



MINUTES
PUBLIC COUNCIL MEETING
September 2, 2014

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on September 2, 2014 at 7:40 p.m.

Members Present

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

Staff Present

Dawn Chaplin, CAO/Town Clerk
Kim Osmond, Office Clerk
Brian Winter, Director of Planning

Regrets

Bernie Manning, Director of Public Works & Technical Services
Tina Auchinleck-Ryan, Director of Community Services
Ann Picco, Executive Clerk

Gallery

There were a total of 9 people in attendance.

Adoption of Agenda

435-14 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, Councillor Hall, Councillor Roche, Councillor Scott, Councillor Smith, and Councillor Thorne-Gosse)

Against Motion: 0

Abstained: 0

Adoption of Minutes

436-14 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Minutes of the August 18, 2014 Public Council Meeting be adopted as presented with the following changes:

- Page 5, Motion 415-14 – text to include wording Multi Year Capital Works Claim #2.
- Page 15, under Public Works section - Councillor Smith requested that it be noted that there was no meeting due to staff on annual leave.
- Page 18, under Councillor Thorne-Gosse’s comments under New Business section – it was noted that Councillor Thorne-Gosse discussed the last bullet regarding Hiscock’s Lane, not Councillor Smith.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

PROCLAMATIONS / PRESENTATIONS

437-14 Motion – Councillor Roche / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay hereby proclaim September 15 – 19, 2014, as Sexual Violence Awareness Week and encourage all citizens to become involved in activities organized throughout this week.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

MAYOR’S REPORT

Mayor Tapper provided a report, dated August 15 - 28, 2014, of his work and connections that he has made in the community over the past two weeks.

He further provided an update on the following meeting:

- Met with MHA Kevin Parsons regarding the Community Centre and inquired with the MHA if there were any new approaches that the town could avail of for additional funding.

CORRESPONDENCE

1. Correspondence from resident concerning annual service at the Torbay Veterans Memorial.
Refer to Parks, Recreation and Community Services Committee for review and follow up.
2. Municipal Assessment Agency Inc. – information.
Information Only
3. Professional Municipal Administrators – Fall Forum.
Core Training Program to take place September 18-19 at Hotel Gander. Executive Clerk and Office Clerk will be participating in the training session.
4. Department of Municipal and Intergovernmental Affairs – Capital Investment Plan Approval.
Reconfirmation of funding based on Capital Investment Plan; Gas Tax 2014.
5. Notice of Motion from Councillor Smith.
Councillor Smith put forth a motion, as follows:

“Given that the Town of Torbay Rules & Procedures have been adopted by the Council, and therefore should be adhered to by all elected officials, and

Given that the current Question & Answer Sessions which occur at the end of our bi-weekly Council Meetings are clearly outside of the established Rules and Procedures, and

Given the risk of potential liability to the Town of Torbay during and/or after said Question & Answer Sessions,

I move that effective immediately, the Town of Torbay cease hosting Question & Answer Sessions at the end of our bi-weekly Council Meetings.”

Councillor Smith spoke on the motion and moved that the Town cease hosting the Question and Answer session effective immediately. See motion below:

438-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay immediately cease hosting the Question and Answer Session that is normally held at the end of each Council meeting.

Question called. Motion carried.

For Motion: 5 (Mayor Tapper, Councillor Roche, Councillor Scott, Councillor Smith, and Councillor Thorne-Gosse)

Against Motion: 2 (Deputy Mayor Gallant, Councillor Hall)

Abstained: 0

There was a lengthy discussion among all Council on the Notice of Motion: Councillor Hall suggested that on a go forward basis the Question and Answer session become incorporated as part of the Council meeting and have a staff representative present.

Councillor Thorne-Gosse stated that she supported the Question and Answer session after the public Council meeting and supports the idea brought forward by Councillor Hall that staff should be present to record the session.

Councillor Roche advised Council that there may be other means to assure residents that Council are readily available to speak with them.

