



MINUTES
PUBLIC COUNCIL MEETING
February 2, 2015

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on February 2, 2015 at 7:05 p.m.

Members Present

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

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
Brian Winter, Director of Planning

Gallery

There were a total of 34 people in attendance.

Adoption of Agenda

032-15 Motion – Councillor Smith / Councillor Thorne-Gosse

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Adoption of Minutes

033-15 Motion – Councillor Roche / Councillor Scott

RESOLVED THAT the Minutes of the January 19, 2015 Public Council Meeting be adopted, as presented.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION

Municipal Long Service Awards

MHA Kevin Parsons was in attendance at tonight's Council Meeting to present the Municipal Long Service Awards. CAO Dawn Chaplin provided information on these Awards:

- The Department of Municipal and Intergovernmental Affairs presents Municipal Long Service Awards to Mayors, Deputy Mayors and Councillors in recognition of contribution to municipal government.
- The Awards are presented to individuals who have served on municipal councils for periods of 12, 16, 20, 25, 30 and 35 years.
- Municipal Long Service Awards were presented to the following:
 - Robert (Bob) Codner
 - Sixteen years of service to the residents of Torbay.
 - Four years as Councillor from 1997 to 2001.
 - Twelve years as Mayor from 2001 until 2013.
 - Peggy Roche
 - Sixteen years of service to the residents of Torbay.
 - Twelve years as Councillor from 1997 to 2001 and 2005 to 2013.
 - Four years as Deputy Mayor from 2001 to 2005.
 - Michael (Mike) Byrne
 - Twelve years of service to the residents of Torbay.
 - Twelve years as Councillor from 2002 to 2013, when he retired from municipal politics.

In recognition of their service to the Town of Torbay, Mayor Tapper and Council presented a token of thanks and appreciation to the following:

- Robert (Bob) Codner for 16 years of service.
- Michael (Mike) Mike Byrne for 12 years of service.

Employee Service Awards

CAO provided information on the Town of Torbay's Employee Service Awards:

- Torbay Town Council recognizes that employees are the greatest asset and single greatest resource. Employees provide essential services to residents and taxpayers. The Town provides ongoing appreciation and acknowledgement of its municipal employees, and want to ensure that contributions and outstanding achievements of the Town's workforce are formally recognized. General recognition of milestone service awards are presented in increments of five years of service.
- Mayor Tapper presented the Employee Services Awards. Employee Services Awards were presented to the following:

- Ed Brennan
 - Twenty Years of Service.
 - Ed is a Heavy Equipment Operator in the Town's Public Works Department. He commenced his employment with the Town in June, 1993.
- Roxane Waterman
 - Ten Years of Service.
 - Roxane is a Member of the Finance Department, in the position as Accounts Payable Clerk. She commenced employment with the Town on February 9, 2005.
- Ann Picco
 - Five Years of Service.
 - Ann is the Town's Executive Clerk and a Member of the Administration Team. She began her employment with the Town on December 1, 2009.
- Contessa Small
 - Five Years of Service.
 - Contessa is the Town's Heritage, Culture and Arts Coordinator. She commenced her employment with the Town of Torbay on August 3, 2009.
- Stefan Swantee
 - Five Years of Service.
 - Stefan is a Heavy Equipment Operator in the Town's Public Works Department. He commenced his employment with the Town on December 14, 2009.

Bravery Awards

CAO provided information on the Town's Bravery Awards:

- During the Fall of 2013, Torbay Town Council committed to recognizing the selfless acts of Torbay's residents; and, made recommendation on the award criteria and guidelines.
- Mayor Tapper presented the Bravery Awards. Certificates were presented to the below deserving individuals:
 - Phillip Whitten
 - Philip rescued a family from a burning home on August 6, 2013.
 - Corey Roche
 - Corey saved a gentleman from Whiteway's pond on September 29, 2013, who had suffered a heart attack.

Holy Trinity High School Safe Grad Presentation

As part of the 2015 budget process, Council committed to providing a \$1,000.00 donation towards the Safe Grad at Holy Trinity High School.

Ms. Tara Power, Safe Grad Committee, came forward to provide information on Holy Trinity High's Safe Grad.

- Ms. Power advised that she is Chair with the Finance Committee of the Safe Grad Committee and Vice Chair for the Holy Trinity High School Council.
- This will be the third Safe Grad for the High School.
- The Safe Grad is 100% run and organized by parents, and Grade 12 graduates come together to fundraise for the event.
- Ms. Power discussed donations both monetary and in-kind.

- Safe Grad provides a choice for graduates – an environment free of drugs and alcohol, an event to create memories.
- The event is taking place on May 9th at Axtion venue – a fun-filled, all night event. The graduates will be picked up from the venue at 6:00 am the following morning after the grad, and taken back to the High School where they will be signed out by a parent.
- Ms. Power thanked Council for the opportunity to present. She thanked the Town for the donation, indicating without support the event would not be possible. She also noted the importance to keep the graduates free of drugs and alcohol.

