



MINUTES
PUBLIC COUNCIL MEETING
September 30, 2013

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on September 30, 2013 at 7:32 p.m.

Members Present

Mayor Ralph Tapper
Councillor 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
Tina Auchinleck-Ryan, Director of Community Services
Bernie Manning, Director of Public Works & Technical Services
Brian Winter, Director of Planning
Ann Picco, Executive Clerk

Gallery

There were a total of 12 people in attendance.

Adoption of Agenda

394-13 Motion – Councillor Smith / Councillor Thorne-Gosse

RESOLVED THAT that the Agenda be adopted, as presented.

Question called. Motion carried unanimously.

Adoption of Minutes

395-13 Motion – Deputy Mayor Gallant / Councillor Roche

RESOLVED THAT the Minutes of the September 16, 2013, Public Council Meeting be adopted, as presented.

Question called. Motion carried unanimously.

PROCLAMATIONS / PRESENTATIONS

1. Eastern Health – World Breast Feeding Week.

Councillor Hall provided an overview indicating that the Province of Newfoundland and Labrador has the lowest rate in the Country. He also discussed health benefits and read the proclamation aloud. See motion below.

- 396-13 Motion – Councillor Hall / Councillor Roche

RESOLVED THAT the Town of Torbay call upon members of the community to support breastfeeding mothers and babies and do hereby proclaim October 1 – 7, 2013, to be World Breastfeeding Week in Torbay and call this observance to the attention of all our citizens.

Question called. Motion carried unanimously.

CONFIRMATION OF DEPUTY MAYOR

- 397-13 Motion – Councillor Roche / Councillor Smith

RESOLVED THAT the Town of Torbay confirm Geoff Gallant as Deputy Mayor as he had the highest number of votes.

Question called. Motion carried unanimously.

CORRESPONDENCE

1. Department of Municipal Affairs – Training and Professional Development Opportunities – 2013. *Mayor Tapper requested that Council Members review and advise if attending.*
2. Eastern Waste Management – Nomination to Eastern Waste Management Committee. *See motion below:*

- 398-13 Motion – Councillor Roche / Councillor Scott

RESOLVED THAT the Town of Torbay nominate Councillor Carol Ann Smith to position as Member of Eastern Waste Management Committee.

Question called. Motion carried unanimously.

3. Canadian Wireless Telecommunications Association – Recycle My Cell in Newfoundland and Labrador. *Referred to Torbay Environment and Trails Committee (TETC).*
4. Municipalities Newfoundland and Labrador – Convention 2013 Updates. *Councillor Smith is attending under the TRIO Board; Councillor Roche is attending under Municipal Assessment Agency (MAA). Mayor Tapper, Deputy Mayor Gallant, and*

Councillor Thorne-Gosse confirmed they would like to attend. Mayor Tapper asked that Council Members look at their calendars and confirm with CAO or Executive Clerk if they can attend.

- 5. Motion – Signing Officers – Bank Accounts.
 Due to the election results and the swearing in of the new Council, Mayor Tapper needs to be added as a signing officer on the Town of Torbay bank accounts. Signatories are Mayor or Deputy Mayor and the Chief Administrative Officer. ***See motion below.***

399-13 Motion – Deputy Mayor Gallant / Councillor Roche

RESOLVED THAT the Town of Torbay add Mayor Ralph Tapper as a signing officer on all town bank accounts. In addition, former Mayor Robert Codner shall be removed as a signing officer.

Question called. Motion carried unanimously.

- 6. Motion – Loan Renewal.
 A motion of Council is required to renew loan segment 66. This loan pertains to the Town of Torbay’s portion of capital costs towards construction of the Jack Byrne Arena. This is a budgeted item for 2013. ***See motion below.***

400-13 Motion – Councillor Roche / Deputy Mayor

RESOLVED THAT the Town of Torbay renew loan segment 66 in the amount of \$371,794.00 for a five (5) year period at a rate of 3.83% and a monthly payment of \$3,656.05.

