



MINUTES
PUBLIC COUNCIL MEETING
February 6, 2012

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on February 6, 2012 at 7:30 p.m.

Members Present

Mayor Bob Codner
Deputy Mayor Geoff Gallant
Councillor Carol Ann Smith
Councillor Ralph Tapper
Councillor Brian Whitty

Staff Present

Dawn Chaplin, CAO/Town Clerk
Brian Winter, Development and Planning Officer
Ann Picco, Executive Clerk

Regrets

Councillor Mike Byrne
Councillor Peggy Roche
Bernard P. Manning, Director of Public Works & Technical Services

Gallery

There were a total of 6 people in attendance.

Meeting was chaired by Mayor Codner.

042-12 **Adoption of Agenda**

Motion – Councillor Smith / Councillor Tapper

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried unanimously.

Adoption of Minutes

043-12 Motion – Councillor Tapper / Deputy Mayor Gallant

RESOLVED THAT the Minutes of the January 23, 2012, Public Council Meeting be adopted, as presented.

Question called. Motion carried unanimously.

PROCLAMATIONS / PRESENTATIONS

044-12 Motion – Councillor Tapper / Councillor Whitty

RESOLVED THAT the Town of Torbay proclaim Monday, February 20, 2012, as Heritage Day, and call upon all citizens to celebrate the richness of our past and the promise of our future.

Question called. Motion carried unanimously.

CORRESPONDENCE

1. Department of Municipal Affairs – Circular to Municipalities Re: Proclamation of Remaining Amendments to the Municipalities Act, 1999. ***For Information Purposes.***
2. Correspondence from Resident concerning 2012 Property Taxes and Seniors' Discount. ***Finance Committee to explore and research; and possibly develop a policy for 2013.***
3. Correspondence from Torbay Family Church – Use of the Kinsmen Community Centre. ***Torbay Family Church request to set up church on a temporary basis at the Kinsmen Community Centre on Sundays from 9:00 a.m. to 12:00 p.m. Staff are researching all logistics, including costs associated with this rental and development of rental fee.***
4. Correspondence from Town to Department of Transportation and Works – Torbay Bypass Road. ***For information purposes. Mayor's response to Minister Hedderson concerning opening of the Bypass Road and culvert installation at dam, Bullock's Town Road.***
5. Correspondence from Town to Minister, Voluntary and Non-Profit Secretariat – URock Volunteer Awards. ***For information purposes.***
6. Correspondence from MNL – Template letter for MHA to be completed by Council. ***Town to write letter to MHA concerning Municipal Strategic Plan. See motion below.***

045-12 Motion – Councillor Smith / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay write letter to MHA seeking support of Municipalities Newfoundland and Labrador's proposal for a Municipal Strategic Plan that would address issues like municipal authority, structure, revenue and infrastructure.

Question called. Motion carried unanimously.

7. Motion from Councillor Tapper concerning South Pond Rezoning. ***Councillor Tapper reported:***

In 2010 the Town of Torbay commissioned CH2M Hill Canada Limited to undertake a "Feasibility Study and Conceptual Cost for a Water Treatment Facility for the Town of

Torbay". That report was completed and presented to Council in January 2011. Within pages 1 - 7 of that report there are many concerns outlined regarding the use of South Pond as a potential water source and a recommendation clearly states "South Pond will not be considered further as a water source for the Town".

Based on the findings of this report and continued requests from landowners in that area asking Council to take action to have the Provincial Government remove South Pond from its list of protected water supply sources, Councillor Tapper put forward a motion - *see motion below*.

046-12 Motion – Councillor Tapper / Councillor Smith

RESOLVED THAT the Town of Torbay forward a letter to the Provincial Government as soon as possible requesting that South Pond's status as a protected water source be repealed.

Question called. Motion carried unanimously.

8. Minister of Canadian Heritage and Official Languages – Approval of Funding to Torbay250 Committee. *For information purposes. Council thanked the Heritage, Arts and Culture Coordinator. Mayor to do letter of thanks.*
9. Professional Municipal Administrators (PMA) – 40th Annual PMA Convention. *Executive Clerk and Accounts Payable Clerk are attending.*

CORRESPONDENCE & ACTION REPORT

The Correspondence and Action Report was discussed and accepted as presented.

