



MINUTES
PUBLIC COUNCIL MEETING
October 26, 2015

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on October 26, 2015 at 7:32 p.m.

Members Present

Mayor Ralph Tapper
Deputy Mayor Geoff Gallant
Councillor Peggy Roche
Councillor Craig Scott
Councillor Carol Ann Smith
Councillor Mary Thorne-Gosse
Councillor Brian Whitty

Staff Present

Dawn Chaplin, CAO/Town Clerk
Ann Picco, Executive Clerk
Brian Winter, Director of Planning

Regrets

Tina Auchinleck-Ryan, Director of Community Services
Bernie Manning, Director of Public Works & Technical Services

Gallery

There were a total of 17 people in attendance.

Adoption of Agenda

468-15 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Adoption of Minutes

469-15 Motion – Councillor Smith / Deputy Mayor Gallant

RESOLVED THAT the Minutes of the October 13, 2015, Public Council Meeting be adopted, with the following changes:

- Page 18 – Motion 457-15 – Councillor Smith’s name to be removed as voting For Motion. She had left the Council Chambers as it was determined that she was in a conflict of interest.
- Page 23 – under Parks, Recreation and Community Services, first bullet, second paragraph to read, “Councillor Smith requested that if there’s space available at the Kinsmen Centre, that availability information be communicated to the Lion’s Club.”
- Page 28 – under Adjournment section, Motion 467-15 – Motion was seconded by Councillor Scott, not Councillor Smith.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION

Mayor Tapper referred to the Gallery and asked if anyone would like to present to Council. The following had comments:

- Resident/Applicant of Civic 2 Riverbank Place concerning proposed dog daycare business.
 - Resident provided her background history in relation to living in Torbay and family.
 - She discussed her proposed dog daycare business, indicating it would be small, fifteen dogs maximum, and the dogs would be thirty pounds or less.
 - Increased traffic and noise.
 - Traffic would increase but her operation would take place between 7:30 a.m. and 5:30 p.m. with no overnight business or hours beyond 5:30 p.m. Applicant advised she’s going to offer a drop-off service for dogs, which would cut down on traffic.
 - There will be one hour in the morning and afternoon designated as outside time, which she can adjust. Dogs will not be outside barking, and they will be walked with leashes.
 - Resident discussed concerns of property value decrease, indicating it’s not an issue.

- Resident of Civic 37 Gosse's Lane concerning Regional Refugee Committee.
 - Resident, and Co-Chair, of the Northeast Avalon Refugee Committee, thanked Mayor and Council for their support of this Committee.
 - There are twenty plus volunteers on the Committee, some of which were in attendance at tonight's meeting.
 - Committee are passionate about saving the lives of four to six people, and are working hard on fundraising efforts.
 - An information session is being held on November 16th, and Committee are working closely with the Association of New Canadians.
 - Resident advised that we're amongst heroes tonight, who are working hard and highly involved with changing the life of a family who are fleeing violence and war to come to Canada to live in a life of safety and security.
 - He asked Council to do whatever it takes to pass resolution concerning the Syrian refugee Crisis at the upcoming MNL Convention in Gander.

- Resident of Civic 6 Riverbank Place concerning proposed dog daycare business.
 - Resident discussed his and area residents' opposition to, and concerns relating to, the proposed dog daycare at 2 Riverbank Place.
 - He advised that the area is a small cul-de-sac.
 - Resident questioned health concerns and requirements with the proposal.
 - He questioned how applicant is going to ensure dogs are vaccinated.
 - Traffic is tight, and will become worse if application is approved.
 - There are no guarantees that customers will accept drop-off service.
 - There are five houses on the cul-de-sac, with five children under the age of ten.
 - Forty-two area residents signed a petition against the dog daycare, which will be provided to Council.
 - Resident advised that he has a letter from a real estate agent indicating that the proposed business will affect property values.
 - He asked that Council listen to his and area residents' concerns.

- Resident of 75 Bridge Road
 - Resident discussed his concerns relating to the proposed dog daycare at 2 Riverbank Place.
 - Noise and odor is a concern for area residents.
 - He advised that over the past two or three years, there have been an infestation of rodents on Bridge Road.
 - He questioned dog feces disposal and how it would be attended to.

