



MINUTES
PUBLIC COUNCIL MEETING
September 15, 2014

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on September 15, 2014 at 7:31 p.m.

Members Present

Mayor Ralph Tapper
Councillor Thomas Hall
Councillor Craig Scott
Councillor Carol Ann Smith

Staff Present

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

Regrets

Deputy Mayor Geoff Gallant
Councillor Peggy Roche
Councillor Mary Thorne-Goose

Gallery

There were a total of 3 people in attendance.

Mayor Tapper sent his condolences out to the Thorne Family, as this has been a difficult week for them due to a death in the family.

Adoption of Agenda

464-14 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Councillor Hall, Councillor Scott, and Councillor Smith)

Against Motion: 0

Abstained: 0

Adoption of Minutes

465-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Minutes of the September 2, 2014 Public Council Meeting be adopted with the following changes:

- It was requested to include in the Minutes that the RNC were in attendance to speak to Council.
- Page 3, Correspondence Item No. 5 – Councillor Smith requested that her notice of motion be included as part of the record.
- Page 4, Correspondence Item No. 5 – last paragraph, second sentence to read – “... that the public come at the start of the Council Meeting, ...”
- Page 5, under Economic Development section – it was noted that Council know the volunteers who have agreed to assist on all committees of Council, not just Economic Development Committee.
- Page 16, under Public Works section, Item No. 2 – it was noted that Councillor Scott discussed signage infrastructure, not Mayor Tapper.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Councillor Hall, Councillor Scott, and Councillor Smith)

Against Motion: 0

Abstained: 0

PROCLAMATIONS / PRESENTATIONS

None.

MAYOR'S REPORT

Mayor Tapper provided a report, dated August 28 – September 11, 2014, of his work and connections that he has made in the community over the past two weeks.

- He further discussed that the Beach Committee met last Thursday evening. Their new Chair is Jimmy Eustace. Two people share position of secretary – Kris Drodge and Chris Hammond.

CORRESPONDENCE

1. Correspondence from resident of 440 Indian Meal Line regarding water issues. ***Referred to Planning, Land Use and Development Committee and Public Works Committee.***
2. Formal request from Councillor Hall regarding Gas Tax Funding. ***Referred to Public Works Committee.***

CORRESPONDENCE & ACTION REPORT

The Correspondence and Action Report, dated September 15, 2014, was accepted as presented.

COMMITTEE REPORTS

Economic Development

Councillor Hall advised that a meeting is scheduled for next week.

Finance & Administration

The Finance and Administration Report, dated September 1-11, 2014, was accepted as presented. Councillor Smith read out payroll and accounts payable information as per the report:

Payroll for the period of September 1-11, 2014, for 30 staff is \$61,503.05.

For the period of September 1-11, 2014, Accounts Payable invoices in the amount of \$118,118.40 were paid. These expenditures were within budget.

There are three (3) Main Operating Invoices, in the amount of \$85,922.66 for approval:

466-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay approve payment to Architecture 49 Inc., for Site Analysis for new Community / Wellness Center, in the amount of \$25,805.25.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Councillor Hall, Councillor Scott, and Councillor Smith)

Against Motion: 0

Abstained: 0

467-14 Motion – Councillor Smith / Councillor Hall

RESOLVED THAT the Town of Torbay approve payment to Newfoundland Power Co. Ltd., for Street Lighting for August 2014, in the amount of \$17,592.74.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Councillor Hall, Councillor Scott, and Councillor Smith)

Against Motion: 0

Abstained: 0

468-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay approve payment to T2 Ventures Inc., for Waste Management Contract for August 2014, in the amount of \$42,524.67.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Councillor Hall, Councillor Scott, and Councillor Smith)

Against Motion: 0

Abstained: 0

Income and Expense Report:

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

Budget 2015:

The public consultation session related to the 2015 budget process will take place on Monday, September 22nd, starting at 6:00 pm in Council Chambers. Written submissions will also be accepted until Monday, October 3rd. Residents have been advised by Facebook, Twitter, Town website, local advertising and green communications.

Council discussed that the Mayor is going to the media as well to ensure as many residents are aware as possible.

Parks, Recreation and Community Services

Councillor Hall provided an overview of the items discussed at the Community Services Committee Meeting, dated September 10, 2014.

