



MINUTES
PUBLIC COUNCIL MEETING
June 20, 2016

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on June 20, 2016, at 7:45 p.m.

Members Present

Mayor Ralph Tapper
Deputy Mayor Geoff Gallant
Councillor Peggy Roche
Councillor Carol Ann Smith

Staff Present

Dawn Chaplin, CAO/Town Clerk
Bernie Manning, Director of Infrastructure and Public Works
Ann Picco, Deputy Clerk
Brian Winter, Director of Planning and Development

Absent

Councillor Craig Scott
Councillor Thorne-Gosse
Councillor Brian Whitty

Gallery

There were a total of 12 people in attendance.

Adoption of Agenda

231-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, and Smith)

Against Motion: 0

Abstained: 0

Adoption of Minutes

Council agreed to defer adoption of the Public Council Meeting Minutes dated June 6, 2016, until next meeting.

232-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Minutes of the June 6, 2016, Public Council Meeting be deferred until the next Public Council Meeting.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, and Smith)

Against Motion: 0

Abstained: 0

In relation to the above motion, Council agreed to defer for further clarification on a couple of items contained in the Minutes.

PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION

Mayor Tapper referred to the Gallery and asked if anyone would like to present to Council. There were none.

MAYOR'S REPORT

Mayor Tapper provided a report, dated May 23 – June 15, 2016, of his work and connections that he has made in the Community over the past couple of weeks.

- On June 11th, Mayor advised that he attended a Provincial NDP Convention.
 - Their Member, from Quebec, Mr. Guy Charon, represents the Atlantic Region, including Newfoundland, and he attended to address Convention.
 - Portugal Cove-St. Philip's Deputy Mayor Gavin Will and St. John's Councillor Sheilagh O'Leary attended to speak to Mr. Charon about issues on the municipal level.
 - Mayor provided an update on issue of Town water contamination and it's impacts on the Community. Councillor O'Leary had some good comments in relation to this.
 - Met with our Liberal MP Nick Whalen some months ago and provided him with a package of information associated with our water issue. Will also provide same to Guy Charon; and, will provide a package of information to former PC Minister of Transport Lisa Riatt, as she was previously corresponded on this matter, as well.

- Two public meetings were recently held:
 - On June 13th, a public meeting was held on quarry issues.
 - On June 15th, a public meeting was held concerning Town water issues.
 - Mayor advised the meetings were well attended with good discussions. He thanked residents who attended the meetings.
- The Urban Municipalities Committee Meeting was held on Friday and Saturday past in Clarenville.
 - There were good presentations.
 - Vigilant Management Project Manager, Mr. Terry Hussey, did a presentation similar to one at the last MNL Municipal Symposium.
 - Mr. Chad Blundon, Office of Climate Change and Energy Efficiency, did a presentation.
 - Mayor to provide information on climate change, which was forwarded from the Minister's Office.
 - He advised Deputy Mayor, as Chair of the Environment Advisory Committee, that the Office would like communities to participate in upcoming consultations, and he asked that the Committee take into consideration.
 - On Saturday morning, a meeting was held with Leigh Puddester, Deputy Minister, Service NL.
 - Discussions were held on proposed legislation regarding new Procurement Act.
 - It was a meeting of the twenty largest towns in the Province, and municipalities agree that that this type of update with that legislation is long overdue. Everyone was positive of the work that that the Deputy Minister is doing, and hoping to get legislation updated before Government in the Fall.

NOTICES OF MOTION

None.