COMMITTEE REPORTS

Economic Development

No reports or motions.

Finance

The Financial Report, dated January 23-February 3, 2012, was accepted, as presented. Councillor Tapper read out payroll and accounts payable information as per the report:

Payroll for the period of January 23-February 3, 2012, for 29 employees totaled \$59,605.09. For the period of January 23-February 3, 2012, Accounts Payable invoices in the amount of \$89,401.92 were paid. These expenditures were within budget.

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There are three (3) Main Operating Invoices totaling \$35,468.79 for approval.

047-12 Motion – Councillor Tapper / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to CIBC Mellon, for Pension Contributions January 2012, in the amount of \$11,335.68.

Question called. Motion carried unanimously.

048-12 Motion – Councillor Tapper / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Receiver General for Canada, for Payroll Remittance for January 16-31, 2012, in the amount of \$18,050.53.

Question called. Motion carried unanimously.

049-12 Motion – Councillor Tapper / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Trio Benefits, for Group Insurance January 2012, in the amount of \$6,082.48.

Question called. Motion carried unanimously.

There are no Capital Invoices for approval.

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

Councillor Tapper reported that the Finance Committee met on January 25, 2012 to review several donation requests and to discuss a letter from Torbay Volunteer Fire Department Fire Chief Mike McGrath regarding the replacement of pumper #1. The donation requests are compliant with Council's donation policy and motions of Council are requested below to support the initiatives. Finance Committee has a meeting arranged with the Torbay Volunteer Fire Department Executive for Tuesday, February 7, 2012 at 7 pm to discuss the replacement of Pumper #1.

050-12 Motion – Councillor Tapper / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay support the Jack Byrne Arena pilot program regarding a 35 plus age group skating session on Saturday evenings. The Town will donate \$200 to cover the cost of one session.

Question called. Motion carried unanimously.

051-12 Motion – Councillor Tapper / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay support CrimeStoppers by placing a business card advertisement at the cost of \$195 in their 2012 awareness guide.

Question called. Motion carried unanimously.

Human Resources and Administration

Deputy Mayor Gallant gave an overview of items discussed at the Human Resources and Administration Committee Meeting on January 24, 2012.

Items discussed in the Report included:

- Transparency Notice of Motion - Citizen Engagement. See motion below.

052-12 Motion – Deputy Mayor Gallant / Councillor Smith

RESOLVED THAT the Town of Torbay schedule public presentations for Municipal Awareness Day (as a pilot project) and that Committee Chairs present the initiatives of their respective departments.

Question called. Motion carried unanimously.

Council discussed that there hasn't been much engagement from residents on Municipal Awareness Day; and, this would be a way of raising awareness of what our Municipality is doing. It was agreed that this be advertised in the media.

- Office Hours – Committee has asked CAO to monitor resident requests over the next six months.

Planning and Land Use

Councillor Smith advised that there was no Planning and Land Use Committee Meeting; however, there is a motion. Councillor Smith reported:

The Minister of Municipal Affairs has officially appointed Mr. Chris Sharpe to act as the commissioner for the St. John's Urban Region Regional Plan Amendment No. 3, 2011. This amendment is in relation to the Town of Torbay's Municipal Plan Amendments No. 14 & 16, 2010 and Development Regulations Amendments No. 31 & 33, 2010. (These amendments are a result of proposed developments namely – KMB Holdings Ltd., Phase II North of Peters lace, Barrox Holding Phase V and Forest Landing Phase 7). See below motion.

053-12 Motion – Councillor Smith / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay have the Development and Planning Officer check with Mr. Sharpe tomorrow, Tuesday, February 7, 2012. If he is available, then the hearing date will be set for March 1, 2012 (*this relates to an amendment to the Town of Torbay’s Municipal Plan Amendments No. 14 & 16, 2010 and Development Regulations Amendments No. 31 & 33, 2010*).

Question called. Motion carried unanimously.

Application: 9659-12
Location: 1 McArthur Place
Proposal: Single Family Dwelling
Zoning: Residential Small Lot (RSL)

054-12 Motion – Councillor Smith / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve Application 9659-12, under the Applications for Approval section of the Building Application Report, dated February 3, 2012, subject to the following conditions:

1. The development shall meet the normal building requirements of the Town.
2. The property shall be serviced with municipal water and sewer services. This property is already serviced by Town services.
3. Applicant to provide a Plot Plan showing the proposed location of the new residence.