- Resident of Civic 3 Riverbank Place
 - Resident discussed his concerns relating to the proposed dog daycare at 2 Riverbank Place.
 - Resident advised that he has submitted a detailed presentation, and has become aware of some new information since then. He asked that Committee research adjoining municipalities, such as the City, as they no longer accept dog daycares in certain areas, only in rural and agricultural areas. He advised he can provide regulations for information.
 - He discussed his objection to the business next door to him, and advised that this has been a difficult situation and he does feel for the applicant.

Mayor Tapper advised that the above matter will be dealt with under the Planning, Land Use and Development Committee section. Committee will look at all information provided – a meeting is scheduled Tuesday coming, and a recommendation will come forward to the next Council Meeting.

Mayor thanked resident, and Co-Chair, of the Regional Refugee Committee for presentation/comments. There are Council Members attending upcoming MNL Conference in November where resolution will be brought forward. Will be discussed before Convention.

MAYOR'S REPORT

Mayor Tapper provided a report, dated October 9 - 22, 2015, of his work and connections that he has made in the community over the past couple of weeks. He further discussed the below:

- Signing of the Revised and Expanded Habitat Conservation Plan took place on October 20th. Mayor thanked all throughout process, indicating job well done.
- Launch of the Town of Torbay's new attraction video took place last Wednesday night. There was amazing reaction from the Community, with very positive remarks and comments.
 - The video is on the Town's website and social media.
 - Video stats to date are as follows:
 - 73,000 people have seen the post regarding the video on their social media timeline.
 - 42,900 people have viewed the video.
 - The video has been shared 3,000 times by social media users.
 - It is a great production – the project took over fourteen months to get together.
 - The person playing the fiddle is resident Ashley Malloy, and the singer is Cathy Stock. Mayor advised he would like Council to support getting her in at an upcoming Council Meeting to make presentation to her. She did an outstanding job putting the song together.

CORRESPONDENCE

1. Correspondence from residents of Gosse's and Rodger's Crescent concerning water and sewer. ***Referred to Public Works Committee.***
2. Municipalities Newfoundland and Labrador – Elmo Bingle for Position of President. ***For information purposes. Two Council Members are attending the upcoming MNL Conference.***
3. Northeast Eagles Senior Hockey Club – request for corporate sponsors. ***Referred to Finance and Administration Committee.***
4. Correspondence from resident concerning development proposal. ***Referred to Planning, Land Use and Development Committee.***
5. Department of Seniors, Wellness and Social Development – Approval of Small Infrastructure Community Garden Grant. ***For information purposes. A grant in the amount of \$5,000 was received for the Town's community garden.***
6. Correspondence from resident at 2 Riverbank Place concerning proposed dog daycare. ***Referred to the Planning, Land Use and Development Committee.***

CORRESPONDENCE & ACTION REPORT

The Correspondence and Action Report, dated October 26, 2015, was discussed and accepted as presented.

- Mayor Tapper provided/requested updates on the below items:
 - No. 1 – Agreement with the Department of Fisheries and Oceans regarding the administration, control and access to Tapper's Cove Hill Road.
 - The Harbour Authority Council Liaison and Mayor Tapper will be meeting with the Harbour Authority on this matter soon. The Town has taken over the road to Tapper's Cove. The Harbour Authority has responsibility for the wharf and property adjacent to the wharf. In process of setting up meeting and will report back to Council.
 - No. 2 – Open Air Regulations
 - Councillor Scott will follow up with the Torbay Volunteer Fire Department Fire Prevention Officer. He advised that at a Fire and Emergency Services convention, they did bring forward a resolution on open air burning. The Department questioned if they would fall under these regulations, and they are looking at doing their own.
 - No. 4 – Regional Transportation
 - Councillor Scott reported that the Director of Public Works has requested a meeting with Metrobus.
 - Mayor advised that he met with Minister Brazil, Transportation and Works, today. He spoke to the City of St. John's Mayor, as they're looking at a regional transportation committee. The City is agreeable to having someone from their department chair the committee. Mayor advised he will have some news in the next few weeks.