Items discussed in the report:

- Wellness Centre
 - Director discussed going ahead with engineer to confirm construction costs.
 - Council discussed the following in relation to the Wellness Centre:
 - The design build process and the connection between Public Works and Community Services Committees. The Directors of Public Works and Community Services will be working side by side on this process.
 - Municipal Affairs is recommending RFP process – overseeing refinement of building design, construction, and tender process.
 - Funding has to be confirmed and secured first before the Town can move forward.
 - Design build/Town engineers - process was discussed.
- Silver Spades
 - Invitations to go to winners to attend Council Meeting of September 29th to be acknowledged.
- Sponsorship
 - Director of Community Services, Economic Development Officer and CAO to meet to discuss what's appropriate for the Town on its larger projects, including infrastructure and programming. Getting closer to completion.

- Remembrance Day
 - An invitation is going to the Veteran's Memorial Committee to attend next Community Services Meeting.
- Open Space at Gully Wetlands
 - Mayor will be corresponding with Eastern School Board.
- Trunk or Treat
 - Committee are making a few small changes to the event.
 - Councillor Scott thanked staff for their work and getting information out to the public as fast as possible.
- Bourne's Close Open Space
 - Community walkway area is near completion.
- Motion Lookout
 - Discussions on what Town can do to improve for residents and guests – placement of a rail and benches along the area were considered, however decided to go with benches only.
- Inner and Outer Loop
 - Still with Crown Lands. Provided information as to where the Town want to build trail structures – awaiting reply.
- TETC Terms of Reference
 - Awaiting their comments/approval on last suggestions.
- Western Island
 - Relates to expropriation of land for the trail.
 - File has gone to the Minister and awaiting approval.
- Killick Coast Regional Games
 - Committee passed on congrats and thanks to staff for putting off successful games.
 - Discussed infrastructure at Upper Three Corner.

Planning, Land Use and Development

Councillor Scott provided an overview of items discussed under the Planning, Land Use and Development Committee Meeting, dated September 9, 2014.

Items discussed in the report included:

1. Development Proposals
 - a. Crown Land Application Middle Three Island Pond Area.
 - Referred back to Committee for additional information/review.
 - b. Proposal from property owner at 19 Martin's Lane to construct a new accessory building.
 - Referred back to Committee for additional information/review.
2. Correspondence
 - a. Email from Satellite Imaging Company
 - Agreed that the Director will contact the company to seek further information and discuss potential sites.

3. Other Items
 - a. Draft Property Standards
 - Committee reviewed draft regulations. It was agreed prior to presenting the regulations to Council that the Director would make some changes and investigate whether or not the Town can enforce penalties as listed in the Municipalities Act.
 - b. Application for Accessory Building at 996 Torbay Road
 - Director gave an update on the proposal and the required documentation that didn't accompany the original application. All required paper work is now attached to the application.
 - Application will be dealt with in the Building Application Report, dated September 12, 2014 – Application 2014-118.
 - c. Fire Hydrant Placement, Anstey's Cove Lane
 - Addressed in the Public Works Committee Meeting Report, dated September 9, 2014.
 - d. Property Development 1-37 Great Pond Road
 - Agreed to be brought back to Committee to review location. Reviewed options and agreed that the applicant should go with Option A, as previously approved by the Town.
4. PLUD Items for Correspondence and Action Report
 - a. Committee reviewed table.

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>
B2014-198	131 Indian Meal Line	General Repairs
C2014-200	54 Upper Evening's Path	16'x20' Accessory Building
C2014-203	40 Dunphy's Lane	8'x10' Accessory Building
B2014-204	106 Country Drive	General Repairs

Building Applications for Approval

Application: C2014-118
Location: 996 Torbay Road
Proposal: 24' x 28' Accessory Building
Zoning: Mixed Development (MIX)

469-14 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay approve Application C2014-118, under the Applications for Approval section of the Building Application Report, dated September 12, 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: 4 (Mayor Tapper, Councillor Hall, Councillor Scott, and Councillor Smith)

Against Motion: 0

Abstained: 0

Application: C2014-201
Location: 63 Pine Ridge Crescent
Proposal: 28' x 35' Accessory Building
Zoning: Residential Large Lot (RLL)

470-14 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay approve Application C2014-201, under the Applications for Approval section of the Building Application Report, dated September 12, 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: 4 (Mayor Tapper, Councillor Hall, Councillor Scott, and Councillor Smith)

Against Motion: 0

Abstained: 0

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Application: C2014-205
Location: 41 Cordelia Crescent
Proposal: 24' x 30' Accessory Building
Zoning: Residential Large Lot (RLL)

471-14 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay approve Application C2014-205, under the Applications for Approval section of the Building Application Report, dated September 12, 2014, subject to the following condition:

