



## ***MINUTES***

### **PUBLIC COUNCIL MEETING August 24, 2009**

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on August 24, 2009 at 8:30 p.m.

#### **Members Present**

Mayor Bob Codner  
Deputy Mayor Thorne-Gosse  
Councillor Jim Cantwell  
Councillor Mike Byrne  
Councillor Carol Ann Smith  
Councillor Ralph Tapper  
Councillor Peggy Roche

#### **Staff Present**

Dawn Chaplin, CAO/Town Clerk  
Brian Winter, Development & Planning Officer

#### **Regrets**

Jacqueline Berkshire, Executive Clerk

Meeting was chaired by Mayor Codner

#### **227-09      Adoption of Agenda**

Motion – Councillor Smith/Councillor Byrne

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

Question called. Motion carried unanimously.

#### **228-09      Adoption of Minutes – August 10, 2009**

Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

**RESOLVED THAT** the Minutes be adopted as presented with the following change:

Page 5 – Development Committee – Councillor Smith had concern on Motion Drive regarding a road being built without permits issued for the development of water lots only.

Question called. Motion carried unanimously.

**PROCLAMATIONS/PRESENTATIONS** - None

**CORRESPONDENCE**

- 1) Correspondence from Axel Sorensen re: proposed Apartment Building at 1359 Torbay Road – August 7, 2009 – **Development Committee will address concerns addressed in letter. B/F**
- 2) Correspondence from the Royal Canadian Mounted Police – 2008-2009 “B” Division Year in Review - **FYI**
- 3) Correspondence from Eastern Health – Request for Advisory Committee Members – **Councillor Smith interested as part of her work and bring back information to Council - FYI**
- 4) Correspondence from Daffodil Place – Letter of acknowledgement regarding recent donation - **FYI**
- 5) Correspondence from the Department of Municipal Affairs - Northeast Avalon Recreational and Sports Infrastructure Needs Analysis – **Forwarded to Supervisor of Recreation and Healthy Living.**
- 6) Correspondence from Torbay Harbour Authority – Request for Street Lights

229-09

Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

**RESOLVED THAT** the Town of Torbay install 2 street lights on the approach road to Tapper’s Cove to ensure safety of those using the Harbour Authority Facility.

Question called. Motion carried unanimously.

- 7) Correspondence from Supervisor of Recreation and Healthy Living – Special recognition for Barry Codner and presentation of certificate on September 8, 2009 - **FYI**
- 8) Correspondence from the Department of Municipal Affairs - Development Regulations Amendment No. 30, 2009 - **FYI**

**BUSINESS OUTSTANDING**

- 1) *Correspondence from Northeast Avalon Atlantic Coastal Action Program* – Councillor Tapper - **B/F**
- 2) *Email from Roger & Denise Reid re: Street lights & turning bulb at Kelly’s Lane* – Development & Planning Officer is researching land ownership and street light is actioned. – **B/F**
- 3) *Resolution 2009 MNL Convention* – CAO is working on this. -**B/F**
- 4) *Correspondence re: Proposed Development Regulations Amendments No.’s 10 & 25 for Moores Valley Road* – CAO advised letter is written and sent to Municipal Affairs. A copy has been provided to applicant and Council for an update. – **B/F**
- 5) *Correspondence from Crown Lands – May 7, 2009* – Mayor Codner to call crown lands for an update. - **B/F**.
- 6) *Forest Landing – Phase One/Phase Six Issues* – New Brochure is finalized and will be forwarded to Council for information only. Coordinator to assist in delivery. Councillor Cantwell asked if this will be published in the Times. – **B/F**.
- 7) *Killick Coast Regional Kiosk* – Marine Drive photo will be installed. - **B/F**
- 8) *Conservancy & Ecological Gifts Programs* – Paul Chamberlain will attend SAM meeting but needs written invitation from Town on Thursday, October 21, 2009. – **B/F**

9) *Resident meeting regarding issues of Kinsman Centre – B/F*

10) **Removal of signage on Torbay Road – Government Services to remove illegal signage – B/F**

230-09      Motion – Councillor Tapper/Councillor Byrne

**RESOLVED THAT** the MEO contact St. John's about signage at St. John's/Torbay boundary to determine authority for removal.

