



***MINUTES***  
PUBLIC COUNCIL MEETING  
December 7, 2015

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Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on December 7, 2015, at 7:30 p.m.

**Members Present**

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

**Staff Present**

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

**Gallery**

There were a total of 10 people in attendance.

**Adoption of Agenda**

523-15      Motion – Councillor Smith / Councillor Roche

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

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

**Adoption of Minutes**

524-15      Motion – Councillor Roche / Councillor Whitty

**RESOLVED THAT** the Minutes of the November 23, 2015, Public Council Meeting be adopted, as presented.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

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

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

- Resident of Civic 12 Lower Street
  - Resident discussed work relating to curb and gutter, which has affected her property, in a way that her driveway is well above the road. The height of her driveway was adjusted and two steps were added, which blend in with the driveway. She discussed steps are dangerous, and a safety issue. She hired an electrician to add a spotlight to the house so the steps are more visible, but she has received complaints from people who have nearly fallen. She advised that before work took place, her driveway was level and paved, and she feels she shouldn't have to pay to install steps or other costs to remedy situation.
  - Mayor Tapper advised matter will be passed on to the Director of Public Works and Committee.
  
- Resident of Civic 106 Bauline Line
  - Resident discussed the lighted snowflakes on the poles on Torbay Road, questioning if they will be installed anywhere else in the community. He questioned costs involved to individuals if they wish to have them on their roads.
  - Mayor advised of issues of installation as per NL Power, and will discuss with the Parks, Recreation and Community Services Committee for next year.

**MAYOR'S REPORT**

Mayor Tapper provided a report, dated November 20 – December 3, 2015, of his work and connections that he has made in the community over the past couple of weeks.

He further discussed the below:

- Mayor congratulated and thanked staff on recent successful Christmas events, including Breakfast with Santa, Tree Lighting, Seniors' Christmas Social, and the Christmas Parade.
- Councillor Smith questioned Mahon's Lane in relation to speeding, indicating the road requires police presence during high traffic and school traffic times. She questioned if line can be painted on the area of the turn – Director of Public works to look into.

### **NOTICES OF MOTION**

None.

### **CORRESPONDENCE**

1. Information Sharing Agreement (ISA) between Service NL and the Town of Torbay.  
*See motion below:*

525-15      Motion – Councillor Scott / Councillor Roche

**RESOLVED THAT** the Town of Torbay enter into an information sharing agreement with Service NL. The Supervisor of Outside Operations will be the point of contact for the Town of Torbay.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

In relation to the above motion, Councillor Scott read section 1.0 Purpose, "This Information Sharing Agreement (ISA) will provide for the disclosure of personal information from Service NL to the Town of Torbay for the purpose(s) of:

To aid in enforcement dues of town regulations and policies and pursuant to the authority conferred by the Municipalities Act, 1999.

The Town requires the ability to contact registered owners whose vehicle occupants were observed loitering, littering or performing other suspicious or illegal activity on public or private property within the Town of Torbay to enforce Town Regulations and policies."

ATVs were questioned, and if the above would apply as the agreement could assist the Town with this issue as well.

Mayor Tapper advised that this agreement will give the Town access to vehicle plate numbers to identify the operator/owner. Residents can get a plate number and contact the Town Office. The Town will have access to Service NL's system to find out who owns a vehicle; and then write letter and copy the RNC.

2. Children's Joy Foundation – request for support. ***Referred to the Finance and Administration Committee.***
3. Department of Municipal and Intergovernmental Affairs – Federal Gas Tax Program Allocation. ***This is confirmation of funding allocation. It is the first installment, with second matching piece end of fiscal year.***
4. Department of Municipal and Intergovernmental Affairs – Title Documents for Crown Lands. ***This is confirmation that information relating to Crown lands will be forwarded to the Town. CAO has followed up to confirm correct contact information as per Government data base.***

### **CORRESPONDENCE & ACTION REPORT**

The Correspondence and Action Report, dated December 7, 2015, was accepted as presented. The following was discussed:

- Council questioned Item 1 – Agreement with DFO regarding administration, control and access to Tappers' Cove Hill Road.
  - Matter has been ongoing since last term of Council, and no formal agreement has yet been signed. Mayor will follow up.

### **BUDGET 2016**

Referred to next Council Meeting – A Special Public Council meeting will be held on December 14<sup>th</sup>, 2015, at 6:30 p.m.

