



**MINUTES**  
PUBLIC COUNCIL MEETING  
April 27, 2015

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Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on April 27, 2015 at 7:31 p.m.

**Members Present**

Mayor Ralph Tapper  
Deputy Mayor Geoff Gallant  
Councillor Craig Scott  
Councillor Carol Ann Smith  
Councillor Brian Whitty

**Staff Present**

Dawn Chaplin, CAO/Town Clerk  
Tina Auchinleck-Ryan, Director of Community Services  
Bernie Manning, Director of Public Works & Technical Service  
Ann Picco, Executive Clerk

**Regrets**

Councillor Peggy Roche  
Councillor Mary Thorne-Gosse  
Brian Winter, Director of Planning

**Gallery**

There were a total of 5 people in attendance.

Mayor Tapper welcomed Councillor Brian Whitty, elected to Council in recent by-election, April 23, 2015.

**Adoption of Agenda**

152-15      Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Agenda be adopted, as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

**Adoption of Minutes**

153-15      Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Minutes of the April 13, 2015 Public Council Meeting be adopted, as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

**PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION**

- Proclamation – Municipal Awareness Day
  - Mayor Tapper read aloud the proclamation. See motion below:

154-15      Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay proclaim May 6, 2015, as Municipal Awareness Day in municipalities of Newfoundland and Labrador in recognition of the vital role of municipal government and in recognition of all whose efforts support it.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

Mayor Tapper referred to the Gallery and asked if anyone would like to present to Council. The following had comments:

- Resident of Civic 106 Bauline Line
  - Resident discussed public notice in weekend paper concerning forest fire season in the Province.
    - He discussed issues of people illegally lighting fires in the woods without a permit and during forest fire season.
      - He noted the dangers of this, indicating the potential for disaster; and, the matter that these issues cost our fire department a lot of time and money.

- Resident advised that in the past he picked up some notices from the Department of Natural Resources, Forestry Services Branch and posted on some trees/woodland adjacent to his property.
  - He questioned if the Town would consider doing same – posting notices around the Town to ensure that people are aware.
    - Mayor advised that the Town will take under consideration and discuss with Councillor Scott and the Torbay Volunteer Fire Department.
  
- Resident of Civic 179 Pine Line
  - Resident advised that she is a cabin owner in the area of Middle Three Island Pond, and questioned if the Town has a drop-off location for garbage.
    - She indicated that there is a lot of garbage being dumped in the area, including glass along river. Owners take it upon themselves to pick up garbage along the road that accumulates over the Winter.
    - The Director of Public Works advised that Spring Clean Up is taking place May 23<sup>rd</sup> - 24<sup>th</sup> and May 30<sup>th</sup> -31<sup>st</sup>, at which time residents can drop off garbage.
    - Resident questioned if the Town would consider cameras in the area to catch people who are illegally dumping.
      - Director of Public Works to bring to next Committee Meeting.

### **MAYOR'S REPORT**

Mayor Tapper provided a report, dated April 9 - 23, 2015, of his work and connections that he has made in the community over the past couple of weeks.

### **CORRESPONDENCE**

1. The Newfoundland and Labrador Soccer Association – Request for donation. ***Referred to Finance and Administration Committee.***
2. Department of Municipal and Intergovernmental Affairs – Approval to Call Tenders, 2012-14 Multi-Year Capital Works Program, Town of Torbay New Municipal Depot. ***For information purpose. Referred to Public Works Committee for record.***
3. Newfoundland and Labrador Electoral Districts Boundaries Commission – Notice of Proposal and Public Sitings. ***For information purposes. CAO noted that public sitings will be taking place until May 1<sup>st</sup>, the end of this week, to make representations on the proposal. Mayor noted that there is very little change to our district.***
4. Correspondence from Resident concerning cottage on Middle Three Island Pond, 26-30 Rocky Brook Road. ***Deputy Mayor Gallant advised that resident is asking for basic services – road graded, road plowed after heavy snow fall, and garbage disposal for the area. He discussed that area residents are taxpayers that live in, and contribute to, the community.***

*Deputy Mayor put forward a motion that the Town devise a strategy to have the road plowed one to two times per year, to consider snow clearing occasionally, and to develop a strategy for garbage disposal in the area. There was no seconder to the motion.*