- No. 5 – Major issues surrounding water, flooding in the Community
 - The Town is trying to get a joint meeting with the Town of Portugal Cove – St. Philip’s. They have a similar environment advisory committee as Torbay. Because of flooding issues on Indian Meal Line and new development proposal received by the Town and Portugal Cove-St. Philip’s, CAO is requesting meeting dates with the two advisory committees and councils. Mayor suggested that Council meet with the Torbay Environment Advisory Committee to go over some issues first – he will arrange.
- No. 7 – Municipal Enforcement – Northeast Avalon communities to get together and campaign to the province for ticketing abilities.
 - Municipal enforcement was discussed at the last mayors’ meeting. A representative was in from the Regional Service Board and did presentation. Requested that they provide information on enforcement and development inspections; and, hoping to get a further meeting for update on this matter.
 - Councillor Smith suggested obtaining feedback from the six municipalities that have municipal ticketing to see if it’s working or if it is a challenge. Policing could be an alternative.
- No. 10 - Trail off Marine Drive
 - Mayor requested that this be added to the Agenda for next Committee Meeting as he would like to propose some action.
- No. 12 – Parish Hall Parking Lot
 - A copy of the Town’s policy will be provided to the Parish Council.
 - Councillor Whitty advised that this has been resolved internally.
 - Mark item as complete.
- No. 15 – Creation of Regional Committee for the Sponsorship of Refugees.
 - This can be marked as complete.

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 Minutes, dated October 20, 2015.

Items discussed included:

1. Development Proposals

- a) Proposal for potential development, Eagle Nest Ridge, Phase 5 – 37 unserviced lots.
 - Committee agreed that prior to making a recommendation on the development proposal, it would like to see the following items on the

- proposal drawing; open space, trails, storm water drainage areas, and proposed location for a dry hydrant if possible.
 - Committee suggested that maybe the two developers in the area can work together to put forward a parcel of land along their common boundary line for open space.
 - Director of Planning noted that he would refer the plan to the Public Works and Recreation Departments for review. Then he will meet with the developer to finalize the plan prior to presenting it back to Committee for consideration.
 - It was noted that the location of this development is on the other side of Eagles Nest Ridge where there are no water issues.
- b) Proposal for potential development, Forest Landing, Phase 7 – 58 unserved lots.
- Director of Planning presented the latest draft proposal for Phase 7 of the Forest Landing Development. It was noted that on the proposed drawing there are 66 lots indicated, but there are currently eight lots that already front on a public road that can be approved outside of the proposed development.
 - Director noted that the developer has presented a plan with walking trails, general open space area and an area for storm water retention. Committee suggested that the Director work with the developer to maybe add a few rest space areas along the trail so people can sit and enjoy the area.
 - Committee agreed that the plan presented is heading in the right direction. The Director of Planning noted that he would refer the plan to the Public Works and Recreation Departments for review. Then he will meet with the developer to finalize the plan prior to presenting it back to Committee for consideration.
- c) Possible development of 4 Shea's Lane
From the September 22, 2015 Planning, Land Use and Development Meeting
- Committee reviewed the proposal provided. The Director of Planning noted that this proposal has come to Council a couple of times before.
 - In 1997, an application was approved with the conditions, one of which was that a proper survey be provided for the property. A permit was never released.
 - In 2004 an application was refused because the property falls within the Conservation Land Use Zone for the stream that flows through the property. There was also letter in the file from the Department of Environment stating that there can be no construction within the 15 meter buffer on the stream.
 - In 2007 an application was again refused for the same reason it was refused in 2004.

- The Director of Planning provided Committee with a sketch of the area showing the land in question in relation to the conservation area. Committee agreed that nothing has changed from the past two proposals; therefore, they would not recommend the proposal be approved.

From the October 7, 2015 Planning, Land Use and Development Meeting

- Committee reviewed email correspondence from the property owner in relation to the proposed lot.
- Committee agreed that in this case, the lot is completely flat and possibly below the stream in places. Therefore, they are not willing to consider a reduction in the conservation zone in this area.

October 20, 2015 Planning, Land Use and Development Meeting

- Committee reviewed latest correspondence from the property owner; there was no agreement on the proposal.
- Director of Planning noted that he would touch base with the Department of Environment to seek input on the proposal.

Mayor Tapper discussed the above, recommending that the property owner be contacted to submit an application, as there's a lot of time being spent on this proposal by Committee. Approval or refusal can then be provided by the Department of Environment.

- d) Proposal from 1 Bauline Line to construct an attached garage.
 - Committee reviewed the updated proposal to attach the accessory building to the dwelling. It was agreed that the proposal can meet Town requirements.
 - The application will be dealt with in the Building Application Report dated October 23, 2015, Application C2015-192.
- e) Application from property owner 49-51 Crowe's Lane, to construct a single family dwelling.