CORRESPONDENCE

1. Minister of Transport – Town's water supply. ***Referred to the Planning and Development Committee.***
2. Request to hold special event at the Kinsmen Community Centre. ***Request for in-kind contribution of the Kinsmen Centre and grounds. Event will be held on July 2nd. Council agreed it looks like a good, motivating event and all inclusive; however, Council requested some further information and questioned if the organization carried their own insurances as required. As there were a couple representatives in attendance, Mayor asked that they provide some information at the end of the Council Meeting under the Question and Answer session.***

3. Correspondence from resident – Reply from Minister of Department of Transportation and Works concerning safety concerns on the Bauline Line.
4. Correspondence from resident concerning proposed quarry on Bauline Line.
5. Correspondence from resident concerning pending quarry application.
6. Correspondence from resident concerning public meeting on quarrying in the Town.
The above correspondence relates to quarries Correspondence 3, 4, 5, and 6 to be referred to the Planning and Development Committee.
7. Canadian Union of Postal Workers (CUPW) – Federal Government review of Canada Post. ***Council requested further clarification and asked that information provided be reviewed before proceeding. CAO to contact Municipalities Newfoundland and Labrador (MNL). Correspondence referred to next Public Council Meeting.***

CORRESPONDENCE & ACTION REPORT

The Correspondence and Action Report, dated June 20, 2016, was accepted as presented.

COMMITTEE REPORTS

Planning and Development

Councillor Smith provided an overview of items discussed under the Planning and Development Meeting Minutes, dated June 14, 2016.

Items discussed included:

1. Development Proposals
 - a) Proposal for property owner 140-144 Middle Three Island Pond Road to construct a 15' x 20' extension to the existing cabin on the property.
 - The application will be dealt with in the Building Application Report dated June 17, 2016 application number C2016-048.
 - b) Proposal from property owner 47-59 North Pond Road to have water allocated for a proposed development.
 - At this point in time, while the Town is having a water alternative study completed, it was agreed to hold off on future allocations.
 - It was noted that the above is at the proposal stage, and may revisit application at the time of going forward. The applicant has been advised.
 - c) Proposal from potential property owner in the Middle Three Island Pond area (454A Bauline Line) to develop a parcel of crown land for the purpose of a Quarry site.
 - Committee has reviewed letters already received from public consultation and also recent correspondence.
 - The Director is still addressing some items, including:
 - Zoning of the property

- Over-lap of proposal with Town quarry site
 - Access to the site
 - The Director noted that there may be a need to have a legal opinion on the application to determine if the past applications, appeals and court cases have any bearing on the current application. Committee felt that this is not required.
 - The Director also noted that there were suggestions that the net “0” run off policy should also apply to quarrying operations. The Director will be reporting on this for next meeting.
 - After much discussion Committee agreed that it would wait until the conditions for mineral working in the Town were reviewed and approved by Council before they would make a recommendation on the application.

- 2. Correspondence
 - a) Letter from property owner Yeo’s Lane requesting hook up to Town sewer.
 - Committee agreed that it should be referred to the Infrastructure and Public Works Department.
 - b) Letter from property owner Great Pond Road in relation to site cleanup.
 - Director to meet with the property owner and take necessary steps.

- 3. Other Items
 - a) Conditions for Mineral Working in the Town
 - Committee felt strongly to forward the draft copy to all Council for review and feedback. Deadline for feedback is June 27th by noon.
 - Once feedback received from Council Members, Committee will consider at next meeting, and then bring forth a recommendation.
 - The Director noted that these new requirements may be included in the Town regulations at a later date. Requirements will expand to all quarries in the Town.
 - Council discussed blasting that took place back in February of this year, which was of concern to residents. The Director informed Council that a blasting company provided the Town with a CD containing a twenty-two minute video, “Understanding Vibrations from Blasting.” He noted it was very informative. Committee will come back with a recommendation as to whether to add to the Town’s website.

Under the Correspondence section, Deputy Mayor Gallant referenced Correspondence No. 3 - reply from Minister of Department of Transportation and Works concerning safety concerns on the Bauline Line.

- He read aloud, “Highways in our province are designed to Transportation Association of Canada standards. These standards consider truck dimensions and loads. The Town of Torbay zoning bylaws regulate commercial and

industrial activity within the Town. Concerns with industrial operations within the Town of Torbay should be direct to Town official.”