Question called. Motion carried unanimously.

11) Correspondence from Robert Royle re: St. Joseph's Scouts campgrounds on Camp Carey Road – **Complete**

12) Correspondence from Barry Carter re: property at 29 Indian Meal Line & 37-41 Indian Meal Line – July 19, 2009. – Town to write acknowledge Mr. Carter's letter - **Complete**

13) Correspondence from Northeast Avalon ACAP – August 4, 2009. – **Defer to Councillor Tapper to bring to TETC. (Freshwater Joys Correspondence) – B/F**

### COMMITTEE REPORTS

#### Capital Works/Public Works/Roads

231-09      Motion – Deputy Mayor Thorne-Gosse/Councillor Roche

**RESOLVED THAT** in preparation for the 2009-2010 snow clearing season, the Town of Torbay advertise for temporary heavy equipment operators for snow clearing purposes only. The advertisements will be placed in the Telegram on August 29, 2009 and September 4, 2009.

Question called. Motion carried unanimously.

Meeting adjourned at 9:00 p.m. Meeting called to order at 9:20 p.m.

#### Building Applications

232-09      Motion – Councillor Cantwell/Councillor Tapper

**RESOLVED THAT** Council approve the Building Application Report dated August 20, 2009 as presented.

Question called. Motion carried unanimously.

233-09      Motion – Councillor Cantwell/Councillor Tapper

**RESOLVED THAT** Council approve the Business Application Report dated August 21, 2009 as presented.

Question called. Motion carried unanimously.

234-09      Motion – Councillor Cantwell/Councillor Tapper

**RESOLVED THAT RESOLVED THAT** Council refuse the Business Application Report – Application Number B1031-09 dated August 21, 2009 as presented.

Question called. Motion carried unanimously.

### **Financial Report**

235-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Byrne

**RESOLVED THAT** Council approve Financial Statement for the period August 10 – 21, 2009 as presented.

Question called. Motion carried unanimously.

236-09 Motion – Councillor Roche/Deputy Mayor Thorne-Gosse

**RESOLVED THAT** all bills be paid to August 21, 2009 to avoid interest.

Question called. Motion carried unanimously.

237-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Smith

**RESOLVED THAT** further to the Town of Torbay Banner and Signage Strategy and the most recent tender call for the Town of Torbay Municipal Centre Site Improvements and Signage, that the Town of Torbay accept the recommendation of the consultants and award the site improvement contract to Redwood Construction Limited in the amount of \$114,332.00 (HST included) and the provision of the new digital sign be awarded to E.C. Boone Limited in the amount of \$24,900.00 (HST included).

Question called. Motion carried unanimously.

238-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Cantwell

**RESOLVED THAT** further to Fire Chief's correspondence dated June 10, 2009 and motion 174-09, that the Town of Torbay award the tender for the supply of one Jordair Breathing Air Compressor, Model K120-1EV to Breathing Air Systems at a cost of \$21,564.92 (HST included). This is option #2 of the tender call which will result in the trade in of the existing compressor as part of the acquisition. This piece of equipment is necessary to ensure the safety of our firefighters while responding to fire, rescue and medical calls and to ensure the continuous fire protection and life safety of the residents of Torbay.

Question called. Motion carried unanimously.

### **Personnel & Training Committee**

Nothing to report.

### **Recreation Committee**

239-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Tapper

**RESOLVED THAT** the Town of Torbay adopt the Parks and Recreation Master Plan as prepared by Tract Consulting Inc.

Question called. Motion carried unanimously.

240-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Roche

**RESOLVED THAT** the Town of Torbay Parks and Recreation Master Plan be referred to the Development Committee for review and a recommendation that the Parks and Recreation Master Plan be incorporated into the Town of Torbay's Municipal Plan 2007-2017 and Development Regulations. This action will require an amendment to the existing municipal plan.

Question called. Motion carried unanimously.

### **Strategic Planning Committee**

Public Meeting scheduled for 7:00 p.m. on August 26, 2009 at the Kinsman. Consultant will present draft ICSP document to the public.

### **Development Committee**

Next Committee meeting scheduled for August 31, 2009 at 6:30 p.m.

