



MINUTES
PUBLIC COUNCIL MEETING
October 14, 2014

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on October 14, 2014 at 7:31 p.m.

Members Present

Mayor Ralph Tapper
Deputy Mayor Geoff Gallant
Councillor Thomas Hall
Councillor Craig Scott
Councillor Carol Ann Smith
Councillor Mary Thorne-Goose

Staff Present

Dawn Chaplin, CAO/Town Clerk
Bernie Manning, Director of Public Works & Technical Services
Ann Picco, Executive Clerk
Brian Winter, Director of Planning

Regrets

Councillor Peggy Roche
Tina Auchinleck-Ryan, Director of Community Services

Gallery

There were a total of 10 people in attendance.

Adoption of Agenda

504-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Adoption of Minutes

505-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Minutes of the September 29, 2014 Public Council Meeting be adopted with the following changes:

- Councillor Scott advised there was an error - Page 9 – Motion 489-14.
 - For the Public Question & Answer Session at the start of the Council Meetings should further read - that if there are no public presentations scheduled, then questions can be taken from the floor and added to the Agenda.
- Councillor Smith advised of typo in third paragraph on Page 18, third sentence.
 - Sentence to read "... and implications were not known ..."
- Councillor Smith advised that order of discussion is not correct on Page 18, last two paragraphs, as she closed debate on Motion 501-14 and vote was taken.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION

Mayor Tapper advised that there will be three opportunities for residents to ask questions or make presentations to Council:

- Private Resident Presentation/Meeting, scheduled for 6:30 p.m. prior to each Council Meeting. Residents can avail by making an appointment.
- A Fifteen Minute Question & Answer Session during the Council Meeting, 2nd Item on the Agenda. Residents are required to notify staff if they wish to make a presentation and it will be added to the Agenda.
 - If time permits, questions can come from the floor.
- At the end of the Council Meeting and prior to Adjournment, there will be another Question & Answer Session pertaining to anything on the Agenda for that meeting. Questions will be answered or referred to Committee.
- It's up to Chair to either respond or refer questions to Committee.
- There will be no debate in the Council Chambers.
- Question & Answer Sessions will be timed for total of 15 minutes, 5 minutes per presentation/question.
- Question & Answer Sessions will be recorded as part of the Minutes.

As no presentations were scheduled, Mayor Tapper asked if anyone in the Gallery had any questions, advising there's a time limit to the Question & Answer Session of 15 minutes and 5 minutes per person.

The following had questions/comments:

- Resident - Civic 2 Bellaventure Place
 - Resident discussed Council's approval/permission of the open air market off Torbay Road, further noting that it's in a residential area.
 - He asked for definition of open air market.
- Resident – Civic 1160 Torbay Road
 - Resident discussed same issue as per above.
 - His objection is to the dirt, debris and noise.
 - He further advised they're operating all day with screeners and dump trucks.
 - He discussed that area is an eyesore and not appropriate.
- Resident – Civic 11 Bellaventure Place
 - Resident discussed similar concerns.
 - He advised it's very noisy in the area.
 - Esthetically, area is not appealing as it looks like a gravel pit in the middle of the Community.
 - He questioned regulations – in the way of machinery and what can be there.

Mayor Tapper advised that the above will be referred as this matter will be discussed under the Committee Reports section, Planning, Land Use and Development Committee Meeting Minutes, dated October 7, 2014. If an answer cannot be given to the above, the matter will be referred to Committee for further clarification.

MAYOR'S REPORT

Mayor Tapper provided a report, dated September 25 – October 9, 2014, of his work and connections that he has made in the community over the past two weeks.

He discussed the mayors meeting that took place on October 2, 2014:

- This was the second time that mayors from the surrounding area met. The first meeting took place several months ago in Torbay.
 - Mayors from the following communities were in attendance:
 - Torbay, Flatrock, Portugal Cove-St. Philip's, Bauline, Logy Bay-Middle Cove-Outer Cove, and Pouch Cove.
- The meeting took place in Logy Bay-Middle Cove-Outer Cove.
- Hoping to meet on a regular basis.
- Discussed items pertaining to regional cooperation.
- Hoping to bring some items forward to each council to see how towns can cooperate regionally to bring costs down as to services provided.

