



## *MINUTES*

PUBLIC COUNCIL MEETING  
May 4, 2009

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Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on May 4, 2009 at 7:30 p.m.

### Members Present

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

### Staff Present

Dawn Chaplin, CAO/Town Clerk  
Jacquie Berkshire, Executive Clerk  
Ron Fleming, Director of Operations & Public Works  
Brian Winter, Development & Planning Office

### Regrets

Councillor Mike Byrne  
Councillor Carol Ann Smith

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Meeting was chaired by Mayor Codner

#### 125-09      Adoption of Agenda

Motion – Councillor Cantwell/Councillor Roche

**RESOLVED THAT** the Agenda be adopted as presented.

Question called. Motion carried unanimously.

#### 126-09      Adoption of Minutes – April 21<sup>st</sup>, 2009

Motion – Councillor Roche/Councillor Cantwell

**RESOLVED THAT** the Minutes be adopted:

Question called. Motion carried unanimously.

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## **PROCLAMATIONS/PRESENTATIONS**

127 -09      Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

**RESOLVED THAT** Council acknowledges Municipal Awareness Day, May 20, 2009

Question called. Motion carried unanimously.

Councillor Tapper asked if there are any events planned for Municipal Awareness Day. CAO advised that at this point there is not.

## **CORRESPONDENCE**

### 1) *Correspondence from Gary Cook* –

128 -09      Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

**RESOLVED THAT** Council request Gary Cook to provide additional information to the Town regarding his letter.

Question called. Motion carried. Mayor Codner and Councillor Roche against Motion.

CAO advised that the resident is looking for Tax relief for 2005-2008. Deputy Mayor Thorne Gosse stated that she felt that resident should provide more detailed information. Development and Planning Officer advised that properties at Cherrywood Drive and Riverwood Place should be removed as they are not part of this request.

### 2) *Correspondence from ACT. - FYI*

- 3) *Correspondence from Brian Loder* – Development & Planning Officer to contact Occupational Health and Safety and Newfoundland Design to do a visit site then follow up in writing to Mr. Cook.

## **BUSINESS OUTSTANDING**

- 1) *Correspondence re: Proposed Development Regulations Amendments No.'s 10 and 25 for Moores Valley Road* – CAO advised the Town is still waiting on a response from the Department of Municipal Affairs to Development & Planning Officer's correspondence. – B/F
- 2) *Tappers Cove Road ownership – Councillor Cantwell awaiting provincial clarification from MHA Kevin Parsons* – Awaiting reply from Minister - B/F
- 3) *Forest Landing – Phase One/Phase Six Issues* – Councillor Tapper advised there is a meeting tentatively set for May 20 at the Kinsmen Centre at 8:30 p.m. It is intended that there will be a letter written to all property owners of Phase I. Mr. Jonathon Sharpe will be in attendance and will also assist in writing the letter. He stated they would like feedback from the residents. If there is enough interest the meeting will go ahead if not councillor Tapper advised they are working on another plan. – B/F

- 4) ***Correspondence regarding Killick Coast Regional Kiosk*** – Councillor Roche advised that a resolution was passed at the April 27 meeting and there will be photo's in the 2 kiosks the cost of this will be covered by the Killick Coast Association – Complete
- 5) ***Request for Street Light on Indian Meal Line from Mr. Rodgers – March 2, 2009*** – Development & Planning Officer advised that the poles are not in place and he will be following up with NL Power - B/F
- 6) ***Nature Conservancy and Ecological Gifts Programs*** – Councillor Tapper advised that there is a meeting confirmed for May 12 at 7:30 p.m. in the Community Room at the Jack Byrne Arena. Councillors, Heritage Committee, TETC and General Public are all invited with Guest Speaker Doug Ballam. He also advised that the Ecological Gifts Program did not have their budget finalized however are looking at inviting Paul Chamberlain to present at the Fall 2009 SAM meeting which is being hosted by Torbay. - B/F
- 7) ***Spring Clean-up 2009*** – Director of Public Works advised that there is a meeting scheduled on May 6. Councillor Cantwell asked about tires. He was advised by Director of Public Works and CAO that we will not be accepting tires at this year's spring clean. - B/F
- 8) ***NEAJC Presentation – Conflict of Interest & Conduct Draft*** – Councillor Roche asked if anyone had amendments or feedback on the draft. She again requested everyone to bring anything they had forward to her by May 18 in preparation for the May 20 meeting. She again reiterated that if there is no feedback it will be assumed that all is okay with the document. – B/F