- Deputy Mayor discussed that it’s clear that the Province design the roads, but the Town is responsible to approve or refuse industrial permits in the Town. Deputy Mayor questioned if Bauline Line still meets design standards required for industrial activity in the Town.
- Councillor Smith advised will go back to the Department, and bring information back at next meeting.
- Mayor Tapper discussed that the Town was not notified in relation to the recent provincial quarry subordinate permit, further noting that there has been increased traffic in the area in relation to this quarry.

Under the Planning and Development Report, section 1 (c) Deputy Mayor Gallant questioned Committee’s recommendation to proceed without a legal opinion.

- He discussed previous applications, concerns, Council decisions, appeals, legal procedures, noting that the Town has gone to Supreme Court in the past. He suggested obtaining a legal opinion before proceeding.
- Councillor Smith advised that Committee didn’t feel it was valid at this point in time. The application is being processed as a new application and Committee do not feel the need for a legal review. Council can further discuss if everyone so wishes.
- Mayor Tapper suggested that Council can further discuss in a privileged session to get consensus.
 - There is a special privileged meeting of Council scheduled for tomorrow evening, and it was agreed to add to the agenda, as well.
- At this point, Deputy Mayor Gallant called point of order, indicating that Council can reference and discuss legalities that took place some time ago.
 - Councillor Smith indicated that it has no relevance to new application on table now. Once we address application, Council can determine action to be taken.

Under Item 3 (a), conditions for mineral working in the Town, Deputy Mayor Gallant advised he has reviewed the conditions for permits for quarries.

- He discussed that if the Town further adds another quarry operation, it may only escalate current issues.
- Deputy Mayor noted that the conditions address notification concerns, but not necessarily concerns addressed in residents’ letters in the way of safety and speeding.
 - Councillor Smith discussed that as Bauline Line is Provincially owned, the Town cannot control speed limits, but could possibly negotiate with the Province to come to an agreement.
- Councillor Smith reminded all that deadline for Council’s comments is June 27th, noon.

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>
C2016-071	11 Easterbrook Drive	12' x 15' accessory building (greenhouse)
C2016-073	16 Bourne's Close	Patio decks
C2016-074	9 Indian Meal Line	12' x 16' accessory building
C2016-076	195 Indian Meal Line	Subsidiary apartment
C2016-078	3 Clara's Place	Single family dwelling
C2016-081	37 Country Drive	Connect to water & sewer
C2016-082	1583 Torbay Road	Removing existing accessory buildings and constructing 13' x 13' accessory building
C2016-086	4 Captain Matthew Drive	Additional Driveway/culvert
C2016-087	6 Bourne's Close	Single family dwelling

Building Applications for Approval

Application: C2016-048
Location: 140 Middle Three Island Pond Road
Proposal: 15' x 20' extension to existing cabin
Zoning: Rural (RUR)

233-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application C2016-048, under the Applications for Approval section of the Building Application Report, dated June 17, 2016, subject to the following condition:

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

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Application: C2016-063/MV2016-009
Location: Portion of 17 Doyle's & Quigley's Lane
Proposal: Single Family Dwelling
Zoning: Residential Medium Density (RMD)

234-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application C2016-063/MV2016-009, under the Applications for Approval section of the Building Application Report, dated June 17, 2016, subject to the following condition:

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

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Application: C2016-072/S2016-012
Location: Portion of 11 Cannon Marsh Road
Proposal: Subdivide of Land/Single Family Dwelling
Zoning: Residential Infill (RMD)

235-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application C2016-072/S2016-012, under the Applications for Approval section of the Building Application Report, dated June 17, 2016, subject to the following conditions:

1. All normal conditions and requirements for building within the Town of Torbay.
2. The applicant is responsible for the upgrading of the cul-de-sac.
3. The applicant is responsible for the water & sewer extension.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

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Application: C2016-075
Location: 1 McDuff Place
Proposal: Single Family Dwelling
Zoning: Residential Infill (RMD)

