



MINUTES
PUBLIC COUNCIL MEETING
April 11, 2016

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on April 11, 2016, at 7:45 p.m.

Members Present

Mayor Ralph Tapper
Councillor Peggy Roche
Councillor Craig Scott
Councillor Carol Ann Smith
Councillor Mary Thorne-Gosse
Councillor Brian Whitty

Staff Present

Dawn Chaplin, CAO/Town Clerk
Stephanie Kane, Director of Corporate & Community Services
Bernie Manning, Director of Infrastructure and Public Works
Ann Picco, Deputy Clerk (Acting Town Clerk)
Brian Winter, Director of Planning and Development

Absent

Deputy Mayor Geoff Gallant

Gallery

There were a total of 22 people in attendance.

Adoption of Agenda

115-16 Motion – Councillor Smith / Councillor Thorne-Gosse

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Adoption of Minutes

116-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Minutes of the March 28, 2016, Public Council Meeting be adopted, with the following change:

- Page 8 – Under Executive Committee, Item 4 – remove comment/bullet.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION

- Proclamation – Miles for Smiles Foundation - Child Abuse Prevention Month
 - Councillor Smith read the proclamation aloud.
 - See motion below:

117-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay proclaim the month of April 2016 to be Child Abuse Prevention Month in Torbay, and urge all citizens to work together to help reduce child abuse and neglect significantly in years to come.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Smith, Scott, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

- Proclamation – World Autism Awareness Day
 - Councillor Scott read aloud the email from the Manager, Advocacy & Communications, Autism Society, Newfoundland Labrador (ASNL), dated April 5th.
 - See motion below:

118-16 Motion – Councillor Scott / Councillor Roche

RESOLVED THAT the Town of Torbay declare April 2, 2016, as World Autism Awareness Day to raise public and professional awareness and understanding of Autism in the Town of Torbay.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Council discussed the above motion indicating the importance of raising awareness of autism and mental illnesses. There are issues relating to inclusion in schools and community groups and other programs and events. Mayor Tapper advised that this is a great initiative, and the Town is working to include all children in programming.

- Resident of Quarry Road Extension
 - Resident had cancelled.

- Secretary, Torbay Library Board
 - The Secretary spoke on behalf of the Torbay Public Library Board, noting the below:
 - Since February 1st, the Provincial Government would not commit to financing for the Library.
 - The Library provides essential service to residents, including seniors and youth who require computer services and library and literacy programs. The Library provides a sense of community in the Town.
 - The Secretary advised that the Board has shown commitment through lobbying efforts, petition to save library with over 1,500 signatures, and fundraising efforts. To date the Library Board has raised \$1,200.00 through local business sponsorship. She also indicated that the Town of Flatrock has provided funding for the Library.
 - She emphasized the importance of this resource and thanked Members of Council who have worked with them.
 - Mayor advised that a motion relating to the Torbay Library is upcoming.

- Resident of Bauline Line discussed the proposal from potential property owner in the Middle Three Island Pond area to develop a parcel of Crown land for the purpose of a quarry site.
 - Resident advised he attended tonight's Council Meeting with some other local residents of the Bauline Line to express their concerns and opposition to the expansion of existing quarry in the Middle Three Island Pond area, as follows:
 - Additional quarries would add to present issues of already existing quarries. Residents have concerns including dust, noise, road wear, safety, environmental issues, and decreased property values.
 - Size and frequency of commercial traffic and heavy equipment has increased, including poor road conditions. Blasting is a concern for residents – flying rock debris on roads, foundation and structural damage, and damage to wells and septic systems.
 - Area residents request improved regulations and monitoring of existing quarry operations.

- Resident provided history of a past quarry application, at which time Council voted against new quarry development in the area. There was an appeal process, which went to the Regional Appeal Board and the Supreme Court. Council's reason to refuse was upheld. He advised that concerns voiced by residents then still exist today, and there is still public objection.
- Residents have contacted and written letters to Council stating their concerns relating to safety, blasting, road damage, environmental issues, and unsightly views. Residents look forward to when existing quarries will be brought back to their natural state.
- Residents respectfully request that Council vote no to future quarry development in this area.
- Mayor Tapper advised that there is a change in the application; and, at present, is in process, and with the Planning and Development Committee.
- He further advised that he and the Director of Planning and Development met with staff from the Department of Natural Resources to discuss safety issues, including blasting and regulations. They discussed with the Department the need to know when new permits are issued, and the need for a say into conditions of permits, including notification to residents. The Town is working on these issues in the way of safety; and, a policy is required so that towns can also govern blasting.