### **COMMITTEE REPORTS**

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

Councillor Scott provided an overview of items discussed under the Planning, Land Use and Development Committee Meeting Minutes, dated December 1, 2015.

Items discussed included:

1. Development Proposals
  - a) Proposal for property owner of 10 Eustace Lane to subdivide the property to accommodate a second building lot.

- The application in within the infill study, and will be dealt with in the Building Application Report, dated December 3<sup>rd</sup>, Application C2015-199.
- b) Proposal for property owner of 1205-1215 Torbay Road to develop the property with nine attached dwelling units.
  - Committee reviewed the proposal submitted. All agreed that such a development is needed in the Town; but, prior to recommending it for approval, Committee would like to have a bit more information on the project.
    - Committee would like to see either elevations of the proposed building or some examples of how the building will look.
    - Committee questioned whether or not the buildings were going to be for seniors or affordable housing only.
    - Committee questioned how the buildings were going to be provided with water, and how many wells.
  - Director of Planning will meet with the applicant to discuss the points noted above.
- c) Development proposal for property off Doyle's and Quigley's Lane to develop the property with 10 fully serviced building lots.
  - Committee agreed that the proposal, along with comments from the other departments, can meet the Town requirements; and, are, therefore, going to recommend that the application be approved.
  - Committee also suggested that in the approval in principal letter, that it should be clearly stated that the approval in principal, along with the water allocation approval, is only valid for two years.
    - Reason this was added is there are only so many units of water to allocate; and, therefore, unfair to hold indefinitely.
    - Director of Planning noted that approvals are good for one year with a second year extension. The Town does not notify individuals to advise approval in principal is about to expire – it's up to the applicant(s) to read and understand correspondence. Everyone is treated the same.
    - The process and fairness of water allocation approval for two years was questioned.
      - It was clarified that process hasn't changed. Once two years are up, if applicant(s) doesn't move on application and have an agreement signed, they may lose their water allocation. This process is only making people more aware of their approval information, as applicants are not notified by the Town when their two years are up.
  - Councillor Thorne-Gosse questioned land within conservation area and green space, indicating that this information did not come back to the Parks, Recreation and Community Services Committee.
    - CAO clarified that process has changed from last term of Council, as the Open Space Management Strategy was adopted by Council.

She noted proposal was reviewed at staff level, and came back as part of proposal. She advised that the change in process was about improving and making process more efficient. The Open Space Management Strategy is a guiding document which developments would be cross referenced with. Proposal was discussed by staff and back through the Planning, Land Use and Development Committee.

- Director of Planning noted that proposal has been discussed with the Director of Community Services and the Director of Public Works. It can still be referred back to Committee; and will also be discussed with both directors before we get to the approval process.
- Deputy Mayor questioned open space, cash in lieu, and nine unit or ten unit with greenspace, etc.
  - Mayor advised developer is aware there's allocation for open space/green space.
  - Director of Planning discussed with the Director of Community Services the piece of land in the Gully area. This will add to the area that the Town is in process of piecing together.
- See motion below:

526-15      Motion – Councillor Smith / Councillor Thorne-Gosse

**RESOLVED THAT** the Town of Torbay give the Estate of Nicholas Cullen approval in principal so they can proceed with engineering and design work on the proposed 10 lot fully serviced subdivision as outlined on Allnorth's drawing number 11SJ0088-000-20.10-001 Revision 5 for the proposed development. No permits will be issued until all standard conditions for developing within the Town of Torbay along with those noted above are met, and a development agreement is signed.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

- d) Proposal for property owner 6 Yeo's Lane to use the building as an additional location for their business.
  - This is a request from property owner requesting that they be permitted to use the dwelling at 6 Yeo's Lane as a 6<sup>th</sup> room for their already existing business located at 1399 Torbay Road.
  - The Director of Planning noted that the proposed location is partially zoned Mixed Development and partially Residential Subdivision Area. The proposed site is surrounded by residential dwellings.

- Committee agreed that while the zoning may permit such an operation, that prior to making a recommendation on the proposal, they would like to consult with the immediate neighborhood.
- The Director will meet with the property owner to discuss.

