



MINUTES

PUBLIC COUNCIL MEETING
October 5, 2009

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on October 5, 2009 at 7:30 p.m.

Members Present

Mayor Bob Codner
Deputy Mayor Thorne-Gosse
Councillor Jim Cantwell
Councillor Mike Byrne
Councillor Carol Ann Smith
Councillor Ralph Tapper
Councillor Peggy Roche

Staff Present

Dawn Chaplin, CAO/Town Clerk
Brian Winter, Development & Planning Officer
Jacqueline Berkshire, Executive Clerk
Ken Anthony, Director – Programs & Services

Meeting was chaired by Mayor Codner

281-09 **Adoption of Agenda**

Motion – Deputy Mayor Thorne Gosse/Councillor Smith

RESOLVED THAT the Agenda be adopted as presented.

Question called. Motion carried unanimously.

282-09 **Adoption of Minutes – September 21, 2009**

Motion – Councillor Roche/Councillor Smith

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

Business Outstanding – 13. Martin Gosse correspondence – 40 Whiteways Pond Road, Aug. 29/09 – **B/F**

Question called. Motion carried unanimously.

PROCLAMATIONS/PRESENTATIONS - None

CORRESPONDENCE

- 1) Correspondence from MNL re: Healthcare Foundation – Give from the Heart Campaign – September 18, 2009 – **FYI.**
- 2) Correspondence from Family & Child Care Connection – **Defer to Building Committee.**
- 3) Correspondence from Minister Taylor re: Torbay by Pass Road – Sept. 22, 2009 – **Council members voiced their views of Minister Taylor’s letter. The general consensus was that residents should be aware that Government wants the Town to take over this road.**
- 4) Correspondence from Dept. of Environment re: Western Island Pond Phase I – Sept. 24, 2009 – **Councillor Tapper will forward to the next Environment meeting.**
- 5) Correspondence from Trio Life-Health-Pension re: Volunteer Firefighters’ Protection Plan – October 1, 2009 **Defer to Fire Chief.**

BUSINESS OUTSTANDING – Deferred to October 19, 2009 Council Meeting

- 1) Correspondence from Axel Sorensen re: proposed Apartment Building at 1359 Torbay Road – August 7, 2009 – *Mr. Duffy will advise of his availability. It is anticipated that the meeting will be scheduled for October.* 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 October 9, 2009 is the deadline to submit resolutions.* -- 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 – *CAO will follow up with Tract Consulting as to the status of the photo.* - B/F
- 7) Conservancy & Ecological Gifts Programs – *Motion (248-09) to attempt to reach affected property owners to attend presentation by Paul Chamberlain on Friday, October 23, 2009 prior to the SAM Meeting* - 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.* - B/F
- 9) *Motion 251-09 to explore the cost of a fence and gate at the Kinsmen Centre-* B/F
- 10) Removal of signage on Torbay Road – *Sign removal in process. MEO taking the lead on this.* – B/F
- 11) Motion 248-09 - *Town to develop a Smoke Free Environment Policy for adoption and implementation.* – B/F
- 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.* - B/F – Development & Planning Officer is awaiting clarification.

COMMITTEE REPORTS

Capital Works/Public Works/Roads

283–09 Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

RESOLVED THAT in anticipation of the upcoming snow clearing season, based on the recent tender call, Motions 216-09 and 252-09, that the Town of Torbay award the provision of sand to Clarke's Trucking and Excavating Limited in the amount of \$41,500.00 plus HST in the amount of \$5395.00 for a total price of \$46,895.00.

Question called. Motion carried unanimously.

284-09 Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

RESOLVED THAT further to Motion 175-09 and email correspondence received from Newfoundland Design, that the Town of Torbay proceed with additional work to clean and repair the sewer outfall. Anticipated expenditure is in the range of \$20,000.00 - \$25,000.00.

Question called. Motion carried unanimously.

Building Applications

285-09 Motion – Councillor Cantwell/Councillor Tapper

RESOLVED THAT Council approve the Building Application Report dated October 2, 2009 as presented.

Question called. Motion carried unanimously.

286-09 Motion – Councillor Cantwell/Councillor Roche

RESOLVED THAT Business Application Report dated October 5, 2009.

Question called. Motion carried unanimously.

Financial Report

287-09 Motion – Councillor Byrne/Councillor Roche

RESOLVED THAT Council approve Financial Statement for the period September 21-October 2, 2009 as presented.

Question called. Motion carried unanimously.

288-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Roche

RESOLVED THAT all bills be paid to September 21 – October 2, 2009 to avoid interest.

Question called. Motion carried unanimously.

Personnel & Training Committee – Deferred to October 19, 2009 Council Meeting.

Recreation Committee

Councillor Tapper advised that the Torbay Sports Hall of Fame Induction will be held on Sunday, October 11, 2009 at 7:30 p.m. at the Kinsmen Centre. Everyone Welcome.

Strategic Planning Committee

289-09 Motion – Councillor Smith/Deputy Mayor Thorne Gosse

RESOLVED THAT the Town proceed with an application to Municipalities Newfoundland and Labrador to nominate the Town of Torbay for the “Excellence in Governance Award”.

Question called. Motion carried unanimously.

Development Committee – Deferred to October 19, 2009 Council Meeting.

SPECIAL COMMITTEES OF COUNCIL

By-Pass Road – Deferred to October 19, 2009 Council Meeting.

Communications – Deferred to October 19, 2009 Council Meeting.

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

Deferred to October 19, 2009 Council Meeting.

Regional Waste Management - Deferred to October 19, 2009 Council Meeting.

LIAISON COMMITTEES

Arena - Deferred to October 19, 2009 Council Meeting.

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

Deferred to October 19, 2009 Council Meeting.

Environment - Deferred to October 19, 2009 Council Meeting.

Heritage/Tourism - Deferred to October 19, 2009 Council Meeting.

Hillside Festival - Deferred to October 19, 2009 Council Meeting.

North East Avalon Joint Council - Deferred to October 19, 2009 Council Meeting.

School – Deferred to October 19, 2009 Council Meeting.

Torbay Volunteer Fire Department – Deferred to October 19, 2009 Council Meeting.

Urban Municipalities Committee

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

NEW BUSINESS

Mayor Codner

Mayor Codner wanted to acknowledge Councillor Cantwell and Deputy Mayor Thorne-Gosse for their combined 32 years of service to the Town.

Deputy Mayor Thorne-Gosse

Deputy Mayor thanks everyone who supported her in her Mayoral campaign. She also wanted to congratulate the new Council.

Councillor Byrne

Councillor Byrne wanted to extend a special thank you to outgoing Council Members Mary Thorne Gosse and Jim Cantwell for their hard work over the past term.

Councillor Cantwell

Councillor Cantwell wanted to thank everyone for their support and wanted to extend congratulations to the new Council.

Councillor Roche

Councillor Roche wanted to thank everyone for their support. She also extended a thank you to outgoing council members Mary Thorne Gosse and Jim Cantwell.

Councillor Smith

Councillor Smith wanted to say thank you to outgoing members of Council Mary Thorne Gosse and Jim Cantwell for their hard work over the past term. She also wanted to mention the issue of potholes on Selerno Place and Quigley's Lane. She has asked Director of Programs and Services to look at the situation.

Councillor Tapper

Councillor Tapper addressed a resident concern at 488 Indian Meal Line. He advised he would forward the email.

ADJOURNMENT

As there was no further business the meeting adjourned at 8:11 p.m. on a motion by Councillor Cantwell and seconded by Councillor Smith.

Mayor

CAO/Town Clerk