*Council discussed that there is a motion in place, passed unanimously, that the Town do one yearly upgrade to Town owned gravel roads outside the residential designation. It was noted that the Town did go beyond services when Council allowed and permitted installation of electrical services/hookup in the area for the cabin owners, as these cabins are seasonal and not full-time residential. Mayor advised that road work/maintenance will be completed in the Spring under the Public Work's schedule. CAO noted that correspondence will be forwarded to resident confirming the Town's policy.*

5. Department of Environment and Conservation – 2014 Summer Drinking Water Quality Report. *Referred to Public Works Committee for review and comments. Mayor noted that the Environment Advisory Committee are reviewing these reports as well. There are Committee Members who can analyze the technical aspect of the report. Mayor to forward these reports to Environment Committee on regular basis.*
6. Stewardship Association of Municipalities (SAM) – Annual General Meeting. *For information purposes. Deputy Mayor advised that he is currently President, and possibly last term in this position. The Meeting this year is taking place in the Town of Flatrock, and Mayor Tapper is attending. He further discussed the SAM scholarship, indicating it's for graduates who will be completing studies relating to the environment and nature. He suggested that information be forwarded to the Parks, Recreation and Community Services Committee to contact the schools so they can notify their graduates of this scholarship.*
7. Department of Municipal and Intergovernmental Affairs – “Building Height” Definition. *Referred to Planning, Land Use and Development Committee.*
8. Fire and Emergency Services – Firefighting Equipment Program. *This is an acknowledgement letter that the Provincial Government received the Town's applications. CAO noted that there's actually two applications – one for vehicle and the second for breathing apparatus. Timelines were discussed – CAO to speak to Fire Chief to follow up for Fire and Emergency Services.*
9. Correspondence to the Minister of Transport from MP Jack Harris concerning Torbay Water Supply – Contamination by St. John's International Airport. *Mayor Tapper advised that a letter was sent to the Minister of Transport from MP Jack Harris requesting that the Federal Government take responsibility for the contamination of ground and surface water and to work with the Town to find a solution.*

*Mayor informed Council Members that in relation to the issue of contamination in the Pine Ridge area, MHA did get a meeting scheduled at 9:00 this morning with representatives (residents) from Pine Ridge area. Mayor, CAO, Economic Development Officer were in attendance; and, representatives from the Department of Environment and Conservation were there, including Groundwater Manager, to do a presentation on the contamination issue. They discussed history, how this issue has evolved over the years, and they again confirmed that there is no contamination. They confirmed that there is no contamination in any of the test wells, therefore the contamination has not moved from*

*site. Residents were happy with the presentation and responded favorably – the Department answered all technical questions and residents were reassured that their wells were not contaminated at this point. The Department is happy that the Town has frozen development in the area, which will continue as there is risk. CAO will forward a copy of the Department’s presentation to all Members of Council. The Department has agreed to a public meeting for all residents in the Pine Ridge area once results are available.*

*The Department is pleased that the Town cooperated and facilitated the current pilot project that the Department of Natural Resources is doing and testing for metals within the Pine Ridge area. Upwards of 228 homes have picked up their test kits, with 170 samples returned so far. The Town will contact/follow up with residents who haven’t yet complied.*

*Mayor noted that the Groundwater Manager did indicate costs for next levels of testing, one of them is for PFOS; and, pricing is reasonable. She also advised that residents can take a step further to install filtration systems.*

*Council discussed that the issue of contamination is decade’s old, going back to WWII. Time frames were discussed relating to servicing, indicating it could take some time and many councils beyond ours to finally see a solution and to see servicing for the entire area. Council is at first steps, residents have been advised and all are now up to date on, and fully aware of, the issue. The Town has met with the City concerning possibility of water servicing.*

10. Notice of Motion 1 from Deputy Mayor. *Deputy Mayor put forward the below motion:*

Whereas all children equally feel the need to belong and participate, to build friendships and socialize with their peers in publicly-funded and publicly-run programming in their community.

Whereas all children equally share the right to be reasonably accommodated in publicly-funded and publicly-run programming.

