



MINUTES

PUBLIC COUNCIL MEETING
February 9th, 2009

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on February 9, 2009 at 7:38 p.m.

Members Present

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

Staff Present

Dawn Chaplin, CAO/Town Clerk
Jacquie Berkshire, Executive Clerk

Regrets

Brian Winter, Development & Planning Officer
Ron Fleming, Director of Operations & Public Works

Meeting was chaired by Mayor Codner

039-09 **Adoption of Agenda**

Motion – Councillor Byrne/Councillor Roche

RESOLVED THAT the Agenda be adopted as presented.

Question called. Motion carried unanimously.

040-09 **Adoption of Minutes**

Motion – Councillor Smith/Deputy Mayor Thorne-Gosse

RESOLVED THAT the Minutes be adopted with the following changes.

Page 2 – *Correspondence from Town of Bauline, January 16, 2009* – Councillor Tapper stated that if there is interest in this initiative we should look at the next step – to get a meeting with the interested parties. Councillor Roche advised that she spoke with the Chair of the Northeast Avalon Joint Council meeting *held in Petty Harbour Maddox Cove which was attended by Minister Diane Whalen* and was advised that there is no plan for regional water in this area.

Page 3 - *Tappers Cove Road ownership* – Councillor Cantwell advised that there is nothing new to report. Waiting for MHA. The gates are locked and will continue to be until April. *This is to be posted on the Town of Torbay website.*

Page 9 – Councillor Smith requested that the last sentence of under Torbay Volunteer Fire Department be taken out and should read *“Deputy Mayor Thorne-Gosse advised that the Fire Department Executive want to meet with the full council on their Budget. CAO to follow up to schedule a meeting.”*

Page 10 – Motion 038-09 – Question called. Motion *Deferred.*

Question called. Motion carried unanimously.

041-09

Adoption of Minutes of Special Privileged Meeting

Motion – Deputy Mayor Thorne-Gosse/Councillor Tapper.

RESOLVED THAT the Minutes be adopted as presented.

Question called. Motion carried unanimously.

CORRESPONDENCE

- 1) *Correspondence from residents of Quigley's Lane – January 22, 2009* – This is to be referred to Department of Highways.
- 2) *Email from Tatiana Warkentin-Hammell re: rezoning of Father Troy Trail – January 27, 2009 - FYI*
- 3) *Email from Lynda Lalonde re: rezoning of Dominion Hill – January 28, 2009 - FYI*
- 4) *Summary of Emergency Response Statistics (2008) Torbay Fire Department – January 29, 2009 - FYI*
- 5) *Correspondence from Martin Balodis re: Necessary upgrading of Indian Meal Line & Bauline Line (Bypass Road) – January 22, 2009 - FYI*
- 6) *Correspondence from Martin Balodis re: necessary upgrading of Indian Meal Line (Bypass Road) – January 20, 2009* – CAO to write letter asking for clarification regarding paragraph 4 last sentence.
- 7) *Correspondence from Martin Balodis re: necessary upgrading of Bauline Line (Bypass Road) – January 22, 2009 - FYI*
- 8) *Correspondence from Martin Balodis re: Well Water Monitoring program for the Torbay Bypass – January 23, 2009 - FYI*
- 9) *Correspondence from Martin Balodis re: Well Monitoring Program for the Torbay Bypass – January 26, 2009 - FYI*

- 10) *Correspondence from Martin Balodis re: Torbay Bypass Well Water Monitoring Program – January 27, 2009* – FYI Councillor Roche asked if resident’s wells go dry during the process if the Town is responsible. The Town is not.
- 11) *Correspondence from G. Gosse re: new service road and intersection with Torbay Bypass Reddy Estates area – January 29, 2009* – Councillor Smith asked for confirmation as to what was agreed to October 8. She also asked if the October 8th letter can be sent out again. Councillor Cantwell suggested that we should follow up with MHA.
- 12) *Correspondence from MMSB re: Household Hazardous Waste Program – February 2, 2009*

042-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Smith

RESOLVED THAT the Town participate in the annual Household Hazardous Waste Program for 2009.