Mayor Tapper presented the donation to the following Holy Trinity High 2015 Graduates:

- Taylor Power
- Sabrina Anstey

This concluded presentations, and CAO invited all in the Gallery to feel free to stay and attend the remainder of the Council Meeting.

Eating Disorder Foundation of Newfoundland and Labrador – Eating Disorder Awareness Week

- Mayor Tapper advised that Eating Disorder Awareness Week is February 1 – 7, 2015. He reported that the Town held a flag raising ceremony today at the Town Hall at 9:00 a.m. In attendance were Mayor, Eating Disorder Foundation of NL Executive Director Paul Thomey, and Director of Community Services Tina Auchinleck-Ryan.
- Councillor Hall read aloud the proclamation. See motion below:

034-15 Motion – Councillor Roche / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay hereby proclaim February 1 to February 7, 2015 as Eating Disorder Awareness Week.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

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 January 16 – 29, 2015, of his work and connections that he has made in the community over the past several weeks. Highlights included:

- Sports Hall of Fame
 - The Sports Hall of Fame event took place last Saturday night.

- There were four Inductees this year, who had long outstanding contributions in the sporting community.
- It's a growing event - the event started small but now a full house. Mayor reported that it was a great evening for all, a great get-together to have stories retold.
- Mayor congratulated Barry and Marie Codner and their committee for getting this done every year.
- North East Avalon Councils
 - This past Thursday evening, six towns got together here at the Torbay Council Chambers.
 - There were approximately forty people in attendance – both council members and staff from the towns.
 - It was an opportunity for councils to get together and share news from each community.
 - Mayor reported there's also another meeting scheduled on Wednesday night coming at the Town of Portugal Cove-St. Philip's – a mayors meeting with MHA Kevin Parsons and Minister Brazil's Department. It's a venue to share ideas in relation to regional cooperation.

CORRESPONDENCE

1. Department of Municipal and Intergovernmental Affairs – Circular to Municipalities – Amendment to the Municipalities Act 1999 – Authority to Sell, Lease or Dispose of Municipal Property. ***For information purposes. CAO advised that there's been an amendment that came into effect December 16, 2014. It outlines the process for disposal of municipal owned land based on dollar value.***
2. Green Rock E.V.S. – Charging Station Initiative. ***Deputy Mayor Gallant advised the company is located in St. John's, and leading way in installation of charging infrastructure for electric vehicles. The company has availed of some green funding and want to make infrastructure available to the Town. Deputy Mayor discussed that this is the way of the future and an excellent idea to get Torbay on the map, further noting the limited supply for funding. He noted there's an 80% discount to install a large charging station. Referred to the Finance and Administration Committee.***
3. Community Recreation Leadership Program, CNA Second Year Students – Request for Donation and Request for Volunteers. ***Referred to Finance and Administration Committee and Parks, Recreation and Community Services Committee.***

Councillor Smith left the Public Council Chambers at 7:42 p.m. as it was determined that she was in a conflict of interest.

4. Correspondence from resident concerning request for letter of non-interest. ***Mayor Tapper advised that this refers to private property in the Gully area. Information to be circulated to the Parks, Recreation and Community Services Committee for review, as there is an impact on the Open Space Management Strategy. Then referred to Planning, Land Use and Development Committee.***

Councillor Smith returned to the Public Council Chambers at 7:44 p.m.

5. Correspondence from resident concerning article recently published in the Northeast Avalon Times – “Pathetic in Pink.” *Mayor advised that Council has received feedback from residents, and the article was discussed by Council. At recent meeting here at the Town office last Thursday evening of mayors, councillors and staff from other communities, there was both positive and negative feedback received. He discussed that Council will take some time to review and look at what other communities will do. The letter requests that the Town send correspondence to the Publisher and take action. Mayor further noted that there is an issue – there’s freedom of expression and press involved. The Town has supported the paper for some time, and will discuss further. Once position known, resident will be advised. Mayor to forward acknowledgement letter of correspondence to the resident.*

CORRESPONDENCE & ACTION REPORT

The Correspondence and Action Report, dated February 2, 2015, was accepted as presented.

COMMITTEE REPORTS

Planning, Land Use and Development

Councillor Scott provided an overview of items discussed under Planning, Land Use and Development Meeting Minutes, dated January 27, 2015.

