



MINUTES
PUBLIC COUNCIL MEETING
June 14, 2010

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on June 14, 2010 at 7:47 p.m.

Members Present

Mayor Bob Codner
Deputy Mayor Geoff Gallant
Councillor Mike Byrne
Councillor Peggy Roche
Councillor Carol Ann Smith
Councillor Ralph Tapper
Councillor Brian Whitty

Staff Present

Dawn Chaplin, CAO/Town Clerk
Ken Anthony, Director of Programs and Services
Ann Picco, Executive Clerk
Brian Winter, Development & Planning Officer

Gallery

Total of 11 in attendance.

Meeting was chaired by Mayor Codner

231-10 **Adoption of Agenda**

Motion – Councillor Byrne / Deputy Mayor Gallant

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried unanimously.

232-10 **Adoption of Minutes**

Motion – Councillor Roche / Councillor Tapper

RESOLVED THAT the Minutes of the May 31, 2010, Public Council Meeting be adopted, with the following changes:

Page 7, paragraph after Motion 214-10, sentence ***SHOULD READ, “Mayor Codner to Chair the public meeting.”***

Page 14, 1st paragraph under section of **Councillor Tapper**, remove last three sentences, as this is an error, and may have been confused with Council's discussions on holding public resident meetings; and, had nothing to do with potential developments.

Question called. Motion carried unanimously.

233-10 **Adoption of Minutes**

Motion – Councillor Byrne / Councillor Tapper

RESOLVED THAT the Minutes of a Special Meeting of Council, dated June 10, 2010, be adopted, with the following change:

Last page, **Proposed Committee Meeting Schedule**, under section **Tuesday** – Human Resources and Administration, *the time SHOULD READ 5:30, not 7 pm.*

Question called. Motion carried unanimously.

PROCLAMATIONS / PRESENTATIONS

- 1) Petition to the Mayor and Council from the Residents and Landowners of Whitty's Lane and Crowley Place, Torbay.

Mayor Codner invited resident, Ms. Roberta Hicks, to forward the petition to Council. Ms. Hicks presented the petition to Mayor Codner and gave a brief overview/discussion of the petition. Mayor thanked Ms. Hicks and accepted the petition on behalf of Council; and, advised that it would become part of the deliberation of this project.

CORRESPONDENCE

- 1) Correspondence from residents concerning the condition of Forest Landing. ***Deferred to Planning and Land Use Development Committee. B/F.***
- 2) Department of Transportation and Works, Realty Services Division – Necessary realignment of the Riverwood Place Intersection with Torbay Road. ***For Information Purposes. Mayor Codner advised that he can also discuss when he meets with the Department of Transportation and Works. COMPLETE.***
- 3) Minister of Canadian Heritage and Official Languages – Approval of Grant for the Town's Project under the Celebrate Canada Program. ***For Information Purposes. COMPLETE.***
- 4) Report from Councillor Ralph Tapper on the SAM Spring Meeting, which took place in Springdale on June 2, 2010. ***Councillor Tapper has been re-affirmed as Treasure with SAM. Councillor Tapper advised to refer any questions that anyone may have to him. COMPLETE.***

- 5) Department of Municipal Affairs, Engineering & Land Use Planning Division – Torbay Municipal Plan Amendment No. 15, 2010, and Development Regulations Amendment No. 32, 2010. ***Deferred to Planning and Land Use Development Committee. B/F.***
- 6) Letter to Residents from Development and Planning Officer – Information Session on a Draft Comprehensive Plan for Whitty’s Ridge Area. ***For Information Purposes. Information session is on Thursday, June 17th at 7:00 p.m. at the Kinsmen Community Centre. COMPLETE.***
- 7) Correspondence from developer concerning petition from residents and landowners of Byrne’s Lane that was presented to Council at the last Public Council Meeting of May 31, 2010. ***Deferred to Planning and Land Use Development Committee. B/F.***
- 8) Correspondence from developer concerning Whitty’s Ridge – 30 Lot Unserviced Subdivision. ***Development and Planning Officer to write response letter to developer. COMPLETE.***
- 9) Correspondence from resident concerning Development Proposal, Byrne’s Lane. ***Deferred to Planning and Land Use Development Committee. B/F.***
- 10) 2010 Hope In Bloom Campaign for Parkinson Society Newfoundland & Labrador. ***Donation sent to the Parkinson Society Newfoundland and Labrador. COMPLETE.***
- 11) Municipalities Newfoundland & Labrador – Copy of Response Received from Department of Environment and Conservation on Town’s Resolution 11-2009 - Ownership of Local Public Footpaths. ***Referred to Parks, Recreation and Community Services Committee. B/F. Deputy Mayor Gallant brief the gallery on this matter; and, he suggested that this be forwarded to the Town’s consultants for their consideration and recommendation on open space, as well. B/F.***