2. Other Items

a) Referral letter from the Department of Natural Resources - Mineral Lands Division

- Committee reviewed the referral letter in relation to a proposed quarry application in the area of Middle Three Island Pond.
- The Director noted that from his review, there are a number of items that should be addressed prior to Committee considering the proposal.
  - The proposed location of the quarry overlaps land that the Town is in the process of obtaining from the Crown.
  - The Town has not received a formal application for the proposal. When it does receive one, the proposed use can be considered on a discretionary use basis; therefore, it would have to comply with the discretionary use procedure.
  - The proposed location is adjacent to the Gosse's Pond Habitat Management Unit, therefore, there should be a referral to Eastern Habitat Joint Ventures.
- The Director also noted that the Town did receive similar applications from the same applicant previously back 1999 and 2002 - both were refused by Council. The 2002 refusal was later appealed. The Town's decision to refuse the application was upheld by the Eastern Regional Appeal Board. The applicant then filed an appeal at the Supreme Court of Newfoundland; and, again the Town's decision to refuse the application was upheld.
- Committee felt that this is a new application and a new Council, therefore, they are willing to entertain the application. It was agreed that Committee will be recommending that the referral be approved subject to the following stipulations:
  - The proposed layout be adjusted as to not interfere with the Town's application.
  - That a referral be sent to Eastern Habitat Joint Ventures for review.
  - That a formal application be submitted to the Town, at which time the application will have to go through the Discretionary use procedure.
- See motion below:

527-15      Motion – Councillor Scott / Councillor Roche

**RESOLVED THAT** the Town of Torbay approve the Referral letter from the Department of Natural Resources, Mineral Lands Division Permit Number 132200

for a proposed Quarry in the Middle Three Island Pond area, with the following stipulations:

- The proposed layout will have to be adjusted to not interfere with the Town's application.
- That a referral be sent to Eastern Habitat Joint Ventures for review.
- That a formal application be submitted to the Town at which time the application will have to go through the Discretionary Use procedure.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

In relation to the above motion, it was noted that the Town was approving referral letter only, with stipulations attached.

- b) Proposal from potential renter of space at 860 B Torbay Road.
  - Committee reviewed the proposal provided for a place to store and rent a variety of vehicles from ATVs to high end passenger vehicles. It was agreed that the proposal can be considered a discretionary use within the proposed area. Therefore, Committee would be willing to recommend that proposal for advertising as per the discretionary use procedure.
  - The application will be dealt with in the Building Application Report, dated December 3<sup>rd</sup>, Application D2015-224.

3. Planning, Land Use and Development Items for Correspondence and Action Report

- a) Report was 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>
B2015-217	2 Pulpit Rock Road	General Repairs
B2015-218	9 Sallesnik Lane	Basement development
C2015-219	70 Bridge Road	12' x 16' accessory building
D2015-220	863 Torbay Road	Site Remediation
B2015-221	863 Torbay Road	General Repairs
C2015-222	2 Barkwood Lane	Single Family Dwelling
C2015-223	23 Woodbridge Lane	Single Family Dwelling



**Building Applications for Approval**

**Application:** C2015-199  
**Location:** 10 Eustace Lane  
**Proposal:** Single Family Dwelling  
**Zoning:** Residential Medium Density (RMD)

528-15 Motion – Councillor Scott / Councillor Thorne-Gosse

**RESOLVED THAT** the Town of Torbay Approve Application C2015-199, under the Applications for Approval section of the Building Application Report, dated December 3, 2015, subject to the following conditions:

1. All normal conditions and requirements for building within the Town of Torbay.
2. Due to the lack of capacity of the existing lines currently servicing three homes in the area, the Town will require that the proposed home be serviced from the back directly into the main lines.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

**Application:** C2015-216  
**Location:** 51 Indian Meal Line  
**Proposal:** Single Family Dwelling  
**Zoning:** Residential Medium Density (RMD)

529-15 Motion – Councillor Scott / Councillor Thorne-Gosse

**RESOLVED THAT** the Town of Torbay Approve Application C2015-216, under the Applications for Approval section of the Building Application Report, dated December 3, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

**Business Applications for Approval**

**Application:** D2015-214  
**Location:** 1496 Torbay Road  
**Proposal:** Coffee House and Deli  
**Zoning:** Mixed Development (MIX)

