



MINUTES

PUBLIC COUNCIL MEETING July 27, 2009

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on July 27^h, 2009 at 8:10 p.m.

Members Present

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

Staff Present

Dawn Chaplin, CAO/Town Clerk
Jacquie Berkshire, Executive Clerk
Brian Winter, Development & Planning Office

Regrets

Councillor Mike Byrne

Meeting was chaired by Mayor Codner

198-09 **Adoption of Agenda**

Motion – Councillor Smith /Councillor Roche

RESOLVED THAT the Agenda be adopted as presented.

Question called. Motion carried unanimously.

199-09 **Adoption of Minutes – June 29, 2009**

Motion – Councillor Cantwell/Councillor Roche

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

Page 6 – Councillor Roche – Councillor Roche asked that if anyone has the form from MNL she distributed completed to please forward it to her. CAO will forward to council again.

Page 6 – Councillor Tapper – Asked if our security can add St. Joseph’s Scout Camp to their patrol. They have had considerable vandalism. There have been 6 formal complaints to police and fires are a major concern.

Question called. Motion carried unanimously.

PROCLAMATIONS/PRESENTATIONS - None

CORRESPONDENCE

- 1) Invitation to Killick Coast Regional Games August 10-14, 2009 - *FYI*
- 2) Copy of correspondence to Kevin Parsons from Shellie Dawe re: By Pass Road – July 21, 2009 – *FYI*
- 3) Copy of correspondence to Kevin Parson from Brenda Connors re: By Pass Road – July 21, 2009 - *FYI*
- 4) Correspondence from Northeast Avalon Atlantic Coastal Action Program – July 15, 2009 – ***Councillor Tapper to bring up at next environment meeting. B/F***
- 5) Email from Rodger & Denise Reid re: Street Lights and Turning Bulb – ***Development & Planning Officer is dealing with this. B/F***
- 6) Vera Perlin Cup 15th Annual Golf Tournament – September 17, 2009 - *FYI*
- 7) Correspondence from Evan Edinger re: ICSP – July 9, 2009 ***Councillor Tapper stated that he feels we need a lot of investment at this point however with current planning he feels we are on the right tract. Development & Planning Officer provides clarification on remaining water allocation on North Pond – 155 homes is not correct number as stated in Mr. Edinger’s letter.***
- 8) Correspondence to Minister Dianne Whalen re: 2009 Municipal Capital Works Program, Project 09219 Camera Inspection and Cleanout of the Sewer Outfall – July 22, 2009 - *FYI*
- 9) Correspondence from The NL Lung Association re: Bicycle Trek for Better Breathing - *FYI*

BUSINESS OUTSTANDING

- 1) ***Correspondence from Carla Russell re: Visually Impaired Child Sign on Reddy Drive – June 18, 2009*** – CAO advised she spoke with Cst. Grace and the RNC do not recommend children at play signage however maybe a handicapped child in area sign. He is aware of the speeding in the area. Councillor Cantwell does not support this. He feels the onus is on the parent. Mayor Codner stated he isn’t sure the sign will work. - **Complete**
- 2) ***Resolution 2009 MNL Convention*** – CAO advised she has spoken with MNL regarding the format of resolution as well as registration for the convention. - **B/F**
- 3) ***Correspondence re: Proposed Development Regulations Amendments No.’s 10 and 25 for Moores Valley Road*** – Development & Planning Officer advised there was nothing new to report. Councillor Tapper suggested that we write the Minister again.– **B/F**

200-09 Motion – Councillor Tapper/Councillor Smith

RESOLVED THAT Council write Minister asking for a decision on previous correspondence dated March 23, 2009.

Question called. Motion carried unanimously.

- 4) ***Correspondence from Crown Lands – May 7, 2009*** – Mayor still awaiting report from Crown Lands. He advised he is dealing with the Director and not the Minister. Councillor Smith stated

- we should consider contacting the minister. Mayor advised he will continue the course. Councillor Cantwell asked if this can be avoided in the future regarding trails, footpaths etc. He was advised this should be addressed in the development agreement. - **B/F**
- 5) ***Tappers Cove Road ownership*** – Councillor Cantwell advised ownership has been resolved. Culverts will be installed prior to the fall food fishery. - **Complete**
 - 6) ***Forest Landing – Phase One/Phase Six Issues*** – Councillor Tapper advised Heather Chappey is the contact for SAM. Samples of brochures will be forwarded to Phase I and Phase 6 residents. – **B/F**
 - 7) ***Killick Coast Regional Kiosk*** – Councillor Roche advised there is nothing new to report. – **B/F**
 - 8) ***Conservancy and Ecological Gifts Programs*** – Councillor Tapper advised next SAM meeting is scheduled for October 24, 2009 – **B/F**
 - 9) ***Motion 189-09 – Resolved that a public meeting be planned with area residents regarding their concerns with the Kinsman Centre area.*** – Meeting with residents scheduled for July 28, 2009 - **B/F**
 - 10) **Removal of signage on Torbay Road – Government Services to remove illegal signage –** Town to ascertain status of signage on Torbay Road. – **B/F**

COMMITTEE REPORTS

Capital Works/Public Works/Roads

201–09 Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

RESOLVED THAT Council rescind Motion 94-08 “*Resolved that Council Approve the Town owned property at the end of Holy Trinity Lane as the location of the new Municipal Depot Building*”.