Councillor Scott stated that he was a big advocate of informing the public and felt the Question and Answer session was a way to enable others to speak with Council. He suggested that the recording of the session by staff was important. He would like Council to come up with a new way to allow the public to speak openly.

Deputy Mayor Gallant strongly opposed the Notice of Motion and suggested that the Question and Answer session be made available in some way to the public and that the likelihood of a liability is somewhat fabricated. He suggested to Council members that if they were not comfortable answering the question, then they shouldn't answer. He went on to say that the session was very popular with residents and that he would rather see it improved than dissolve it all together; therefore, he would suggest sending it back to the Human Resources Committee to improve.

Mayor Tapper suggested that residents set up an appointment to meet with Council to discuss their concerns. He suggested that the Town follow the City of Mount Pearl's model: that the public come in at the start of the Council meeting, and it would be recorded. The Mayor also suggested that the Human Resources Committee review the Question and Answer session before the next meeting.

Mayor Tapper recognized RNC Constable Cadigan who was in attendance at this evening's Council Meeting. He addressed and spoke to Council, providing information concerning policing concerns and matters in the community. He advised that the RNC are monitoring and addressing all situations. Both Corporal Cadigan and Constable Foley as a joint effort are stepping up policing in the surrounding area, and reports will be provided to Mayor Tapper.

6. Correspondence from Resident concerning Western Island Pond Drive.
CAO responded that the resident had been advised that damage to the owner's vehicle tire would not be covered by the Town of Torbay. CAO advised Council that Western Island Pond Drive is one of the next roads in the town to be upgraded.
7. Correspondence from resident concerning Town of Torbay affiliation with non-profit – One Step Shoe Recycling.
Referred to Public Works Committee.
8. Department of Municipal and Intergovernmental Affairs – Ultimate Recipient Gas Tax Agreement.
CAO advised Council that further to the query at last Council meeting, new priorities have been listed and there are strict time lines that will be dealt with under the Public Works Committee using the Strategic Plan as the basis to allocate the funding. The Council must then accept the terms and conditions of the funding agreement and submit projects with a Motion of Council.
9. Green Rock E.V.S – Electric Vehicle Solutions Pilot Project.
Councillor Hall suggested that Council arrange to speak and possibly arrange a meeting with the owner/operator prior to a regular Council meeting to listen to ideas through presentation which may help the town residents save money.

10. Correspondence from resident concerning the dog park.

Deputy Mayor reviewed the email concerning the location of the new dog park. Deputy Mayor suggested that a response to the resident was in order. The Mayor confirmed that he would personally call the resident back regarding the concerns outlined.

CORRESPONDENCE & ACTION REPORT

The Correspondence and Action Report, dated September 2, 2014, was discussed and accepted as presented.

Item discussed included:

- * Item No. 10 – Delinquent Properties Policy
- Need policy updated in order to carry out enforcement.
- Director of Planning ensured it would be on the next Committee Meeting Agenda.

COMMITTEE REPORTS

Economic Development

Councillor Hall provided an overview of items discussed under the Economic Development Committee Meeting, dated August 20, 2014.

Items discussed in the report included:

- Town Center Feasibility Project – meeting to be held with town officials, local businesses, business leaders and potential developers to gather their opinions on Town Centre. Meeting is to take place Thursday, September 11th, 2014
- Business Park – written approval from the airport authority was received, with approval from one remaining landowner outstanding. The town is working to determine the new landowner.
- East Coast Trail – small changes were required to the draft MOU, and once new draft was completed, the committee would review and go back to ECTA for final approval, with adoption between both parties to follow shortly thereafter.
- Business Advisory Committee – first meeting to be held September 16th to meet with the businesses who came forward to participate. This meeting is to provide a platform for the EDO to outline projects that the town is currently involved with to assist with the attraction, retention, and expansion of local businesses.

Councillor Smith asked that a list of the volunteer members on all committees be circulated back to the Council. Committee staff members to circulate this information.

The next meeting is scheduled for September 17, 2014 at 5:30 p.m.