530-15 Motion – Councillor Scott / Councillor Roche

**RESOLVED THAT** the Town of Torbay Approve Application D2015-214, under the Applications for Approval section of the Business Application Report, dated December 3, 2015, subject to the following condition:

1. All normal conditions and requirements for operating a business within the Town of Torbay.
2. The business will be subject to business tax in accordance with the published schedule of taxes and fees for the Town of Torbay.
3. The development shall comply with the Town of Torbay’s parking requirements.
4. Approval(s) from Service NL and Provincial Department of Transportation and Works is required.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

In relation to the above, it was noted that one letter was received. The writer/resident had concern of hours of operation, as previous business closed at 11:00 p.m. Director forwarded her copy of hours of business, and she responded she was fine with it. No issue going forward.

**Business Applications to be Deferred for Advertisement**

**Application:** D2015-224  
**Location:** 858B Torbay Road  
**Proposal:** Vehicle/ATV rental/transportation service business to be operated out of the existing building  
**Zoning:** Mixed Development (MIX)

531-15 Motion – Councillor Scott / Councillor Roche

**RESOLVED THAT** the Town of Torbay Defer Application D2015-224, under the Applications to be Deferred for Advertisement section of the Business Application

Report, dated December 3, 2015, for advertisement as per Regulations 10, 33 and 90 of the Torbay Development Regulations.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

### **Economic Development**

No reports or motions.

### **Finance & Administration**

The Finance and Administration Report, dated November 23 – December 3, 2015, was accepted as presented. Councillor Thorne-Gosse read out payroll and accounts payable information:

Payroll for the period of November 23 – December 3, for 27 employees totalled \$30,564.01.

For the period of November 23 – December 3, Accounts Payable invoices in the amount of \$378,939.46 were paid. These expenditures were within budget.

There were fourteen (14) Main Operating invoices in the amount of \$164,526.10 presented for approval.

532-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Atlantic Powertrain and Equipment, for Sterling Dump Truck Inspection, in the amount of \$10,510.98.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

533-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Atlantic Industries Ltd., for Culverts, in the amount of \$5,199.72.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

534-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Carr McLean, for Exhibit Cases and Storage Boxes for the Museum, in the amount of \$17,387.07.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

535-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to CIBC Mellon, for Pension Contributions for November 2015, in the amount of \$14,691.44.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

536-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Grand Concourse Authority, for 2015 Maintenance, in the amount of \$13,966.80.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

537-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Newfoundland Power Inc., for Group Billing for November 2015, in the amount of \$5,220.28.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

538-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to North East Avalon Regional Arena, for Facility Rental for the Community Market, in the amount of \$10,775.68.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

539-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Progressive Engineering and Consulting Inc., for Flood Mapping Initiative, in the amount of \$6,780.00.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

540-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Receiver General for Canada, for Payroll Remittance for November 16 – 30, 2015, in the amount of \$15,749.60.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

541-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Sports Systems, for Soccer Nets, in the amount of \$5,730.23.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

542-15 Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to T2 Ventures Inc., for Garbage Collection for November 2015, in the amount of \$41,553.00.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

543-15 Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Waterwerks Communications, for Virtual Town Hall Progress Billing #1, in the amount of \$5,650.00.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

544-15 Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Waterwerks Communications, for Virtual Town Hall Progress Billing #2, in the amount of \$5,650.00.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

545-15 Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Waterwerks Communications, for Virtual Town Hall Final Billing, in the amount of \$5,661.30.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

There were eleven (11) Capital invoices in the amount of \$655,029.29 presented for approval.

546-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to 75381 Newfoundland and Labrador Ltd., for Quigley’s Lane Asphalt, in the amount of \$53,434.31.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

547-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to AMEC Foster Wheeler Americas Limited, for New Municipal Depot (2012-2014 Multi Capital Works Program), in the amount of \$7,505.01.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

548-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to AMEC Foster Wheeler Americas Limited, for New Municipal Depot (2012-2014 Multi Capital Works Program) – drawings and specifications, in the amount of \$68,704.00.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Councillor Thorne-Gosse put forward a motion, seconded by Councillor Scott, to approve payment to AMEC Foster Wheeler Americas Limited, for new Municipal Depot (2012-2014

Multi Capital Works Program), in the amount of \$7,505.01. After discussion relating to payment amount, it was agreed to defer and motion was withdrawn. CAO to reconfirm this payment information.