Items discussed in the report included:

1. Development Proposals
 - a) Crown Land Application for 433 & 435 Bauline Line.
 - There were some discussions from January 13th's meeting.
 - January 27, 2015 Meeting:
 - Committee reviewed the proposal. Director of Planning noted that prior to approving the new application, previous approvals need to be rescinded.
 - Committee also reviewed motion 347-14 which is relation to the Town’s Crown land freeze, it was agreed that the freeze does not affect the proposed application.
 - The application will be dealt with in the Crown Land Application Report, dated January 30, 2015, application number CL2015-003.
 - Clarification for rescinding the below motions was requested. Councillor Scott provided history, noting that Committee received new application to consolidate the five previous applications into one due to business re-alignment for efficiency purposes. He noted that no new land has been acquired.
 - See Motions below:

035-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay rescind motion number 042-13 which is in relation to the approval of crown land application number C1032-13.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

036-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay rescind motion number 043-13 which is in relation to the approval of crown land application number C1033-13.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

037-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay rescind motion number 382-14 which is in relation to the approval of crown land application number CL2014-013.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

038-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay rescind motion number 383-14 which is in relation to the approval of crown land application number CL2014-014.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

039-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay rescind motion number 384-14 which is in relation to the approval of crown land application number CL2014-015.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

2. Correspondence

- a) Letter from Engineering Consultant – completion of design work for the new intermediate school project.
- Committee reviewed the correspondence from the consultant, it was agreed that all of the concerns that were noted in relation to the project have been addressed with the exception of the second access/exit point.
 - Committee agreed that it had verbal confirmation that the second access/exit point would be addressed from our local MHA. It was suggested that the Director should write the Department of Education to confirm that the second access/exit is going to form part of the development plan for the new school. The local MHA Mr. Kevin Parsons should be copied on that letter.
 - Director noted that he had recently met with the engineering consultants for the project to discuss the Town's net zero run off policy and how they plan on addressing it for this project. While it did not form part of the original tender call it would be added as an addendum.
 - Committee agreed that there is no need to delay the approval of the school and site any longer. The issue of the second access/exit point can form part of the approval in principal letter. Committee is now prepared to make a recommendation to approve the school project.
 - The application will be dealt with in the Building Application Report, dated January 30, 2015, application number C2014-227.
- b) Letter from potential property owner of 1147 Torbay Road requesting a Plan Amendment to allow for the operation of business that is currently not permitted in the area.
- This relates to a doggy daycare, dog sitting, and kennel type of business.
 - Committee reviewed the correspondence provided. It was agreed that it is great to see another business opportunity for the Town. However, before making a recommendation on the proposal, they would like the Director to check with some other municipalities and the Provincial Government to see if there are any regulations governing this type of business.
 - Committee's main concerns are with noise from the business and the handling of feces and urine.

3. Other Items

a) Town Web Site

- Director of Planning provided an overview of a new section that his Department has added to the Town's web site dealing with private water supplies.
 - There are links on how to get well water test.
- Director also noted that the same pamphlets are now available on the magazine rack in the main entrance to the Town office.

b) New Regulations

- Draft Civic Address Regulations: Committee reviewed and agreed that the Director should provide the final draft to all of Council for review. After which the committee would bring forward a motion to adopt the new regulations.
- Draft Property Standards and Maintenance Regulations: Committee reviewed and agreed that the Director should provide the final draft to all of Council for review. Committee will then bring forward a motion to adopt the new regulations.
- Draft Commercial Vehicle Regulations: the Director is still in the process of finalizing these regulations, they should be ready for review over the next couple of weeks.

c) Town Plan Review

- Director of Planning noted that he is working with the Town's Planning consultant and the engineering consultant that worked on the Town Center study to finalize the new Town Center-2 zoning. Still on track for a public meeting in February.

4. Planning, Land Use and Development items for Correspondence and Action Report.

- 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>
C2015-005	15 Woodbridge Lane	Single Family Dwelling
C2015-006	21 Woodbridge Lane	Single Family Dwelling
C2015-009	999 Torbay Road	General Repairs/Renovations

Building Applications for Approval

Application: C2014-227
Location: Portion of 32 Ellard's Lane and a Portion of 16-30 Ellard's Lane (New street to be constructed to school site. Name to be determined.)
Proposal: New Grade 5-7 Elementary School to be adjacent to Watt's Pond
Zoning: Public Buildings (PB)

040-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application C2014-227, under the Applications for Approval section of the Building Application Report, dated January 30, 2015, subject to the following conditions:

1. All normal conditions and requirements for building within the Town of Torbay.
2. Subject to a second access/exit point being established for safety purposes.
3. Service NL approvals.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Council discussed the secondary access/exit point, further indicating the importance. Mayor discussed the importance to proceed with the above motion for progress, to get the school underway. Issue of second access/exit will be dealt with as process and work progresses. It was noted that, as per the above motion, approval to be given subject to second access/exit being established.