236-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application C2016-075, under the Applications for Approval section of the Building Application Report, dated June 17, 2016, subject to the following condition:

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

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Application: C2016-079
Location: 451 Bauline Line
Proposal: 30' x 36' Accessory Building
Zoning: Residential Infill (RI)

237-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application C2016-079, under the Applications for Approval section of the Building Application Report, dated June 17, 2016, 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, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

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Application: C2016-080
Location: Portion of 62 Tapper's Pond Road (Lot 2) off Farmer's Road
Proposal: Storage building for agricultural equipment
Zoning: Agricultural (AG)

In relation to the above application, Mayor Tapper questioned if he was in conflict, as the applicant is a relative of his, and asked Council to determine. CAO confirmed that she referred to legislation and advised that he was not in conflict. See motion below:

238-16 Motion – Deputy Mayor Gallant / Councillor Roche

RESOLVED THAT Mayor Tapper is not in a conflict of interest as it relates to the above application, Application C2016-080.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

239-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application C2016-080, under the Applications for Approval section of the Revised Building Application Report, dated June 17, 2016, subject to the following conditions:

1. The use of the equipment/storage building is restricted to agricultural use.
2. All normal conditions and requirements for building within the Town of Torbay.
3. The access road to the property is considered a private road; therefore, the Town is not responsible for maintenance, upkeep, or snow clearing.
4. Referral to the Forestry and Agrifoods Agency for review/approval.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

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Application: C2016-084
Location: 33 Quarry Road Extension
Proposal: 33' x 26' accessory building
Zoning: Residential Large (RLL)

240-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application C2016-084, under the Applications for Approval section of the Building Application Report, dated June 17, 2016, 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, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Application: C2016-085
Location: 96 Karon Drive
Proposal: Extension to single family dwelling
Zoning: Residential Large Lot (RLL)

241-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application C2016-085, under the Applications for Approval section of the Building Application Report, dated June 17, 2016, subject to the following conditions:

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

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

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Application: C2016-088
Location: 6 Bourne's Close
Proposal: 24' x 24' accessory building
Zoning: Residential Large (RLL)

242-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application C2016-088, under the Applications for Approval section of the Building Application Report, dated June 17, 2016, 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.
3. Subject to issuance of permit C2016-087 for a single family dwelling.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Application: C2016-089
Location: Portion of 1065 Torbay Road (property fronts on Quarry Road Extension)
Proposal: Subdivide of Land/Single Family Dwelling
Zoning: Mixed Development (MIX)

243-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application C2016-089, under the Applications for Approval section of the Building Application Report, dated June 17, 2016, subject to the following condition:

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

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Application: C2016-090
Location: 101 Patrick's Path
Proposal: 36' x 36' accessory building
Zoning: Residential Large (RMD)

244-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application C2016-090, under the Applications for Approval section of the Building Application Report, dated June 17, 2016, 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.
3. No construction within the Conservation (CON) Land Use Zone at the rear of property.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Building Applications to be Deferred

Application: C2016-077
Location: 28 Seaview Avenue
Proposal: Extension to single family dwelling for in-law suite/double dwelling
Zoning: Residential Infill (RMD)

245-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Defer Application C2016-077, under the Applications to be Deferred section of the Building Application Report, dated June 17, 2016, for advertisement as per Regulations 10, 33 and 90 of the Torbay Development Regulations.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Business Applications for Approval

Application: D2016-066
Location: 15 Reardon's Lane
Proposal: Home office for video production business
Zoning: Residential Medium Density (RMD)

246-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Approve Application D2016-066, under the Applications for Approval section of the Business Application Report, dated June 17, 2016, subject to the following conditions:

1. All normal conditions and requirements for operating a business within the Town of Torbay.
2. The business will be subject to business tax in accordance with the published schedule of taxes and fees for the Town of Torbay.
3. There shall be no parking of commercial vehicles on the property.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Application: D2016-070
Location: 5 Flora Drive
Proposal: Dog grooming business
Zoning: Residential Large Lot (RLL)

247-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Defer Application D2016-070, under the Applications for Approval section of the Business Application Report, dated June 17, 2016.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

In relation to the above application, Council agreed to defer as Committee have received feedback from residents in the area, and wish to bring back to Committee for recommendation for next meeting.