Whereas hiring an extra summer camp councillor, be it full time or part time, who does not require extra or special training, constitutes a reasonable financial and social accommodation to meet the supervision needs of those who would otherwise not be unconditionally accommodated.

Whereas children should not be pre-judged by labels, and indeed cannot be rejected from municipal programming based on these labels where reasonable supervision and programming is possible to be provided by the public-service provider.

Hereby move that the Town of Torbay hire an additional summer camp councillor for 2015 to broaden the spectrum of children who can unconditionally be accepted into our summer public-programming.

There was no seconder to the Deputy Mayor’s above motion.

Before above motion was presented, CAO noted that this should be a notice of motion only, as it was not presented at last Council Meeting, and should follow process. Deputy Mayor advised it's a motion for tonight's Meeting, indicating it's time sensitive.

11. Notice of Motion 2 from Deputy Mayor. ***Deputy Mayor withdrew motion.***
12. Epilepsy Newfoundland and Labrador – Purple Day Proclamation. ***For information purposes.***

### **CORRESPONDENCE & ACTION REPORT**

The Correspondence and Action Report, dated April 27, 2015, was discussed and accepted as presented.

- Item 10 – Completion of Western Island Trail
  - Councillor Smith questioned if trail was done or near completion. Director of Community Services advised that there is a section of the trail that could be narrow, but section will continue.
- Item 13 – NL Electoral Districts Boundaries Commission concerning public hearing
  - Mayor noted that letter has been forwarded to Council. Item can be marked as complete.
- Item 21 – Group fundraising at Jack Byrne Arena
  - Deputy Mayor advised no response as of yet and will follow up.

### **COMMITTEE REPORTS**

#### **Planning, Land Use and Development**

Deputy Mayor Gallant provided an overview of items discussed under the Planning, Land Use and Development Committee Meeting Minutes, dated April 23, 2015.

Items discussed included:

1. Development Proposals
  - a) Development proposal from Piperstock Hill.
    - Committee reviewed the proposal and email letter from the Town's planning consultant, and suggested the Director do further research.
2. Correspondence
  - a) Letter from property owner Gosse's and Rodger's Crescent, concerning the possible construction of an accessory building for a part time commercial use.
    - It was agreed that the Director should meet with the property owner to discuss his options.

- b) Letter from the Department of Municipal and Intergovernmental Affairs.
  - Committee reviewed the letter provided. Director noted that the proposed definition for Accessory Buildings is the same as the definition that we have proposed in our new Town Plan documents. Director to respond to letter.
- c) Letter from the Department of Education and Early Childhood Development.
  - Committee reviewed for information only.
- d) Letter from property owner Forest Landing Area
  - Committee reviewed the email chain provided, it was agreed that the Director would contact the property owner to give her an update on what was occurring in the area.

3. Other Items

- a) Update on draft Town Plan Review process.
  - Mayor Tapper provided Committee with an overview of how the Special Meeting for the Plan Review is going to go.
    - There will be no question and answer period.
    - Mayor will be asking all of Council if they feel that they are in conflict on any of the issues.
    - Items that Councillors feel they are in conflict on will be voted on individually. To ensure that all Council has the opportunity to vote on the main motion to move the process along.
    - Director will give an overview of the review process and what the next steps are.
    - As per Council rules there will be a five minute time frame allotted for each Councillor to speak on the motions.
    - Committee Chair will bring forward the motions as required.
  - So far it has been determined that the following items will be voted on individually.
    - Request to rezone land at 162 Marine Drive.
    - Request to rezone land on Byrnes Lane.
    - Open space requirements rewording.
    - Rezoning of land on Whitty's Ridge.
  - Other items may come forward as Councillors determine if they are in conflict on particular items.
  - It was noted that Special Meeting of Council will take place next Monday evening, May 4<sup>th</sup>.
- b) Indian Meal Line Peters Place Water issues update
  - Director gave Committee an overview of the meeting that was held with the Minister of Transportation and Works and next steps in the process.
  - Council discussed the below:
    - Mayor discussed that a meeting was held with the Minister of the Department of Transportation and Works, and they agreed to get

engineers together. Director of Public Works and Director of Planning were talking to new engineer to discuss options to get work completed before Winter.