Application: C2015-007
Location: 90 Karon Drive
Proposal: 34' x 39' extension to existing 747 sq. ft. accessory building (accessory building will have a lot coverage of approximately 2,073 square feet)
Zoning: Residential Large Lot (RLL)

A motion was put forward by Councillor Scott, seconded by Councillor Smith to approve Application C2015-007. After further discussion by Council, the motion was withdrawn and referred back to Committee for further research and discussion. Council discussed specifics for large accessory buildings, including water use and consumption. Although this residence has own well, it's important to note the location of this proposed development and the importance of water use in this area. Council also discussed that the Town does not have policies in place for water use and consumption. See Motion below:

041-15 Motion – Councillor Smith / Councillor Hall

RESOLVED THAT the Town of Torbay defer Application C2015-007 for further discussion by the Planning, Land Use and Development Committee.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Application: C2015-008
Location: 30 Woodbridge Lane
Proposal: 36' x 60' Accessory Building (2,160 square feet)
Zoning: Residential Large Lot (RLL)

042-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application C2015-008, under the Applications for Approval section of the Building Application Report, dated January 30, 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 Roche, Scott, and Smith)

Against Motion: 2 (Councillors Hall and Thorne-Gosse)

Abstained: 0

Council discussed size of accessory buildings noting that the above two applications are the largest that Council have seen. Council Members suggested deferring while in plan review process; and, as per previous application, Council discussed water consumption and risk of contamination. Regulations were discussed and it was noted that the Application does meet present regulations. It was discussed that the size of an accessory building does not constitute how or if water will be consumed or used – the building could be used for storage purposes only. It was suggested that water consumption should be a condition of a permit, as Council are talking about conserving water and having a water study completed. It was questioned if Council should defer the motion for further discussion and further review- see motion below:

043-15 Motion – Councillor Hall / Councillor Smith

RESOLVED THAT the Town of Torbay Defer Application C2015-008, under the Applications for Approval section of the Building Application Report, dated January 30, 2015.

Question called. Motion defeated.

For Motion: 3 (Councillors Hall, Smith and Thorne-Gosse)

Against Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, and Scott)

Abstained: 0

Council discussed fairness to residents – to approve an application if it falls within the Town’s rules and regulations. An accessory building is that only, not a residence. It was discussed that Council need to look at risks and safety to the community – it’s important to look after the safety of residents as it pertains to water. It was questioned if Council should give authority to the Director of Planning to issue permits if applications fall within the Town’s regulations, rather than bring application to Council. Mayor advised that application meets the Town’s regulations, and accessory building size and water consumption is something that needs to be discussed further by Committee.

Councillor Smith asked that she have final comment on the above application. Deputy Mayor Gallant called Point of Order, indicating that she had her say already. Mayor advised Point of Order not well taken, indicating that she’s a member of Committee and can have her input. Councillor Smith asked the Director of Planning to set aside some time at next Committee meeting to discuss issue. She acknowledges that Council cannot deny someone a permit if it meets regulations; however, Council needs to be mindful of sizes of accessory buildings, and if Council has power to change it. Mayor suggested that as the Town is undertaking a town-wide water assessment review, that maybe these applications shouldn’t be entertained until assessment is complete.

Business Applications for Approval

Application: D2014-252
Location: 101 Patrick’s Path
Proposal: General Business (Beauty Salon)
Zoning: Residential Medium Density (RMD)

044-15 Motion – Councillor Smith / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application D2014-252, under the Applications for Approval section of the Business Application Report, dated January 30, 2015, subject to the following conditions:

1. The project shall conform to the requirements of the Residential Medium Density (RMD) Land Use Zone of the Torbay Development Regulations.
2. The project shall meet the normal building requirements of the Town.
3. The business will be subject to Business Tax in accordance with the published schedule of Taxes and Fees for the Town of Torbay.
4. Approval from Service NL is required.
5. There shall be no parking of commercial vehicles on the property.
6. The development shall comply with the Town of Torbay Parking Requirements.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Crown Land Applications for Approval

Application: CL2015-003
Location: 433 & 435 Bauline Line
Proposal: Residential Development
Zoning: Residential Large Lot (RLL)

045-15 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Approve Application CL2015-003, to obtain approximately 110 acres of Crown land, under the Applications for Approval section of the Crown Land Application Report, dated January 30, 2014.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Economic Development

Councillor Hall provided an overview of items discussed under the Economic Development Committee Meeting Minutes, dated January 28, 2015.

Items discussed in the report included:

- Discussion with Targa NL representatives.
 - Discussions included breakdown of good and bad from last year; going forward, it was questioned what we need to do to commit as a Town.
 - What Targa means to Torbay and the Province.
 - Impact to Newfoundland is \$7 million brought into the Province.
 - For Torbay, benefit of \$50,000 in that day or two.
 - 37 cars were registered last year for the event. Over the next three years, 100 cars are expected to enter the race, which could bring approximately \$150,000 benefit to the Town.
 - The Town has issues with the event, including communications with residents and speeding through the community – a safety concern.
 - Targa admits that it has some issues, including communication with residents and are sympathetic and willing to cooperate with the Town and residents.

