



MINUTES
PUBLIC COUNCIL MEETING
March 2, 2016

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on March 2, 2016, at 7:32 p.m.

Members Present

Deputy Mayor Geoff Gallant
Councillor Peggy Roche
Councillor Craig Scott
Councillor Carol Ann Smith
Councillor Brian Whitty

Staff Present

Dawn Chaplin, CAO/Town Clerk
Stephanie Kane, Director of Corporate & Community Services
Ann Picco, Deputy Clerk
Bernie Manning, Director of Infrastructure and Public Works
Brian Winter, Director of Planning and Development

Absent

Mayor Ralph Tapper
Councillor Mary Thorne-Gosse

Gallery

There were a total of 12 people in attendance.

Adoption of Agenda

075-16 Motion – Councillor Whitty / Councillor Scott

RESOLVED THAT the Agenda be adopted, with the following additions:

- Allied Youth – Allied Youth Week 2016 Proclamation
- Dietitians of Canada – March is Nutrition Month Proclamation

Question called. Motion carried.

For Motion: 5 (Deputy Mayor Gallant, Councillors Roche, Scott, Smith and Whitty)

Against Motion: 0

Abstained: 0

Adoption of Minutes

076-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Minutes of the February 15, 2016, Public Council Meeting be adopted, as presented.

Question called. Motion carried.

For Motion: 5 (Deputy Mayor Gallant, Councillors Roche, Scott, Smith and Whitty)

Against Motion: 0

Abstained: 0

PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION

➤ Proclamation – World Plumbing Day.

- Councillor Smith read the proclamation aloud. See below motion:

077-16 Motion – Councillor Roche / Councillor Scott

RESOLVED THAT the Town of Torbay hereby proclaim March 11, 2016, as “World Plumbing Day.”

Question called. Motion carried.

For Motion: 5 (Deputy Mayor Gallant, Councillors Roche, Scott, Smith and Whitty)

Against Motion: 0

Abstained: 0

➤ Proclamation - Dietitians of Canada – March is Nutrition Month

- Councillor Smith read aloud the proclamation:

078-16 Motion – Councillor Smith / Councillor Whitty

RESOLVED THAT the Town of Torbay hereby proclaim the month of March 2016 as Nutrition Month in the Town of Torbay.

Question called. Motion carried.

For Motion: 5 (Deputy Mayor Gallant, Councillors Roche, Scott, Smith and Whitty)

Against Motion: 0

Abstained: 0

- Proclamation - Allied Youth – Allied Youth Week 2016
 - Councillor Scott read aloud the proclamation:

079-16 Motion – Councillor Scott / Councillor Whitty

RESOLVED THAT the Town of Torbay declare that February 21st – 27th, 2016 be Allied Youth Week in the Town of Torbay.

Question called. Motion carried.

For Motion: 5 (Deputy Mayor Gallant, Councillors Roche, Scott, Smith and Whitty)

Against Motion: 0

Abstained: 0

- Resident Civic 41 North Pond Road – Development Concerns
 - Resident was not in attendance.
 - Deputy Mayor requested that Planning and Development Committee contact resident for inclusion on next Agenda.
- Applicant – potential property owner in the Middle Three Island Pond area to develop a parcel of crown land for the purpose of a quarry site
 - Applicant presented updated/revised mapping plan concerning the quarry showing the buffer zone, indicating that he is outside the buffer for cabin owners and showing separation from livyers on Bauline Line.
- Secretary, Torbay Library Board
 - The Secretary discussed the fundraising plan to support maintenance of the Library, and questioned if the Town received it. CAO confirmed it was received.

MAYOR'S REPORT

No report.

NOTICES OF MOTION

Councillor Smith withdrew her Notice of Motion from Council Meeting of February 15th, regarding the Torbay Library and its future, which she had intended to bring to Council at tonight's meeting.

CORRESPONDENCE

1. Department of Municipal Affairs – Capital Investment Plan Allocation Remaining.
Referred to the Infrastructure and Public Works Committee.