BUSINESS OUTSTANDING

- 1) Correspondence from resident of Whitty’s Lane concerning New Development in Torbay. ***Dealt with in Planning and Land Use Development Committee. COMPLETE.***
- 2) Municipalities Newfoundland and Labrador – The Regional Government Papers. ***Council members advised that they’re still reviewing the information. CAO advised that this information will be coming up at the MNL Convention in the Fall. COMPLETE.***
- 3) Correspondence from resident concerning Whitty’s Ridge Development. ***Dealt with in Planning and Land Use Development Committee. COMPLETE.***
- 4) Correspondence from resident concerning Municipal Plan Amendment No. 16 and Development Regulations Amendment No. 33 (Forest Landing Subdivision – Phase 7). ***Dealt with in Planning and Land Use Development Committee. COMPLETE.***
- 5) Correspondence from resident concerning Forest Landing Phase 7. ***Dealt with in Planning and Land Use Development Committee. Development and Planning Officer advised that there will be a public hearing called and to leave on agenda. B/F.***
- 6) Correspondence from resident concerning current development applications. ***Mayor Codner advised that he can speak to resident after meeting tonight if he would like to discuss. COMPLETE.***
- 7) Department of Environment and Conservation, Water Resources Management Division – Feasibility Study and Conceptual Cost for a Water Treatment Facility for Torbay / Correspondence from resident concerning South Pond. ***CAO advised that Newfoundland***

- Design are working on the treatability study and the Town should have a draft of the report by mid to next week. The consultants need to schedule a meeting with the Department of Municipal Affairs and the Department of Environment and Conservation; and, should have issue dealt with by mid July. B/F.*
- 8) Dumping of topsoil on Beach / Correspondence from the Department of Environment and Conservation, Water Resources Management Division – Infilling and Stabilization of Property Adjacent to Torbay Bight, Torbay, NL – *As per the Department of Environment and Conservation, clean up property is to be completed by June 30th – and if not completed by then, Council agreed to issue a stop-work order to the individual responsible for dumping of topsoil on the beach. B/F. CAO to check if Clean Up/Removal Order can be issued to resident, under the Occupancy and Maintenance Regulations. B/F.*
 - 9) Correspondence from resident and Mr. Kevin Parsons, MHA, concerning dangerous road conditions on Piper Stock Hill. *As per Motion 181-10, Minutes of Public Council Meeting, dated May 17, 2010, CAO advised that letter is written to Mr. Kevin Parsons, MHA, to follow up with the Department of Transportation and Works on the Town’s behalf as to why the 0.6 km section of Torbay road (area of bridge to area of Irving Store) will not be pave/resurfaced. B/F.*
 - 10) Department of Tourism, Culture and Recreation – Grant for financial assistance to host the 2010 Killick Coast Regional Games. *CAO advised letter is written to Mr. Terry French, MHA, Conception Bay South, in response to his letter, advising him that the Town of Torbay already have a smoke free policy in place. This letter is copied to the Parks, Recreation and Community Services Committee, Supervisor of Recreation and Healthy Living and Barry Codner, Chair of the Killick Coast Games. COMPLETE.*
 - 11) Department of Municipal Affairs, Office of the Minister – Town’s Request of Additional Funding to Undertake a Cleanout and Inspection of the Sewer Outfall. *CAO advised that the flushing and repairing of pipe is scheduled for the second week of July. The Town has not heard a response from Municipal Affairs yet on funding. B/F.*
 - 12) Request for Update on Torbay Road Signage from Deputy Mayor Gallant. *The Development and Planning Officer and the Municipal Enforcement Officer are working on a signage policy. B/F. Development and Planning Officer advised that he spoke to the Department of Transportation and Works service foreman and he advised that they’re checking on legal information/options of signs on private residential property. B/F.*
 - 13) Town Council meeting with the Town’s solicitor, Mr. Pittman, to discuss Town issues/matters. *CAO advised that there is no date set yet. Councilor Tapper suggested to remove from Agenda, as he will bring forward a Motion sometime in September, after holidays are over. COMPLETE.*
 - 14) Skateboard Park - Motion No. 128-10, from Minutes of Public Council Meeting of April 5, 2010, and Council’s discussion on Motion 250 – 09, from Minutes of Public Council Meeting of September 8, 2009 – *Deputy Mayor Gallant advised that with regards to arranging a meeting with surrounding area and Shea’s Lane area residents, information will be coming forth this week. B/F. Deputy Mayor advised that one piece of equipment has been returned and another piece will be returned to the skateboard park next week – 5 pieces in total.*
 - 15) Correspondence from resident concerning water run-off on Ned’s Place. *Dealt with in Public Works Committee Minutes. COMPLETE.*

