for the sidewalk area for pedestrians.

Discussed.

Director of Operations and Public Works will investigate possible signage to be placed to provide a solution to the problem.

Council noted a serious problem with potholes on Southwell Place.

Discussed.

Director of Operations and Public Works noted that this is a gravel road. He has assigned the work for crews to apply Class A to the potholes which will improve the road conditions.

Councillor Kennedy noted the importance of filling the potholes throughout town. Brian advised that crews are using recycled asphalt when possible, and Class A when the weather does not allow for recycling. Works crews are doing their best to keep up with it.

Council commended the crews for their work in this area.

c) Director of Recreation and Tourism

Rob reviewed his report with Council.

Deputy Mayor Ash asked if when the repairs are completed to the washroom and change rooms at the pool that all showers will be functioning. Rob confirmed that all the showers will be in working condition, however painting of the change rooms will have to be completed at a later date.

8. Finance

a) Capital Invoices

Water & Sewer Systems Upgrading, Pike's Lane - Phase II

Challenger Construction, Claim #2 \$78,461.95

**Motion 10-069**

**B. Forward / D. Kennedy**

*Resolved that the Town of Carbonear approve for payment Claim #2 in the amount of \$78,461.95 to Challenger Construction.*

Favour 6; Opposed 0; **Carried**

Councillor Goff asked if there was any holdback remaining on this project.

Town Administrator confirmed that this is the final claim on the project.

Discussed.

Council asked that the Town Administrator confirm with the engineers and the Director of Operations and Public Works that a final inspection was carried out on this project and that there are no outstanding deficiencies on the project before the funds are released to the contractor.

9. Regulations

None presented.

10. General Business

- ▶ Councillor Mercer requested a point of clarification. She asked the Town Administrator if there was ever a permit issued on Bunker Hill on the basis that the section of road connecting Bunker Hill and English Hill was considered a

town street.

Town Administrator confirmed that no there wasn't any permit issued on that basis.

- ▶ Councillor Kennedy noted that the Davis Elementary parking lot is quite small, and parking is an issue after each snow fall. He requested that the town crews keep the sidewalks on Church Street cleared of snow after each snow fall. Brian advised that after the town streets are cleared, the snow clearing crews will clear the sidewalks. Church Street sidewalks are done first on the list.

11. Notices of Motion  
None listed.

12. Adjournment

**Motion 10-070**

**G. Butt / B. Forward**

*Resolved to adjourn the meeting at 8:09 p.m. Next meeting scheduled for Monday, March 1, 2010 at 7:30pm.*

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Deputy Mayor Ches Ash

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Cathy Somers, Town Clerk