Councillor Scott discussed the Artists Exhibit at the Kinsmen Centre on October 4th. He advised that for a new event, it went very well. One of the artists was very complimentary of staff and the entire venue.

CORRESPONDENCE

1. Department of Municipal and Intergovernmental Affairs – Fire Protection Financial Assistance Grant. *For information purposes. Councillor Scott discussed that this grant is in the amount of \$15,578.41 on a 70/30 Provincial/Municipal cost-shared basis for the purchase of bunker gear and breathing apparatuses for the Fire Department to replace older equipment.*
2. Correspondence from resident – Blocked Lane Way – Doyle’s and Quigley’s Lane. *This concerns traffic congestion in the area of the school. Referred to Public Works Committee – this area is to be included in the Pedestrian Safety Study.*
3. Show Kids You Care – Request for Support. *The group are increasing awareness to child hunger and poverty in Canada, and they’re looking for support. Referred to Community Services Committee.*
4. Department of Municipal and Intergovernmental Affairs – Circular. *Correspondence refers to asphalt deadline, October 15th. Director of Public Works clarified that in the event that temperature drops below 6 °C, asphalt plants will shut down as it’s not ideal temperature for laying asphalt.*

CORRESPONDENCE & ACTION REPORT

The Correspondence and Action Report, dated October 14, 2014, was discussed and accepted as presented.

- Item 7 – Snow clearing at Jack Byrne Arena - snow piled up in front of dry hydrant
 - Deputy Mayor to pass along to the Arena.
- Item 21 – Circular – New Building Fund
 - It was discussed that this is more of an operational issue and staff can follow up.

COMMITTEE REPORTS

Planning, Land Use and Development

Deputy Mayor Gallant provided an overview of items discussed under the Planning, Land Use and Development Committee Meeting, dated October 7, 2014.

Items discussed in the report included:

1. Development Proposals
 - a) Proposal from property owner 19 Martin’s Lane to construct a new accessory building.
 - Background information is listed in the report.

- Motion to follow. The application will be dealt with in the Building Application Report, dated October 10, 2014, application number C2014-190
2. Correspondence
 - a) Letter from Minister of the Department of Municipal and Intergovernmental Affairs in relation to the St. John's Urban Region Regional (SJURR) Plan.
 - Refers to the "Super Amendment" that the department is processing on the SJURR plan.
 - Committee reviewed mapping and didn't see any issues.
 3. Other Items
 - a) Blocked Trail (Right of Way) Jones Pond Area
 - See Motions below:

506-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay rescind motion number 491-14 from the public Council minutes of September 29, 2014.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

The above motion was rescinded due to incorrect address.

507-14 Motion – Deputy Mayor Gallant / Councillor Smith

RESOLVED THAT the Town of Torbay issue an order to 284-286 Marine Drive to have the obstruction to the public right away along the southern boundary line of the property removed within 30 days of receiving the removal order. If the obstruction is not removed within 30 days the Town of Torbay will have it removed and invoice the property owner for the cost to do so.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

508-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay issue an order to 288-294 Marine Drive to have the obstruction to the public right away along the northern boundary line of the property

removed within 30 days of receiving the removal order. If the obstruction is not removed within 30 days the Town of Torbay will have it removed and invoice the property owner for the cost to do so.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

- b) Draft Property Standards and Maintenance Regulations
 - A copy of the draft Property Standards and Maintenance Regulations has already been sent to the Town's solicitor for review. When the solicitors review is complete they will be brought forward to Council for adoption.

- c) Community Wide Groundwater Evaluation Study
 - Director gave the following update on the project:
 - The tender was awarded to Stantec in early September.
 - A project kick off meeting was held on September 19, 2014 with Stantec personal, representatives from the Department of Environment and Conservation, along with the Town's CAO and Director of Planning.
 - The consultant is currently gathering information for the project.
 - The anticipated completion of the project is late winter early spring 2015.