- 16) Department of Environment and Conservation concerning Torbay Habitat Conservation Plan. *A meeting is scheduled for July 5th at 7:00 p.m. with Jonathan Sharpe and Heather Chaffey, Eastern Habitat Joint Venture. B/F.*
- 17) Motion 036-10, Minutes of January 25, 2010, Public Council Meeting – Director of Programs and Services to contact Mr. Paul Porter of Newfoundland Design Associates Limited to request written confirmation that when culverts were installed in Phase 1 of the Pine Creek Development, the culverts were undersized. *Dealt with in Public Works Committee Minutes. Director of Programs and Services advised that he visited sites with official from Federal Fisheries and Oceans Department; work is being scheduled and will be utilizing Town Public Works Staff. Work to commence at end of June, beginning of July, until approximately the 15th of September. COMPLETE.*
- 18) Community Policing – Speeding – *Public Works Committee have checked on pricing of speed bumps and signage. With regards to area/road to place the speed bumps – deferred to Public Works Committee. B/F.*

234-10 Motion – Councillor Tapper / Councillor Roche

RESOLVED THAT the Town of Torbay move forward with purchasing two speed bumps at a total cost of approximately \$1,600.00. Cost of the speed bumps to be covered under the Public Works budget.

Question called. Motion carried unanimously.

- 19) Keith Yeo – 1 Yeo’s Lane - request for reimbursement of installation of sewage services. *Dealt with in Public Works Committee Minutes – motion put forth. COMPLETE.*
- 20) Thorne’s Lane Pump House – upgrading. *Consultant to prepare a report to carry out upgrading work using stainless steel pipe. When complete, Town will tender to have work completed. Deferred to Public Works Committee. B/F.*
- 21) Revisions to snow clearing policy – *Director of Programs and Services advised that this done. COMPLETE.*
- 22) Torbay Volunteer Fire Department – Public Works snow clearing policy – *a meeting is to be arranged with the Mayor, CAO, Director of Programs and Services, and Supervisor of Outside Operations – no tentative date set yet. B/F*
- 23) As per Motion 214-10 from public Council Meeting of May 31, 2010, Public Meeting with Residents on or before June 18th concerning proposed 30 lot subdivision on Whitty’s Ridge. Notification to be mailed or delivered to residents of Camp Carey Road to Byrne’s Lane, Whitty’s Lane, and surrounding area Torbay Road residents. *Public Meeting to take place on Thursday, June 17th, at 7:00 p.m. at the Kinsmen Centre. COMPLETE.*
- 24) As per the Building Application Report, dated May 21, 2010, Application 9249-10, it was discussed by Council that there was an issue with the developer last year concerning old pipe culverts being used and then these pipes being buried at the back of property. *Deferred to Planning and Land Use Development Committee. B/F.*
- 25) As per previous Public Council Meeting of May 31, 2010, it was discussed by Council that Staff revisit the Town’s list of delinquent properties and review again. *Deferred to Public Works Committee. B/F.*

- 26) Council Members E-mail Accounts – official transition to one preferred account. *Councillor Byrne had some technical difficulties – he's to send email to CAO so she can forward to technician. CAO to discuss technical issues with Councillor Roche after meeting. COMPLETE.*
- 27) As per last Public Council Meeting of May 31, 2010, it was discussed by Council that the Town should have a public meeting in the Fall on all potential developments in the Town of Torbay – an open house. *This was included in error, and may have been confused with Council's discussions on holding public resident meetings; and, had nothing to do with potential developments. COMPLETE.*

COMMITTEE REPORTS

Economic Development - no report or motions

Finance

235-10 Motion – Councillor Tapper / Councillor Roche

RESOLVED THAT the Town of Torbay approve the Financial Report, dated May 31-June 11, 2010, as presented.