Mayor Tapper referred to the Gallery and asked if anyone would like to present to Council. There were none.

MAYOR'S REPORT

Mayor Tapper provided a report, dated March 25 – April 7, 2016, of his work and connections that he has made in the community over the past couple of weeks. He further discussed the below:

- Meeting with the Department of Natural Resources on March 28th – discussed above.
- On March 31st, Mayors in the region met with staff from Municipalities Newfoundland and Labrador (MNL) to look at regional governance.
 - MNL has showed interest in pilot projects pertaining to different models of governance. Area mayors have been involved and cooperating over the last few years, and MNL has looked at our model as an example. We're helping MNL to move forward with this initiative. Area mayors will be meeting again on Thursday night at one of our regular quarterly meetings.

NOTICES OF MOTION

None.

CORRESPONDENCE

1. Stewardship Association of Municipalities (SAM) – 2016 Spring Annual General Meeting Invitation. ***For information purposes. Mayor advised he will share information with the Environment Advisory Committee and the Torbay Environment and Trails Committee, as well.***
2. St. John’s and District Labour Council – National Day of Mourning for Workers Killed and Injured in the Workplace. ***This is an annual ceremony, which takes place at the Confederation Building. Mayor is attending on behalf of the Town, and Councillors are all welcome. CAO noted that the Town will fly a flag, “National Day of Mourning for Workers Killed and Injured in the Workplace,” at half-mast on April 28th, as well.***
3. The Town of Flatrock – ice control material for Winter operations. ***Referred to Infrastructure and Public Works Committee.***
4. Department of Seniors, Wellness and Social Development – approval of grant. ***For information purposes. The Town has received approval for a grant in the amount of \$7,260.00.***
5. Request for re-zoning of vacant land. ***Referred to the Planning and Development Committee.***
6. Request for building permits. ***Referred to the Planning and Development Committee.***
7. Correspondence concerning Crowns lands application – Corner Path / Middle Three Island Pond Road. ***Referred to the Planning and Development Committee.***

CORRESPONDENCE & ACTION REPORT

The Correspondence and Action Report, dated April 11, 2016, was discussed and accepted as presented.

- Item 6 – Status of trail off Marine Drive (Jones Pond Trail)
 - Mayor Tapper advised that the deadline for property owner to respond has passed. The Town will proceed and not respond or contact the property owner until ready to move on the trail, if that is the desire of Council. Will be further discussed at a Committee of the Whole Council Meeting.

COMMITTEE REPORTS

Planning and Development

Councillor Smith provided an overview of items discussed under the Planning and Development Meeting Minutes, dated March 22, 2016.

Items discussed included:

1. Development Proposals

- a) Proposal from potential property owner in the Middle Three Island Pond area to develop a parcel of crown land for the purpose of a Quarry site.
- Mayor has provided an update on this above, under the Proclamations, Presentations, Question & Answer section. A new application has been received, which will go through the Planning and Development Committee at next scheduled meeting, and go through process.

2. Correspondence

- a) Letter from property owner 80 Dunphy's Lane.
- The property owner is requesting that the Town rezone a portion of his property from residential use to commercial use. For the purpose of constructing 20 storage units.
 - All Council were given the opportunity to provide comments.
 - After much discussion over the last number of meetings, Committee is in agreement that this type of business is not suited for the proposed location.
 - The location is a residential area and the road leading to it travels along a number of residences.
 - In addition to the residential setting, the property is adjacent to the Conservation and Habitat management unit that surrounds Torbay bight.
 - Motion to follow.

119-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay refuse the request to have a portion of 80 Dunphy's Lane rezoned from a Residential Land Use Zone to a Commercial Land Use Zone for the purpose of constructing a 20 unit storage facility. Committee feels that this type of business is not suited for the proposed location. The location is a residential area and the road leading to it travels along a number of residences. In addition to the residential setting the property is adjacent to the Conservation and Habitat management unit that surrounds Torbay bight.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Councillor Thorne-Gosse left the Public Council Chambers at 8:16 p.m., as it was determined she was in a conflict of interest.

- b) Letter from property owner 19-25 The Battery.
- Committee discussed the proposal to rezone a portion of land that is currently zoned conservation to a residential use to allow for a new home to be built.
 - Committee asked for Council's input, and agreed to not go ahead with the request to rezone.
 - After much discussion Committee agreed that it would not recommend that the parcel of land be rezoned. This area has been zoned Conservation back to the Town's original plan and was added as a Habitat Management Unit in 2015.
 - See motion below:

120-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay refuse the request to have 19-25 The Battery rezoned from a conservation Land Use Zone to a Residential Land Use Zone for the purpose of constructing a single family dwelling. Committee feels that this land was zoned conservation back in the original Town plan to protect the area surrounding Torbay Bight and this Council has recently added another level of protection to the area by making it a Habitat Management Unit.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Councillor Thorne-Gosse returned to the Public Council Chambers at 8:20 p.m.