Business Applications to be Deferred for Advertisement

Application: D2016-083
Location: 453 Bauline Line
Proposal: Home office for business providing oil and gas services, and services relating to estates sales, downsizing, and relocating
Zoning: Residential Infill (RI)

248-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Defer Application D2016-083, under the Applications to be Deferred for Advertisement section of the Business Application Report, dated June 17, 2016, for advertisement 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, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Executive Committee

A meeting is scheduled for tomorrow afternoon, June 21st.

Corporate and Community Services

The Corporate Services Report, dated June 6 - 17, 2016, was accepted as presented.

Councillor Roche read out payroll and accounts payable information:

Payroll for the period of June 6 - 17, 2016, for 28 employees totalled \$65,325.60.

For the period of June 6 - 17, 2016, Accounts Payable invoices in the amount of \$154,307.98 were paid. These expenditures were within budget.

There were six (6) Main Operating invoices presented for approval:

249-16 Motion – Councillor Roche / Councillor Smith

RESOLVED THAT the Town of Torbay approve payment to Cobra Framing – Deck Framing for Upper Three Corner New Clubhouse, in the amount of \$6,079.40.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

250-16 Motion – Councillor Roche / Councillor Smith

RESOLVED THAT the Town of Torbay approve payment to Harbourside Transportation Consultants – Road Classification Map, in the amount of \$6,215.00.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

251-16 Motion – Councillor Roche / Councillor Smith

RESOLVED THAT the Town of Torbay approve payment to Harbourside Transportation Consultants – Traffic Calming Policy, in the amount of \$6,441.00.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

252-16 Motion – Councillor Roche / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay approve payment to MHFA Canada – Mental Health Instructor Course, in the amount of \$6,000.00.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

253-16 Motion – Councillor Roche / Councillor Smith

RESOLVED THAT the Town of Torbay approve payment to Newfoundland Power Inc. – Street Lighting for May 2016, in the amount of \$17,860.10.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

In relation to the above motion, Deputy Mayor questioned talks from Municipalities Newfoundland and Labrador concerning lighting. There are new types of lighting that are twice as bright and cost effective. CAO clarified that NL Power were looking at a pilot project, but due to costs did not proceed. On municipal owned land, we can install our own form of lighting.

254-16 Motion – Councillor Roche / Councillor Smith

RESOLVED THAT the Town of Torbay approve payment to Receiver General for Canada – Payroll remittance for June 1 – 15, 2016, in the amount of \$23,590.65.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Income and Expense Report

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

Tax Recovery Plan

A component of the Community Sustainability Partnership with the Department of Municipal Affairs requires municipalities to submit an updated tax recovery plan and tax receivable summary by June 30th of each year. Motions of Council are required prior to submission:

255-16 Motion – Councillor Roche / Councillor Smith

RESOLVED THAT the Town of Torbay submit the Tax Recovery Plan amended June 3, 2016 to the Department of Municipal Affairs. This plan is a requirement of the community sustainability partnership.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

256-16 Motion – Councillor Roche / Deputy Mayor Gallant

RESOLVED THAT the Town of Torbay submit the Summary of Taxes Receivable dated December 31, 2015, to the Department of Municipal Affairs. This summary is a requirement of the community sustainability partnership.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Security Services Tender - Revised

The retender of security services closed on June 10, 2016. There were five tender packages picked up and four bids received. Budget 2016 allocates resources for a seasonal service. There was no motion to proceed to a year round service. A motion of Council is required to award the tender:

257-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay award Tender 2016011, namely the provision of seasonal security services to the low bidder Spectrum Investigation and Security 1998 Ltd., in the values of: until June 30th, 2016, at an hourly rate of \$33.02 per hour, and from July 1st to October 10th, 2016, at value of \$33.60 per hour. Security services will commence as soon as possible upon tender award, terminating on October 10, 2016.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

The above motion previously as presented did not contain the value of the contract as part of the motion. Council questioned value of the tender award for the contract, indicating it should be included as part of the motion. It was agreed that the motion be changed in the way of a friendly amendment to include costs.