- They are in consultation now with a communication firm before next year's race.
 - They are willing to do presentations at the High School regarding safe driving, speeding, seat belt use, and cell phone use while driving.
 - Council discussed the Targa event:
 - Different routes and dates for the event, as Targa has been using the same weekend and route for the past several years.
 - Councillor Hall advised that there are nine other communities involved in a ten-day period. It would be difficult to change routes for this reason; and, also due to safety concerns – routes are picked out that would have the least safety impacts.
 - Council discussed the inconvenience to residents for that two-hour period in the day, every year, year after year.
 - Council discussed safety – increase from 37 to 100 cars may sound good, but there is now three times the opportunity for an accident. The route is narrow and a lot of houses are next to the street. It was suggested that in discussions with Targa, that safety is always paramount.
 - It was noted that there were issues with volunteers and last minute issues last year, and hoping this matter will be rectified before next event.
 - Mayor advised event is under review by Committee, and will come back to Council for further discussion before final vote taken.
 - It was requested for the information of all Council that Councillor Hall forward breakdown of the \$50,000 investment at 37 cars. Councillor Hall to forward by email to Council Members.
- Updates
 - Town Centre Feasibility Project
 - Things are where they were as of last update.
 - The Plan can be viewed on the Town's website.
 - Committee are still looking for more opportunities to discuss with shareholders in the area, and have positive feedback.
 - Business Park Feasibility Update
 - Status quo from last meeting.
 - The main issue centers on awaiting the publishing of the regional water study in late April/early May, to know precisely what path to take based on what options are available.
 - Sponsorship
 - Discussed provincial and federal government offers with low fuel prices. Sponsorship is important to the Town in order to accomplish its goals.
 - Committee would like the Economic Development Officer to have ability to secure sponsorship support on behalf of Council.
 - Motion to follow.

- Business Awards
 - Taking place on March 18th.
- Scheduling of the next meeting:
 - Next meeting to be at the call of the Chair.

046-15 Motion – Councillor Hall / Councillor Roche

RESOLVED THAT the Town of Torbay allow the Economic Development Officer to take the lead on behalf of Town Council, to seek and secure sponsorship support for Town projects and programs.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Finance & Administration

Councillor Thorne-Gosse provided an overview of items discussed under the Finance and Administration Committee Meeting Minutes, dated January 20, 2015.

Items discussed in the report included:

- Donation Requests
 - 515 North Atlantic Royal Canadian Air Cadet Squadron.
 - See motion below.

047-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay donate \$100.00 and offer a free rental of the Kinsmen Center to 515 North Atlantic Royal Canadian Air Cadet Squadron.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

- 1st Torbay Scouts Group
 - See motion below.

048-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay donate \$1000.00 to 1st Torbay Scouts Group.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

- Fees/Permits Schedule
 - See motion below.

049-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT further to motion 592-14, that the fees and permits schedule for 2015 be amended to include home based business tax at a rate of \$250.00, the Road Damage Deposit (Refundable) at a rate of \$1000.00 and that the Kinsmen Community Center Rental Rates be set at \$100.00 for children’s birthday parties and \$125.00 for all other rentals (same rate as 2014).

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

- Legal Services – General Counsel
 - See motion below.

050-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay appoint Stewart McKelvey Lawyers as the Town’s general legal counsel effective March 1, 2015. This is in response to the Terms of Reference 2014-003 Legal Services-General Counsel.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

- Municipal Service Delivery Review Report
 - See motion below.

Deputy Mayor Gallant left the Public Council Chambers at 8:42 p.m., as it was determined that he was in a conflict of interest.

051-15 Motion – Councillor Thorne-Gosse / Councillor Scott

RESOLVED THAT further to motion 600-14, that the Town of Torbay adopt the KPMG Service Delivery Final Report dated October 28, 2014.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Deputy Mayor Gallant returned to the Public Council Chambers at 8:43 p.m.

- Library
 - CAO to speak to and work with the Library Board concerning relocating of space.

Councillor Thorne-Gosse provided an overview of items discussed under the Finance and Administration Committee Meeting Minutes, dated January 26, 2015.

Items discussed in the report included:

- Library
 - Update on Library was provided.
- Museum
 - In process - Committee discussed what's happening with relocation to the Priest's House.
- Roles of Alternates for Committees of Council
 - This refers to having a backup for committees.
- Resident Letter regarding article in Northeast Avalon Times
 - Mayor discussed letter received from resident concerning article.
- Review of Tax Bill
 - CAO to review residents' statements of account.

The Finance and Administration Report, dated January 19 – 29, 2015, was accepted as presented. Councillor Thorne-Gosse read out payroll and accounts payable information as per the report:

Payroll for the period of January 19 – 29, 2015, for 36 employees is \$80,152.24.

For the period of January 19 – 29, 2015, Accounts Payable invoices in the amount of \$135,185.19 were paid. These expenditures were within budget.