549-15        Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Connors Construction Ltd., for Upper Three Corner Multi-Purpose Building Footings, in the amount of \$5,132.06.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

550-15        Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Connors Construction Ltd., for Upper Three Corner Multi-Purpose Building Foundation, in the amount of \$10,472.17.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

551-15        Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Farrell's Excavating Ltd., for Mahon's Lane Road Upgrading (2014-2017 Multi Capital Works Program), in the amount of \$208,784.96.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

552-15        Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to J & S Excavating, for Upper Three Corner Multi-Purpose Building – Site Work, in the amount of \$5,876.00.



Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

553-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Progressive Engineering and Consulting Inc., Mahon’s Lane Road Upgrading (2014-2017 Multi Capital Works Program), in the amount of \$36,105.91.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

554-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Progressive Engineering and Consulting Inc., for Mahon’s Lane Road Upgrading (2014-2017 Multi Capital Works Program), in the amount of \$27,868.35.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

555-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay approve payment to Redwood Construction Ltd., for Progress Claim #2 – New Municipal Depot (2012-2014 Multi Capital Works Program), in the amount of \$151,641.51.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Mayor Tapper advised that there were a number of projects started and completed during the Summer months, mostly Multi Year Capital Works funding. He congratulated all who were involved.

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

Organizational Review Implementation

Committee brought forth two recommendations regarding implementation of the organizational review. These recommendations pertain to the awarding of the Communications and Public Relations Request for Proposals and the hiring of the Community Services Coordinator. Motions of Council are required to implement.

556-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay award Communications and Public Relations Services to Waterwerks Communications.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

557-15      Motion – Councillor Thorne-Gosse / Councillor Scott

**RESOLVED THAT** the Town of Torbay offer Leigh Fitzpatrick the Community Services Coordinator position effective January 1, 2016.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

**Parks, Recreation and Community Services**

Councillor Thorne-Gosse provided an overview of items discussed under the Community Services Committee Meeting Minutes, dated November 26, 2015.

Items discussed included:

1. Plan B Kinsmen Centre
2. Upcoming Programs and Events
3. Parade Update
4. Liquor License at the Kinsmen Centre
5. Snowflakes
  - Councillor Thorne-Gosse noted that it's good to see the snowflakes up, and would be nice to see more.

- Due to policy and guidelines, NL Power are not allowing any new installations. A permit is required to install and approval required by NL Power for Occupational Health and Safety reasons.
  - Committee discussed putting them on other side roads, but same restrictions may apply.
  - Not all the Town's snowflakes are up, the remainder are in storage. There are 26 snowflakes in total.
  - Council discussed pursuing matter in the New Year.
6. Beautification
- Information and winners have been posted to website.
7. 65 + Dinner

### **Public Works**

Councillor Scott provided an overview of items discussed under the Public Works Committee Meeting Minutes, dated December 1, 2015.

Items discussed included:

- Updates
  - A. MYCW - 2012-2014 - Municipal Depot Design Project
    - The Director of Public Works advised that the footing and foundation are complete, and the structural component of the building has been laid out and prepared for erection. Work is progressing.
    - Construction schedule is attached.
  - B. Capital Investment Plan - 2015
    - 1) Multi-Purpose Building (Upper Three Corner) – Excavation has been completed and the foundation has been installed. Construction is ongoing.
    - 2) Torbay Pedestrian Safety Review - The Director and Committee have received the study from the project consultant and reviewed. The Committee is recommending moving to the next phase and starting our speed calming report and policy.
      - The report was recently sent out to all of Council for review. Consultant will be coming in to present.
      - Council discussed the attached proposed map in relation to the Torbay Road/Convent Lane/Marine Drive intersection.
        - Consultants came up with proposed recommendation for this intersection. This is how it could be completed if Council chooses to do so. This is an idea that Council could take, and go to the Provincial Government indicating the Town's issues.
  - C. MYCW - 2015-2017 – Road Upgrading – Project is complete.

- Recreational Facilities – Christmas decorating and events are ongoing.
- Correspondence & Action Report Items – Water request (Gosse’s and Rodgers) - Town staff and Committee have reviewed, and will review at a later date when water units become available.
- Scheduling of the next meeting: Meeting will be scheduled after Christmas.

### **ADVISORY COMMITTEES**

#### **Environment**

Mayor Tapper advised that next meeting will take place in the New Year.