Question called. Motion carried unanimously.

Application: 9660-12
Location: 13-23 Convent Lane
Proposal: Renovations to Food Bank Area of Parish Hall
Zoning: Public Buildings (PB)

055-12 Motion – Councillor Smith / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve Application 9660-12, under the Applications for Approval section of the Building Application Report, dated February 3, 2012, subject to the following conditions:

1. The development shall meet the normal building requirements of the Town.
2. Approval from the following Government Agencies is required:

- a. Government Services (Fire and Life Safety Division)
- b. Government Services (Accessibility Division)

Question called. Motion carried unanimously.

056-12 Motion – Councillor Smith / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay advertise/defer the following applications pending public notification and consultation required in accordance with Regulation 33 of the Torbay Development Regulations, and that any explicit costs associated with the public notification and consultation be paid in advance by the applicant.

No.	Application No.	Location	Proposal
1	B1075-12	13 Wildberry Lane	Home Office for a Contracting Business
2	B 1076-12	6 Hunter Place	Home Office for a Contracting/Inspection Business

Question called. Motion carried unanimously.

Public Works

No report or motions. Councillor Whitty advised that there was no Public Works Committee Meeting held.

Parks, Recreation and Community Services

Deputy Mayor Gallant advised that there was no Parks, Recreation and Community Services Committee Meeting held.

He reported that Committee are looking at comprehensive development plans, which is a main item on their agenda. He's hoping to get Committee and the Development and Planning Officer together for Thursday, February 9, 2012.

Technical Services

No report or motions.

SPECIAL COMMITTEES OF COUNCIL

2012 Celebrations

No report. Councillor Tapper advised there will be a meeting in a couple of weeks.

By Pass Road

No report.

LIAISON COMMITTEES

Heritage/Museum

No report.

Jack Byrne Arena

No report.

Northeast Avalon Joint Council

Councillor Whitty advised that the Minutes of the Northeast Avalon Joint Council Meeting, dated December 14, 2011, were included for Council's information. There is a meeting scheduled for February 16, 2012. Also hoping to arrange a meeting with the Minister, Department of Municipal Affairs over the next couple of months.

Northeast Avalon Regional Plan

No report.

Torbay Harbour Authority

No report.

Torbay Volunteer Fire Department

No report.

Urban Municipalities Committee

No report. Councillor Smith advised that a meeting will be scheduled soon.

NEW BUSINESS

Mayor Codner

Mayor Codner discussed Habitat for Humanity and their request for property to construct their first 2012 build. See motion below.

057-12 Motion – Deputy Mayor Gallant / Councillor Smith

RESOLVED THAT the Town of Torbay advertise in the North East Avalon Times for Expressions of Interest from developers to donate land in support of Habitat for Humanity in Torbay.

Question called. Motion carried unanimously.

As well, Development and Planning Officer to check with contractors over the next couple of days to assess their interest in donating land.

Deputy Mayor Gallant

Deputy Mayor Gallant thanked Councillor Byrne for his hard work and involvement in meetings, including Human Resources and Administration and the Torbay Volunteer Fire Department.

Councillor Byrne - Absent

Councillor Roche - Absent

Councillor Smith - Pass

Councillor Tapper

Councillor Tapper discussed recommendations. He referred to recommendations/information in Town reports, including Open Space Management Plan, Recreation Master Plan, etc. The Town is picking up on recommendations from these reports. He asked that if there's anything in particular we may take from these reports that can impact review during the Municipal Plan Review, we should deal with as soon as possible. He asked that Council schedule a strategic planning session to cover as much as possible, so information and recommendations in the Town's reports can be followed/completed. He recommended that the Town plan more of these sessions. CAO to schedule next strategic planning session.

Councillor Whitty

Councillor Whitty recognized the Outside Workers/Public Works Staff for their work in snow clearing over this past weekend.

He thanked CAO and Staff in getting the Capital Works Project done in time.

ADJOURNMENT

058-12 Motion – Councillor Smith / Councillor Tapper

RESOLVED THAT the meeting be adjourned at 8:20 p.m., as there was no further business.

Question called. Motion carried unanimously.

Mayor

CAO/Town Clerk