There were five (5) Main Operating Invoices, in the amount of \$122,282.51 for approval:

052-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to CBCL Limited, for Town Centre Feasibility Study, in the amount of \$23,914.42.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

053-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to CBCL Limited, for Business Park Feasibility Study, in the amount of \$42,454.21.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

054-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Municipalities Newfoundland and Labrador, for 2015 Membership Fees (\$6,655.99 for MNL and \$570.00 for PMA), in the amount of \$7,225.99.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

055-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Receiver General for Canada, for Payroll Deductions for January 1-15, 2015, in the amount of \$41,899.32.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

056-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Trio Benefits, for Group Benefits for January 2015, in the amount of \$6,788.57.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

There are no capital invoices presented for approval.

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

Assessment Review Commissioner

➤ See Motions below:

057-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT as per Section 32 of the Assessment Act, that the Town of Torbay appoint Mr. James E.G. Vavasour as Assessment Review Commissioner for the 2015 calendar year.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

058-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT as per Section 34 of the Assessment Act, that the Town of Torbay 2015 assessment appeals shall be heard by March 15, 2015.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Library

➤ See Motion below:

059-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay authorized Chief Administrative Officer to execute an agreement with the Newfoundland Library Board regarding space for the Torbay Library for the period of March 1 – December 31, 2015.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Mayor Tapper left the Public Council Chambers at 8:49 p.m. and Deputy Mayor Gallant took over as Chair of the Public Council Meeting.

Parks, Recreation and Community Services

Councillor Thorne-Gosse provided an overview of items discussed under the Community Services Committee Meeting Minutes, dated January 28, 2015.

Items discussed in the report included:

- Western Island Pond
 - Director of Community Services noted time lines are still being confirmed as start-up has not begun and she will provide timelines upon completion.
 - Deputy Mayor advised that this is the third meeting in a row where he has asked for plans and timelines.
 - It was noted that an email was sent to Council Members this afternoon. Council discussed there was a delay and the Director of Community Services has been working on this.
 - Deputy Mayor advised he's not discussing delay, he's looking for plan and timelines and information is not in email. CAO advised that Deputy Mayor's Comments should be deferred to next Finance and Administration Meeting.

Mayor Tapper returned to the Public Council Chambers at 8:52 p.m. and resumed as Chair.

- Community Services Survey
 - Director of Community Services informed Committee that she working on details of delivering the survey and the best options to gain the best results. Director has asked the consultants to provide the top two methods to get the best results.
 - Director of Community Services asked Committee to review the survey questions that were drafted by the consultant. Committee reviewed the survey and made several changes. Director was concerned about a few programs that were asked to be cut from the survey and noted that, if the objective is to have a true reflection of what residents want then programs listed should not be cut from the survey.
 - Councillor Thorne-Gosse advised that both her and Councillor Hall reviewed and rewrote the survey. She discussed if we're going to have a true representation of survey to residents, really need to target different parts of the community – through schools, churches, community groups, seniors' homes, Fire Department, etc.
 - Councillor Hall advised that he talked to the Principal at Holy Trinity High School, and he's willing to send out to

kids. The Elementary School will do same. It was noted that the survey can go out to Beavers, Cubs, and Brownies, and at the Kinsmen Centre for all who want to take advantage.

- Deputy Mayor requested to review survey.
- Councillor Scott advised before Christmas he solicited for feedback from residents, specific to programs that the Town offered. He advised we received good response and asked if it would be incorporated. CAO advised emails will be provided to the Town's consultant.
- Wellness Centre Update
 - Further meetings to be held for discussion.
- UTC Complex
 - Director of Community Services and the Economic Development Officer have met and discussed sponsorship and have upcoming meetings set up for future sponsorship.
 - Director and the Director of Public Works will be meeting next week to discuss the schematic drawings of the building.
- Sponsorship
 - Director has met with the Economic Development Officer to discuss possible sponsorship for program opportunities, and playground equipment.
- Other:
 - Killick Coast Games
 - Director of Community Services informed Committee that the Killick Coast Games will take place July 26th – July 30th, 2015 – Host Community is Portugal Cove-St. Philips.
 - Volunteer Appreciation
 - Director informed Committee that Volunteer Appreciation is Tuesday, April 14, 2015 at the Town Hall. Committee asked how invites are done. Director informed Committee that Community Groups/organizations are sent an invite and RSVP how many from their organization are attending. Also, anyone who has volunteered with the Town throughout the year is also invited.
 - Sports Hall of Fame
 - Director and Committee expressed thanks to Barry and Marie Codner and congratulations to Inductees:
 - George Bursell in the Builder category
 - Alex Byrne in the Athlete / Builder category
 - Delores Manning in the Athlete category
 - Tony Redmond in the Athlete / Builder category
- Walking for Wellness Update
 - Committee had a lengthy discussion on this event.
 - Director of Community Services informed Committee that, as the Town is no longer paying weekly rental of the walking track, the Arena Manager had requested to meet to discuss a future regional program. The Arena Manager does see the

value of this program, and will continue with a Walking Program and he is currently working out the details.