2. Department of Municipal Affairs – Maintenance Assurance Manual. *Referred to the Infrastructure and Public Works Committee. Deputy Mayor recommended keeping the Corporate and Community Services up to date.*
3. Targa Newfoundland – Formal Request for Council Approval. *Deputy Mayor Gallant advised that this will be discussed further with all Council Members in attendance at next Council Meeting of March 15th.*
4. FFAW (Fish, Food & Allied Workers) – Rural Works Campaign Update. *For information purposes.*
5. Torbay Public Library – PILRB’s Response / Require Written Confirmation from the Town of Torbay. *Deputy Mayor Gallant advised that the Corporate and Community Services Committee are reviewing and will come back with final recommendation.*

CORRESPONDENCE & ACTION REPORT

Correspondence and Action Report, dated March 2, 2016.

- It was noted that the Correspondence and Action Report was omitted from Council’s packages in error. Deputy Clerk to circulate copy to all Council Members for information purposes.

COMMITTEE REPORTS

Planning and Development

Councillor Smith provided an overview of items discussed under the Planning and Development Committee Meeting Minutes, dated February 23, 2016.

Items discussed included:

1. Development Proposals
 - a) Proposal from property owner 1205-1215 Torbay Road to develop the property with nine attached dwelling units.
 - Committee still have questions. The Director is compiling information for next meeting.
 - b) Proposal from property owner 6 Yeo’s Lane to use the building as an additional location for their business.
 - The application will be dealt with in the Business Application report dated February 26, 2016, Application number D2015-230.
2. Correspondence
 - a) Letter from property owner 19-25 The Battery.
 - Requires additional information. Coming back to future meeting.

- It was noted that a portion of the property is in the Conservation Zone. This is a request for re-zoning, and at this time only a letter of inquiry.

3. Other Items

- a) Draft copy of the updated Engineering Design Guidelines for Subdivisions.
 - Director to circulate information to Council members tomorrow, March 3rd.
 - Councillor Smith requested that Council read, as there's really important information relating to how the Town moves forward in subdivision development.
- b) Unsightly properties.
 - The Director of Planning and Development noted that the Department is monitoring a number of properties around Town, some of which clean up letters have been sent and resulted in partial clean-ups. Some of the properties may need clean-up orders issued in the Spring.

4. Planning and Development Items for Correspondence and Action Report

- a) Table attached for information purposes.

Building Applications Approved

The following applications were approved subject to the normal conditions and requirements for building within the Town of Torbay:

<i>Application Number</i>	<i>Location</i>	<i>Proposal</i>
B2016-008	119 Upper Evening's Path	Renovations due to fire
C2016-009	93 Country Drive	16' x 20' Accessory Building
C2016-011	14 Riverdale Drive	10' x 14' Accessory Building

Building Applications for Approval

Application: C2015-223
 Location: 23 Woodbridge Lane
 Proposal: 20' x 20' Accessory Building
 Zoning: Residential Large Lot (RLL)

080-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2015-223, under the Applications for Approval section of the Building Application Report, dated February 25, 2016, subject to the following conditions:

1. The use of the accessory building is restricted to residential accessory use.
2. All normal conditions and requirements for building within the Town of Torbay.

Question called. Motion carried.

For Motion: 5 (Deputy Mayor Gallant, Councillors Roche, Scott, Smith and Whitty)

Against Motion: 0

Abstained: 0

Application: S2016-004/C2016-012
Location: Portion of 12 Anastasia's Place
Proposal: Subdivide of Land/Single Family Dwelling
Zoning: Residential Infill (RI)

081-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application S2016-004/C2016-012, under the Applications for Approval section of the Building Application Report, dated February 25, 2016, subject to the following conditions:

1. All normal conditions and requirements for building within the Town of Torbay.

Question called. Motion carried.

For Motion: 5 (Deputy Mayor Gallant, Councillors Roche, Scott, Smith and Whitty)

Against Motion: 0

Abstained: 0

Application: C2016-013
Location: Portion of 12 Anastasia's Place
Proposal: 26' x 32' Accessory Building
Zoning: Residential Infill (RI)

082-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2016-013, under the Applications for Approval section of the Building Application Report, dated February 25, 2016, subject to the following conditions:

1. All normal conditions and requirements for building within the Town of Torbay.
2. Subject to the issuance of C2016-012 for a single family dwelling.

