



MINUTES

PUBLIC COUNCIL MEETING
October 19, 2009

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on October 19, 2009 at 7:42 p.m.

Members Present

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

Staff Present

Dawn Chaplin, CAO/Town Clerk
Jacqueline Berkshire, Executive Clerk
Ken Anthony, Director – Programs & Services

Regrets

Brian Winter, Development & Planning Officer

Meeting was chaired by Mayor Codner

290-09 **Adoption of Agenda**

Motion – Councillor Byrne/Councillor Smith

RESOLVED THAT the Agenda be adopted as presented.

Question called. Motion carried unanimously.

291-09 **Adoption of Minutes – October 5, 2009**

Motion – Councillor Roche/Councillor Smith

RESOLVED THAT the Minutes be adopted as presented.

Question called. Motion carried unanimously.

Adoption of Minutes – Special Meeting of Council – October 12, 2009

Motion – Councillor Roche/Councillor Smith

RESOLVED THAT the Minutes be adopted as presented with the following change:

Presentation of Legislation and orientation Material to all Members of Council: *“Councillor Smith wanted to thank CAO and staff for providing copies of all legislation and documentation as well as for their efforts during the last term.”*

Question called. Motion carried unanimously.

PROCLAMATIONS/PRESENTATIONS

293-09 Motion – Councillor Smith/Councillor Roche

RESOLVED THAT October 18 – 25, 2009 be designated as Ribbon of Signature Week in the Town of Torbay.

Question called. Motion carried unanimously.

CORRESPONDENCE

- 1) *Correspondence from Municipal Assessment Agency Inc. – Call for Nominations – Urban & Avalon Director – Oct. 2, 2009*

294-09 Motion – Councillor Byrne/Councillor Tapper

RESOLVED THAT Councillor Roche is nominated for the position of Urban Director for the Municipal Assessment Agency Inc.

Question called. Motion carried unanimously.

- 2) *Correspondence from Mayor Harry Hallett – MNL President - FYI*
- 3) *Correspondence from Mayor Claude Elliott – MNL Vice-President - FYI*
- 4) *Correspondence from ACT – October 5, 2009 – to be forwarded to the new committee.*
- 5) *Correspondence from Mike Rudofsky re: Interest in Torbay for Triathlon – Oct. 7, 2009 – CAO to check with the Department of Health regarding the use of Great Pond for this Triathlon.*
- 6) *Meeting Notice – Northeast Avalon Joint Council – Oct. 21, 2009, Mt. Pearl, City Hall – Councillor Roche asked if anyone could attend these meetings particularly in the event that she is unable to attend the Town would have representation. Councillor Whitty will also attend. CAO to advise Maureen Harvey.*
- 7) *Email from Charlene Brown re: letter of support – Oct. 15, 2009 – CAO to prepare letter of support.*

Motion – Councillor Roche/Councillor Smith

RESOLVED THAT the Minutes be adopted as presented.

Question called. Motion carried unanimously.

BUSINESS OUTSTANDING

- 1) Correspondence from Axel Sorensen re: proposed Apartment Building at 1359 Torbay Road – August 7, 2009 – *CAO to speak with Development & Planning Officer regarding contacting Mr. Duffy to schedule a meeting with residents.* - B/F
- 2) Email from Roger & Denise Reid re: Street lights & turning bulb at Kelly’s Lane –*Development & Planning Officer reported that he and the Director of Programs & Services viewed the site. He also stated that that he is missing one key piece of information and when this is completed a decision will be made.* – B/F
- 3) Motion 082-09 - Resolution 2009 MNL Convention – *CAO advised that the deadline has been extended to Oct. 23/09.* - B/F
- 4) Correspondence re: Proposed Development Regulations Amendments No.’s 10 & 25 for Moores Valley Road – *Awaiting on a reply from Department of Municipal Affairs* – B/F
- 5) Correspondence from Crown Lands – May 7, 2009 – *Mayor Codner hasn’t been able to reach Crown Lands by telephone and has now written a letter awaiting reply.* - B/F.
- 6) Killick Coast Regional Kiosk – *this has been signed off on.* - B/F
- 7) Conservancy & Ecological Gifts Programs – *Motion (248-09) – Councillor Tapper advised that Mr. Chamberlain is not available for the meetings however can meet with council on Nov. 16/09 at 6:15.* - B/F
- 8) Resident meeting regarding issues of Kinsman Centre –*Motion 250-09 to have skateboard ramps removed from Kinsmen Centre at the end of the season.* Defer to Committee for recommendation. - **B/F**
- 9) *Motion 251-09 to explore the cost of a fence and gate at the Kinsmen Centre.* Defer to Committee for recommendation. - B/F
- 10) Removal of signage on Torbay Road – *Sign removal in process.* – B/F
- 11) Motion 248-09 - *Town to develop a Smoke Free Environment Policy for adoption and implementation.* – B/F – Defer to Committee for Review.
- 12) Motion 266-09 – *Development & Planning Officer to write a letter to Mr. Crowe advising there is a one year time frame on his 15 lot development.* - Development & Planning Officer is awaiting clarification. - B/F
- 13) Correspondence from Martin Gosse – 40 Whiteways Pond Road – Aug. 29/09 - CAO spoke with Cst. Grace and will speak with Mr. Gosse to collect additional information. CAO will also follow up with Light & Power. - **B/F**

COMMITTEE REPORTS

Capital Works/Public Works/Roads

Councillor Tapper advised that we should look at the snow clearing policy with the winter season approaching.