- The Arena Manager is working with the Town and other communities to come up with another walking program. Until there is a new program in place, people can walk the track regardless.
 - Deputy Mayor asked Councillor Thorne-Gosse to forward him message regarding Walking for Wellness.
 - Councillor Smith advised that the Walking for Wellness Program was excellent. She advised that she further heard in a private meeting comments around educational components, which were originally part of the program. She asked Deputy Mayor, as he's on the Arena Board, to encourage them to bring back the educational component. From a chronic disease standpoint, opportunity to educate people is important. Mayor advised that staff can work with the Arena, as well.
- Next Meeting to take place on February 18th.

Public Works

Councillor Smith advised that CAO sent out a message to Council to advise there was no report. She advised she's looking forward to presentation on Wednesday night.

ADVISORY COMMITTEES

Environment

Mayor Tapper advised that a meeting is scheduled for Thursday night, February 5th.

Heritage

Councillor Roche advised that a meeting is scheduled for next Monday, February 9th.

LIAISON COMMITTEES

Jack Byrne Arena

No report.

Northeast Avalon Joint Council

Councillor Roche tabled Minutes of the Northeast Avalon Joint Council Meeting, dated December 17, 2014.

She advised that the last meeting was held in January in the Town of Paradise. Topics discussed included:

- Towns appointed new members.

- Municipal ticketing.
- The Torbay Environment and Trails Committee (TETC) made a presentation. Will provide information at next meeting.
 - A couple of towns on the North East Avalon are inviting them to start up business. An MOU to be in place.
 - TETC has to apply for funding to keep going; and, they have requested a letter of support from the Town.
- The Council are planning on having good, well organized meetings this year. Planning on having more presenters as time goes on.
- The Council are looking for more input from towns for agenda items. The Council represents eighteen towns across the Province. Councillor Roche advised if there's something we would like addressed, forward information to her by telephone or email. What affects us here also affects other communities and people.

Torbay Harbour Authority

No report.

Torbay Volunteer Fire Department

The following report was included in Council's packages for information:

- Torbay Volunteer Fire Department Meeting Notes – January 12, 2015

Councillor Scott provided highlights the Torbay Volunteer Fire Department Meeting, dated January 26th. Highlights included:

- There were six emergency calls since prior meeting.
- Discussed application for Provincial government funding for equipment. Fire Chief indicated advice he's getting is to wait until closer to application time so prices and quote estimates are more accurate. Deadline is March 31st.
- Chains do not work on the rescue truck, therefore will be looking for alternative.
- Issues with phones are resolved.
- In relation to the 2015 Budget, it was suggested that if the Department has any outstanding issues, that a meeting be arranged between the Department and the Finance and Administration Committee to further discuss.
 - Councillor Thorne-Gosse discussed comments in the Meeting Notes dated January 12th, under New Business section. She noted that the comments are incorrect - CAO has sent emails and the Fire Chief has been invited to a couple meetings, which he hasn't responded. She advised that Committee will meet with him when he's available.
 - Councillor Scott advised he will discuss with the Department and ask for revision of the meeting notes.

Urban Municipalities Committee

Mayor noted that meeting has been rescheduled – February 21st and 22nd, 2015.

North East Avalon Regional (NEAR) Plan

Mayor Tapper advised that the Oversight Committee met on January 21st. There were no minutes as there was not a quorum. Committee discussed the super amendment for the Plan. It's at a stage where there was a public meeting held by a commissioner on December 4, 2014. Four presentations were provided and one written presentation. The Commissioner wrote report and presented to the Department of Municipal and Intergovernmental Affairs on December 23, 2014. It was reviewed and approved for final registration.

Mayor noted for future amendments, until new NEAR Plan is developed, and if towns submit amendments, it will be dealt with as soon as possible. Mayor advised that if the Town has any amendments, we should send and the Department will review them. An RFP was advertised/requested - there was five firms who expressed interest - one submitted proposal which was turned down. Process will have to start over.

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 acknowledged and thanked Manager of Finance Lisa Niblock and all front office staff for their work and professionalism. It's a busy time of year with a lot of residents paying tax invoices, and at times there are some issues. Staff get things resolved before we realize there was even an issue.

He thanked MHA Kevin Parsons for attending and being a part of tonight's Council Meeting for presentations.

Deputy Mayor Gallant

Deputy Mayor Gallant advised that today is World Wetlands Day. He noted the importance of wetlands across the Province, Country and the world. He recommended to the Environment Committee to recognize next year. He suggested sending something out through social media to remind everyone of importance of wetlands in the environment that we live.

He thanked all who were provided with awards at tonight's Council Meeting, from awards of bravery to years of service. He's glad that the Town is recognizing citizens and former mayors and councillors.

Deputy Mayor thanked MHA Kevin Parsons for attending tonight's meeting.