Question called. Motion carried unanimously.

- 13) *News Release – Municipal Affairs re: Development of Northeast Avalon Regional Plan Now Underway – February 4, 2009* - FYI
- 14) *Correspondence from Torbay Heritage/Tourism Committee re: rezoning of Dominion Hill – February 4, 2009* – Councillor Byrne deferred this to Councillor Tapper. Conservation land can be donated by residents i.e. to a Town and a tax issues is issued for the value. Councillor Byrne stated all letters should be put in one file.

15) *Motion from Councillor Tapper*

043-09 Motion – Councillor Tapper/Deputy Mayor Thorne-Gosse

RESOLVED THAT in efforts to offer optimal services to the residents of Torbay, in an efficient and effective manner, that effective immediately the CAO in conjunction with the appropriate staff members develop new or update current policies procedures and regulations to govern the administration and operations of the Town of Torbay. This will ensure consistency and accountability of Council, Town Departments and staff to the residents of Torbay. Furthermore, as progress is made on this initiative, reports and recommendations should be presented to Council for approval in a timely manner, with the goal that this process be completed before the new Council term begins.

Question called. Motion carried unanimously.

044-09 Motion – Councillor Roche/Councillor Byrne

RESOLVED THAT Motion 043-09 be amended to include 3 year reviews of the Policies/Procedures & Regulations.

Question called. Motion carried unanimously.

BUSINESS OUTSTANDING

- 1) *Procedure for release of 155 future serviced lots – B/F*

- 2) *Correspondence re: Proposed Development Regulations Amendments No.'s 10 and 25 for Moores Valley Road* – B/F
- 3) *Tappers Cove Road ownership – Councillor Cantwell is waiting on information from MHA* - B/F
- 4) *Mayor Codner will speak with university representatives regarding the possibility of an archeological dig at the Battery site.* – Nothing to report at this time - B/F
- 5) *Forest Landing – Phase One Issues* – Deputy Mayor suggested that the original Motion be brought forward - B/F
- 6) *Regional Water* – There are two (2) Towns that are not interested. Additionally St. John's has no water to give the Town. - B/F
- 7) *Jones Pond Trail* – B/F
- 8) *Neighborhood Pace Car Program* – CAO has forwarded the letter - B/F
- 9) *CAO to advise regarding Memorandum of Agreement on the Transmittal of Information – Date of Birth and 2 signatories* – CAO reported that copies are being prepared for signing - B/F
- 10) *Correspondence regarding Killick Coast Regional Kiosk* – Councillor Roche advised that there is a meeting on Thursday coming at Logy Bay-Middle Cove-Outer Cove and this should be addressed at this time - B/F

COMMITTEE REPORTS

Capital Works/Public Works/Roads

Motion deferred back to the Public Works Committee

Building Applications

045-09 Motion – Councillor Cantwell/Councillor Byrne

RESOLVED THAT Council approve Building Application Report dated February 6, 2009 as presented.

Question called. Motion carried. Councillor Smith against Motion.

Financial Report

046-09 Motion – Councillor Roche/Councillor Cantwell

RESOLVED THAT Council approve the Financial Report for the period of January 12-23, 2009 as presented.

Question called. Motion carried unanimously.

047-09 Motion – Councillor Byrne/Deputy Mayor Thorne-Gosse

RESOLVED THAT Council approve the Financial Report for the period of January 26-February 6, 2009 as presented.

Question called. Motion carried unanimously.

048-09 Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

RESOLVED THAT all bills be paid to February 6, 2009 to avoid interest.

Question called. Motion carried unanimously.

Personnel & Training Committee - Nothing to report.

Recreation Committee

Councillor Tapper advised that there have been approximately 250 hits on the survey. He also wanted to remind everyone of the Charity Hockey Game between: NTV and the Town on February 13 at 8 p.m. As well there is a community breakfast on February 14 at the Kinsmen Centre.