Question called. Motion carried.

For Motion: 5 (Deputy Mayor Gallant, Councillors Roche, Scott, Smith and Whitty)

Against Motion: 0

Abstained: 0

Business Applications for Approval

Application: D2015-230
Location: 6 Yeo's Lane
Proposal: Escape room to be used in conjunction with the entertainment game business at 1399 Torbay Road
Zoning: Mixed Development (MIX)/Residential Subdivision Area (RSA)

083-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application D2015-230, under the Applications for Approval section of the Business Application Report, dated February 25, 2016, subject to the following conditions:

1. All normal conditions and requirements for businesses within the Town of Torbay.
2. The business will be subject to business tax in accordance with the published schedule of taxes and fees for the Town of Torbay.
3. Approval(s) from Service NL is required.
4. The approval is for one room only; any further expansion will require further review and approval by Council.
5. The approval is based on the operational flow chart that was provided.
6. All players are to be shuttled to the site by the game master as noted in the operational flow chart.
7. The Town will monitor the operation and if warranted the approval may be withdrawn.

Question called. Motion carried.

For Motion: 5 (Deputy Mayor Gallant, Councillors Roche, Scott, Smith and Whitty)

Against Motion: 0

Abstained: 0

Council discussed the above application, noting the below:

- Background and description of the business was provided.
- The business is doing very well, and owners wish to expand their business to the property at 6 Yeo's Lane.
- Committee has reviewed the proposed operational flow chart for the proposed location. The Town can withdraw approval if business is not operating as per flow chart.

- As Yeo's Lane is narrow, Committee agreed didn't want two-way traffic at large volume, therefore, recommended approving one room only with shuttle service.
- Proposal information was circulated to residents, and their concerns addressed.

Councillor Roche took over as Chair of the Public Council Meeting at 8:00 p.m.

Executive Committee

Deputy Mayor Gallant provided an overview of items discussed under the Executive Committee Meeting Minutes, dated February 23, 2016.

Items discussed included:

1. Communications and Public Engagement Strategy
 - A. Communications Audit
 - Contractor has been requested.
 - B. Resident Survey
 - A survey has been forwarded to all residents for feedback in relation to community/resident engagement.
 - C. Green Communications System
 - The Town is looking into a more effective system. Expect to have operational by March 31, 2016.
2. Organizational Review
 - A. In process of implementing performance evaluations.
 - B. Customer Service Standards implementation was discussed.
3. Occupational Health and Safety
 - Committee discussed legislation and Town compliance.
4. Terms of Reference for Executive Committee
 - Committee reviewed the terms of reference for the Executive Committee.

Deputy Mayor Gallant resumed as Chair of the Public Council Meeting at 8:02 p.m.

Corporate and Community Services

The Corporate Services Report, dated February 15 - 26, 2016, was accepted as presented. Councillor Roche read out payroll and accounts payable information:

Payroll for the period of February 15 - 26, 2016, for 32 employees, totalled \$77,432.28.

For the period of February 15 - 26, 2016, Accounts Payable invoices in the amount of \$76,569.32 were paid. These expenditures were within budget.

There were two (2) Main Operating invoices presented for approval:

084-16 Motion – Councillor Roche / Councillor Scott

RESOLVED THAT the Town of Torbay approve payment to Redwood Construction Limited, for Depot, in the amount of \$104,858.79.

Question called. Motion carried.

For Motion: 5 (Deputy Mayor Gallant, Councillors Roche, Scott, Smith and Whitty)

Against Motion: 0

Abstained: 0

085-16 Motion – Councillor Roche / Councillor Scott

RESOLVED THAT the Town of Torbay approve payment to Newfoundland Power, in the amount of \$7,860.06.

Question called. Motion carried.

For Motion: 5 (Deputy Mayor Gallant, Councillors Roche, Scott, Smith and Whitty)

Against Motion: 0

Abstained: 0

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

Councillor Roche provided an overview of items discussed under the Corporate and Community Services Committee Meeting Minutes, dated February 17, 2016.