- c) Letter from the Department of Environment and Conservation - Water Resources Division in relation to development in the area of the Jack Byrne Arena.
- Committee reviewed the letter provided for information
- d) Letter from the Town of Flatrock in relation to a proposed St. John's Urban Region Regional Plan Amendment for their Town.
- Committee reviewed the document and discussed water shed, increased traffic, and the East Coast Trail.
 - Committee agreed that a letter should be written to the Town of Flatrock in relation to the rezoning of land on Wind Gap Road for the purpose of a large development. The letter will outline Council's concerns regarding the possible increase in traffic to the Wind Gap Road Area in Torbay.
 - In relation to the Watershed rezoning, the Director noted that Moon Pond and Half Moon Pond were apparently in watershed protection in error and have no impact on the Medalsis Pond (Middle Pond) watershed. This needs to be corrected.

- The Director noted that it appears that the Town of Flatrock is proposing to rezone some of its Habitat Management Unit to a residential zone. Mayors Thorne and Tapper discussed and will bring forward.
- Mayor Tapper will also discuss the East Coast Trail issue with the association and Mayor Thorne.

3. Other Items

- a) Draft copy of the updated Engineering Design Guidelines for Subdivisions.
 - Motion was included to adopt the Engineering Design Guidelines for Subdivisions, however, one item requires review and it was agreed to defer and bring forward to next Committee Meeting.
- b) Noise and Nuisance Regulations
 - Updated regulations are now ready for adoption. See motion below:

121-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay adopt the updated Noise and Nuisance Regulations dated March 2016 - pursuant to Section 414 (2) ee of the Municipalities Act, Chapter M-24, S.N. 1999.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Council discussed the above motion, commenting as follows:

- The Town receives a number of calls pertaining to noise related issues.
 - If there is an issue, residents should contact the RNC immediately so they can act upon it.
 - The Town can also enforce the regulations by writing letters to residents / neighbours, which can help resolve an issue. The Town also has the ability to access Motor Vehicle Registration to obtain information as to owner of a vehicle; at which time, the Town can contact the individual or forward correspondence. The RNC can be copied for their records.
 - It was requested that the regulations be placed on the Town's website so residents can review for information.
- c) Protocol on when the Environmental Advisory Committee should be engaged on proposals.
 - It was suggested that the Director seek input from other larger communities to see how they engage their advisory committees.
 - Will be brought back to next meeting.

- d) Town Plan Update
 - Committee discussed and in process.
- 4. Planning and Development Items for Correspondence and Action Report
 - Mayor Tapper provided an update on Item one – public right of way / trail in the Jones Pond area. He is waiting to hear back from the property owner. There was a deadline of March 31, 2016 set for a response.
 - Director noted that Item two – encroachment of property on Kelly’s Lane. Matter is very close to being completed.

Councillor Smith provided an overview of items discussed under the Planning and Development Meeting Minutes, dated April 5, 2016.

Items discussed included:

- 1. Development Proposals
 - a) Proposal from potential property owner in the Middle Three Island Pond area to develop a parcel of Crown land for the purpose of a quarry site.
 - New application has been received.
 - b) Application from 173 Indian Meal Line to develop the rear of his property.
 - This application will be dealt with in the Building Application Report, dated April 8, 2016, Application Number C2016-0062.
- 2. Correspondence
 - a) Letter from the Minister of Municipal Affairs in relation to the Municipal Plan and Development Regulations Review,
 - Will be back to Committee very soon.
 - b) Letter from property owner on Bauline Line in questioning compliance of an accessory building adjacent to his property.
 - Committee reviewed the letter, and the Director has addressed concerns.
 - c) Email letters from property owners of Bauline Line in relation to a proposed development.
 - Acknowledged and addressed.
 - d) Letter from Targa Newfoundland
 - Committee reviewed the request. In terms of coming back to the Town, Committee is of the opinion that, from conversations with residents, the road race is not necessarily something that everyone wants. Committee can see no direct benefit to the Town. Instead, it is a safety concern and an inconvenience to area residents.
 - Committee recommended that Councils’ previous motion to permit the road race for four years be rescinded, and a new motion be made to reject Targa’s request to hold their event in the Town in 2016.
 - See motions below:

122-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay rescind motion 173-14, this motion was to approve the annual stage of Targa in the Town of Torbay for a four year period.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Councillors Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 1 (Councillor Roche)

Abstained: 0

123-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay reject Targa Newfoundland's request to hold any Targa stages in the Town of Torbay boundaries in 2016.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Councillors Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 1 (Councillor Roche)

Abstained: 0

Council discussed the above motions, commenting on the below:

- Targa vehicles travel through roads/laneways at the north end of the Town to go through neighbouring communities.
- They have been using the same route, Patrick's Path / Country Drive areas, for a number of years. They previously had one stage, and now they have two.
- Residents need to be aware that Targa vehicles travel through the Community for practice a week or two before they actually start.
- The Town is looking at a speed calming policy and noise and nuisance regulations – Targa vehicles speed through the Community and they do create noise. Safety is an issue for residents and for the drivers themselves - they're driving fast through residential areas where there are sharp turns. Their proposed recent route was through a subdivision, where their vehicles will be speeding.
- Every year, the Town hears the same issues and concerns from residents after the event, of which the group do not seem to act upon.
- Councillor Roche advised that she has been involved with Targa since they started here in the Community. They have had a good record, and people do look forward to this event for entertainment. The Town receives a lot of global exposure and advertising, and attracts and brings people to the Community. She suggested giving them a chance to try one year at a different route.

- e) Letter from potential developers at Bauline Line.
 - o Committee reviewed.

3. Other Items
- a) Residential Development on Darryl Pye Drive
 - To be further discussed.

Building Applications Approved

The following applications were approved subject to the normal conditions and requirements for building within the Town of Torbay:

<i>Application Number</i>	<i>Location</i>	<i>Proposal</i>
B2016-024	76 Reddy Drive	General repairs
C2016-027	11 Clement's Lane	8' x 8' porch and enclose 6'3" x 5'3" basement well
C2016-028	12 Streamside Lane	12' x 14' addition to existing deck
C2016-029	37 Country Drive	Renovations to existing dwelling
B2016-030	36 Motion Drive	General repairs

Building Applications for Approval

Application: C2016-023
Location: 434 Bauline Line
Proposal: Single Family Dwelling with Subsidiary Apartment
Zoning: Residential Infill (RI)

124-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2016-023, under the Applications for Approval section of the Building Application Report, dated April 8, 2016, subject to the following conditions:

1. All normal conditions and requirements for building within the Town of Torbay.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

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Application: C2016-026
Location: 8 South Pond Road
Proposal: 16' x 22' extension to existing accessory building
Zoning: Residential Medium Density

125-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2016-026, under the Applications for Approval section of the Building Application Report, dated April 8, 2016, subject to the following conditions:

1. The use of the accessory building is restricted to residential accessory use.
2. All normal conditions and requirements for building within the Town of Torbay.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Application: C2016-031
Location: 18 Brixham Crescent
Proposal: 28' x 32' Accessory Building
Zoning: Residential Large Lot

126-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2016-031, under the Applications for Approval (Amendment) section of the Building Application Report - Amendment, dated April 8, 2016, subject to the following conditions:

1. The use of the accessory building is restricted to residential accessory use.
2. All normal conditions and requirements for building within the Town of Torbay.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Building Applications to be Deferred

Application: DP2016-002
Location: 454A Bauline Line
Proposal: Quarry
Zoning: Rural (RUR)

127-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Defer Application DP2016-002, under the Applications to be Deferred section of the Building Application Report, dated April 8, 2016, for advertisement as per Regulations 10, 33 and 90 of the Torbay Development Regulations.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Council discussed the above motion:

- It was questioned if there should be a public meeting so residents can voice their opinions publically and ask questions.
- Councillor Smith advised comments will be taken to next Planning and Development Committee Meeting.

Application: C2016-025/MV2016-006
Location: 55 Convent Lane
Proposal: Single Family Dwelling with Subsidiary Apartment
Zoning: Residential Medium Density (RMD)

128-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Defer Application C2016-025/MV2016-006, under the Applications to be Deferred section of the Building Application Report, dated April 8, 2016, pending public notification and consultation required in accordance with Regulation's 11, 12 and 33 of the Torbay Development Regulations.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Building Applications to be Refused

Application: C2016-006
Location: 173 Indian Meal Line
Proposal: Single Family Dwelling
Zoning: Residential Medium Density (RMD)

129-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Refuse Application C2016-006, under the Applications to be Refused section of the Building Application Report, dated April 8, 2016, for the following reason:

1. The proposed location of the new dwellings building line is greater than the maximum allowable (32 meters) as per regulation 42.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Council discussed the above motion:

- It was questioned if the application can be reconfigured. Councillor Smith advised that Committee did work with the applicant. It was the applicant's request to put the application forward; however, as it is against the Town's regulations, Committee recommended it be refused.
- It was noted that the proposed location/setback of the dwelling is approximately 85 meters.
- Backlot development was discussed and it was questioned if it was part of the Town's Development Plan. The Director of Planning and Development noted that it is in current plan for serviced areas, but not in new. Regulations 42 takes care of this with maximum of 32 meters.