Question called. Motion carried unanimously.

Human Resources and Administration – no report or motions

Planning and Land Use

236-10 Motion – Councillor Smith / Councillor Byrne

RESOLVED THAT the Town of Torbay approve the Minutes of the Planning and Land Use Development Committee Meeting, dated June 7, 2010, as presented.

Question called. Motion carried unanimously.

Council discussed Item No. 2 a) of the Planning and land Use Development Committee Minutes, dated June 7, 2010, concerning road service levies and recreation assessment levies; and, whether these levies should be applied to the development agreement for Marathon Holdings for Phase 6, Forest Landing.

It was discussed that as the development agreement was signed in 2010, these levies should be applied to this development. It was also discussed that this development was approved in principal in 2009; and, therefore, the levies didn't come into effect until 2010 and should not be applied to this development.

Council discussed that these levies are incorporated into the 2010 budget, therefore, must be applied. The Town's solicitor suggested that the Town can impose the levy fees to this development. It was discussed as to when levies should be charged – upon signing of development agreement or date of approval in principal letter. Development and Planning officer advised that in an approval in principal letter, all conditions of development are outlined.

Mayor called Councillor Smith on a Point of Order as she advised that the Town would lose revenue in the amount of approximately \$98,000.00, allocation in 2010 budget for levies in total. The correct figure however for this development would be in the amount of \$42,000.00.

237-10 Motion – Councillor Roche / Councillor Byrne

RESOLVED THAT a notice of motion to come from the next Planning and Land Use Development Committee Meeting.

Question called. Motion carried unanimously.

Councillor Smith advised that this matter be deferred back to the Planning and Land Use Development Committee. Can any member of Council put forward a motion, whether or not they are on a committee? Council discussed the issue of who can put forward a motion. **CAO to check and provide technical advice.**

Council also discussed majority votes and how many votes are needed for a motion to be carried. Mayor Codner called Councillor Smith on a Point of Order – that a motion requires 2/3 majority vote. Councillor Smith advised that she's going out of town and will not be available for the next Council Meeting. As Councillor Smith will not be present at next Council meeting, she asked if she can get a proxy to provide to Council. **CAO to check on this matter.**

Council had some discussion on Item No. 3 - Other Items, of the Planning and Land Use Development Committee Minutes, dated June 7, 2010.

238-10 Motion – Councillor Tapper / Councillor Whitty

RESOLVED THAT the Town of Torbay hold all new subdivision and new subdivision phase applications until a complete review on subdivision guidelines is complete.

Question called. Motion defeated.

For Motion: Councillor Tapper and Councillor Whitty

Against Motion: Mayor Codner, Deputy Mayor Gallant, Councillor Byrne, Councillor Roche, and Councillor Smith.

239-10 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT for all future Comprehensive Plans, the Town of Torbay will hold information sessions with area residences, to present the plans. This will allow residences to view and provide comments on the proposed plans.

Question called. Motion carried unanimously.

Councillor Tapper and Councillor Whitty leave the Council Chambers at 9:16 p.m. as it was determined that they were in a conflict of interest.

Whitty's Ridge

Proposal for development – 30 plus lots on Whitty's Ridge with a connection between Byrne's Lane and Whitty's Lane

240-10 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay resend motion 213-10 and put forward the following motion for consideration. (Motion 213-10 reads: **RESOLVED THAT** the Town of Torbay Rezone the Parcel of Land as described on the proposal drawing from Mae Design Limited, titled Ronald Reddy Property Gully Road Concept Plan, dated March 2009, drawing number C-1, Project No. 2009.0031. This land is to be rezoned from Residential Subdivision Area (RSA) to Residential large Lot (RLL). The applicant will pay for the cost of the amendment up front before any work is started by the Town's Planning Consultant. Question called. Motion carried unanimously.)

