



MINUTES

PUBLIC COUNCIL MEETING

June 15, 2009

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on June 15, 2009 at 8:06 p.m.

Members Present

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

Staff Present

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

Meeting was chaired by Mayor Codner

168-09 **Adoption of Agenda**

Motion – Councillor Byrne/Councillor Smith

RESOLVED THAT the Agenda be adopted as presented.

Question called. Motion carried unanimously.

169-09 **Adoption of Minutes – May 19th, 2009**

Motion – Councillor Smith/Deputy Mayor Thorne-Gosse

RESOLVED THAT the Minutes be adopted with the following change:

Page 2 – Correspondence #4 - ...Councillor Byrne suggested that the letter be deferred to TETC/Councillor *Tapper* for a recommendation and if the committee is okay then Council will be okay.

Page 8 – Councillor Smith - ...She also wanted to point out that although she received the postcard for the Name the Mascot contest in her mailbox she did receive calls from 2 residents who did not.

Question called. Motion carried unanimously.

PROCLAMATIONS/PRESENTATIONS

None

CORRESPONDENCE

- 1) *Correspondence from Veronica Murphy – May 31, 2009* – Withdraw. Mayor to followup with resident in writing.
- 2) *Email from Patrick Hanlon – June 1, 2009* - FYI
- 3) *Invitation to Maritime Lumber Bureau Annual Meeting* - FYI
- 4) *Correspondence from Chris Young re: Water & Flooding Issues on Pineridge Crescent* – CAO to explore and provide information at next meeting. Councillor Smith asked if the town was responsible for repairs. CAO to clarify. **B/F**
- 5) *Correspondence from Fire Chief re: Compressor* – see Finance Committee Report.
- 6) *Correspondence regarding Bill C-319 – An act to amend the Motor Vehicle Safety Act (speed limiters)* – Mayor Codner to send a letter of support. **B/F**

BUSINESS OUTSTANDING

- 1) *Correspondence re: Proposed Development Regulations Amendments No.'s 10 and 25 for Moores Valley Road* – Development & Planning Officer reported that he has an email which he will forward to Council which addresses this issue. – **B/F**
- 2) *Correspondence from Crown Lands – May 7, 2009* – Councillor Smith advised that Motion 82-09 is in place regarding this issue. (*RESOLVED THAT the a Motion be drafted and provided for inclusion in the Annual Conference regarding Crown Lands whereby footpaths, etc. should fall under the Town's jurisdiction*) - **B/F**
- 3) *Tappers Cove Road ownership* – Councillor Cantwell advised that work has begun on the Boat Launch. Most of the rock fill is in place. A letter has been received from MHA, Kevin Parsons that if Government will supply the culverts will the Town take over the Road. The Harbour Board in conjunction with Federal Fisheries is looking at taking over the road. He advised that the road is in relatively good condition. Councillor Tapper asked if there is any reason why the Town shouldn't take over the road. Councillor Cantwell stated there was not and that there is federal funding available. Councillor Byrne stated he has seen a vast improvement in the area since the new board has been in place. Mayor Codner had a call from a resident who feels that Tappers Cove is being destroyed. - **B/F**
- 4) *Forest Landing – Phase One/Phase Six Issues* – Councillor Tapper advised that he spoke with Jonathan Sharpe and they have a leaflet almost put together and will be in touch with him soon. – **B/F**
- 5) *Killick Coast Regional Kiosk* – Councillor Roche advised cost may be a factor to delay this being done. She stated that there seems to be a conflict in the minutes where it was agreed that the picture would be replaced. CAO is looking after it. . – **B/F**

- 6) *Request for Street Light on Indian Meal Line from Mr. Rodgers – March 2, 2009* – Development & Planning Officer advised that he has not year heard anything from NL Power. – **Complete.**
- 7) *Nature Conservancy and Ecological Gifts Programs* – Councillor Tapper advised that the Nature Conservancy will provide information in a report form at the next SAM meeting. He will touch base with Mr. Ballam soon. - **B/F**

COMMITTEE REPORTS

Capital Works/Public Works/Roads

Nothing to Report

Building Applications

170-09 Motion – Councillor Cantwell/Councillor Roche

RESOLVED THAT Council approve Building Application Report dated June 11, 2009 as presented.