- Work needs to be lined up in conjunction with work that the Department of Transportation and Works will be doing in the area. The Town needs to action soon, even though it's not a budgeted item for this year.
- CAO advised she's meeting with the Director of Planning on Thursday in relation to work plan. She noted that the Director of Public Works is engaged in process as well.
- It was noted that Town staff have been monitoring the situation all Winter to ensure there was no flooding.

c) Director advised Committee that he will be bringing forward some updated information on the Dry Hydrant project at the next meeting.

4. Planning, Land Use and Development Items for Correspondence and Action Report
- a) Table attached for information.

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>
C2015-047	12 Bourne's Close	Single Family Dwelling

Building Applications for Approval

Application: B2015-044  
 Location: 39 Pine Ridge Crescent  
 Proposal: 13' x 27' Extension to Single Family Dwelling  
Zoning: Residential Large Lot (RLL)

155-15 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Approve Application B2015-044, under the Applications for Approval section of the Building Application Report, dated April 24, 2015, subject to the following condition:

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



Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

Application: B2015-045  
Location: 4 Edgewater Lane  
Proposal: Two story, 28' x 36' accessory building, gazebo, and replacement of existing deck  
Zoning: Residential Large Lot (RLL)

156-15 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Approve Application B2015-045, under the Applications for Approval section of the Building Application Report, dated April 24, 2015, 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: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

Application: B2015-046  
Location: 46 Lynch's Lane  
Proposal: 20' x 26' accessory building  
Zoning: Residential Medium Density (RMD)

157-15 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay Approve Application B2015-046, under the Applications for Approval section of the Building Application Report, dated April 24, 2015, 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: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-048  
Location: 39 Pine Ridge Crescent  
Proposal: 22' x 24' Accessory Building  
Zoning: Residential Large Lot (RLL)

158-15 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay Approve Application C2015-048, under the Applications for Approval section of the Building Application Report, dated April 24, 2015, 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: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

### **Economic Development**

Mayor Tapper advised that a copy of the Partnership Update, dated April 24, 2015, concerning Government Funding Partners and Corporate Sponsorship Partnerships, was included in Council's packages for information.

Councillor Roche was not in attendance at tonight's Council Meeting to review. Councillor Whitty will be assuming duties on the Economic Development Committee.

### **Finance & Administration**

The Finance and Administration Report, dated April 13-24, 2015, was accepted as presented. Deputy Mayor Gallant read out payroll and accounts payable information:

Payroll for the period of April 13-24, 2015, for 29 employees totalled \$60,204.85.

For the period of April 13-24, 2015, Accounts Payable invoices in the amount of \$210,549.00 were paid. These expenditures were within budget.

There were six (6) Main Operating Invoices, in the amount of \$95,507.84 for approval:

159-15 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay approve payment to CBCL Limited, for Business Park Wastewater Study, in the amount of \$7,304.89.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

160-15 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay approve payment to Municipal Assessment Agency, for Second Quarter Assessment Fees, in the amount of \$25,767.00.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

161-15 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Newfoundland Power Inc., for Street lighting for March 2015, in the amount of \$17,822.11.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

162-15 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Newfoundland Power Inc., for Group Billing for April 2015, in the amount of \$8,203.90.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

163-15 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay approve payment to Receiver General for Canada, for Payroll Remittance for April 1-15, 2015, in the amount of \$30,759.94.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

164-15 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Waterwerks Communications, for Attraction Video – Progress Payment, in the amount of \$5,650.00.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

There were three (3) Capital Invoices, in the amount of \$70,932.53 for approval:

165-15 Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay approve payment to AMEC Foster Wheeler Americas Limited, for Design Development and Contract Documents for the Municipal Depot Project (Multi Year Capital Works Program), in the amount of \$34,322.22.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

166-15 Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Progressive Engineering and Consulting Inc., for Road Upgrading and Paving (Gas Tax Agreement), in the amount of \$27,049.38.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

167-15      Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay approve payment to Weir’s Construction Co. Ltd., for 2014 Road Improvements Program (Gas Tax Agreement), in the amount of \$9,560.93.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