Executive Committee

Councillor Thorne-Gosse provided an overview of items discussed under the Executive Committee Meeting Minutes, dated April 6, 2016.

Items discussed included:

1. Organizational Review
 - CAO to arrange a meet with all Council for next week.

2. Compensation and Benefits
 - A. Group Benefits
 - Discussion and motion deferred until further review and information from the Director of Corporate and Community Services.
3. Professional Development Requests
 - Further to the discussion held at the March 21, 2016, Executive Committee Meeting and March 28, 2016 Council Meeting, CAO reconfirmed the Council Travel Policy and Procedure as per motion 171-15. Committee discussed the merits of attending the Federation of Canadian of Municipalities Conference and Municipalities Newfoundland and Labrador Municipal Symposium. Committee agreed to bring forth recommendations to Council.
 - There were several motions presented pertaining to Council Member's attendance at the FCM Conference and MNL Symposium. Council questioned process and indicated that as most members have shown their interest in attending, they may be in conflict and unable to vote on the motion. CAO advised motion is required to proceed with registration and travel. After further discussion it was agreed to defer the motions.
 - See motion below:

130-16 Motion – Councillor Thorne-Gosse / Councillor Smith

RESOLVED THAT the Town of Torbay obtain information pertaining to Motion 171-15 and defer the five motions, regarding Council Members' attendance at the FCM Conference and the MNL Municipal Symposium, for a later date.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

4. Communications and Public Engagement Strategy
 - CAO confirmed that the draft report was circulated to all Council and that feedback is requested by April 11, 2016. All feedback received will be forwarded to Waterwerks Communications. Once the report is finalized, it will come back to the Executive Committee for review and recommendation back to Council for implementation. It was agreed that a meeting would be held with all Council to discuss this matter.
5. Performance Evaluations
 - CAO confirmed she met with the consultant on April 9, 2016, and will bring back a report to the next Executive Committee Meeting.

6. Customer Service Training
 - CAO confirmed she met with the Gardiner Center on April 9, 2016, to discuss customer service training for all staff. It was requested that the development of customer service standards be included as part of this training.
 - Outcome will be discussed at next meeting.

7. Council Package Process
 - CAO provided an overview on the SharePoint process. She confirmed that staff members are awaiting confirmation of a training date. As discussed at the March 21, 2016, Executive Committee meeting, recommendations will be forthcoming before the end of April.

Corporate and Community Services

The Corporate Services Report, dated March 28 – April 8, 2016, was accepted as presented.

Councillor Thorne-Gosse read out payroll and accounts payable information:

Payroll for the period of March 28 – April 8, 2016, for 32 employees and 7 members of council, totalled \$90,378.36.

For the period of March 28 – April 8, 2016, Accounts Payable invoices in the amount of \$107,871.24 were paid. These expenditures were within budget.

There were seven (7) Main Operating invoices presented for approval:

131-16 Motion – Councillor Thorne-Gosse / Councillor Smith

RESOLVED THAT the Town of Torbay approve payment to Acklands-Grainger Inc., Invoice Number 9054764122 (Sets SCBA Fire Department), in the amount of \$12,808.84.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

132-16 Motion – Councillor Thorne-Gosse / Councillor Smith

RESOLVED THAT the Town of Torbay approve payment to Kent Building Supplies, Invoice Number 28227 (U3C Materials, Roof Trusses), in the amount of \$6,493.65.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

133-16 Motion – Councillor Thorne-Gosse / Councillor Smith

RESOLVED THAT the Town of Torbay approve payment to Receiver General for Canada, Invoice Number Mar 16-31 2016 (Payroll Remittance), in the amount of \$45,846.87.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

134-16 Motion – Councillor Thorne-Gosse / Councillor Smith

RESOLVED THAT the Town of Torbay approve payment to Credit Recovery Limited, Invoice 02292016 (Collections services), in the amount of \$10,250.32.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

135-16 Motion – Councillor Thorne-Gosse / Councillor Smith

RESOLVED THAT the Town of Torbay approve payment to Newfoundland Power, Invoice Number 14293948MAR16 (Heat/Lighting), in the amount of \$8,601.92)

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

136-16 Motion – Councillor Thorne-Gosse / Councillor Smith

RESOLVED THAT the Town of Torbay approve payment to Receiver General for Canada, Invoice Mar1-15 2016 (Payroll Remittance), in the amount of \$25,704.05.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

137-16 Motion – Councillor Thorne-Gosse / Councillor Smith

RESOLVED THAT the Town of Torbay approve payment to Redwood Construction, Invoice 2016-043 (Depot), in the amount of \$118,269.66.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

A copy of the current income and expense reports were included for Council's information.