Question called. Motion carried unanimously.

Whitty's Ridge

Proposal for development – 30 plus lots on Whitty's Ridge with a connection between Byrne's Lane and Whitty's Lane

241-10 Motion – Councillor Smith / Councillor Byrne

RESOLVED THAT the Town of Torbay Rezone the Parcel of Land as described on the proposal drawing from Mae Design Limited, titled Ronald Reddy Property Gully Road Concept Plan, dated March 2009, drawing number C-1, Project No. 2009.0031. This land is to be rezoned from Residential Subdivision Area Serviced (RSA-S) to Residential Large Lot (RLL). The applicant will pay for the cost of the amendment up front before any work is started by the Town's Planning Consultant.

Question called. Motion carried unanimously.

Councillor Tapper and Councillor Whitty returned to the Council Chambers at 9:18 p.m.

Property west of Peter's Place
Proposal for Development - first phase of development

242-10 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay write KMB Holdings to let them know that the Town's maximum grade for new streets is 10 % and that the Town is not prepared to vary it.

Question called. Motion carried unanimously.

243-10 Motion – Councillor Smith / Councillor Byrne

RESOLVED THAT the Town of Torbay send Plan Amendment No. 16, 2010 and Development Regulations Amendment No.33, 2010, to Municipal Affairs for review. These amendments pertain to a parcel of property south of phase Six Forest Landing, referred to as Forest Landing Phase 7.

Question called. Motion carried unanimously.

Property across from Anstey's Subdivision, Torbay Road
Request for extension to previous approval of use of water services for 20 lots

244-10 Motion – Councillor Smith / Councillor Byrne

RESOLVED THAT the Town of Torbay grant Wallie and Rose Gosse an additional year of approval for the use of water services for their property across from Anstey's Subdivision Torbay Road. This is not an approval to develop; this is an approval that the Town will hold 20 water lots in reserve for the applicant for an additional year.

Question called. Motion carried unanimously.

245-10 Motion – Councillor Smith / Councillor Byrne

RESOLVED THAT the Town of Torbay proceed with the next step of the amendment process, which is to Adopt Plan Amendment No. 15 and Development Regulations Amendment No.32 and to schedule a public hearing.

DPO will acquire a Commissioner for the public hearing, date of public hearing will be in the second or third week of July.

Question called. Motion carried unanimously.

246-10 Motion – Councillor Smith / Councillor Byrne

RESOLVED THAT the Town of Torbay approve the Building Application Report, dated June 10, 2010, with the following change:

On page 5, Application 9283-10, the name of the applicant to be corrected.

Question called. Motion carried unanimously.

Councillor Whitty leaves the Council Chambers at 9:23 p.m. as it was determined that he was in a conflict of interest.

Council had some discussion on Application 9274-10 on page 4 of the Building Application Report, dated June 14, 2010.

Councillor Whitty returned to the Council Chambers at 9:24 p.m.

247-10 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay approve the Business Application Report, dated June 10, 2010, as presented.

Question called. Motion carried unanimously.

Public Works

248-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay approve the Minutes of the Public Works Committee Meeting, dated June 9, 2010, as presented.

Question called. Motion carried unanimously.

249-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay Staff investigate the history of Yeo's Lane as to why this lane was not connected to the Town's sewer services when these services were initially installed.

Question called. Motion carried.
Against Motion: Mayor Codner

250-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay rescind Motion 221-10 from the Minutes of the Public Council Meeting, dated May 31, 2010. (Motion 221-10 reads: RESOLVED THAT the Town of Torbay, as per “Occupancy and Maintenance Regulations,” serve a Clean Up/Removal Order to the resident at #1327 Torbay Road. Question Called. Motion carried unanimously).

Question called. Motion carried unanimously.

251-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay rescind Motion 222-10 from the Minutes of the Public Council Meeting, dated May 31, 2010. (Motion 222-10 reads: RESOLVED THAT the Town of Torbay, as per “Occupancy and Maintenance Regulations,” serve a Clean Up/Removal Order to the resident at #1157 Torbay Road. Question Called. Motion carried unanimously).

Question called. Motion carried unanimously.