Question called. Motion carried unanimously

202–09 Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

RESOLVED THAT Council write a letter to the Department of Transportation and Works to confirm interest for developing the new depot site off the bypass road. Provincial Government to secure crown land, building site and access road

Question called. Motion carried unanimously.

Building Applications

203–09 Motion – Councillor Cantwell/Councillor Tapper

RESOLVED THAT Council approve the Building Application Report dated July 23, 2009 as presented.

Question called. Motion carried unanimously.

204–09 Motion – Councillor Cantwell/Councillor Tapper

RESOLVED THAT Council approve the Business Application Report dated July 23, 2009 as presented.

Question called. Motion carried unanimously.

Financial Report

Financial Report deferred to Town Suite technical issues.

Personnel & Training Committee

205-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Smith

RESOLVED THAT Council hire Contessa Small as Museum Curator.

Question called. Motion carried unanimously.

206-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Smith

RESOLVED THAT Council hire Jason Slade as Municipal Enforcement/Animal Control Officer.

Question called. Motion carried unanimously.

Recreation Committee

Councillor Tapper stated the presentation to the Town from the Provincial Government in the amount of \$15,000.00 to upgrade playground equipment. He also outlined events planned for the Town's upcoming 37th Birthday Celebrations on August 4, 2009 at the Town Hall.

207-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Tapper

RESOLVED THAT Council Proceed with the next phase of the Recreation Master Plan to schedule a Public Meeting on August 11, 2009 at 7:00 p.m.

Question called. Motion carried unanimously

208-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Tapper

RESOLVED THAT Council amend the scope of the work for the Torbay Recreation Master Plan to include a feasibility study of a new Community Centre for the Town of Torbay.

Question called. Motion carried unanimously

Strategic Planning Committee

CAO advised the first draft document from the consultant will be available by mid to late August. 93 online surveys were completed.

Development Committee

209-09 Motion – Councillor Smith/Councillor Roche

RESOLVED THAT Council give Barrox Holding Inc. approval in principal so they can proceed with engineering and design work on the proposed 14 lot unserved subdivision as outlined on Mae Design Limited's drawing number C-1, project no. 5009.0032 Nathaniel Drive Phase III. NO permits will be issued until all standard conditions for developing within the Town of Torbay are met and a Development Agreement is signed.

Question called. Motion carried unanimously.

Mayor Codner left chambers at 8:56 p.m. as it was thought he may be in a conflict of interest.

210-09 Motion – Councillor Roche/Councillor Smith

RESOLVED THAT Council proceed with the next step of the amendment process, which is to send Development Regulations Amendment No. 30 (Phase II River Valley Estates) to Municipal Affairs for Provincial Review/Release.

Question called. Motion carried unanimously.

Mayor Codner returned to chambers at 8:58 p.m.

211-09 Motion – Councillor Smith/Councillor Roche

RESOLVED THAT Council defer the application for proposed 10 unit sustainable apartment building for 1359 Torbay Road (Duffy Building) pending public notification and consultation required in accordance with Regulations 33 of the Torbay Development Regulations, and that any explicit costs associated with the public notification and consultation are paid in advance by the applicant. A copy of the discretionary use advertisement will also be sent to the neighborhood surrounding the proposed apartment building.

Question called. Motion carried unanimously.

SPECIAL COMMITTEES OF COUNCIL

By-Pass Road

Mayor Codner advised there was a meeting on July 14, 2009 with Government. The East/West connection is still being discussed and is currently unresolved.

Communications – Nothing to report in Councillor Byrne's absence.

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

Nothing to report.

Regional Waste Management

Mayor Codner advised the committee is moving ahead with a 2 stream recycled material program by 2010. Meeting held with TETC to seek input on waste reduction in Torbay. Next step is to meet with the business community.

LIAISON COMMITTEES

Arena

Mayor Codner advised the Arena Board had its first AGM on July 22, 2009. The next regular meeting is being planned for late August.

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

Nothing to report.

Environment – Nothing to report.

Heritage/Tourism – Nothing to report in Councillor Byrne's Absence

Hillside Festival

Councillor Smith advised the Festival went well and was well attended however it was felt that there were lessons to be learned. The committee will share feedback & comments with the Arena Board regarding facility rental. She congratulated and thanked the staff, council, chair and the committee for their work. Councillor Roche also wanted to congratulate everyone on a job well done.

North East Avalon Joint Council

Nothing to report. The next meeting will be in October.

School – Nothing to report

Torbay Volunteer Fire Department – Nothing to report.

Urban Municipalities Committee

Next meeting is scheduled to be held in Port aux Basques August 21-22, 2009. Minutes from June 19 – 20 meeting attached.

NEW BUSINESS

Mayor Codner - Pass

Deputy Mayor Thorne-Gosse - Pass

Councillor Byrne - Absent

Councillor Cantwell - Pass

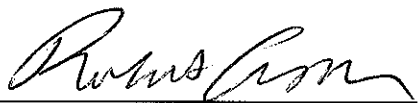
Councillor Roche - Pass

Councillor Smith - Pass

Councillor Tapper – Pass

ADJOURNMENT

As there was no further business the meeting adjourned at 9:10 p.m. on a motion by Councillor Cantwell and seconded by Councillor Smith.



Mayor



CAO/Town Clerk