Memo from CAO, dated April 8, 2016 (Revised April 11, 2016), regarding Renovation and Expansion of the Kinsmen Community Centre Project.

- Council met on April 9, 2016 concerning re-profile of multi-year capital works funding from the construction of a new community and wellness centre to the renovation and expansion of the Kinsmen Community Centre.
- See motion below:

138-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT utilizing a design build approach, that the Town of Torbay proceed with a request for proposals for an owner's advisor for project number 17-MYCW-16-00115, namely the renovation and expansion of the Kinsmen Community Centre.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Council discussed the above motion, commenting on the below:

- The Town will be providing residents with a building that is needed by the Community. It's something for all ages, from very young to seniors.
- Initially the Town looked at a new centre behind the Town Hall, however due to costs and funding, the Town looked at renovations and expansion to the Kinsmen Centre,

which is what we refer to as Plan B. The building and land belongs to the Town and it is serviced. The Town went back and looked at renovating the current building, putting in multi-use rooms, a large gymnasium and open space as well.

- Council Members indicated they're pleased to see project going forward, and movement to design build approach.
- It was noted that we have our own project manager on site to keep an eye on project and its construction.
- It was noted that a community centre was listed in the Town's Strategic Plan, and Council are hoping to have completed by next Summer.

Councillor Thorne-Gosse provided an overview of items discussed under the Corporate and Community Services Committee Meeting Minutes, dated March 31, 2016.

Items discussed included:

Corporate Services:

1. Library

- Based on discussions and all information gathered over the last several weeks regarding the Torbay Library, see below motion:

139-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT The Town of Torbay to provide \$6,322.50 in funding to the local Torbay library to cover rent to the end of 2016 and waive water/sewer taxes for 2016 in the amount of \$199.98.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Council discussed the above motion with the below commentary:

- Council discussed the Provincial Government's funding of libraries in other communities. It was suggested that the Library Board be strong advocates in ensuring that Government treats all municipalities and libraries equally.
- The Town is also hoping that the Provincial Government will provide the funding to pay for the space; and, each year going forward we should ask the Government to rectify this situation, especially for the long term.
- The Town does support the Library, and the Library Board was congratulated for all their work in the way of petitions and funding. The Library is an important resource for students and the Community. It was suggested that the Board continue with its fundraising efforts.

2. Donations:
- Holy Trinity Safe Grad
 - See motion below:

140-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT The Town of Torbay provide a donation of \$500 to Holy Trinity High School to be used towards their 2016 Safe Grad.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Councillor Scott questioned donation amount as per last year's request. The Director noted that they didn't request specific amount.

- Newfoundland Riders
 - Discussion occurred regarding this donation. Awaiting further information.
- Portugal Cove – St. Phillip's Hockey Tournament
 - This event has already occurred.
- Boxing Newfoundland and Labrador
 - See below motion:

141-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT The Town of Torbay provide a donation of \$100 to Boxing Newfoundland & Labrador to support Torbay resident in the upcoming National Amateur Boxing Championship in Quebec City, PQ.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

- Quilter's Guild World War One Exhibit
 - See below motion:

142-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT The Town of Torbay provide a donation of \$500 to the Cabot Quilters' Guild to support their World War One Exhibit and create linkage with contacts in Mailly-Maillet in France.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

- Torbay Pathfinders/Ranger Journey Through London
 - See below motion:

143-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT The Town of Torbay provide a donation of \$500 to the 1st Torbay Pathfinders/Rangers to support their “Journey through London” trip.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

3. Group Benefits Proposal

- Committee discussed. Information and motion coming back to the Corporate and Community Services Committee for further analysis.

4. Canada 150 Mosaic

- Project involves a community mural to be created in celebration of Canada’s 150th birthday, in which 400-750 4 inch x 4 inch tiles are painted by participants and arranged by the artists into a unified community mural.
- See motion below:

144-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT The Town of Torbay participate in the Canada 150 Mosaic project in celebration for Canada’s 150th birthday with an 8 x 8 community mural.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Council discussed the above noting that we’re looking at receiving Community engagement, to have 400 participants. The mural can be mounted in the Town Hall or the Community Centre.