Items discussed included:

Corporate Services:

1. Library

- Discussion occurred regarding the monthly operational costs of the library.
- Chair of Library Board, joined the meeting briefly to advise of Library Board structure and who the Committee should contact to set up a meeting.
- Meeting was scheduled for Monday, February 22nd, 2016 at 5:00 pm.

2. Donation Requests – the below were deferred:

- Holy Trinity High School Safe Grad
- RumRunner's Rally
- Portugal Cove – St. Phillips Annual Charity Hockey Tournament
- Boxing Newfoundland & Labrador

3. Farm land
 - Committee discussed taxes relating to farm land.
4. Donation of Conservation Land
 - Committed discussed donation of conservation land.

Community Services:

1. Fitness Classes
 - Space for fitness classes was discussed.
2. Upper Three Corner Pond Park
 - Draft report had been received from the engineering company which was currently being reviewed by CAO and the Director of Corporate Services.
3. Snowshoe events
 - A snowshoe event was recently planned, however no snow.
4. Tunes in Tappers
 - Discussion regarding the continuation of this event for summer 2016. Due to expected construction in the area and the Time in Torbay Festival this summer, it was decided that this event would not occur this year.
 - Council questioned the above event. The Director advised will go through programming in entirety. Coming back to Committee once suggestions put together.

Councillor Roche provided an overview of items discussed under the Corporate and Community Services Committee Meeting Minutes, dated February 24, 2016.

Items discussed included:

Corporate Services:

1. Library
 - Referred back to Committee. Will be brought forward on Agenda until complete.
2. Resident Inquiry on Tax Account:
 - Staff to follow up with resident to address concerns.
3. Priest's House
 - At present, there is no update. Awaiting information from the Diocese.

Community Services:

1. Summer Camp Staff
 - Proposed summer and inclusive staff were discussed.
2. Programming
 - Work relating to program is almost complete.
 - Director advised that summer positions have been posited to the public this week, two inclusion positions included.

Next Meeting: Thursday, March 10th, 2016 at 10:00 am.

Infrastructure, Public Works, Public Safety and Shared Services

Councillor Scott provided an overview of items discussed under the Infrastructure and Public Works Committee Meeting Minutes, dated February 23 2016.

Items discussed included:

1. Updates
 - A. MYCW - 2012-2014 - Municipal Depot Design Project
 - Project is moving along. Windy weather has caused some small delays relating to siding. No indication that project is behind.
 - B. Capital Investment Plan - 2015
 - 1) Multi-Purpose Building (UTC)
 - The builder is on site continuing with the framing portion of project.
 - 2) Torbay Pedestrian Safety Review
 - The project consultant has presented to Committee and Council.
 - Moving forward as soon as possible to get Phase two complete, traffic calming in place and adopted by Council.
2. Recreational Facilities
 - Phase II of camera upgrades at the Kinsmen Centre is scheduled to be completed this week, and should be operational shortly after final install.
3. Correspondence & Action Report Items
 - Salerno Place – Town staff and Committee have reviewed resident concerns and it has been forwarded to the Town’s consultant for investigation. Resident has been informed and will be updated once findings have been concluded.
 - Moore’s Valley Road – Town staff and Committee have reviewed resident concerns and it has been forwarded to the Town’s consultant for investigation. Resident will be informed and updated once findings have been concluded.
 - Gosse’s and Roger’s – Town staff and Committee have reviewed resident concerns and it has been forwarded to the Planning and Development

Committee. Resident will be informed and updated once findings have been concluded.

ADVISORY COMMITTEES

Environment

Deputy Mayor Gallant advised that meeting is moved to next Wednesday night, March 9th.

Heritage

Councillor Roche advised that a meeting is scheduled for March 14th.

LIAISON COMMITTEES

Jack Byrne Regional Sports and Entertainment Centre

Councillor Smith provided an update on Board Meeting of February 23, 2016.