### **SPECIAL COMMITTEES OF COUNCIL**

#### **By-Pass Road**

CAO is waiting on meeting confirmation – Councillor Cantwell stated that based on work to date, an at grade intersection with stop signs can be constructed at Bullocks Town Road/South Pond. Councillor Smith concurs but Department told us that it was not possible due to site distance.

#### **Communications**

Councillor Smith asked who takes pictures at Town events - CAO advised it is the staff.

241-09 Motion – Councillor Byrne/Deputy Mayor Thorne-Gosse

**RESOLVED THAT** pictures will be taken at all town events and that a digital camera is available for Council and staff use at such events.

Question called. Motion carried unanimously.

### **Northeast Avalon Regional Plan (formerly known as the St. John's Region Regional Plan)**

Nothing to report.

### **Regional Waste Management**

The Regional Waste Management Committee issued a press release detailing its new name and partnerships with the municipalities to implement waste reduction strategies.

### **LIAISON COMMITTEES**

#### **Arena**

Mayor Codner advised the next board meeting is scheduled for August 26, 2009. Councillor Cantwell requested an update on the financial status, staffing levels, and actual expenditures. Councillor Smith requested clarification on fiscal year. Councillor Tapper requested feedback from the 2 community representatives.

#### **Northeast Avalon Regional Economic Development Board (Capital Coast Development Alliance)**

Nothing to report.

#### **Environment**

Councillor Tapper advised that the TETC will have a newsletter in circulation within 2 weeks and the SAM meeting will be held in Torbay in October.

#### **Heritage/Tourism**

Nothing to report.

#### **Hillside Festival**

Councillor Smith advised that the Committee will be meeting on August 27, 2009 to discuss this year's festival. A report will be forthcoming.

#### **North East Avalon Joint Council**

The next meeting will be in October in Bay Bulls.

**School** – Nothing to report

**Torbay Volunteer Fire Department** – Nothing to report.

#### **Urban Municipalities Committee**

Meeting was held in Port aux Basques on August 21-22, 2009. Deputy Mayor in attendance.

242-09      **Motion** – Deputy Mayor Thorne-Gosse/Councillor Smith

**RESOLVED THAT** the Town of Torbay rescind Motion 214-09 and not support MNL study due to time of year and UMC recommendation. .

Question called. Motion carried unanimously.

243-09      **Motion** – Deputy Mayor Thorne-Gosse/Councillor Smith

**RESOLVED THAT** Town of Torbay install hand sanitizers at the Town Hall.

Question called. Motion carried unanimously.

**NEW BUSINESS**

***Mayor Codner.***

244-09      Motion – Councillor Smith/Councillor Tapper

**RESOLVED THAT** the water ban in the Town be lifted but ask residents to still conserve water.

Question called. Motion carried unanimously.

***Deputy Mayor Thorne-Gosse - Pass***

***Councillor Byrne***

Councillor Byrne asked all members of Council to state their position on the Town's Municipal Plan

***Councillor Cantwell***

Councillor Cantwell wanted to extend best wishes to everyone seeking reelection in the upcoming Municipal Election. He also addressed Bullocks Town Road (under by pass) and road shoulders on Chapel Hill from PJ's to Irving. CAO to follow up with Steve Abbott and write a letter to MHA.

***Councillor Roche***

Councillor Roche addressed dumping in the environment and if signs could be installed by the municipal water supply.

***Councillor Smith***

Notice of Motion regarding smoke free environment policy. Councillor Smith also addressed timing/scheduling of Lynch's Lane/Mahon's Lane work prior to school starting.

***Councillor Tapper***

Councillor Tapper wanted to extend congratulations to Barry Codner on his volunteer recognition.

245-09      Motion – Councillor Tapper/Councillor Smith

**RESOLVED THAT** the Town recognize Chris Bemister, NL Accordion Idol on the Town Sign and that Mayor Codner write a letter of congratulations to Mr. Bemister.

Question called. Motion carried unanimously.

**ADJOURNMENT**

As there was no further business the meeting adjourned at 10:18 p.m. on a motion by Councillor Cantwell and seconded by Councillor Smith.



*Mayor*



*CAO/Town Clerk*