Building Applications

295–09 Motion – Councillor Tapper/Councillor Smith

RESOLVED THAT Council approve the Building Application Report dated October 16, 2009 as presented.

Question called. Motion carried unanimously.

Financial Report

296-09 Motion – Councillor Byrne/Councillor Roche

RESOLVED THAT Council approve Financial Statement for the period October 5-16, 2009 as presented.

Question called. Motion carried unanimously.

297-09 Motion – Councillor Roche/Councillor Byrne

RESOLVED THAT all bills be paid to October 5-16, 2009 to avoid interest.

Question called. Motion carried unanimously.

Personnel & Training Committee – Deferred to November 2, 2009 Council Meeting.

Recreation Committee

Councillor Tapper wanted to comment on a very successful Sports Hall of Fame event. Special thanks to Barry & Marie Codner for their hard work in putting the event together. He felt that a letter should be forwarded to the Codner's recognizing their efforts. He also suggested that the names of the winners be placed on the Town sign.

Strategic Planning Committee

298-09 Motion – Councillor Smith/Councillor Byrne

RESOLVED THAT Deputy Mayor Gallant and Councillor Roche will be voting delegates at the upcoming MNL Annual Convention.

Question called. Motion carried unanimously.

299-09 Motion – Councillor Byrne/Councillor Smith

RESOLVED THAT Council adopt the Committee structure as proposed with changes for the term 2009-2013.

Question called. Motion carried unanimously.

Development Committee – Deferred to November 2, 2009 Council Meeting.

SPECIAL COMMITTEES OF COUNCIL

By-Pass Road – Deferred to November 2, 2009 Council Meeting.

Communications – Deferred to November 2, 2009 Council Meeting.

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

Deferred to November 2, 2009 Council Meeting.

Regional Waste Management - Deferred to November 2, 2009 Council Meeting.

LIAISON COMMITTEES

Arena – Minutes – August 26, 2009 meeting deferred to November 2, 2009 Council Meeting.

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

Deferred to November 2, 2009 Council Meeting.

Environment - Deferred to November 2, 2009 Council Meeting.

Heritage/Tourism - Deferred to November 2, 2009 Council Meeting.

Hillside Festival - Deferred to November 2, 2009 Council Meeting.

North East Avalon Joint Council - Deferred to November 2, 2009 Council Meeting.

School – Deferred to November 2, 2009 Council Meeting.

Torbay Volunteer Fire Department – Deferred to November 2, 2009 Council Meeting.

Urban Municipalities Committee

Next meeting will be held in Gander during the annual Convention.

NEW BUSINESS

Mayor Codner - Pass

Deputy Mayor Gallant - Pass

Councillor Byrne

Councillor Byrne addressed road safety with respect to speeding. He suggested mobile speed bumps and asked Director of Programs and Services to look into this. Councillor Smith suggested a police presence during lunch in the Lynch's Lane/Mahon's Lane area. Councillor Byrne also wanted to congratulate all involved with the Farmer's Market he said it was very well organized and well attended. He also suggested that Council might want to consider attending the Climate Change Adaptation Workshop on November 19, 2009 at the Fluvarium.

Councillor Roche

Councillor Roche was asked by residents to bring to Council the \$2.40 hidden charge on Bell Aliant invoices. CAO to explore this.

She also asked about the washout of gravel on some side roads due to the excessive amount of rain recently. Director of Programs & Services to look at this.

Councillor Roche addressed the issue of a traffic light at the arena access due to the number accidents in that area. Mayor Codner advised this will be part of the bypass road and will be addressed with highways.

Councillor Smith

Councillor Smith addressed water runoff on Lynch's Lane/Mahon's Lane. She feels that we have to do something about this issue.

Councillor Tapper

Councillor Tapper stated that he met with Keith Yeo at 1 Yeo's Lane – CAO and Director of Programs and Services to look at this situation. He also addressed Keith Ledwell's issue at 492 Indian Meal Line. He advised that he met with Director of Programs and Services and Councillor Smith at the site.

Councillor Whitty - Pass

ADJOURNMENT

As there was no further business the meeting adjourned at 9:23 p.m. on a motion by Councillor Smith and seconded by Deputy Mayor Gallant.

Mayor

CAO/Town Clerk