Finance & Administration

The Finance and Administration Report, dated August 18 - 29, 2014, was accepted as presented. Councillor Thorne-Gosse read out payroll and accounts payable information as per the report:

Payroll for the period of August 18 - 29, 2014, 2014, for 53 staff is \$75,781.10.

For the period of August 18 - 29, 2014, Accounts Payable invoices in the amount of \$163,106.62 were paid. These expenditures were within budget.

There are five (5) Main Operating Invoices, in the amount of \$70,514.50 for approval:

439-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to BDO Canada, for Financial Audit for 2013, in the amount of \$16,780.50.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

440-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Exp Services Inc., for Museum Assessment of Priest's House, in the amount of \$6,497.50.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

441-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Receiver General for Canada, for Payroll deductions for August 1-15, 2014, in the amount of \$24,975.50.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

442-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Waterwerks Communications, for Attraction Video – Phase 1, 50% of funding is provided by the Federal Government, in the amount of \$11,243.50.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

443-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Waterwerks Communications, for Community Profile – Phase 1, 50% of funding is provided by the Federal Government, in the amount of \$11,017.50.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

There is one (1) Capital Invoice, in the amount of \$62,959.08 for approval:

444-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to Modern Paving Limited, for Additional Work Completed on North Pond Road under Main Operating, in the amount of \$62,959.08.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Finance and Administration Committee Meeting

Finance and Administration Committee met on August 28, 2014. Councillor Thorne Gosse called the meeting to order at 7pm. Deputy Mayor Gallant, Mayor Tapper and CAO participated in the meeting.

Budget 2015

Committee discussed budget timelines in light of the municipal service delivery review. It was agreed that residents would have the opportunity to present to Committee as per 2014 process. The date identified for the 2015 consultations is Monday, September 22nd. CAO will follow up with the consultant to reconfirm timelines for the draft service delivery report and confirm department presentation timelines for October.

RFP Engineering Services

CAO confirmed that the Town received 8 proposals in response to the request for proposals for engineering services. The proposals were reviewed independently by the Directors of Planning, Director of Public Works and Technical Services and CAO. CAO met with the Directors on August 27, 2014. Based on discussions, a recommendation was brought forward to committee. Committee supported the recommendation. A motion of Council is required.

445-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay award the request for proposals number 2014-005, engineering consulting services for a five year period (2015-2019) to Progressive Engineering and Consulting Inc. As per the terms of reference, the contract is subject to annual reviews and confirmation of terms and fees. Service will commence January 1, 2015.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Strategic Plan

CAO stated she has been working with senior staff to develop work plans for strategic plan initiatives. It was agreed that a review of the strategic plan with all Council should take place after the service delivery review is completed and based on feedback received from the resident survey.

Museum Relocation

CAO advised that the Heritage Foundation has yet to provide the statement of significance for the Priest's House. The Heritage Coordinator has requested this documentation by September 30th. It was agreed that the Heritage Coordinator would meet with Finance and Administration Committee to provide an overview of the assessment process in early October. A recommendation will be forthcoming to Council thereafter.

Library Relocation

It was agreed that a recommendation regarding the future location of the library would be forthcoming to Council as part of the 2015 budget process. Committee requested the CAO contact the Library Board for visitor/user statistics.

Environmental Advisory Committee

It was reconfirmed that a motion appointing members to the Environmental Advisory Committee needs to come forth to Council – similar process for the Jack Byrne Arena Board of Directors, the Heritage Advisory Committee and the Business Advisory Committee. It was also suggested that a committee member could serve as recording secretary for minute taking purposes.

Resident Requests

Committee reviewed three requests – one donation request and two letters regarding water and sewer tax that were previously tabled at Council meetings.

446-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay provide the 50plus Club with a \$250.00 donation to help offset costs for members to attend a convention in Marystown.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

447-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the property located at 96-100 Country Drive be combined as one property on the town's assessment roll. As a result, only one water and sewer tax will be charged. Date to be confirmed based on CAO's review in conjunction with the Municipal Assessment Agency and the Manager of Finance.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

448-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT Further to Motion 398-14, that the Finance and Administration Committee support the recommendation of the Planning Land Use and Development Committee as it pertains to 32 Lynch's Lane. The water tax will be charged effective September 1, 2014. CAO to review with the Manager of Finance.