Council discussed the above motion advising that the above is within budget, total value of contract is \$25,000.00. There is no motion to proceed at year-round, seasonal. The Director of Infrastructure and Public Works advised that the hours for security services are 8:00 p.m. – 3:00 a.m., seven hours per day.

Councillor Roche asked that she be excused and left the Public Council Chambers at 8:49 p.m. It was agreed that the Public Council Meeting also recess at 8:49 p.m. Councillor Roche returned and the Public Council Meeting resumed at 8:52 p.m.

Infrastructure, Public Works, Public Safety and Shared Services

258-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay Defer the Minutes of the Infrastructure and Public Works Committee Meeting, dated June 14, 2016.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

Council agreed to defer the above minutes, as the Chair, Councillor Scott, and Committee Member, Councillor Thorne-Gosse, were not in attendance. Council did agree to move forward with the enclosed motion concerning the Municipal Depot Design Change Orders to ensure project is moving along. See below motion:

259-16 Motion – Councillor Smith / Councillor Roche

RESOLVED THAT the Town of Torbay approve Change Order Numbers Nine and Ten for the Municipal Depot Building Project in the amount of \$105,377.62 plus HST, for a total of \$119,076.71. This change order pertains to extra electrical and door locking system installation outside the designed scope.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche and Smith)

Against Motion: 0

Abstained: 0

In relation to the above motion, Deputy Mayor Gallant questioned over-runs and change of scope of work. He advised that we are expecting change orders to come along, but stressed upon Council to ensure that we do not go over budget. It was noted that it is within our contingency, and there is a listing of change orders to date included in our package for Council's information. Can be discussed at next Committee meeting. Mayor noted that the Director of Infrastructure and Public Works is managing the project and negotiating with contractors.

ADVISORY COMMITTEES

Environment

Deputy Mayor Gallant advised that a meeting is scheduled for this Thursday.

Heritage

Councillor Roche noted that the Heritage, Arts and Culture Coordinator will be back soon; and, regular meetings will resume once she returns.

LIAISON COMMITTEES

Holy Trinity Elementary School Council

No report.

Holy Trinity High School Council

No report.

Jack Byrne Regional Sports and Entertainment Centre

Councillor Smith advised that a meeting will be scheduled this week.

Northeast Avalon Joint Council

No report.

Torbay Harbour Authority

No report.

Torbay Volunteer Fire Department

No report.

Urban Municipalities Committee

No report.

NEW BUSINESS

Mayor Tapper

Mayor Tapper advised that the Professional Engineers and Geoscientists NL (PEGNL) presented Torbay and Stantec with an Environmental Award. The Town and Stantec were presented with the award as a result of work relating to our groundwater flow model. Some months ago, the Town did a town-wide study, and developers are completing and adding on to the model/study as well. CAO Dawn Chaplin attending the awards presentation on Friday night past and accepted the award. Dorothea Hanchar, Manager-Groundwater, Department of Environment and Conservation, who nominated the Town, attended with Dawn as well.

Mayor discussed the Newfound Riders Rumrunners Rally event, taking place on July 2nd at the Arena. He advised he received an email from the group, who advised that there will be entertainment on June 2nd and demonstrations throughout the Arena's parking lot. There will be parade of motorcyclists through the community in conjunction with the event on Sunday morning, July 3rd, – through Pouch Cove, Flatrock, Bauline and Torbay, also utilizing the By-Pass Road back to the Arena. They are unsure how many bikes will be participating in the parade, as it depends on attendance. CAO has asked their President to reconfirm schedule, which will be posted to the Town's website. It was also noted that Targa may be joining them. The RNC will be in the area, and the group have asked the Torbay and Pouch Cove Volunteer Fire Departments to participate as well.