## **COMMITTEE REPORTS**

### **Capital Works/Public Works/Roads**

It was reported by Director of Operations and Public Works that there is a meeting scheduled for May 6, 2009.

### **Building Applications**

129 –09 Motion – Councillor Cantwell/Councillor Tapper

**RESOLVED THAT** Council approve Building Application Report dated April 30, 2009 as presented.

Question called. Motion carried unanimously.

130 –09 Motion – Councillor Cantwell/Councillor Tapper

**RESOLVED THAT** Council approve Business Application Report dated April 30, 2009 as presented.

Question called. Motion carried unanimously.

### **Financial Report**

131–09 Motion – Councillor Roche/Councillor Tapper

**RESOLVED THAT** Council approve the Financial Report for the period of April 20-30, 2009 as presented.

Question called. Motion carried unanimously.

132-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Tapper.

**RESOLVED THAT** all bills be paid to April 30, 2009 to avoid interest.

Question called. Motion carried unanimously.

**Personnel & Training Committee** - Nothing to report.

**Recreation Committee** – Nothing to report.

**Strategic Planning Committee**

There is a Visioning Session regarding the Integrated Community Sustainability Plan for all Members of Council on May 11. Economic Development Officer to send a reminder.

**Development Committee**

133-09 Motion – Councillor Roche/Councillor Tapper

**RESOLVED THAT** Council approve Plan Amendment No. 13, 2009 and Development Regulations Amendment No. 29, 2009 which will allow the amendments to be sent to Municipal Affairs for final review and registration. These amendments pertain to a single parcel of land at the end of Shea's Lane.

Question called. Motion carried unanimously.

## **SPECIAL COMMITTEES OF COUNCIL**

### **By-Pass Road**

Mayor Codner, MHA, Kevin Parsons, Councillor Roche, Councillor Taper, CAO and Development and Planning Officer met with the Department of Highways on Thursday, April 30. The Department are looking for another plan however it was stated that they already have what they are looking for regarding the east/west connection. There was no definite answer given to the Committee and were advised it must go to the Minister for a special meeting. It was advised that there is a cost of \$700,000 with no immediate use for it and that we should have our MHA continue to fight on our behalf. Councillor Roche has concerns that there will be a wall to divide the Town. She also advised that the Department committed to having a correspondence to CAO by May 1 however this has not yet been received. The Mayor heard from the contractor that there was a stop work order the next day. Councillor Cantwell has spoken to residents whom he has advised to contact CAO for telephone numbers to government departments. Deputy Mayor Thorne-Gosse asked if there was a map of the bypass road as it connects with Torbay Road. She was advised on that of the original plan.

## **Communications**

Deputy Mayor Thorne-Gosse suggested taking photos of the bypass road and putting the up on the website. As well she wanted to congratulate the Director of Operations and Public Works on his new position with the Town of Paradise.

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

Mayor Codner received a message from Denis Knight however they have not been able to connect. Councillor Tapper advised he spoke with St. Phillips and there are problems with the water supply. He also spoke with Baxter Rose regarding the issue. Mayor Codner and CAO met with Art Cheeseman and Dennis O'Keefe. St. John's has advised they do not have extra water and have to bring on Petty Harbour to meet their own needs.