- d) Crown Land Inventory Project
 - Director gave an update on the projects process;
 - The consultant is currently compiling and plotting known property boundaries.
 - The anticipated completion of phase I of the project is late 2014.

Councillor Smith asked Mayor Tapper to share Minister Hutchings comments from recent MNL Convention. Mayor advised that there seems to be a delay with items going forward at Municipal Affairs and Transportation. At the MNL Convention earlier this month in Corner Brook, the topic of Crown Land did come up. Every community has issues. There was discussion, even in the Fiscal Framework document, that Crown lands should be pursued and turned over to the respective community. Torbay is doing an inventory as we're not sure how much Crown land exists in the Community, and some may be of value to the Town for open space or for a town facility. He advised that it's a good initiative and hopefully will have some good information as we move forward.

Councillor Scott noted that the Lands Branch of the Department of Environment is moving to the Department of Municipal Affairs; now, when we're dealing with Crown land applications, we're dealing with one department.

- e) Email from Deputy Mayor
- Deputy Mayor provided an email from a concerned citizen in relation to Noise Exposure Forecast Line (NEF lines) and the work being completed on Torbay Road next to Bellaventure Place.
 - Director gave overview of NEF Lines and Town regulations in relation to the NEF lines. He will contact the concerned citizen to address her concerns.
 - Director has letter written and will be sending to owner of property to address issues raised. They will be given seven days to clean up site and to get the commercial vehicles off property. If not completed within seven days, the Town will issue a stop work order and a cleanup order on the property.
 - Director of Planning noted that the CAO has authority to issue a stop work order, after seven days.
 - Mayor Tapper advised that he did visit the site, and further noted the commercial equipment, tree stumps, and loads of gravel. He advised that the asphalt on the access from Torbay Road to Bellaventure Place is broken and damaged.
 - Councillor Smith noted that this property owner is operating outside the bounds of permit issued.
 - Director to forward definition of Open Air Market to resident, as requested at beginning of meeting during Question & Answer session.
- f) Dry Hydrant Tender
- The tender for the dry hydrant project closed on Monday. There was one bid received which was for \$140,120.00, the original estimate for the project was \$25,000.00 which was later revised to \$55,000.00.
 - See motion below:

509-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay cancel the dry hydrant tender due to high cost.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Council discussed the above motion and tender costs. Director of Planning advised that the Town will be completing some groundwork this Fall and will re-tender in the Spring. It was also noted that all residents in the community will receive the same fire services – the Fire Department has equipment to fill their trucks with water in areas of the community with no fire hydrants, however a dry hydrant would be more convenient.

- g) Proposed accessory building application for 15 Barron's Lane
- Committee reviewed the application and it was agreed that the Director should seek some input from the Town's Planning Consultant.

- h) From Public Works Committee – Water issues on the corner of Country Drive and Shea’s Lane
 - The Chair of the Public Works Committee discussed water issues on the corner of Country Drive and Shea’s Lane, it was agreed that the Directors of Planning Public Works will meet to discuss possible solutions.
- 4. Items for Correspondence and Action Report
 - a) Table attached for information.

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>
C2014-212	13 Piperstock Place	12’ x 16’ Accessory Building
B2014-213	39 Quigley’s Lane	General Repairs
C2014-214	7 Bernice Drive	16’ x 20’ Accessory Building
C2014-217	6 McEvoy Street	General Repairs
B2014-218	278 Indian Meal Lines	General Repairs
C2014-221	32 Flora Drive	Single Family Dwelling

Building Applications for Approval

Application: C2014-190
Location: 19 Martin’s Lane
Proposal: 24’ x 28’ Accessory Building
Zoning: Residential Infill (RI)

510-14 Motion – Deputy Mayor Gallant / Councillor Smith

RESOLVED THAT the Town of Torbay approve Application C2014-190, under the Applications for Approval section of the Building Application Report, dated October 10, 2014. Council to exercise its discretion under regulation 38(2) (b) and regulation 10 to allow the accessory building to be built in front of the building line of the residence due to the fact that the property owner has very limited choices for the location of an accessory building because of the location of his well and septic field along with the steep slope of the land. Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)
Against Motion: 0
Abstained: 0

It was noted that the above was advertised and no correspondence was received. The Town's planning engineer was consulted on Regulation 38 and Regulation 10 that allows for building in front of building line.

