



MINUTES

PUBLIC COUNCIL MEETING
September 21, 2009

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on September 21, 2009 at 8:05 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

271-09 **Adoption of Agenda**

Motion – Councillor Smith/Councillor Roche

RESOLVED THAT the Agenda be adopted as presented.

Question called. Motion carried unanimously.

272-09 **Adoption of Minutes – September 8, 2009**

Motion – Councillor Smith/Deputy Mayor Thorne-Gosse

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

Page 1 – Adoption of Minutes should read *August 24, 2009*.

Page 2 – under Correspondence #6 should read - Resident correspondence – August 31, 2009 – ***re: Cantwell Property located by Southern Pond*** – It was felt that this be resolved as soon as possible. CAO reported that the study must be completed by December 31, 2009. Currently awaiting review of Transport Canada reports by consultant and direction on next steps.

Question called. Motion carried unanimously.

PROCLAMATIONS/PRESENTATIONS - None

CORRESPONDENCE

- 1) *Western Island Pond Brochure* – FYI – Brochure has been delivered to Phase I subdivision residents.
- 2) *Correspondence from Perry Langmead re: flooding on his property Sept. 14, 2009* – Correspondence to be referred to NL Design & Modern Paving as part of the 2009 Road work by Modern Paving.

BUSINESS OUTSTANDING

- 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) Correspondence from Northeast Avalon Atlantic Coastal Action Program – *Councillor Tapper advised this was forwarded to Environment & Trails Committee who reviewed it and want more copies of Freshwater Joys for Forest Landing/ Rain barrel brochure also available* - B/F - **COMPLETE**
- 3) 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
- 4) Resolution 2009 MNL Convention – *CAO advised that October 9, 2009 is the deadline to submit resolutions.* -- B/F
- 5) 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
- 6) Correspondence from Crown Lands – May 7, 2009 – *Mayor Codner hasn't been able to reach Crown Lands by telephone and has written a letter.* - B/F.
- 7) Forest Landing – Phase One/Phase Six Issues – *Councillor Tapper advised that a brochure will be delivered to Phase I Forest Landing residents September 12-13, 2009 this weekend. Council will be provided with a copy.* – B/F. **COMPLETE**
- 8) Killick Coast Regional Kiosk – *CAO will follow up with Tract Consulting as to the status of the photo.* - B/F
- 9) 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
- 10) 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
- 11) *Motion 251-09 to explore the cost of a fence and gate at the Kinsmen Centre*- B/F
- 12) *Council to meet with users of the playground and skateboard park* – B/F -**COMPLETE**
- 13) Removal of signage on Torbay Road – *Sign removal in process. MEO taking the least on this.* – B/F
- 14) Correspondence from Northeast Avalon ACAP – *Councillor Tapper addressed this correspondence under Correspondence #2.* – B/F - **COMPLETE**
- 15) Motion 248-09 - Town to develop a Smoke Free Environment Policy for adoption and implementation. – B/F

- 16) Motion 265-09 – *Development & Planning Officer to write a letter to Winco Development to advise that the 24 serviced lot approval has expired and a new Development Application will have to be submitted.* – B/F - COMPLETE
- 17) 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

273–09 Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

RESOLVED THAT as per Motion 218-09, the most recent tender call and the recommendation of the Town’s consulting engineers, namely Newfoundland Design Associates, that the Town of Torbay award the contract of upgrading Lynch’s Lane to Weir’s Construction in the amount of \$420,533.00. Total value of the project, including engineering fees is \$467,033.00. This work is completed as part of the Town of Torbay’s gas tax initiative. .

Question called. Motion carried unanimously.

Building Applications

Councillor Smith stepped out of Council Chambers at 8:21 p.m. as it was thought that she may be in conflict.

274–09 Motion – Councillor Cantwell/Councillor Byrne

RESOLVED THAT Council approve the Building Application Report and Building Application Report Supplement dated September 18, 2009 as presented.

Question called. Motion carried unanimously.

Councillor Smith returned to Council Chambers at 8:22 p.m.

275–09 Motion – Councillor Cantwell/Councillor Roche

RESOLVED THAT Business Application Report dated September 18, 2009.

Question called. Motion carried unanimously.

Financial Report

276–09 Motion – Councillor Roche/Deputy Mayor Thorne Gosse

RESOLVED THAT Council approve Financial Statement for the period September 7 – 18, 2009 as presented.

Question called. Motion carried unanimously.

277-09 Motion – Deputy Mayor Thorne-Gosse/Councillor Roche

RESOLVED THAT all bills be paid to September 18, 2009 to avoid interest.