From the Planning, Land Use and Development Meeting September 22, 2015

- The maximum building line setback in any land use zone of these Regulations, unless otherwise specified within a specific land use zone, shall be 32 metres.

From the Planning, Land Use and Development Meeting October 20, 2015

- Committee reviewed the new proposal from the property owner, it was agreed that the new proposal can meet the Town's requirements.
- Committee agreed to rescind Motion 432-15 and to recommend the application for approval in the Building Application Report, dated October 23, 2015, Application Number C2015-178. See motion below:

470-15 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay rescind Motion 432-15, which was a motion to refuse Building Application C2015-178. The Applicant provided new information which will be dealt with in the Building Application Report, Application Number C2015-178.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

2. Correspondence

a) Letter from Property owner Fleming's Hill in relation to the Habitat Conservation Plan.

- Committee reviewed the correspondence and agreed that it is something that can be looked into the next time a revision is completed on the Habitat Conservation Plan.

3. Updates

a) IML Drainage Ditch Issues.

- Director of Planning gave Committee an update on the drainage issues, he noted that the Mayor, CAO and himself met with the developer on Monday morning. It was agreed that the developer would present a solution to the erosion problem along with a cost to complete.
- In relation to the above, Mayor advised that he, along with CAO and Director of Planning, met with the developer. Had good discussion and he submitted a plan and costs. We are going back to him and report that we're not satisfied with scope of work in plan, as it's not near what discussed. Hoping to do as soon as possible.

b) Dry Hydrant Project

- Committee discussed the cost of completing the proposed dry hydrant. It was agreed that the money can be better spent if it were to go towards a tanker truck for the Fire department that can be used throughout the Town. Therefore, the current project will be deferred.
- The Director noted that for new unserviced developments, developers are required to install dry hydrants where possible.

4. Planning, Land Use and Development Items for Correspondence and Action Report

a) Attached for information. Committee reviewed and revised as required.

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>
C2015-194	47 Motion Drive	8' x 12' Accessory Building
C2015-195	48 Patrick's Path	14' x 18' Accessory Building
C2015-198	55 Dunphy's Lane	General Repairs
C2015-200	47 Western Island Pond Drive	Second Driveway Access
C2015-202	3 Barkwood Place	Single Family Dwelling

Building Applications for Approval

Application: C2015-178
Location: 49 Crowe's Lane
Proposal: Single Family Dwelling
Zoning: Residential Infill (RI)

471-15 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2015-178, under the Applications for Approval section of the Building Application Report, dated October 23, 2015, subject to the following condition:

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

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-192
Location: 1 Bauline Line
Proposal: 10' x 18' garage extension to the existing single family dwelling
Zoning: Mixed Development (MIX)

472-15 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2015-192, under the Applications for Approval section of the Building Application Report, dated October 23, 2015, subject to the following condition:

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

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-196
Location: 1016 Torbay Road
Proposal: 20' x 26' accessory building
Zoning: Mixed Development (MIX)

473-15 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2015-196, under the Applications for Approval section of the Building Application Report, dated October 23, 2015, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-197
Location: 414 Pine Line
Proposal: 26' x 32' accessory building
Zoning: Residential Infill (RI)

474-15 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2015-197, under the Applications for Approval section of the Building Application Report, dated October 23, 2015, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Councillor Smith questioned if under the Plan Review, the Town is considering maximum size for accessory buildings. Director of Planning noted size is reduced in proposed plan.

Application: C2015-201
Location: 426 Indian Meal Line
Proposal: 20' x 24' accessory building
Zoning: Residential Infill (RI)

475-15 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2015-201, under the Applications for Approval section of the Building Application Report, dated October 23, 2015, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-203
Location: 3 Barkwood Place
Proposal: 32' x 30' accessory building
Zoning: Residential Large Lot (RLL)

476-15 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application C2015-203, under the Applications for Approval section of the Building Application Report, dated October 23, 2015, subject to the following conditions:

1. Subject to the issuance of permit C2015-202 for single family dwelling.
2. The use of the accessory building is restricted to residential accessory use.