5. Renovation and Expansion of Kinsmen Community Centre

- Discussed and motion passed above.

Community Services:

- Soccer Committee
 - Executive Committee is in place and it has been promoted on the Town's website.

- Spring/Summer Events
 - The Director circulated a list of programming and events currently scheduled from April to August.
 - Meetings with neighbouring municipalities will be scheduled to determine what is working in their communities that could also be successful in Torbay, and to see what types of events we can be holding.

- Community Guide
 - The Guide is in final draft. There will be limited printing and a copy will be placed on the Town's website.

The next meeting will take place on Wednesday, April 20th, 2016 at 1:00 pm.

Infrastructure, Public Works, Public Safety and Shared Services

Councillor Scott provided an overview of items discussed under the Infrastructure and Public Works Committee Meeting Minutes, dated April 5, 2016.

Items discussed included:

- MYCW - 2012-2014 - Municipal Depot Design Project
 - Project is ongoing. There were some delays with high winds, but the contractor is making every effort to catch up.

- Capital Investment Plan - 2015
 - 1) Multi-Purpose Building (UTC)
 - The contractor and subs are on site completing exterior cladding and installing windows and doors.
 - 2) Torbay Pedestrian Safety Review
 - Phase 2 of project is ongoing. Will have something to Council for next Meeting in the way of a traffic calming policy and speed zone policy.
 - 3) Alternative Water Study
 - Study has commenced and a kick-off meeting will be scheduled for later this week.
 - 4) Wastewater Review
 - Phase II of the Wastewater Study will commence with the development of RFP for technology and supplier with a public competition once funding has been determined.

- Recreational Facilities
 - Spring planning on facilities has begun.
- Correspondence & Action Report Items
 - Portugal Cove Metrobus regional request.
 - Deputy Mayor of the Town of Portugal Cove-St. Philip's forwarded email to the Town that Metrobus has agreed to moving forward with established scope of work for a study.
 - Motion will confirm Torbay's agreement to ask Metrobus to move forward with formulating scope of work. The Town will then decide if it wants to partner and move forward. There's no cost to the Town.
 - See motion below:

145-16 Motion – Councillor Scott / Councillor Thorne-Gosse

RESOLVED THAT whereas developing an integrated regional transit plan among municipalities in the northeast Avalon is important to the creation of a comprehensive transportation network, that the Town of Torbay support an initiative from Metrobus to establish a scope of work for creating a regional transit study. The parameters of this scope of work will include obtaining cost estimates from applicable consulting firms for conducting a regional transit study. A decision by this council on participating in the study will be made following receipt of the initial report from Metrobus.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, and Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Council discussed the above motion, with the following comments:

- The Town is still moving forward with its own plans.
- Councillor Scott noted that availability of busses is an issue. Could look into funding as noted below, as well.

Councillor Smith discussed funding opportunities for the Town, including for the wastewater review. The Town is going to phase two and requires funding for technology. She questioned if the Town was ready. Councillor Scott indicated that the Town has completed the BAT Study to identify five technologies. Councillor Smith advised that under the new Building Canada Fund, there is money that the Town can apply for, and requested that it be checked into. She further noted that applications from small communities are down. Councillor Thorne-Gosse advised that funding is not yet identified and will go back to the Corporate and Community Services Committee to determine. CAO advised will follow up. Councillor Smith suggested that the Town be prepared to request Federal infrastructure funding, further noting that there are funds in transportation and it is worthwhile looking into.

Green Funding was discussed. CAO advised information has been forwarded to our Economic Development Officer.

- Torbay Volunteer Fire Department – Emergency Response Summary Statistics 2016.
 - Information included for Council’s information.

ADVISORY COMMITTEES

Environment

No report.

Heritage

Councillor Roche asked that CAO looking into scheduling a meeting for next Monday. CAO to reconfirm.

LIAISON COMMITTEES

Jack Byrne Regional Sports and Entertainment Centre

No report.

Northeast Avalon Joint Council

Councillor Roche reminded all Members of Council about upcoming meeting with Ministers Joyce and Hopkins on April 20th. She asked that questions be forwarded to her or Chair so they can be forwarded to the Ministers before meeting.

Torbay Harbour Authority

A meeting will be scheduled with Infrastructure and Public Works and with the Harbour Authority President. There were a couple of administrative items identified that need to be rectified. Representative from the Department of Fisheries and Oceans (DFO) would like to meet as well.

Urban Municipalities Committee

No report.