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

Human Resource Policy Development

As part of the organizational review process, a series of human resource policies were developed. The draft policies have been reviewed by the Finance and Administration Committee in addition to all members of Council. Motions of Council are required for implementation:

168-15      Motion – Deputy Mayor / Councillor Smith

**RESOLVED THAT** the Town of Torbay adopt the Code of Ethics Policy and Procedure as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

169-15      Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of adopt the Respectful Policy and Procedure as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

170-15      Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of adopt the Confidential Information Policy and Procedure as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

171-15      Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of adopt the Council Travel Policy and Procedure as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

172-15      Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of adopt the CAO and Senior Management Travel Policy and Procedure as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

173-15      Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of adopt the Non-Unionized Travel Policy and Procedure as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

174-15      Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of adopt the Smoking in the Workplace Policy and Procedure as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

175-15      Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of adopt the Substance Abuse Policy and Procedure as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

176-15      Motion – Deputy Mayor Gallant / Councillor Scott

**RESOLVED THAT** the Town of adopt the Scented Products in the Workplace Policy and Procedure as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

177-15      Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay adopt the Computer, Email and Internet Use Policy and Procedure as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

178-15      Motion – Deputy Mayor Gallant / Councilor Scott

**RESOLVED THAT** the Town of Torbay adopt the Cell Phone Use Policy and Procedure as presented.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

Mayor Tapper requested that a copy of all policies be added to the Town's website.

**Parks, Recreation and Community Services**

As Councillor Thorne-Gosse was not in attendance at tonight's meeting, the Parks, Recreation and Community Services Committee Meeting Minutes, dated April 22, 2015, were referred to next Council Meeting. See motion below:

179-15      Motion – Deputy Mayor Gallant / Councillor Smith

**RESOLVED THAT** the Town of Torbay defer the Minutes of the Community Services Meeting, dated April 22, 2015, until next Council Meeting.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

**Public Works**

A copy of the Public Works Committee Meeting Minutes, dated April 6, 2015, was included in Council's packages for information.

Councillor Smith provided an overview of items discussed under the Public Works Committee Meeting Minutes, dated April 21 2015.

Items discussed in the report included:

- MYCW - 2012-2014 - Municipal Depot Design Project
  - Public tender has been accepted by the Provincial Government. Tender has been published as of this past weekend, with closing date of May 19<sup>th</sup>.
  - Award phase is next step.



- MYCW - 2012-2014 - Lime Feed System
  - The contractor has completed all upgrades on the Town's Lime Feed System. Commissioning is expected to begin this week with staff training to proceed simultaneously while commissioning being done.
  - Director clarified that the system treats water so it's not hard and affecting the piping system, as we were experiencing leaks and breaking to copper pipe.
  
- Capital Investment Plan – 2015-2024
  - UTC Ball Field Improvements - awaiting direction from Council on the official work scope for the summer 2015 tender package to finalize.
    - It was agreed to move forward as per the adopted strategic plan and related session on April 11, 2015.
  - Multi-Purpose Building (UTC)
    - It was agreed to move forward as per the adopted strategic plan and related session on April 11, 2015.
  - Torbay Pedestrian Safety Review
    - The traffic consultant has begun review and has scheduled activities, which have commenced as of this morning. The end of August has been targeted for completion and submission to Council.
  - Road Upgrading
    - The consultant has approximately 80% of review and design completed will look to tender once completed.
  
- MMSB Project Funding
  - The Town will be applying \$10,000 non-repayable contribution for initiatives that support solid waste management in Newfoundland and Labrador at any stage of the waste management hierarchy (reduce, reuse, recycle or recover). This will go to towards establishing a community composting program.
    - Deadline is May 26<sup>th</sup> – information will be provided to Council.

Deputy Mayor questioned if water capacity at North Pond would be looked into further in relation to servicing in the Pine Ridge Area.

- CAO advised that staff are reviewing with engineer and readings from flow meter are still ongoing. Information will be referred to the Planning, Land Use and Development Committee once information confirmed. Will confirm timeline and send email to Council.

Mayor questioned resident's comments at last meeting concerning flooding, which was referred to the Public Works Committee.