Councillor Smith felt that it may be wise to revise the effective date in the motion to October 1, 2014.

An amendment was made to the motion.

449-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT Further to Motion 398-14, that the Finance and Administration Committee support the recommendation of the Planning Land Use and Development Committee as it pertains to 32 Lynch’s Lane. The water tax will be charged effective October 1, 2014. CAO to review with the Manager of Finance.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Agenda Items for Next Committee Meeting

CAO confirmed the following items for the next committee meeting:

1. Municipal Affairs Circular regarding youth representation on council
2. Request for Proposals for Legal Services
3. Human Resource Policies

Mayor Tapper requested to discuss two items:

1. Donation request and Harbour Authority.
2. Local university students are hosting an international children’s awareness fundraising bingo at the Kinsmen Center on September 3rd. The group tried to seek corporate sponsorship to cover the rental costs – but to no avail. CAO confirmed the town has waived the rental fee to this group in previous years. Committee agreed to recommend same.

450-14 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay waive the September 3, 2014 rental fee of the Kinsmen Community Centre for the International Children’s Awareness Bingo event.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Harbour Authority

It was agreed that the President of the Harbour Authority would follow up with the CAO to discuss all items further.

Parks, Recreation and Community Services

Councillor Thorne-Gosse advised there was no meeting.

Planning, Land Use and Development

Deputy Mayor Gallant provided an overview of items discussed under the Planning, Land Use and Development Committee Meeting, dated August 26, 2014.

Items discussed in the report included:

1. Development Proposals
 - a) Proposal to develop property at 1-37 Great Pond Road.
 - b) Proposal from property owner 100 Indian Meal Line.
The application will be dealt with in the Building Application Report, dated August 29, 2014, Application Number S2014-010.
 - c) Proposal from property owner 19 Martin's Lane to construct new accessory building.
Committee reviewed the proposal to construct an accessory building in front of the main dwelling. DOP informed committee that circumstances were different in this case than those of other applications submitted.
 - o The location of the home on the property was set back further.
 - o The location of the well on the property prohibits an accessory building to be built on the upper side of the house.
 - o Location of the septic system and the steep slope of the land prohibits an accessory building to be built on the lower side of the dwelling.The committee deferred the application until some input was gathered from Planning Consultant.
2. Correspondence
 - a) Proposed installation of a bench along the East Coast Trail.
Committee reviewed the request, and it was the recommendation of Director of Planning that permission be granted from the property owner and stated that the Town is not responsible for installation and future maintenance. The committee agreed with the Director of Planning.
3. Other Items
 - a) Civic Numbering
Regulations have been reviewed by Staff and Council, sent to the Town Solicitor for review prior to recommendation for adoption.
 - b) Request for proposals for Complete Groundwater Evaluation

451-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay award Tender #2014-012 Complete Groundwater Evaluation of the Town of Torbay to Stantec Consulting Ltd. in the amount of \$65,685.60 plus HST. The project is estimated to take up to 6 months to complete.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

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>
B2014-188	6 Tina Place	General Repairs
C2014-192	33 Quarry Road Extension	Single Family Dwelling
C2014-193	25 Forest River Road	8'x12' Accessory Building
B2014-194	120 Reddy Drive	General Repairs

Building Applications for Approval

Application: C2014-189
Location: 27 Flora Drive
Proposal: 22' x 24' Accessory Building
Zoning: Residential Large Lot (RLL)

452-14 Motion – Deputy Mayor Gallant / Councillor Smith

RESOLVED THAT the Town of Torbay approve Application C2014-189, under the Applications for Approval section of the Building Application Report, dated August 29, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillor Hall, Councillor Roche, Councillor Scott, Councillor Smith, and Councillor Thorne-Gosse)