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

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Building Applications to be Deferred

Application: C2015-171
Location: 1229 Torbay Road
Proposal: 3,300 square foot Storage Warehouse
Zoning: Mixed Development (MIX)

477-15 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Defer Application C2015-171, under the Applications to be Deferred section of the Building Application Report, dated October 23, 2015, for further review by the Planning Land Use Development Committee (PLUD).

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Application: C2015-199
Location: 10 Eustace Lane
Proposal: Single Family Dwelling
Zoning: Residential Medium Density (RMD)

478-15 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Defer Application C2015-199, under the Applications to be Deferred section of the Building Application Report, dated October 23, 2015, for review by the Planning Land Use Development Committee (PLUD) and the Department of Public Works.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Business Applications to be Deferred

Application: D2015-190
Location: 2 Riverbank Place
Proposal: Dog daycare to operate out of dwelling in basement
Zoning: Residential Medium Density (RMD)

479-15 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Defer Application D2015-190, under the Applications to be Deferred section of the Business Application Report, dated October 23, 2015, for further review by the Planning Land Use Development Committee (PLUD).

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse, and Whitty)

Against Motion: 0

Abstained: 0

Council discussed the above application, and it was suggested that Committee look at how many dog daycares we have licensed in the Community; and, to bring forward information to all Council relating to health and safety issues so that Council can make an informed decision at the next Council Meeting.

Economic Development

Councillor Roche discussed the upcoming Torbay Community Market, taking place on Saturday, October 31st. Councillors will be meeting and greeting at the door – she requested that Council advise Economic Development Officer if available in the afternoon. She advised that children who come in costume will receive treats. Bags will be handed out to people who are shopping.

Finance & Administration

The Finance and Administration Report, dated October 12 - 23, 2015, was accepted as presented. Councillor Thorne-Gosse read out payroll and accounts payable information:

Payroll for the period of October 12 - 23, 2015, for 29 employees totalled \$60,904.39.

For the period of October 12 - 23, 2015, 2015, Accounts Payable invoices in the amount of \$204,314.94 were paid. These expenditures were within budget.

There were six (6) Main Operating invoices presented for approval in the amount of \$125,265.50.

480-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to MicMac Fire and Safety Source Ltd., for Bunker Gear for the Volunteer Fire Department, in the amount of \$11,865.00.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

481-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Newfoundland Power, for Street lighting for September 2015, in the amount of \$17,634.59.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

482-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Progressive Engineering and Consulting Inc., for Flood Plain Mapping Initiative, in the amount of \$16,950.00.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

483-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Receiver General for Canada, for Payroll remittance for October 1-15, 2015, in the amount of \$30,188.52.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

484-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to T2Ventures Inc., for Garbage and Recycling Contract, in the amount of \$41,553.00.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

485-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Trio Benefits, for Group Benefits for October 2015, in the amount of \$7,074.39.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

There were two (2) Capital invoices presented for approval in the amount of \$906,986.02.

486-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Farrell's Excavating Ltd., for Road Upgrading and Paving – Progress Claim #1 (Gas Tax Agreement 2014-2019), in the amount of \$816,287.42.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

487-15 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Farrell's Excavating Ltd., for Road Upgrading and Paving – Holdback Claim (Gas Tax Agreement 2014-2019), in the amount of \$90,698.60.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

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

Parks, Recreation and Community Services

Councillor Whitty provided an overview of items discussed under the Community Services Committee Minutes, dated October 20, 2015.

Items discussed included:

- Committee met to discuss the Night Time Parade. The Director of Community Services noted that a letter had been sent to the RNC requesting a lead car and end car for the Night Time Parade. The Director noted that if RNC agrees to this step, two groups will be approached to assist with closing the streets.
- Committee discussed that this may take a week to two weeks on these decisions, and time is getting close to the parade date. Therefore Committee is making the same recommendation as was in the October 6th Community Services Minutes; to have a day time parade on December 5th.

Councillor Whitty read aloud the attached correspondence from the RNC, dated October 21, 2015, advising of their advice to not have a parade during the nighttime due to safety concerns.

Councillor Thorne-Gosse advised Committee wanted to bring matter to Council tonight for decision. Based on advice from the RNC, decision should be to have daytime parade due to safety concerns, with no further consideration taken for a nighttime parade. Committee and staff are of the same opinion and recommend a daytime parade.