Application: C2014-215
Location: 1 Duggan Place
Proposal: 22' x 24' Accessory Building
Zoning: Residential Medium Density (RMD)

511-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay approve Application C2014-215, under the Applications for Approval section of the Building Application Report, dated October 10, 2014, 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.
3. Subject to removal of exiting accessory building.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Application: C2014-216
Location: 45 Gosse's and Rodger's Crescent
Proposal: Extension to Single Family Dwelling
Zoning: RMD (Residential Medium Density)

512-14 Motion – Deputy Mayor Gallant / Councillor Smith

RESOLVED THAT the Town of Torbay approve Application C2014-216, under the Applications for Approval section of the Building Application Report, dated October 10, 2014, subject to the following condition:

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

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Application: DM2014-006
Location: 7 Barron's Lane
Proposal: Demolition of Existing Dwelling
Zoning: RMD (Residential Medium Density)

513-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay approve Application DM2014-006 under the Applications for Approval section of the Building Application Report, dated October 10, 2014, subject to the following condition:

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

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Application: C2014-219
Location: 7 Barron's Lane
Proposal: Construction of New Single Family Dwelling
Zoning: RMD (Residential Medium Density)

514-14 Motion – Deputy Mayor Gallant / Councillor Smith

RESOLVED THAT the Town of Torbay approve Application C2014-219, under the Applications for Approval section of the Building Application Report, dated October 10, 2014, subject to the following condition:

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

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Application: C2014-222
Location: 85 Karon Drive
Proposal: 20' x 20' Accessory Building
Zoning: Residential Large Lot (RLL)

515-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay approve Application C2014-222, under the Applications for Approval section of the Building Application Report, dated October 10, 2014, 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: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Mayor Tapper left the Public Council Chambers at 8:20 p.m., as it was determined that he was in a conflict of interest. Deputy Mayor Gallant took over as Chair of the Public Council Meeting at 8:20 p.m.

Building Applications to be Deferred

Application: C2014-220
Location: 15 Morey's Lane
Proposal: 28' x 43' Accessory Building
Zoning: Mixed Development (MIX)

516-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Defer Application C2014-220, under the Applications to be Deferred section of the Building Application Report, dated October 10, 2014, for further review by the Director of Planning.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Mayor Tapper returned to the Public Council Chambers at 8:20 p.m. and resumed as Chair.

Economic Development

Memorandum of Understanding between Town of Torbay and East Coast Trail Association Inc.

➤ See motion below:

517-14 Motion – Councillor Hall / Councillor Scott

RESOLVED THAT the Town of Torbay approve and sign the Memorandum of Understanding between the Town of Torbay and the East Coast Trail Association.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Mayor Tapper advised that Torbay is the first to sign such an agreement. The Town is a big supporter of the East Coast Trail, and this will solidify our support. They do tremendous work in the community and the Province. It was suggested to let the media know, which may be helpful to other communities to come on board, as well.

Finance & Administration

The Finance and Administration Report, dated September 22 – October 10, 2014, was accepted as presented. Councillor Thorne-Gosse read out payroll and accounts payable information as per the report:

Payroll for the period of September 22 – October 10, 2014, for 28 employees and third quarter remuneration for Council is \$117,471.77.

For the period of September 22 – October 10, 2014, Accounts Payable invoices in the amount of \$227,100.34 were paid. These expenditures were within budget.