- Councillor Smith advised that this was an operational issue, and the Director had onsite meeting with consultant. Director will speak to Mayor on this matter.

**ADVISORY COMMITTEES**

**Environment**

Mayor Tapper advised that a meeting is scheduled for this Thursday evening.

**Heritage**

No report.

**LIAISON COMMITTEES**

**Jack Byrne Arena**

No report.

**Northeast Avalon Joint Council**

No report.

**Torbay Harbour Authority**

No report.

**Torbay Volunteer Fire Department**

No report.

**Urban Municipalities Committee**

Mayor Tapper advised that Minutes of the UMC Committee Meeting, dated February 21 – 22, 2015, were included in Council's packages for information.

**North East Avalon Regional (NEAR) Plan**

No report.

**Municipal Assessment Agency Inc. (MAA)**

No report.

**Stewardship Association of Municipalities Inc. (SAM)**

No report.

**Eastern Regional Service Board**

Minutes of the Eastern Regional Service Board, dated February 25, 2015, were included in Council's packages for information.

**Holy Trinity Elementary School Council**

No report.

**NEW BUSINESS**

*Mayor Tapper* - Pass

***Deputy Mayor Gallant***

Deputy Mayor thanked all candidates who put their name forward in the recent by-election. He congratulated Councillor Brian Whitty on his return to Council.

In relation to Town events, Deputy Mayor discussed fees, adjustments, and cost recovery, further indicating the need to be careful as we go forward with fee increases.

***Councillor Roche*** - Absent

***Councillor Scott***

Councillor Scott thanked and congratulated the Torbay Volunteer Fire Department on their recent Annual Fire Fighter's Ball. He listed all who received awards and recognition, including long time service awards. Members are committed and well trained.

He discussed Summer Camp, which this year will be held at the Kinsmen Community Centre. He advised that he has received inquiries from residents/parents who have concerns relating to traffic issues and other issues of concern in the area. He requested that the Town make sure steps are taken to ensure children's safety when at the Kinsmen Centre for Camp. As well, he discussed payment options and solutions in relation to camp fees.

***Councillor Smith***

Councillor Smith welcomed back Brian Whitty as a Member of Council.

***Councillor Thorne-Gosse*** - Absent

***Councillor Whitty***

Councillor Whitty thanked residents of Torbay who voted for him. He thanked the other two candidates, indicating it shows democracy is alive and well in Torbay.

**QUESTION & ANSWER SESSION**

Mayor Tapper referred to the Gallery and asked if anyone had any questions or comments. The following had comments:

- Resident of Civic 80 Whitty's Lane
  - Resident questioned why minutes from the Environment Advisory Committee have not yet been included in Council's Packages.
    - Mayor to forward approved Committee minutes for inclusion in Council's packages.
  - She questioned the SAM Scholarship, inquiring if students already enrolled in MUN can apply, as she knows of students in environmental studies/programs who want to know about the scholarship.
    - Deputy Mayor advised that intention was to get high school students interested, but not restricted to. He will follow up and forward information.
  
- Resident of Civic 105 Indian Meal Line
  - Resident discussed East Coast Trail related matters.
    - The East Coast Trail annual Tele Hike is June 6<sup>th</sup>, and she asked that Council spread the word regarding this fundraising event.
    - She discussed reports of recent dirt bike activity on the trail on the beach area – Spray Lane to Dominion Hill and beyond, indicating this is an area we're trying to protect.
      - Council discussed contacting RNC to monitor, especially in the area of Irving, as most stop there for fuel.
  
- Resident of Civic 106 Bauline Line
  - Resident discussed recent by-election.
    - He congratulated Councillor Whitty on being elected.
    - He discussed turnout for the by-election. Approximately 700 residents voted, and he questioned Council's opinion in terms of low percentage.
      - CAO noted that typically a by-election will get less percent turnout. Sent out same amount of materials as per general election. In last general election, there was a 9% voter increase.

**ADJOURNMENT**

180-15      Motion – Councillor Smith / Councillor Scott

**RESOLVED THAT** the meeting be adjourned at 9:05 p.m., as there was no further business.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Deputy Mayor Gallant, Councillors Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

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*Mayor*

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*CAO/Town Clerk*