Councillor Hall - Pass

Councillor Roche

Councillor Roche thanked all for their comments tonight and indicated that all around the table are leaders.

Councillor Scott

Councillor Scott congratulated all who received awards tonight, in particular to Phillip Whitten and Corey Roche who received bravery awards. Both have spent time with the Torbay Volunteer Fire Department. When you go beyond what other people would do, it's a reflection of yourself – goes a long way when not acting on behalf of the Fire Department. It goes to show how important volunteer groups are in the Town and the value of training they receive.

He congratulated Councillor Roche, Bob Codner and Mike Byrne on their Municipal Long Service Awards, further discussing the commitment to be on Council for 12 and 16 years. He thanked and congratulated them.

Councillor Smith

Councillor Smith congratulated all who received awards tonight. She congratulated those who received long term awards, including Councillor Roche. To the brave people that we have in this Town, very proud to hear what people are prepared to do for others. She congratulated staff on employee service awards and thanked them for their efforts.

She discussed the update to website with information on private wells and drinking water. She reminded everyone the importance, and how easy it is, to have water tested.

Councillor Thorne-Gosse

Councillor Thorne-Gosse discussed the bravery awards indicating that it's long overdue. She asked if the Town would have a plaque in place – something so awards will not be forgotten. Mayor asked her to bring recommendation back to Committee.

She thanked the Sports Hall of Fame organizers. She advised there are lots of activities happening and she extended a thank you to all.

QUESTION & ANSWER SESSION

Mayor Tapper referred to the Gallery and asked if anyone had any questions concerning tonight's Council Meeting. The following had comments/questions:

- Editor, The Northeast Avalon Times
 - Editor discussed the recent article in the paper, "Pathetic in Pink."
 - She advised that no local advertisers have pulled out.
 - She discussed that the paper has been around for fifteen years and this is the first time that something like this happened.
 - The intention of letter tabled at tonight's Council Meeting and other letters that she saw for Councils and local businesses was to pull advertising.
 - The editor noted that residents want the paper here. Community newspapers are not being started up anymore. She understands how upset people were by this article, but her job is to give people freedom of expression.
 - She discussed freedom of speech. Councils should not be aiding people who want to end the paper.
 - She discussed her surprise and disappointment with Councils meeting to talk about whether or not to pull advertisements from her paper.
 - Towns have agreements in place with the paper for advertising which is never deviated from. She takes extra care with ads and has honoured agreements in past years. She suggested calling the publisher to meet with in person instead of meeting with other towns to decide the paper's fate.
 - She advised she's taking matter personally – it's her job and she's never encountered this type of issue before.
 - The papers covers elections, budget information, etc. It's useful to towns and residents as it covers community information.
 - The editor discussed the article is not a hate literature. She's sorry that so many people read the article differently than she read it.
 - She discussed threats that she received and that she answered 50-60 telephone calls. Most people are angry and upset, but don't think they

want the paper to close. She gave all free range to say whatever they wanted.

- Resident – Civic 105 Indian Meal Line
 - Resident referred to media and expressions heard.
 - She advised she agrees with right to free speech.
 - The Northeast Avalon Times is essential to communities. Residents find out what other communities are doing.
 - She applauded the Editor of the Northeast Avalon Times for the work that she does.
 - The paper is responsive to the needs of groups and residents of the community. It's always of interest to residents.
 - Resident discussed the walking program at the Arena, and questioned what the issue was about.
 - Mayor clarified that this was a program that originated some years ago – the Town received a grant for funding of the program. The Town paid \$125 per week for people to walk the Arena's track. The Town reviewed two components of the event – walking itself and the educational piece. The Jack Byrne Arena Manager is looking at adding a new event – Jack Byrne Arena Walking Club – a regional approach. He noted that no one will miss out on walking. It's up to the Arena how they will establish the program. The Manager is going to try to receive grant, and the Town will support.
 - Resident thanked CAO and Councillor Roche regarding meeting with the North East Avalon Joint Council.
 - It was a positive experience and well received. A lot of testimonials and she thanked Councillor Roche for her testimonial and great suggestion.

- Resident – 80 Whitty's Lane
 - Resident advised of her support for The Northeast Avalon Times paper.
 - She advised that although she didn't like some things said in the article, there is a right to freedom of expression and speech. Each of us have same right to opinion and right to express.
 - She discussed her disappointment for Torbay to decide on course of action that would shut the paper down.
 - She asked if Torbay has made a decision, as Publisher has advised she hasn't received support for paper to continue.
 - Mayor Tapper advised that Council met in a private session and this was an item on the agenda. He advised the Town is going to move forward and decide.

- MHA Kevin Parsons
 - MHA Parsons asked Councillor Scott to keep him abreast of Torbay Volunteer Fire Department issues regarding equipment so he can advocate on behalf.

ADJOURNMENT

060-15 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the meeting be adjourned at 9:31 p.m., as there was no further business.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Mayor

CAO/Town Clerk