There were seven (7) Main Operating Invoices, in the amount of \$137,263.06 for approval:

518-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to CIBC Mellon, for Pension Contribution September 2014, in the amount of \$15,425.84.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

519-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment JW Consulting Associates, for Collective Bargaining, in the amount of \$8,475.00.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

520-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Newfoundland Design Associates, for Generator review for Fire Department, in the amount of \$8,415.17.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

521-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Receiver General for Canada, for Payroll Deductions for September 16-30, 2014, in the amount of \$17,471.38.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

522-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to T2 Ventures Inc., for Garbage Contract for September 2014, in the amount of \$40,829.67.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

523-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Terra Nova Motors Ltd., for ¾ Ton Truck – Tender 2014007, in the amount of \$38,610.97.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

524-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Waterwerks Communications, for Website Design and Community Enhancement Newsletter, in the amount of \$8,035.03.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

There are two (2) Capital Invoices in the amount of \$28,146.36 for approval:

525-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Newfoundland Design Associates, for 2013 Road Improvements, in the amount of \$9,260.27.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

526-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Newfoundland Design Associates, for Lime Feed Design and Tender, in the amount of \$18,886.09.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

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

Councillor Thorne-Gosse provided an update on Union negotiations. Negotiations commenced on September 15th and a tentative agreement was reached on September 18th. The ratification vote was held on October 6th and was rejected by the Union. The Town has field for consolidation.

Parks, Recreation and Community Services

Councillor Thorne-Gosse provided an overview of items discussed under the Community Services Committee Meeting, dated October 1, 2014.

Items discussed in the report included:

- Wellness Centre
 - A meeting is scheduled with Municipal Affairs regarding the Building Canada Fund.
- Town Centre Public Meeting
 - There was some confusion with Wellness Centre and Town Centre.
 - Councillor Hall advised that eight residents were in attendance, four of which thought they were there to discuss the Wellness Centre design. Residents did provide their input.
- Remembrance Day
 - Committee agreed that Bob Codner would organize the event.
 - A backup facility is to be available in case of inclement weather.
- Trunk or Treat
 - There was a great amount of discussion on this event over the past few weeks.
 - Only a couple of business have agreed to come forward to support the event.
 - Councillor Thorne-Gosse advised that the event costs the Town a substantial amount of money and organization.
 - Council discussed the event:
 - Some Members indicated their disappointment that the event was cancelled, as it is a very popular event with children.
 - As it was advertised to the public, it was questioned if it could be a possibility for this year.
 - Council discussed further management of the event as children from surrounding communities attend; and, therefore, require a lot of support from businesses within the community.
 - How to manage by limiting attendance, controlled entry was discussed - to have only residents of Torbay attend event.
 - Holding event at a different location, other than the Jack Byrne Arena, was discussed.
 - See motions below:

527-14 Motion – Deputy Mayor Gallant / Councillor Smith

RESOLVED THAT the Town of Torbay proceed with the Trunk or Treat event with a budget of \$5,000.00.

Question called. Motion defeated.

For Motion: 0

Against Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Abstained: 0

528-14 Motion – Councillor Smith / Deputy Mayor Gallant

RESOLVED THAT further to the above motion, 527-14, that the budget be at \$5,000.00 and that staff develop a strategic approach to inclusion of Torbay residents only, which has to happen very quickly and out to residents of Torbay by end of week.

Question called. Motion defeated.

For Motion: 0

Against Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Abstained: 0

Council discussed the above motions concerning the Trunk or Treat event, including:

- Associated costs are high.
 - Event was not a budgeted item.
 - It was suggested that in the future that all unbudgeted items are not to be discussed going forward.
 - The event was published/advertised.
 - Support of local businesses was low this year.
 - Attendance numbers are high and expect to increase for this year.
-
- Bourne's Close Open Space
 - Director is researching possible duck pond.
 - TETC Terms of Reference
 - TETC changes/edits are back with Committee.
 - Mayor requested this be dealt with at next Council Meeting.
 - Kinsmen Gates
 - Director to meet with Director of Public Works concerning who will be looking after the gates now that security is finished.
 - Dog Park
 - Director of Public Works has visited site and had brief meeting.
 - Councillor Thorne-Gosse advised that staff could get involved rather than Grand Concourse. Waiting on update, and there is a meeting scheduled for tomorrow.
 - Directors of Community Service and Public Works to discuss before next meeting.
 - Motion Lookout
 - Committee discussed possible liability and concerns with placing a rail and benches in the Town's open space located at Motion Drive; and, agreed to not place rail or benches in the area.