## **Regional Waste Management**

Mayor Codner advised there was a meeting two (2) weeks ago and that 2010 is scheduled for everything to be up and running. There will be a four (4) stream system and information will be going out to the towns.

## **LIAISON COMMITTEES**

### **Arena**

Mayor Codner advised that the ice is off and that the committee had their last meeting on April 30. There are a numbers of events booked for the arena over the summer months.

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

Councillor Roche advised that there is a Lunch & Learn scheduled for May 21 regarding the STEP Program. Anyone interested in attending should contact Maureen Foley at 753-5554.

### **Environment**

Councillor Tapper advised that the next meeting is scheduled for May 5, 2009.

### **Heritage/Tourism**

Nothing to report in Councillor Byrne's absence

### **Hillside Festival**

Concerns were raised regarding the change of venue for the Hillside Festival this year by Council. It was decided that this would be brought back to the Committee at their meeting on May 12. Additionally, Councillor Roche advised that the dinner theater scheduled for the hillside festival has been cancelled however there are boat tours scheduled as well as a golf tournament. The next meeting is scheduled for Tuesday, May 12 at 5:30 p.m.

## **North East Avalon Joint Council**

Councillor Roche advised that the next meeting is in Bauline on May 20. She also wanted to remind everyone to forward their comments regarding the conflict of interest and conduct draft prior to that meeting.

## **School**

Councillor Tapper advised that the High School met however there was nothing to report. The Elementary School will meet on May 6. Mayor Codner, CAO and Councillor Tapper met with School Board on April 22, 2009 regarding the alternate access to the new school. Councillor Tapper advised that he feels that this will happen.

## **Torbay Volunteer Fire Department**

134-09      Motion – Deputy Mayor Thorne-Gosse/Councillor Roche

**RESOLVED THAT** Council donate \$500.00 toward the annual Fireman's Ball.

Question called. Motion carried unanimously.

## **Urban Municipalities Committee**

Deputy Mayor Thorne-Gosse reported that the next meeting will be held in June in Labrador City.

## **NEW BUSINESS**

*Mayor Codner - Pass*

*Deputy Mayor Thorne-Gosse*

Deputy Mayor Thorne-Gosse stated that Premier Danny Williams along with the Honourable Dave Denine will be recognizing the contribution of youth volunteers in the Province. This will take place on Wednesday, May 6<sup>th</sup>, 2009 at 12:15 in the main lobby, East Block, Confederation Building. This event is the final activity related to Volunteer Week which was April 19-25. The theme of this year's Volunteer Week celebrations was Volunteers Light up Communities.

She also spoke to the Municipal Symposium which was held in Gander from April 30 – May 2. She advised that there was information on waste water treatment, emergency planning, gas tax and ICSP that was very interesting and that the information sharing was positive.

*Councillor Byrne - Absent*

*Councillor Cantwell*

Councillor Cantwell wanted to congratulate the Director of Operations and Public Works and his staff on having the shoulders of the roads repaired. He stated that this is the earliest he can recall it being done.

***Councillor Roche***

Councillor Roche stated she also attended the Municipal Symposium and spoke with Herbert Card of the Department of Environment regarding Torbay's sewer outfall. She also provided all members of Council with information on the Gas Tax Agreement

***Councillor Smith - Absent***

***Councillor Tapper***

Councillor Tapper advised that he had received a letter from a resident on Moore's Avenue across from the Price Shopper store. His concerns are regarding the amount of garbage and debris blowing on his property. Councillor Tapper asked that consideration be made to resolve the issue for the resident.

He also addressed the full implementation of the new highway signage initiative (Tourist-Oriented Directional Signage – TODS) by the provincial government and whether this will be for municipalities as well. It was stated that the MNL supports the implementation of this policy and is encouraging all incorporated municipalities to adopt the TODS model within their own boundaries.

**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 Tapper.

  
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**Mayor**

  
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**CAO/Town Clerk**