CAO noted that RNC advised they would provide cars, if the Town proceeds with a nighttime parade, a start and end car, but they will not be responsible for closing roads and intersections.

At the Council Meeting of October 13th, Deputy Mayor made notice of motion to deal with this matter at tonight's Council Meeting. He advised he wants to bring motion back from last meeting, as he feels the event is valuable to residents and a nighttime parade is what they want. See motion below:

488-15 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay keep the nighttime parade for 2015.

Question called. Motion defeated.

For Motion: 1 (Deputy Mayor Gallant)

Against Motion: 6 (Mayor Tapper, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Abstained: 0

Council discussed the above motion.

- Deputy Mayor advised that the event is extremely popular with residents. There are concerns, but nothing that can't be mitigated. It's a popular and unique event, which receives nice coverage in the media. He noted it's not late at night, it just gets dark early at this time of year.
- Council discussed that the nighttime parade did receive great turnouts and enjoyed by all who attended. Council felt that Committee and staff did due diligence. Safety concerns were raised and addressed, and accept the RNC's advice and support Committee's recommendation.
- Councillor Thorne-Gosse discussed that while residents did like and enjoy the nighttime parade, the Town has to take safety concerns/issues into consideration, due to possible liabilities to the Town.
- It was noted that the Torbay Lions Club was contacted and engaged to partake.

Public Works

Councillor Scott provided an overview of items discussed under the Public Works Committee Minutes, dated October 23, 2015.

Items discussed included:

A. MYCW - 2012-2014 - Municipal Depot Design Project
Project is underway and footings are in place.

B. Capital Investment Plan - 2015

1) Multi-Purpose Building (UTC)

Excavation has begun for the building and should be completed this week.

2) Torbay Pedestrian Safety Review

The Director of Public Works has been in contact with the project consultant and has informed him that the first draft of the project should be complete and ready for Committee review early November.

Councillor Smith left the Public Council Chambers at 8:50 p.m., as it was determined she was in a conflict of interest.

C. MYCW - 2015-2017 – Road Upgrading (Mahon’s Lane)

Project is moving along and is approximately 55% complete. There have been several delays with the removal of some of the subgrade – unsuitable road material, and installation of localized weeping tiles. The contractor and consultant are reviewing and will meet on site with the Department of Municipal and Intergovernmental Affairs for consultation.

Councillor Smith returned to the Public Council Chambers at 8:51 p.m.

- Recreational Facilities
All fields and parks are closed for the season.
- Correspondence & Action Report Items
Metrobus Inquiry
Contact has been made with administration to setup a meeting to discuss planning.

Area of Concern

South Pond – location of municipal depot - Town staff and Committee have reviewed the correspondence and again will provide the inquirer with all information requested.

- Any Other Business:
Bridge Road Letter – Director of Public Works and Committee have reviewed the area and the CAO will provide a letter to resident.
- Scheduling of the next meeting
Meeting was scheduled for Tuesday November 3 at 7:00pm at Town Hall.

ADVISORY COMMITTEES

Environment

No report.

Heritage

Councillor Roche advised that a meeting is scheduled for November 2nd.

LIAISON COMMITTEES

Jack Byrne Arena

Councillor Smith discussed a comment from a resident. A resident advised that she just recently starting using the walking track at the Jack Byrne Arena. She finds it difficult walking there when hockey is on, as people obstruct the walking track while watching hockey, instead

of sitting in seats. Deputy Mayor advised he will relay comments/concerns on to the Arena Manager.

Northeast Avalon Joint Council

Councillor Roche advised that a meeting was held on June 17, 2015, and provided a copy for inclusion in Council's packages for next Council Meeting.

She advised that there will be an election of officers next month.

Councillor Roche provided a letter from the City of St. John's to the RNC. They're looking for support from communities concerning excessive noise. She asked that the Town write letter of support. Letter will be included in Council's packages for next Council Meeting.

Torbay Harbour Authority

No report.

Torbay Volunteer Fire Department

Councillor Scott advised that a meeting was held on October 19th. He advised that the Department is doing a great job. They were doing training yesterday in front of the building with the new recruits. Councillor Scott noted that the Department will be recruiting again soon.

There were five emergency calls since last meeting; and, the Department is up to 189 calls for the year.

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.

NOTICES OF MOTION

1. Deputy Mayor Gallant – Santa Claus Parade.
Discussed under Parks, Recreation and Community Services Committee section.