Question called. Motion carried unanimously.

Financial Report

171-09 Motion – Councillor Byrne/Deputy Mayor Thorne-Gosse

RESOLVED THAT Council approve the Financial Report for the period of June 1-12, 2009 as presented.

Question called. Motion carried unanimously.

172-09 Motion – Councillor Roche/Deputy Mayor Thorne-Gosse

RESOLVED THAT all bills be paid to June 12, 2009 to avoid interest.

Question called. Motion carried unanimously.

173-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Cantwell

RESOLVED THAT further to Fire Chief's correspondence dated May 27, 2009 (presented at the June 1, 2009 Council Meeting) and Newfoundland Design correspondence dated June 4 and 9, that the Town of Torbay approve additional work to be completed at the Thorne's Lane pump house in the amount of \$28,986.00 (HST extra). This work is necessary to ensure the continuous fire protection and life safety of the residents of Torbay.

Question called. Motion carried unanimously.

Motion – Deputy Mayor Thorne-Gosse/Councillor Cantwell

174 -09

RESOLVED THAT further to Fire Chief's correspondence dated June 10, 2009 (presented at tonight's Council meeting – June 15, 2009), the Town of Torbay proceed with a tender call for a new compressor for the Torbay Volunteer Fire Department, this piece of equipment is necessary to ensure the safety of our firefighters while responding to fire, rescue and medical calls and to ensure the continuous fire protection and life safety of the residents of Torbay

Question called. Motion carried unanimously

175-09

Motion – Deputy Mayor Thorne-Gosse/Councillor Roche

RESOLVED THAT further to a meeting with Minister Whelan and officials of the Department of Municipal Affairs on June 10, 2009, regarding the state of the sewer outfall, the Town of Torbay accept the verbal commitment of the Department to fund the cleanout of the sewer outfall at a cost of \$75,000.00. This is to be funded based on a cost sharing ration of (80/20 – provincial/municipal). The Town of Torbay's portion is \$15,000.00. Once the pipe is cleaned, an inspection will be carried out and a report completed. Once this report is available, the Town of Torbay will meet with Minister Whelan and Department officials to discuss next steps in the process namely repair of the outfall and future treatment. The approval of funding and required actions regarding the sewer outfall will be confirmed in writing by the Department of Municipal Affairs.

Question called. Motion carried unanimously.

Personnel & Training Committee – Nothing to report

Recreation Committee

176-09

Motion – Deputy Mayor Thorne-Gosse/Councillor Tapper

RESOLVED THAT further to an announcement of the Recreation Infrastructure Canada funding program at the Federation of Canadian Municipalities Annual Conference on June 8, 2009, that the Chief Administrative Officer in conjunction with the Supervisor of Recreation and Healthy Living and the Economic Development Officer, prepare an application for submission based on program criteria. Potential initiatives include upgrades to town playgrounds, the Kinsmen Centre, Upper Three Corner Pond Park and existing trails throughout the community.

Question called. Motion carried unanimously.

Councillor Tapper advised that the Tidy Town's Judges will be in Torbay on July 6, 2009. This is a month earlier than last year. He also raised his concerns regarding the number of signs throughout the Town. He stated that the report from Tidy Towns recently advised that these signs reflect poorly on the town. Additionally, he mentioned a recent moose/vehicle accident whereby the victim advised the Town that these signs impeded their vision. Mayor Codner asked if we do contact these people and they say they will not remove their signage how do we respond. Councillor Tapper stated all we can do is try. Mayor Codner also advised that we have to give these people a time frame with which to remove the signage.

177-09

Motion – Councillor Tapper/Councillor Smith

RESOLVED THAT Council undertake to contact individual business people who have signs throughout the Town in an effort to have them remove their signs. They would be advised of the concerns of the Town as well as advise them that the Town is in a competition and these signs are affecting the Town's ranking.

Question called. Motion carried unanimously

Strategic Planning Committee

Consultant is working on the visioning document which will be forwarded to residents shortly in preparation for the Public Meeting on June 25, 2009.