Public Works

Councillor Smith provided an overview of items discussed under the Public Works Committee Meeting, dated October 6, 2014.

Items discussed in the report included:

- MYCW (Depot)
 - There have been some revisions to original design. Once complete, final design will be presented.
 - Rendering for budget presentations.
- MYCW
 - Reallocation of funds from project.
 - See below Motion concerning reallocation of funds.

529-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT due to the change in funding programs within MYCW Projects, the Town of Torbay request that \$224,206 designated for the clubhouse be reallocated to the MYCW 2012-14 Municipal Depot Project. This reallocation is subject to the review and approval of the Department of Municipal and Intergovernmental Affairs.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Council discussed the reallocation of funds. Deputy Mayor requested that a breakdown summary of costs in relation to the clubhouse be circulated to Council Members. It was noted that the clubhouse is going to be fully funded outside through gas tax.

- Water Information
 - Flow average for North Pond is about 9 to 10 liters per sec which is about 864,000 Liters per day of consumption. Town average is 751.3 L per home and the national average is 789.6 L per home.
- Wastewater BAT Study
 - The Town of Torbay has awarded the 2014 road improvements and paving contract for McFayden Street and Camp Carey Road to Weir's Construction Ltd.
 - Weirs are on site this week, and pavement will be laid before asphalt plant closed.
- Correspondence
 - North Pond Road Work is complete.
 - Anstey's Cove
 - Hydrant relocation completed.
 - Flooding Responsibilities
 - Staff are reviewing responsibilities and impacts.

- Doyle's & Quigley's
 - The Town is working on complete review of traffic patterns and will present suggestions.

ADVISORY COMMITTEES

Environment

Deputy Mayor Gallant advised that Committee will have a meeting soon concerning submission for upcoming budget.

Heritage

Mayor Tapper advised that Committee met last week.

LIAISON COMMITTEES

Jack Byrne Arena

No report.

Northeast Avalon Joint Council

No report.

Torbay Harbour Authority

No report.

Torbay Volunteer Fire Department

Councillor Scott provided an overview of items discussed under the TVFD Meeting Notes, dated September 22, 2014.

Items discussed in the report included:

- 7 emergency calls since the last meeting.
- Calls are up to 194 for the year.
- Work on new unit 3 is ongoing and will hopefully be ready in the near future.
- The TVFD donated ten sets of bunker gear to Fire Fighters Without Borders.

Urban Municipalities Committee

No report.

North East Avalon Regional (NEAR) Plan

No report.

Municipal Assessment Agency Inc. (MAA)

No report.

Stewardship Association of Municipalities Inc. (SAM)

No report.

Eastern Regional Service Board

No report.

Holy Trinity Elementary School Council

No report.

NEW BUSINESS

Mayor Tapper - Pass

Deputy Mayor Gallant

Deputy Mayor Gallant advised that he was speaking with a resident concerning Metrobus. He discussed regional transportation and questioned if the Town was considering getting involved. CAO advised that the study was cancelled, and Deputy Mayor asked if it could be put back on radar.

He advised that he recently had the honour of speaking at the Newfoundland Environmental Industries Association (NEIA) Conference. He represented Stewardship Association of Municipalities (SAM), and announced the SAM Conservation Fund. He was in contact with the Minister of Environment and Conservation, and his Department came on board with \$10,000 donation towards the fund. He advised there's a write up in The Independent, discussing the fund, and he asked that all read the article.

Deputy Mayor personally and professional thanked all Council Members for their support, as he will be out of the province until possibly first part of December. He advised that he can make himself available for committee meetings through teleconference.