Against Motion: 0

Abstained: 0

Application: C2014-191
Location: Portion of 15 Buckley's Hill, property will front on Barn Marsh Road
Proposal: Single Family Dwelling
Zoning: Residential Infill (RI)

453-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay approve Application C2014-191, under the Applications for Approval section of the Building Application Report, dated August 29, 2014, subject to the following conditions:

1. All normal conditions and requirements for building within the Town of Torbay.
2. Application will also be deferred to the Public Works Department for review in relation to a possible turn around being constructed on Barn Marsh Road.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Application: C2014-195
Location: 64 Patrick's Path
Proposal: Extension to the existing Single Family Dwelling
Zoning: Residential Medium Density (RMD)

454-14 Motion – Deputy Mayor Gallant / Councillor Smith

RESOLVED THAT the Town of Torbay approve Application C2014-195, under the Applications for Approval section of the Building Application Report, dated August 29, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillor Hall, Councillor Roche, Councillor Scott, Councillor Smith, and Councillor Thorne-Gosse)

Against Motion: 0

MINUTES
PUBLIC COUNCIL MEETING
September 2, 2014

Application: C2014-196
Location: 3 Cullen's Lane
Proposal: Single Family Dwelling
Zoning: Residential Medium Density (RMD)

455-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay approve Application C2014-196, under the Applications for Approval section of the Building Application Report, dated August 29, 2014, subject to the following conditions:

1. The development shall meet the normal building requirements of the Town.
2. The property shall be serviced with municipal water and sewer services. The applicant is responsible to bring water and sewer services to the site.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Application: C2014-197
Location: 533 Indian Meal Line
Proposal: Single Family Dwelling
Zoning: Residential Infill (RI)

456-14 Motion – Deputy Mayor Gallant / Councillor Smith

RESOLVED THAT the Town of Torbay approve Application C2014-197, under the Applications for Approval section of the Building Application Report, dated August 29, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillor Hall, Councillor Roche, Councillor Scott, Councillor Smith, and Councillor Thorne-Gosse)

Against Motion: 0

Abstained: 0

Application: S2014-010
Location: Portion of 100 – 110 Indian Meal Line
Proposal: Single Family Dwelling
Zoning: Residential Medium Density (RMD)

457-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay approve Application S2014-010, under the Applications for Approval section of the Building Application Report, dated August 29, 2014, subject to the following conditions:

1. The development shall meet the normal building requirements of the Town.
2. The rear yard depth for this lot shall be no less than 6.25 meters

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillor Hall, Councillor Roche, Councillor Scott, Councillor Smith)

Against Motion: 1(Councillor Thorne-Gosse)

Abstained: 0

There was a discussion among members of Council regarding the approval for application S2014-010. Certain members of Council felt that the impact of a building on this parcel of land would affect the residents in the nearby surrounding area. That it may appear to the public that the area is too small to accommodate a single family dwelling.

Other members of Council disagreed and felt that staff had reviewed the area and application and that Council should value the work of staff and the committee and accept the approval as recommended.

Mayor Tapper discussed that the above motion does meet all regulations.

Councillor Thorne Gosse put forth a motion to defer the above application.

As there was no seconder, motion failed.

Councillor Thorne Goose also requested that the PLUD Committee review a complaint of heavy equipment parked behind personal dwelling at 184 Bauline Line and would like the complaint dealt with by the Committee.

Deputy Mayor confirmed that this complaint is currently being dealt with at Committee level, this was also confirmed by Director of Planning.

Building Applications to be Deferred

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

458-14 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the Town of Torbay Defer Application C2014-190, under the Applications to be Deferred section of the Building Application Report, dated August 29, 2014, for further review by the Planning Department and PLUD Committee.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Building Applications to be Refused

None.

Public Works

Councillor Smith provided an overview of items discussed under the Planning, Land Use and Development Committee Meeting, dated August 26, 2014.

Items discussed in the report included:

- 1) Lime Feed – The contract had been awarded and motion would follow. Also there would be a surplus from the Lime Feed system replacement and motion was to follow.
- 2) Speed Calming Policy – driver feedback signage infrastructure installed on Mahon's Lane, waiting on arrival of remaining hardware.