Holy Trinity Elementary School Council

No report.

Holy Trinity High School Council

No report.

NEW BUSINESS

Mayor Tapper

Mayor Tapper advised that the Town received a Certificate of Appreciation from the Torbay Lions Club.

Deputy Mayor Gallant - Absent

Councillor Roche - Pass

Councillor Scott

Councillor Scott congratulated the Torbay Volunteer Fire Department on their recent 42nd Annual Firefighter's Ball. He advised he attended and spoke on behalf of the Mayor and the Town. The Firefighters Ball was well organized and a good time had by all. He noted that the Department had a rough week with two house fires, one with loss of life. He extended condolences to the family. The Fire Department does excellent work and are ready to respond when they receive a call. Council and the Town are very proud to support the Department.

Councillor Smith

Councillor Smith discussed the recent vehicle accident on Mahon's Lane. The Torbay Volunteer Fire Department were quick to respond, followed by an ambulance and the RNC. She discussed the importance of safety when driving and questioned how to remind people of this. She noted the Fire Department Emergency Response Statistics are going up. It's important to constantly remind people of the importance of safety. She thanked the Department for their great work.

Councillor Thorne-Gosse

Councillor Thorne-Gosse discussed that we will be having a Town Hall Meeting regarding the Municipal Plan Review. She questioned documents available in the Director of Planning's office for review. The Director clarified that this relates to the Regional Plan, noting there will be another meeting for this.

Councillor Whitty

Councillor Whitty thanked Members of the Library Board for their persistence and thanked Council Members for supporting them.

QUESTION & ANSWER SESSION

Mayor Tapper referred to the Gallery and asked if anyone had any questions or comments in relation to tonight's Council Meeting.

The following had comments:

- Resident of Civic 80 Whitty's Lane
 - Resident questioned revised proposal from potential property owner in the Middle Three Island Pond area to develop a parcel of Crown land for the purpose of a quarry site.
 - She asked if residents submissions regarding the previous application will be brought forward to the new proposal. She asked if residents who submitted correspondence will be contacted to re-submit.
 - Mayor and Director of Planning advised same process as previous. Notice will be advertised, and residents should review and resubmit.

- Building Applicant / Developer, Quarry Road Extension
 - Resident requested update on Pineridge/Quarry Road Extension water issues.
 - Mayor advised that letter was received from the Department of Environment and Conservation pertaining to water modelling report from consultant. There is further study to be completed on the area around the Arena. Attached to report from consultant, was a new revised drawing/mapping concerning contamination from airport. Mayor advised that he requested a meeting with the Department to clarify information, as the drawing has changed and the borders within the contamination area. He advised that the Town needs to review, as there are other developers in same situation.
 - The resident advised that they're private property owners wishing to construct two houses on the property. She informed Council that she feels her applications for development should have been deferred and not denied. She requested that the Town go back and review again.

- Resident of Civic 471 Bauline Line
 - The resident discussed the proposal from potential property owner in the Middle Three Island Pond area to develop a parcel of Crown land for the purpose of a quarry site.
 - He discussed and suggested the possibility of a public meeting, as there seems to be a lot of interest by area residents. Residents can make submissions and Council can ask questions.
 - Resident advised that with Discretion Use, Council really have to consider what they're doing as there could be long term impact on the future. The area is growing; and, something as significant as this application needs a public meeting, as it's an important development to consider. Twenty-six responses were received in relation to the quarry proposal, and he feels the Town will receive more than that in relation to the new application.
 - Mayor advised that Council will take his comments into consideration.

- Resident of Civic 105 Indian Meal Line
 - The resident discussed the possibility of a public meeting in relation to the proposal from potential property owner in the Middle Three Island Pond area to develop a parcel of Crown land for the purpose of a quarry site.
 - She indicated that a public meeting is essential. The issue is of major impact to people who live in the area. It's an issue for every resident in Torbay, and what they want their Town to have. There have been a number of quarries in the Community, of which these sites have not been remediated. The impact is important for all residents. Other communities have public meetings, and it's Council's decision whether or not to have a meeting.
 - She discussed that residents have forward letters to Council with their concerns and objections. She advised she expects these letters to be shared with all Council, not just Committee. She feels the correspondence belongs to Council first then Committee. She advised she supports a public meeting.

NEXT PUBLIC COUNCIL MEETING

The next Public Council Meeting will take place on Tuesday, April 26, 2016, 7:30 p.m., Council Chambers, Torbay Town Hall.

ADJOURNMENT

146-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the meeting be adjourned at 9:59 p.m., as there was no further business.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith and Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Mayor

CAO/Town Clerk