Councillor Hall - Pass

Councillor Roche - Absent

Councillor Scott

Councillor Scott discussed the Lions Club, advising there is a meeting tomorrow night at 7:30 p.m. at the Jack Byrne Arena. They're moving forward and trying to start a Lions Club in Torbay.

He discussed the recent MNL Convention. Both Councillor Scott and Mayor Tapper attended the Convention in Corner Brook. He discussed the Fiscal Framework Resolution that the Provincial Government and MNL are working on. He noted that the resolution was passed and they're hoping to move forward on it. It will have impact on our Town and smaller towns throughout the Province. It's key to finding new sources of revenue, so we're not so dependent on property taxes. He further advised that the new Avalon Representative on the MNL Board is Frank Antle, Town of Victoria. He advised it was a great convention, with good issues and discussions amongst all.

Councillor Smith

Councillor Smith also discussed the MNL Convention.

- She discussed the fiscal framework launch and resolution.
- She advised that she was elected to the Trio Board by acclamation two years ago. She put herself forward again, as well as also nominated from the floor, and re-elected again for the next two years.

Councillor Thorne-Gosse - Pass

QUESTION & ANSWER SESSION

- Resident – Civic 1160 Torbay Road
 - Resident discussed the commercial equipment on the corner of Bellaventure and Torbay Road, including the screening machine that they have there. He questioned the permit and the conditions that they have in place.
 - Mayor Tapper clarified that the permit information is public and can be found in the Minutes.
 - Resident discussed the right to quiet enjoyment of property, and he feels the Town has deprived residents in the area of that right.
 - He discussed that the development/business should not be allowed and he expects the Town to correct this issue.
 - He advised that the Town has a responsibility for tidiness and noise by-laws; further advising that over the past three days, there has been a lot of noise.
 - He advised that he wrote a letter to Council on May 4th, specifying that he wanted an answer. He talked to Councillors and the CAO in the beginning, as well as the Director of Planning. He advised that he is expecting a timely answer and that he wants the response letter signed by someone with legal authority, Mayor or CAO.
 - CAO advised that letter is drafted and in process of being modified to include other conditions. Will have by end of week.

- He discussed putting mechanism in place for residents who are directly affected by developments, rather than just publishing in a paper, as neighbours have right for input.
 - Mayor Tapper advised that Council met last night on different issues within the Community, and communications was a topic that the Town is addressing. As there are many applications, communications can be very time consuming and the Town is looking into hiring a person for the position of communications only.
- Resident – Civic 80 Whitty’s Lane
 - Resident congratulated Council for their unanimous support and approval of the Memorandum of Understanding with the East Coast Trail Association. She advised she’s looking forward to that as leverage for other communities. Councillor Smith’s suggestion regarding media announcement will help towards that.
- Resident – Civic 1160 Torbay Road
 - Resident questioned the permit issued for the medical clinic building at Torbay Road/Bellaventure Place and asked if there was a deadline/end date on the permit for the open air market.
 - Mayor Tapper advised that there was no permit issued for a medical building or application received.
 - He discussed that there is no time limit.
 - He advised the Town will clarify.
- Resident – Civic 21 Bridge Road
 - Resident discussed the construction site at Piperstock Hill and questioned if it was a temporary permit.
 - Mayor advised that we will check and make all aware.
- Resident – Civic 2 Bellaventure Place
 - Resident advised that the above application concerning the landscaping product sales business was discussed at a Council Meeting of June 9, 2014. It was a business until turned into a medical facility.
 - Mayor Tapper advised that he will schedule a meeting with CAO and Director of Planning, as well as the PLUD Committee, for tomorrow to further review.

Mayor Tapper advised that there is commitment to get back to the above residents, and he requested that all leave their contact information before they leave.

ADJOURNMENT

530-14 Motion – Councillor Smith / Councillor Hall

RESOLVED THAT the meeting be adjourned at 9:33 p.m., as there was no further business.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Hall, Scott, Smith and Thorne-Gosse)

Against Motion: 0

Abstained: 0

Mayor

CAO/Town Clerk