Strategic Planning Committee

049-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Smith

RESOLVED THAT the Town issue a call for proposals for the revision of the Town's Strategic Plan and the development of the Integrated Community Sustainability Plan. The call for proposals will be advertised in the Telegram on February 14 and 18, 2009. Proposal deadline to be Friday, February 27, 2009 at 12 Noon.

Question called. Motion carried unanimously.

Development Committee – Nothing to report

SPECIAL COMMITTEES OF COUNCIL

By-Pass Road – Nothing to report

Communications

Councillor Byrne advised that the Northeast Avalon Regional Arena will be included on the Town's website by the end of the week.

Regional Waste Management – Nothing to report.

Northeast Avalon Regional Plan

LIAISON COMMITTEES

Arena

Mayor Codner advised that there has only been one set of minutes that could be circulated as per Councillor Smith's request of the last council meeting. Councillor Smith asked if her two (2) concerns were addressed. It was advised that a sign would be installed advising walkers of the distance of the walking track. It was

Councillor Tapper addressed the issue of street lights. Mayor Codner advised of some problems however the poles are now in and only the street lights are left to be installed on the poles.

Capital Coast Development Alliance

Councillor Roche reported that there has not yet been a confirmation on the use of CCDA's new name.

Environment

Councillor Tapper reported that environment met last week and a draft copy of the TETC newsletter was sent to Councillor Tapper, Mayor Codner and CAO for editing purposes before final printing and distribution. The group wants to come by to make a presentation to Council. The Chair is going to assist in drafting regulations with respect to Phase VI Forest Landing, By-Pass and environmental issues.

Heritage/Tourism

Councillor Byrne advised that there was good attendance at the last meeting of the Heritage/Tourism committee. There will be an election of officers in May. He reported that an anonymous donor recently donated a sum of money to the Museum. With the donation was a letter with how they would like to see the funds used. The group is currently working on a newsletter. The Museum Curator has spoken with Dale Jarvis regarding putting together a history of Torbay. Councillor Byrne advised that Applications have been submitted for 2 students this summer. The Town's Museum has a set of skis that were part of the original Scott Expedition. There are new owners for the Codner House. He also asked if there are other buildings in the town that should be considered designated please contact the Committee.

Hillside Festival

Councillor Smith advised that the Committee has met on January 27th and February 9th and is working on putting together the agenda for July. The Economic Development Officer is researching the event being an outdoors with a dance at the Arena. There will be an advertisement placed in the Northeast Avalon Times to recruit volunteers for the event. She also advised that the Hillside Festival has been updated on the Town's website. The next meeting of the Committee is scheduled for February 16th, 2009.

North East Avalon Joint Council

Councillor Roche reported that she has no minutes from the most recent meeting however will provide when she receives them.

School

Councillor Tapper advised that the High School council, MHA Kevin Parsons and the School Board met regarding the possible need for another school soon. The Elementary School council is planning for the transition from the old school to the new school

Torbay Volunteer Fire Department

Deputy Mayor Thorne-Gosse advised that the Fire Department Executive gave a presentation to Council prior to the Council Meeting on this date.

Urban Municipalities Committee

Deputy Mayor Thorne-Gosse reported that the next UMC meeting will be held February 27-28 in St. John's, NL.

NEW BUSINESS

Mayor Codner - Pass

Deputy Mayor Thorne-Gosse

050-09 Motion – Deputy Mayor Thorne-Gosse/ Councillor Cantwell

RESOLVED THAT Rules of Procedures as adopted March 22, 1999 be rescinded and replaced with an updated version and Robert's Rules of Order be the Rules and Regulations of the Rules of Procedures.

Question called. Motion carried unanimously.

Councillor Byrne

Councillor Byrne wanted to extend thanks to everyone for their kindness on the recent passing of his sister-in-law.

He also asked if it could be considered that the lights for this year's Winterlights project be started at the other side of Torbay.

Councillor Cantwell - Pass

Councillor Roche - Pass

Councillor Smith - Pass

Councillor Tapper - Pass

ADJOURNMENT

As there was no further business the meeting adjourned at 9:11 p.m. on a motion by Councillor Cantwell and seconded by Councillor Smith



Mayor



CAO/Town Clerk