252-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay rescind Motion 223-10 from the Minutes of the Public Council Meeting, dated May 31, 2010. (Motion 223-10 reads: RESOLVED THAT the Town of Torbay, as per “Occupancy and Maintenance Regulations,” serve a Clean Up/Removal Order to the resident at #9 Howlett’s Avenue. Question Called. Motion carried unanimously).

Question called. Motion carried unanimously.

253-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay rescind Motion 224-10 from the Minutes of the Public Council Meeting, dated May 31, 2010. (Motion 224-10 reads: RESOLVED THAT the Town of Torbay, as per “Occupancy and Maintenance Regulations,” serve a Clean Up/Removal Order to the resident at #10 Howlett’s Avenue. Question Called. Motion carried unanimously).

Question called. Motion carried unanimously.

254-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay rescind Motion 225-10 from the Minutes of the Public Council Meeting, dated May 31, 2010. (Motion 225-10 reads: **RESOLVED THAT** the Town of Torbay, as per “Occupancy and Maintenance Regulations,” serve a Clean Up/Removal Order to the resident at #1 Ellard Place. Question Called. Motion carried unanimously).

Question called. Motion carried unanimously.

255-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay rescind Motion 226-10 from the Minutes of the Public Council Meeting, dated May 31, 2010. (Motion 226-10 reads: **RESOLVED THAT** the Town of Torbay, as per “Occupancy and Maintenance Regulations,” serve a Clean Up/Removal Order to the resident at #13 Ellard Place. Question Called. Motion carried unanimously).

Question called. Motion carried unanimously.

256-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay, as per “Occupancy and Maintenance Regulations,” serve a Clean Up/Removal Order to the resident at #1327 Torbay Road. It is the Town’s policy that this Clean Up/Removal be completed within 30 days of the date of the Order; or, the Town will carry out the work after that time and bill back to the resident.

Question called. Motion carried unanimously.

257-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay, as per “Occupancy and Maintenance Regulations,” serve a Clean Up/Removal Order to the resident at #1157 Torbay Road. It is the Town’s policy that this Clean Up/Removal be completed within 30 days of the date of the Order; or, the Town will carry out the work after that time and bill back to the resident.

Question called. Motion carried unanimously.

258-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay, as per “Occupancy and Maintenance Regulations,” serve a Clean Up/Removal Order to the resident at #9 Howletts Avenue. It is the Town’s policy that this Clean Up/Removal be completed within 30 days of the date of the Order; or, the Town will carry out the work after that time and bill back to the resident.

Question called. Motion carried unanimously.

259-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay, as per “Occupancy and Maintenance Regulations,” serve a Clean Up/Removal Order to the resident at #10 Howletts Avenue. It is the Town’s policy that this Clean Up/Removal be completed within 30 days of the date of the Order; or, the Town will carry out the work after that time and bill back to the resident.

Question called. Motion carried unanimously.

260-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay, as per “Occupancy and Maintenance Regulations,” serve a Clean Up/Removal Order to the resident at #1 Ellard Place. It is the Town’s policy that this Clean Up/Removal be completed within 30 days of the date of the Order; or, the Town will carry out the work after that time and bill back to the resident.

Question called. Motion carried unanimously.

261-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay, as per “Occupancy and Maintenance Regulations,” serve a Clean Up/Removal Order to the resident at #13 Ellard Place. It is the Town’s policy that this Clean Up/Removal be completed within 30 days of the date of the Order; or, the Town will carry out the work after that time and bill back to the resident.

Question called. Motion carried unanimously.

262-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay under the 2010-2014 Gas Tax Funding Agreement in partnership with the Department of Transportation and Works Elementary School Construction Contractor carry out upgrades, including storm sewer, curb and gutter and paving of Do6yle’s/Quigley’s Lane in the amount of \$375,480.78.

Question called. Motion carried unanimously.

263-10 Motion – Councillor Whitty / Councillor Smith

RESOLVED THAT the Town of Torbay award the sewage lift station and the chlorine contact chamber in the amount of \$858,796.91 to Pyramid Construction. Total project \$949,966.91 which includes \$91,200.00 for engineering and HST.

Question called. Motion carried unanimously.