Councillor Scott confirmed that the signage infrastructure was complete and was fully operational.

- 3) Gas Tax Paving Tender – Motion to follow.
- 4) Gas Tax Agreement – Motion to follow.

Lime Feed Upgrade

459-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT based on the recommendation of the Town of Torbay's consulting engineers, namely Newfoundland Design, that the Town of Torbay approve and award the contract to Southern Construction LTD. for the Lime Feed System Replacement Project

(DMA File 12120) to Southern Construction Limited in the amount of \$278,439.00. This cost will include construction, engineering and HST.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Lime Feed Surplus Funds

460-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT due to the anticipated surplus of \$107,350.00 as identified in the recent tender process for the lime feed system replacement (DMA file 12120), that the Town of Torbay request this surplus be reallocated to the municipal depot project (DMA file 12117). This reallocation is subject to the review and approval of the Minister of Municipal and Intergovernmental Affairs.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Gas Tax Road Upgrading Tender

461-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT further to the approved priorities under the 2010-2014 Gas Tax Agreement, that the Town of Torbay award the 2014 road improvements and paving contract for McFayden Street and Camp Carey Road to Weir's Construction Ltd. in the amount of \$96,795.80. Total project cost, including construction, and engineering is \$110,795.80.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Gas Tax Agreement 2014-2024

462-14 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay accept funding in the amount of \$1,585,000 from the Department of Municipal and Intergovernmental Affairs under the 2014-2019 Gas Tax Agreement.

Mayor Tapper and CAO to execute the ultimate recipient gas tax agreement for the period of 2014-2024. 2020-2024 funding will be based on the results of the 2016 census. The Capital Investment Plan for 2014-2019 to be submitted by September 30, 2014.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

ADVISORY COMMITTEES

Environment

No Report

Heritage

No Report

LIAISON COMMITTEES

Jack Byrne Arena

No Report

Northeast Avalon Joint Council

No Report

Torbay Harbour Authority

No Report

Torbay Volunteer Fire Department

Councillor Scott advised Council that the Fire Department met on August 25th, 2014. The department inquired on the status of dry hydrants for Gallows Cove. The Fire Department will be electing new executives in the near future, and many of the members of the Fire Department are not familiar with the budget process. They are wondering if there is any way the new executives can be briefed on the budget process.

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 thanked all residents that come out to the Public Council meetings.

Deputy Mayor discussed the upcoming Public Budget Consultations - it will be communicated to the public which allow residents to come out and participate in the public consultation.

The CAO will be meeting with the Mayor so they can review and prepare for the Mayor to go on VOCM's Open Line and discuss the open public session.

The CAO will also be advising the public through the Town website, Green Communications, Facebook and Twitter.

Councillor Hall – Pass

Councillor Roche – Pass

Councillor Scott

Councillor Scott advised that all the schools would be opening tomorrow and the streets and side roads would be full of children, asked that everyone be mindful and take their time in these areas as well as respect parking signs.

Councillor Smith

Councillor Smith spoke of a resident complaint of traffic congestion in the area of the Holy Trinity Elementary School. There is concern among residents in the area that traffic is not able to move freely, and that if an emergency situation arises, an emergency vehicle would likely not be able to gain access due to the congestion and unrestricted parking of vehicles.

Councillor Smith suggested a police presence in the area during the opening day of school might help.

Councillor Thorne-Gosse

Councillor Thorne-Gosse reminded Council that Targa will be in the area soon for their annual Targa NL Racing Event. Asked that notification be sent out to residents regarding the event and the areas that will be affected in the town on race day.

CAO to review past minutes regarding a Motion of Council regarding the 2014 Targa Event.

ADJOURNMENT

463-14 Motion – Councillor Scott / Councillor Smith

RESOLVED THAT the meeting be adjourned at 9:58 p.m., as there was no further business.

Question called. Motion carried.

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

Against Motion: 0

Abstained: 0

Mayor

CAO/Town Clerk