#### **Heritage**

- Torbay Beach Committee Meeting Minutes, dated October 29, 2015.
  - Councillor Roche advised that Minutes are in Council’s packages for information. Any questions can be referred to her. She advised she’s hoping implementation of beach initiatives will take place in the Spring.
  - Next Meeting will take place after Christmas.

### **LIAISON COMMITTEES**

#### **Jack Byrne Arena**

Deputy Mayor Gallant discussed his intention to resign from the Jack Byrne Arena Board. It was noted that Board terms and community representatives are up soon. Mayor Tapper thanked him for representing Council.

#### **Northeast Avalon Joint Council**

Councillor Roche advised that a meeting will be scheduled in the New Year.

#### **Torbay Harbour Authority**

No report.

#### **Torbay Volunteer Fire Department**

No report.

#### **Urban Municipalities Committee**

No report.

**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**

No report.

**Holy Trinity Elementary School Council**

No report.

**NEW BUSINESS**

***Mayor Tapper***

Mayor Tapper advised that this is the last Regular Public Council Meeting before Christmas. The Town has been busy with Christmas events, which are coming to an end. He wished everyone a safe and Merry Christmas and a Happy New Year. He also reminded all not to drink and drive.

***Deputy Mayor Gallant***

Deputy Mayor thanked his family over the past several weeks. He took some time off to run for the Liberal Party in the Provincial Election. He advised it was a good experience and a positive campaign. He expressed his appreciation for all the volunteers. He thanked Torbay and the District of Cape St. Francis residents who welcomed him at the door. He thanked everyone for their support and good wishes. He thanked Council Members for filling in for him while he was away. He thanked and congratulated MHA Kevin Parsons and new Premier Dwight Ball.

***Councillor Roche***

Councillor Roche extended best wishes and congratulated Deputy Mayor for putting his name forward in the Provincial Election. She advised that he was a good proponent, and he ran a good, clean campaign.

She wished all a Merry Christmas and Happy New Year, and reminded everyone not to drink and drive.

***Councillor Scott***

Councillor Scott wished everyone a Merry Christmas and Happy New Year. He wished everyone a safe holiday.

He welcomed Deputy Mayor Gallant back to Council.

He congratulated Ms. Lynelle Cantwell, a Holy Trinity High School, Grade Twelve student for what she's done to stand up for bullying. She's been in the media quite a bit lately, and her story has been captured all around the world. He advised that young people are certainly qualified and capable of stepping up.

Councillor Roche noted that Ms. Cantwell is heading to Toronto for a special award, and Mayor Tapper questioned if the Town could provide her with a bravery award. He advised he will write her a letter on behalf of Council.

***Councillor Smith***

Councillor Smith welcomed Deputy Mayor Gallant back to Council, indicating she was pleased with his professionalism and clean campaign.

She wished Ms. Lynelle Cantwell the very best in her future. She will be a star many times over for someone of such a young age; and, to accomplish what she has is amazing.

Councillor Smith wished all a Merry Christmas and Happy New Year. Stay safe and see everyone in the New Year.

***Councillor Thorne-Gosse***

Councillor Thorne-Gosse thanked all staff for their work and involvement with Christmas events. A lot of work has taken place over the past few months.

She thanked all staff involved in overseeing all Multi Year Capital work.

She advised she's very proud of Ms. Lynelle Cantwell for standing up for herself and bullying. She's been offered to attend a four day national leadership conference in May, 2016, in Toronto.

Councillor Thorne-Gosse wished all a Merry Christmas and all the best in the New Year.

She welcomed Deputy Mayor Gallant back to Council, indicating she's looking forward to working with him for the remainder of term.

***Councillor Whitty***

Councillor Whitty advised it was nice to see community spirit at recent Christmas events.

He wished everyone a Merry Christmas.

**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. There were none.

**NEXT PUBLIC COUNCIL MEETING**

The next Public Council Meeting will take place on Monday, January 4, 2015, 7:30 p.m., Council Chambers, Torbay Town Hall.

**ADJOURNMENT**

558-15      Motion – Councillor Smith / Councillor Scott

**RESOLVED THAT** the meeting be adjourned at 8:53 p.m., as there was no further business.

Question called. Motion carried.

For Motion: (7) (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

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*Mayor*

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*CAO/Town Clerk*