Question called. Motion carried unanimously.

Personnel & Training Committee – Nothing to Report

Recreation Committee – Nothing to Report.

Strategic Planning Committee

278-09 Motion – Councillor Smith/Deputy Mayor Thorne Gosse

RESOLVED THAT further to Motions 049-09 and 101-09, that the Town of Torbay adopt the Integrated Community Sustainability Plan as developed by AMEC Earth and Environmental.

Question called. Motion carried unanimously.

279-09 Motion – Deputy Mayor Thorne Gosse/Councillor Smith

RESOLVED THAT the Town of Torbay's Integrated Community Sustainability Plan be submitted to the Department of Municipal Affairs for review and approval.

Question called. Motion carried unanimously.

Development Committee – Nothing to Report

SPECIAL COMMITTEES OF COUNCIL

By-Pass Road

Awaiting confirmation of meeting date.

Communications – Nothing to report.

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

There was a technical meeting held on Friday, September 18, 2009. Development & Planning Officer attended. He advised that the Consultant is preparing a draft and there is a PDF available for Council to review.

Regional Waste Management

Mayor Codner advised the next meeting will be held after the upcoming municipal election.

LIAISON COMMITTEES

Arena

The next meeting of the Arena Board is scheduled for October. Mayors of the four (4) partnering towns and MHA Kevin Parsons will meet on Wednesday, September 23, 2009.

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

Councillor Roche reported that there was an Immigration Committee meeting held on September 16, 2009. She provided council with a copy of the presentation for their review. She advised that on November 19, 2009 there will be a round table at the Kinsmen Centre from 4:00 p.m. – 7:00 p.m. Additionally she said the board is looking at implementing a “Welcome Wagon” type kit.

Environment

Councillor Tapper reported that there was a volunteer planning committee meeting held on September 20, 2009 for SAM. SAM meetings will be held October 23 – 24, 2009. Councillor Tapper also wanted to remind everyone about the Meet the Candidates debate at 7:00 p.m. at the Kinsmen Centre, Tuesday, September 22, 2009.

280–09 Motion – Councillor Tapper/Councillor Byrne

RESOLVED THAT the Town of Torbay cover the cost of hosting the fall SAM meeting.

Question called. Motion carried unanimously.

Heritage/Tourism

Councillor Byrne advised there is a meeting scheduled for September 23, 2009 to review the draft heritage master plan.

Hillside Festival

Council were provided with a debrief report and budget in their Council Packages. Congratulations were given to Chairperson Mary Lou Manning.

North East Avalon Joint Council

The next meeting will be 3rd Wednesday in October in Bay Bulls.

School – Nothing to report

Torbay Volunteer Fire Department – Nothing to report.

Urban Municipalities Committee

Deputy Mayor Thorne Gosse advised the next meeting will be held at the Annual Convention in Gander in November. Councillor Smith suggested looking into Income Tax Taxing instead of Property Taxing.

NEW BUSINESS

Mayor Codner

Mayor Codner wanted to thank everyone for all their help over the past 4 years.

Deputy Mayor Thorne-Gosse

Deputy Mayor wanted to thank everyone including the Staff and the CAO. She also wanted to extend good luck to all the candidates.

Councillor Byrne

Councillor Byrne addressed concerns regarding speeding at Flemming's Hill and North Pond Hill. It was suggested that maybe Department of Highways could look at this. He also addressed the issue of garbage collection on Karon Drive. CAO advised that with the vacation season there were new drivers that were not familiar with the area.

Councillor Cantwell

Councillor Cantwell stated that it has been a pleasure working with the staff and Council over the past 4 years.

Councillor Roche

Councillor Roche addressed a resident's concern regarding the removal of concrete at Whitty's Lane. Director of Programs and Services to visit the site. She also asked about erecting a traffic lite at Karon Drive and Kennedy's Brook Drive. She reported that there have been 2 accidents in the area since the last council meeting. CAO will follow up. She also wanted to say thank you to the Council and Staff of the Town as well as the residents.

Councillor Smith

Councillor Smith wanted to extend good luck to all the candidates and to thank the staff for their help throughout the past 4 years. She stated that she has had calls from residents of Karon Drive as to why the by pass road didn't go behind Karon Drive. She also suggested in an effort to communicate with residents to possibly prepare a group listing to email notices or events that the Town has.

Councillor Tapper

Councillor Tapper wanted to say thank you to all the staff.

ADJOURNMENT

As there was no further business the meeting adjourned at 8:47 p.m. on a motion by Councillor Cantwell and seconded by Councillor Smith.

Mayor

CAO/Town Clerk