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: 4 (Mayor Tapper, Councillor Hall, Councillor Scott, and Councillor Smith)

Against Motion: 0

Abstained: 0

Business Applications to be Advertised

Application: D2014-202
Location: 91 Quigley's Lane
Proposal: In Home Daycare
Zoning: Residential Infill (RI)

472-14 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the Town of Torbay Defer for Advertisement Application D2014-202, under the Business Applications to be Advertised section of the Business Application Report, dated September 12, 2014, as per Condition 11 of the RI Land Use Zone and Regulations 10, 33 and 90 of the Torbay Development Regulations.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Councillor Hall, Councillor Scott, and Councillor Smith)

Against Motion: 0

Abstained: 0

Public Works

Councillor Smith provided an overview of items discussed under the Public Works Committee Meeting, dated September 9, 2014.

Items discussed in the report included:

- MYCW
 - Lime Feed
 - The contract for the lime fees system replacement has been awarded to Southern Construction.
 - Preconstruction meeting should have taken place by now.
 - Depot
 - Consultant has begun preliminary design process and will present items to the Director next week.
- Driver Feedback Signage
 - A few days data has been verbally provided by the Director. As per data, people think people are driving faster than they really are. Still some work to be done.
 - Feedback on sign at Mahon's Lane has been positive. Will be monitored and reviewed.
 - Mayor discussed the driver feedback signage advising that enough data has been collected to forward to the RNC. It was noted that 3500 cars went through the area just on one weekend. It is a high traffic area. It was requested that the sign indicate maximum speed and your speed.
- Gas Tax Paving Tender 2010-14
 - The Town has awarded the 2014 road improvements and paving contracts for McFayden Street and Camp Carey Road to Weir's Construction Ltd. and are waiting on preconstruction meeting.
 - Motion regarding Surplus Funds from the project will be presented tonight. Motion to follow.
- Correspondence
 - Town staff reviewing infrastructure locations on Anstey's Cove and will provide suggestions to Committee.
 - Council discussed fire hydrants locations in the area and the possibility of moving one as it's located in a resident's driveway.

Gas Tax Road Upgrading Surplus Funds

473-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT due to the anticipated surplus of \$34,704.20 as identified in the recent tender process for the Gas Tax Road Upgrading Project, that the Town of Torbay request this surplus be reallocated to the Gas Tax Agreement 2015-2024. This reallocation is subject to review and approval.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Councillor Hall, Councillor Scott, and Councillor Smith)

Against Motion: 0

Abstained: 0

ADVISORY COMMITTEES

Environment

No report.

Heritage

No report.

LIAISON COMMITTEES

Jack Byrne Arena

Mayor Tapper advised that he attended a meeting with other town's mayors. Met with Board Chair on the lease agreement update, which is overdue for signing. The document was reviewed and they are going to run by legal and come back to councils involved shortly.

Northeast Avalon Joint Council

No report.

Torbay Harbour Authority

No report.

Torbay Volunteer Fire Department

Councillor Scott advised that the Department had a team in the recent CBS Truck Pull event and members who attended had a great time and looking forward to going back. He advised that they raised \$1,295.00 for Muscular Dystrophy.

The Department discussed new truck, which has been ordered and hoping to be ready by mid-October.

Councillor Smith personally thanked the Torbay Volunteer Fire Department. Her son was recently involved in an accident at Quarry Road/Torbay Road intersection. He spoke very highly of the firefighters/first responders on scene and how they encouraged him not to move or try to get out of the vehicle.

Urban Municipalities Committee

Mayor Tapper advised that Committee will be meeting at MNL Convention – at which time a date will be set for the next meeting, which will take place in January.

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 - Absent

Councillor Hall - Pass

Councillor Roche - Absent

Councillor Scott

Councillor Scott discussed the 14th annual Pat Dawe Tournament that took place last weekend. All had a great time and he thanked and congratulated staff and organizers.

Councillor Smith

Councillor Smith discussed resident's concerns, in terms of life safety, around traffic congestion in the area of the elementary school. During peak drop off/pick up hours, it would be impossible for

emergency vehicles to get through if required. She requested the presence of police and the Town's Development Control Officer for approximately another week to assist with this matter.

Councillor Thorne-Gosse – Absent

ADJOURNMENT

474-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the meeting be adjourned at 8:17 p.m., as there was no further business.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Councillor Hall, Councillor Scott, and Councillor Smith)

Against Motion: 0

Abstained: 0

Mayor

CAO/Town Clerk