Development Committee

178-09 Motion – Councillor Smith/Councillor Roche

RESOLVED THAT Council write a letter in support of Mr. Michael Duffy submitting a proposal to Newfoundland and Labrador Housing Corporation to develop ten (10) apartment units (sustainable living units) at 1359 Torbay Road. This letter is not an approval letter and before any approval can or will be given: the application will have to go through the normal procedure for discretionary uses within the Town of Regulations.

Question called. Motion carried unanimously

SPECIAL COMMITTEES OF COUNCIL

By-Pass Road

A plan has been prepared and CAO will set up a meeting to present the plan to Government. Councillor Roche asked if we will be having a meeting with MHA, Kevin Parsons to brief him prior to the meeting with Government. It was advised that this can be done.

Councillor Cantwell enquired if Bullocks Town Road would be looked after so that there will be access to the large amount of acreage in the area.

Communications

The CAO has advised that the Spring Newsletter has gone to print. Councillor Smith asked if the Hillside Festival events would be put on the website.

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

Development & Planning Officer advised that there is a link to the Northeast Avalon Regional Plan website for anyone who wants to participate in the online survey.

Regional Waste Management

Mayor Codner advised that at this time they are trying to get all towns up to speed for 2010. The onus is on individual Towns. The next meeting is scheduled for Thursday, June 18, 2009 at 10:30 a.m. to develop a strategy.

LIAISON COMMITTEES

Arena

Mayor Codner advised that there have been no meetings recently as the Board is waiting for their annual Financial Statements to be completed. Councillor Cantwell stated that he felt there was a lack of financial information provided in the Arena Minutes that are received by Council. Mayor Codner advised upon receipt of the Financial Statements more information would be available.

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

Councillor Roche advised that the next meeting is June 17, 2009 at 90 O'Leary Avenue.

Environment

Councillor Tapper advised that he attended the SAM meetings over the weekend in Codroy Valley. There were 28 people in attendance. Jeff Gallant reported on Phase VI Forest Landing and Councillor Tapper reported on Conservation in our Town. He also advised that the Fall SAM meeting will be held in Torbay. The tentative date is October 24, 2009. Councillor Tapper stated that he was nominated for and accepted the position of Treasurer. He is hoping to have someone attend the Fall SAM meeting from Ecogifts to speak along with Mr. Ballam.

Heritage/Tourism

Councillor Byrne advised that the Heritage Committee meeting with Tract Consulting was rescheduled to Thursday, June 18, 2009 out of respect for the passing of Jerri Pellegrinetti. He also wanted to pay tribute to Jerri who he felt was a very big part of not only the Town but of the community and wanted to extend his condolences to the family. Councillor Roche also extended her condolences to the family.

Councillor Roche advised that the Northern Avalon Tourism Association met 2 weeks ago and appointed a new Chair Mr. Rick Stanley. She also advised that an early September meeting is being planned and the AGM as soon as possible after that. She also wanted to extend congratulations to the outgoing Chair.

Hillside Festival

Councillor Smith advised that further to the minutes included in the Council Package, the committee has met on June 3 and 10, 2009.

North East Avalon Joint Council

Councillor Roche asked if anyone has anything for her to bring forward at the next meeting and if so to please let her know.

School

Councillor Tapper advised that the exiting issue at the school has been resolved. Mayor Codner stated that the water runoff situation is currently being looked at.

Torbay Volunteer Fire Department

Two (2) Motions addressed under Finance Committee Report.

Urban Municipalities Committee

Next meeting is scheduled for June 19-20 in Happy Valley Goose Bay. There will be no one attending this meeting from Torbay.

NEW BUSINESS

Mayor Codner - Pass

Deputy Mayor Thorne-Gosse - Pass

Councillor Byrne - Pass

Councillor Cantwell - Pass

Councillor Roche - Pass

Councillor Smith - Pass

Councillor Tapper - Pass

ADJOURNMENT

As there was no further business the meeting adjourned at 9:17 p.m. on a motion by Councillor Cantwell and seconded by Councillor Smith.



Mayor



CAO/Town Clerk