NEW BUSINESS

Mayor Tapper

Mayor Tapper advised that the Interactive Town Hall Meeting concerning the 2016 budget is taking place tomorrow night, October 27th, at 7:00 p.m. He noted that there has been a lot of feedback from residents. Council will be answering questions, which can be put forward by social media. To date over sixty questions and suggestions have been received.

Deputy Mayor Gallant

Deputy Mayor advised that as he is a confirmed liberal nominee in the upcoming Provincial Election, this is the last Council Meeting that he will be attending until after Election. He thanked all Council, staff and residents of Torbay who have supported him over this term and last. He advised that he is a first generation Torbay man, and the youngest deputy mayor elected. He has learned a lot from fellow council members and reflected on work accomplished:

- Torbay is one of the most transparent communities in Newfoundland and Labrador;
- Council participates in Question & Answer sessions;
- Residents can find information through the Town's website and social media;
- The Town has parks and trails;
- The Town has waste management, including recycling services;
- The Town is constructing sidewalks;
- The Jack Byrne Arena is doing really well;
- Staff have won numerous awards.

He advised that Council all work together, even with differences of opinion, and move forward. He thanked all Council Members.

Deputy Mayor thanked his family for their support.

Councillor Roche - Pass

Councillor Scott

Councillor Scott congratulated Deputy Mayor on nomination in upcoming Provincial election.

He acknowledged Karen Greely, Torbay Volunteer Fire Fighter. Last week she made it to the Lion's Den Hall of Fame at the World Championships for Fire Fighting Combat Challenge. Fourteen countries were represented, seven hundred competitors. The criteria for the event is to complete the course in three minutes or less, which she did. She will be recognized at the next championship. It's an excellent showing for her, and goes to show the amount of training our Torbay Volunteer Fire Department volunteers put in. Congratulations to her on behalf of Council. Mayor will forward letter of congrats to her.

Councillor Scott discussed an upcoming Canadian Blood Services Blood Donor Clinic, taking place on Tuesday, November 3rd at St. Nicholas Hall, 4:00 – 8:00 pm. He encouraged everyone to get out to donate and bring up the average number of people in Torbay who donate. Would like to see the average go up and get people going on a regular basis.

Councillor Smith

Councillor Smith extended well wishes to the Deputy Mayor on the upcoming provincial election.

She advised that as a member of the Lions Club, they consider her a Council Liaison. She gave a huge shout out to Randy Trask for his public acknowledgement of Torbay's support for the Lions Club. They have started a fundraising initiative with Portugal Cove-St. Philip's Club offering Chase the Ace event at the Village Mall. Mr. Trask generously threw great accolades to the Town of Torbay, to staff and fellow colleagues elected. They appreciate all we are doing for them and for our support.

Councillor Thorne-Gosse - Pass

Councillor Whitty

Councillor Whitty questioned issuance of permits for buildings, etc., that there seems to be a lack of consistency – some people can get permits while others can't, advising that this needs to be looked at. He advised that there have been a number of appeals that the Town has lost, discussing if we're losing appeals there's something not being done correctly.

QUESTION & ANSWER SESSION

Mayor Tapper referred to the Gallery and asked if anyone had any questions or comments in relation to tonight's Council Meeting. The following had comments:

- Resident of Civic 37 Gosse's Lane, and Member of the Torbay Volunteer Fire Department.
 - Resident discussed firefighting training, indicating the Torbay Volunteer Fire Department hosts Fire and Emergency Services defense firefighting training, teaching fire fighters from all the Northeast Avalon.

NEXT PUBLIC COUNCIL MEETING

The next Public Council Meeting will take place on Monday, November 9, 2015, 7:30 p.m., Council Chambers, Torbay Town Hall.

Mayor Tapper thanked all in the Gallery for coming out this evening to attend a Torbay Council Meeting. He reminded all of the Interactive Town Hall Meeting, taking place tomorrow evening. If unable to attend, and if anyone has questions on the 2016 budget, he advised to drop by to see him.

ADJOURNMENT

489-15 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the meeting be adjourned at 9:13 p.m., as there was no further business.

Question called. Motion carried.

For Motion: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Smith, Thorne-Gosse and Whitty)

Against Motion: 0

Abstained: 0

Mayor

CAO/Town Clerk