Parks, Recreation and Community Services

Minutes of the Parks, Recreation and Community Services Committee, dated June 8, 2010 – *deferred to next Council Meeting.*

Technical Services – no report or motions

SPECIAL COMMITTEES OF COUNCIL

2012 Celebrations – no report

By Pass Road - no report

Mayor and CAO are waiting for the Assistant Deputy Minister of the Department of Transportation and Works to reply with a meeting date and time.

LIAISON COMMITTEES

Heritage/Museum

Councillor Byrne advised that eight or nine actors have been selected for the play this summer; and, the costumes have been made.

Jack Byrne Arena

FYI – North East Avalon Arena Regional Board Inc. Financial Statements, December 31, 2009.

Deputy Mayor Gallant has been elected as Vice Chairperson; Paul Thomey has been re-elected as Secretary/Treasurer; and, Brad Power was elected as Chairperson.

Deputy Mayor advised that the Arena is seeing some profit. He advised, however, that there was a theft; a deposit is missing and the RNC have been called and are investigating. They are reviewing their policies and procedures. Security cameras are going to be put in place.

With regards to upgrading of rooms under the stairs, the board has received tenders.

Northeast Avalon Joint Council

FYI – Minutes of the Northeast Avalon Joint Council Meeting, dated May 19, 2010. Councillor Roche advised to please read and refer any questions to her.

Northeast Avalon Regional Plan – no report

Torbay Volunteer Fire Department

Councillor Byrne gave a verbal report – he advised that the Department responded to seven calls since the last Council Meeting.

Councillor Byrne presented the Torbay Volunteer Fire Department's Constitution and By-laws to the Mayor for adoption by Council. This document is to be copied to all Council Members.

Urban Municipalities Committee – no report

Councillor Smith advised that the next meeting is on July 9th in Stephenville. She advised that she is unable to attend, but if any other Council Member would like to attend, they can let her know.

NEW BUSINESS

Mayor Codner

Mayor advised that the Torbay's Mayor's March for Heart and Stroke is on Saturday morning at 8:30.

With regards to the package of flyers from Canada Post, which are being dropped off at bottom of resident's driveway, Mayor advised that you can call Canada Post to cancel if you're not interested in receiving these flyers. CAO to prepare write up/information to residents on this matter.

Deputy Mayor Gallant

Deputy Mayor thanked everyone around the table – the Special Meeting of Council on June 10th was a great meeting - committee schedules are all arranged.

He addressed everyone in the gallery about citizen involvement and thanked them for taking part and listening to Council Meetings.

With regards to Council Minutes, Deputy Mayor asked if there is a timeline for publishing them on the Town's website once adopted. CAO advised that she's attending other Town Council Meetings and checking on what documents they make available at their meetings – agendas, documents, etc.

Councillor Byrne

Councillor Byrne thanked everyone involved in the Clean up of Island Pond Brook on June 5th. He thanked members of TETC – Gerri Labrie, MHA Kevin Parsons, the thirty plus people who showed up to help out, and he thanked Public Works Staff Scott Martin – he picked up four loads of garbage.

With regards to the Town sign on Torbay Road, Councillor Byrne asked if it can be moved as it's a great asset of information for the Town and its residents.

Councillor Roche

Councillor Roche thanked the Mayor for the letter to the Newfoundland and Labrador Provincial Council of the Catholic's Women's League of Canada.

She discussed environmentally friendly communications and that the Town look at going paperless – using laptops instead. She asked if anyone had given it some thought. CAO advised that it's not budgeted in 2010, but can defer it to the Finance Committee for next year. CAO advised that she will also check with other Towns on this matter, as well.

Councillor Smith - pass

Councillor Tapper

Councillor Tapper read aloud an email that was received from Gerri Labrie, Member of the TETC, thanking everyone who helped out with the clean up on June 5th of Island Pond Brook.

Councillor Whitty

Councillor Whitty advised that he received a call from a resident concerning the soccer field and concerns of maintenance and grass being high. Councillor Byrne advised that staff cut grass and do maintenance on a regular basis. Director of Programs and Services advised that he will refer these concerns to appropriate Public Works Staff.

ADJOURNMENT

264-10 Motion – Councillor Smith / Deputy Mayor Gallant

RESOLVED THAT the meeting be adjourned at 9:57 p.m., as there was no further business.

Question called. Motion carried unanimously.

Mayor

CAO/Town Clerk