Question called. Motion carried unanimously.

- 7. Building Application Report, dated September 27, 2013. ***See motions below.***

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>
10097-13	150 Country Drive	8’ x 10’ Accessory Building
10103-13	34 Flora Drive	Single Family Dwelling

Building Applications for Approval

Application: 10094-13
Location: 113 Marine Drive
Proposal: 16' x 20' Accessory Building
Zoning: RMD (Residential Medium Density)

401-13 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay approve Application 10094-13, under the Applications for Approval section of the Building Application Report, dated September 27, 2013, 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 unanimously.

Deputy Mayor Gallant took over as Chair of the Public Council Meeting at 7:48 p.m.

Application: 10096-13
Location: 34 Fleming's Hill (Portion of 32-34 Fleming's Hill)
Proposal: Single Family Dwelling
Zoning: RMD (Residential Medium Density)

402-13 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay approve Application 10096-13, under the Applications for Approval section of the Building Application Report, dated September 27, 2013, subject to the following conditions:

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

Question called. Motion carried unanimously.

Building Application to be Deferred

Application: 10095-13
Location: 32 Fleming's Hill (Portion of 32-34 Fleming's Hill)
Proposal: Single Family Dwelling
Zoning: RMD (Residential Medium Density)

403-13 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay defer Application 10095-13, under the Applications to be Deferred section of the Building Application Report, dated September 27, 2013, pending public notification and consultation required in accordance with Regulation's 11, 12, and 33 of the Torbay Development Regulations, and that any explicit costs associated with the public notification and consultation be paid by the applicant.

Question called. Motion carried unanimously.

Mayor Tapper resumed as Chair of the Public Council Meeting at 7:51 p.m.

Building Applications for Approval

Application: 10098-13
Location: 11 Sallesnik Lane
Proposal: 24' x 30' Accessory Building
Zoning: RLL (Residential Large Lot)

404-13 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay approve Application 10098-13, under the Applications for Approval section of the Building Application Report, dated September 27, 2013, 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 unanimously.

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Application: 10099-13
Location: Portion of 412-454 Bauline Line (Lot 2)
Proposal: Single Family Dwelling
Zoning: RI (Residential Infill)

405-13 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay approve Application 10099-13, under the Applications for Approval section of the Building Application Report, dated September 27, 2013, subject to the following condition:

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

Question called. Motion carried unanimously.

Application: 10100-13
Location: Portion of 412-454 Bauline Line (Lot 3)
Proposal: Single Family Dwelling
Zoning: RI (Residential Infill)

406-13 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay approve Application 10100-13, under the Applications for Approval section of the Building Application Report, dated September 27, 2013, subject to the following condition:

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

Question called. Motion carried unanimously.

Application: 10101-13
Location: Portion of 412-454 Bauline Line (Lot 4)
Proposal: Single Family Dwelling
Zoning: RI (Residential Infill)

407-13 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay approve Application 10101-13, under the Applications for Approval section of the Building Application Report, dated September 27, 2013, subject to the following condition:

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

Question called. Motion carried unanimously.

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Application: 10102-13
Location: Portion of 412-454 Bauline Line (Lot 5)
Proposal: Single Family Dwelling
Zoning: RI (Residential Infill)

408-13 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay approve Application 10102-13, under the Applications for Approval section of the Building Application Report, dated September 27, 2013, subject to the following condition:

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

Question called. Motion carried unanimously.

Building Applications to be Deferred

Application: 10092-13
Location: 148C Patrick's Path
Proposal: Single Family Dwelling
Zoning: RMD (Residential Medium Density)

409-13 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay defer Application 10092-13, under the Applications to be Deferred section of the Building Application Report, dated September 27, 2013, for further review by the Planning Land Use Committee.

Question called. Motion carried unanimously.

Application: 10104-13
Location: 1696 Torbay Road
Proposal: Continue Backfilling Property
Zoning: Residential Infill (RI)

410-13 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay defer Application 10104-13, under the Applications to be Deferred section of the Building Application Report, dated September 27, 2013, for further review by the Planning Land Use Committee.