- Two Torbay representatives attended the meeting.
- The Board discussed planning for second ice surface.
 - Draft for the preliminary work around the project was presented, and being reviewed by engineers.
 - Being progressive, the Board does want to look at other facilities so they can enhance area at same time.
 - To be inclusive, the Board questioned if there is something else to look at as part of the project.
- Council should be aware of the Arena's name change - Jack Byrne Regional Sports and Entertainment Centre.
 - The sign on Torbay road will be adjusted to reflect same.
- Further information will be in upcoming minutes.

Northeast Avalon Joint Council

Councillor Whitty advised that there was a meeting on February 17th. He will forward minutes once received.

Councillor Roche provided some highlights of the meeting:

- In coordination with the Eastern Regional Service Board, a new position has been created – a liaison person to the joint councils.
 - The position will be advertised in the near future.
 - The person will have an office at the Eastern Regional Service Board.

- This person will take minutes from each joint council, and get all working together in regions so all joint councils know what each other are doing. She will keep all in touch with one another.
- Position is part of regional cooperation. The Eastern Regional Service Board has a mandate which has broadened and can extend services.

Torbay Harbour Authority

No report.

Urban Municipalities Committee

No report.

Holy Trinity Elementary School Council

No report.

Holy Trinity High School Council

Councillor Scott advised that a meeting was held on February 21, 2016. Highlights of meeting included:

- Discussions were had around plans for new school. No decisions have been made yet.
- The School Council raised concerns of the snowbank at the corner of the school. They do realize that the banks were put there by their own snow clearing contractor, but ask that the Town pay close attention to the corner, as well, so it's not made worse. It is a safety issue for the students in the area.
- The last meeting was questioned, as to why community representatives were not included.
 - Councillor Scott advised that only parent representatives were invited to this meeting. He was assured community representatives would be there next meeting.

NEW BUSINESS

Mayor Tapper - Absent

Deputy Mayor Gallant

Deputy Mayor Gallant advised that a family member had passed away, and thanked all Council Members for rescheduling meeting to tonight. He thanked all for understanding.

He thanked all Members of Council for good meetings while Mayor has been out of Town, and business as usual being conducted with all cooperating.

Councillor Roche

Councillor Roche extended her condolences to Deputy Mayor and Deputy Clerk on their recent losses.

She discussed the issue of drug trafficking in the community. She advised of recent incident involving a person selling drugs in centre of Town to school children. She further advised that the police did get the person, but she discussed her concern to know that someone would do this in daylight in areas where kids frequent for their breaks. It's important that residents be vigilant and report these types of activities to the RNC.

Councillor Scott

Councillor Scott advised that he and Councillor Thorne-Gosse attending the recent Municipalities Newfoundland and Labrador (MNL) Avalon Regional Meeting. Discussions included:

- The Municipal Assessment Agency's ongoing project with the Provincial Government. Looking at how they do assessments, and looking for feedback on changes.
 - A cap on taxes was questioned, and if it was discussed at the meeting. Councillor Scott advised it was discussed, noting that another province had done this, however, removed it later. There are issues that could arise.
- There was a presentation on regional water.
 - Councillor Scott has presentation if anyone would like to view, and he noted it's also on MNL's website.

Councillor Scott congratulated Team NL and wished them luck. They are competing this week at the Special Olympics in Corner Brook. Team NL is doing really well, winning ball hockey and curling.

Councillor Smith - Pass

Councillor Thorne-Gosse - Absent

Councillor Whitty - Pass

QUESTION & ANSWER SESSION

Deputy Mayor Gallant referred to the Gallery and asked if anyone had any questions or comments in relation to tonight's Council Meeting.

There were none.

NEXT PUBLIC COUNCIL MEETING

The next Public Council Meeting will take place on Tuesday, March 15, 2016, 7:30 p.m., Council Chambers, Torbay Town Hall.

ADJOURNMENT

086-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the meeting be adjourned at 8:32 p.m., as there was no further business.

Question called. Motion carried.

For Motion: 5 (Deputy Mayor Gallant, Councillors Roche, Scott, Smith, and Whitty)

Against Motion: 0

Abstained: 0

Deputy Mayor

CAO/Town Clerk