Question called. Motion carried unanimously.

NEW BUSINESS

Mayor Tapper

Mayor Tapper advised that he would like to provide a Mayor's Report on activities on two-week period; and, would like this added as an Agenda item.

He advised that he recently met with MHA Parsons, and will be meeting with him again. In near future, he will try to get all councils together for an introductory session and discuss issues affecting all regionally. He's been in contact already with the Mayors of Pouch Cove, Bauline and Logy Bay Middle Cove Outer Cove. He will also make contact with the Mayors of Portugal Cove-St. Philip's and Flatrock. Working together regionally has a lot of impact in obtaining funding from the Provincial Government.

Deputy Mayor Gallant

Deputy Mayor Gallant congratulated all Council Members and new Councillors on being elected, indicating that he looks forward to working with everyone.

He thanked Members of Council on selecting him as Deputy Mayor of Torbay this term; and, he thanked residents for getting out and voting.

Councillor Hall

Councillor Hall discussed recent election statistics as forwarded by CAO – 59% voter turnout - people in Town are paying attention to issues in the community. He advised that he's excited about the next four years as Councillor and looking forward to getting a lot of things done. He thanked residents for support.

Issues discussed over campaign this past month included sidewalks, speed bumps and walking trails. The matter of sidewalks is a big issue for residents and he referenced the petition a couple of years ago, whereby over 600 signatures were obtained. It's an issue the Town has been talking about for some time and he will keep pushing for that with Council's support for Torbay.

Councillor Roche

Councillor Roche discussed the gate on the access road to the watershed area at North Pond. It is working very well, but did receive a few calls from people who want to have access there, and she asked if the Town could accommodate them. Director of Public Works and Technical Services indicated that property owners in the area have unlimited access and the Town can provide a key. Non property owners do not have access – they can park outside the gate and walk in. The Town is minimizing traffic around its water resource.

Councillor Scott

Councillor Scott discussed crosswalks around schools, indicating the issue has come up before and Council have to move on it. He advised that another community is marking the cross walks, even though road is provincially owned. He requested that the Town make another request to the Province through MHA Parsons, allow time for response, and then action ourselves if necessary.

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Mayor Tapper advised that this is an urgent issue, but we do have to follow process. Once Committees are confirmed, will have matter on the Public Works Agenda for research and recommendation.

Deputy Mayor Gallant suggested that we speak to the Elementary School Council to see specifically where they want the crosswalk. The Provincial Government could provide a letter of concurrence for the Town to action.

Councillor Smith - Pass

Councillor Thorne-Gosse

Councillor Thorne-Gosse congratulated Mayor Tapper, Deputy Mayor Gallant and all new and past Councillors.

She discussed a recent emergency incident at Whiteway's Pond on Sunday afternoon, September 29th, whereby a gentleman had a close call while swimming. She reported that he is in very critical condition – but main reason he survived was to the efforts of Corey Roche who was there on site and worked on the gentlemen for a period of time while waiting for the rescue unit to arrive. She asked CAO what process the Town has in place for bravery awards, as she would like to nominate him for an award.

Mayor Tapper advised that this was a good news story and Corey should be recognized for his participation. He advised that Corey did have training, as he was a former member of the Torbay Volunteer Fire Department - the training that Fire Fighters receive is worthwhile every day. We will follow up and Mayor asked CAO to look into. This is the second incident in Torbay involving a Torbay fire fighter and they should be up for awards.

Councillor Thorne-Gosse advised that the family was overwhelmed with the assistance the Fire Department members provided. The family asked that their thanks be passed along to the Department.

ADJOURNMENT

411-13 Motion – Councillor Smith / Deputy Mayor Gallant

RESOLVED THAT the meeting be adjourned at 8:14 p.m., as there was no further business.

Question called. Motion carried unanimously.

Mayor

CAO/Town Clerk