Deputy Mayor Gallant

Deputy Mayor Gallant thanked everyone who came out to the recent public information session on quarries. He thanked Council for supporting the meeting, which was well run and attended.

He thanked residents for taking an interest to attend and have their say. He thanked Council and the public for their support.

Councillor Roche

Councillor Roche discussed the Eastern Regional Service Board. She referred to fire services for communities from Holyrood and beyond. A meeting is scheduled on Wednesday.

She advised that she has a copy of the recent Northeast Avalon Joint Council Minutes for information.

Councillor Roche advised that a meeting is scheduled with the Municipal Assessment Agency in Deer Lake Thursday and Friday.

In relation to the upcoming Newfound Riders Rumrunners Rally, Councillor Roche suggested that Mayor and regional mayors bring greetings from their communities, as a regional effort to welcome the group. She asked that CAO notify the various church parishes in the Community of the time of the parade, as their services may be taking place around the same time. CAO advised that once she has the schedule, she will forward along.

Councillor Roche congratulated CAO and staff for doing a great job on keeping track of projects. She congratulated the Director of Infrastructure and Public Works and his team on a great job on keeping track of the depot project and negotiating with contractors for best prices.

She congratulated Economic Development Officer, Ross Houlihan, on the recent arrival of their baby boy.

Councillor Scott - Absent

Councillor Smith

Councillor Smith advised that she had asked for investigation into recent coyote incident in the Community and if the animal had been injured by the resident who was walking. She noted the coyote was in the area of the high school, and was identified by two separate individuals. She advised she was less than pleased with the response from wildlife. She noted the animal hasn't caused any further trouble that she's aware of. She suggested that staff determine if information needs to go out to residents by communications systems to advise of coyote in area of the high school.

Councillor Thorne-Gosse - Absent

Councillor Whitty – Absent

QUESTION & ANSWER SESSION

Mayor Tapper referred to the Gallery and asked if anyone had any questions or comments in relation to tonight's Council Meeting.

- Mayor Tapper referred to the group who requested holding a special event at the Kinsmen Community Centre on July 2nd.
 - Mayor questioned if they had insurance for holding their event, and if they could provide a copy of their certificate. The group questioned Town requirements. CAO to provide them with her contact information and follow up for further discussion.
 - It was agreed that no motion of Council was required for rentals, as long as reviewed and checked across all Town departments in the way of risk management.

- Resident of Civic 80 Whitty's Lane
 - Resident questioned the recent public meeting on Town water issues on June 15th, as Mayor Tapper referred to in his Mayor's Report. She questioned what the meeting referred to as she wasn't aware.
 - Mayor Tapper advised it was a meeting for residents in the Pineridge area. It was an update from last year's public meeting, of which everyone was welcome.
 - Mayor advised that the meeting was advertised on VOCM Open Line program and through the Town's social media.
 - It was advised that some residents may not have been aware with recent change over of the Town's new communication system. It was noted that residents should sign up for the new Torbay Alerts, so residents can stay informed.

- Resident of Civic 105 Indian Meal Line
 - Resident also questioned the Town's new communications system and Torbay Alerts, indicating she did receive notification of Monday's public meeting concerning quarries but not Wednesday's public meeting concerning water.
 - CAO advised this was likely due to transition of new communications system.
 - CAO provided information pertaining to the Town's new communications system, of which a resident can choose how they would like to be notified, and can choose specifics of information to be informed on.

NEXT PUBLIC COUNCIL MEETING

The next Public Council Meeting will take place on Monday, July 4, 2016, 7:30 p.m., Council Chambers, Torbay Town Hall.

ADJOURNMENT

260-16 Motion – Councillor Smith / Deputy Mayor Gallant

RESOLVED THAT the meeting be adjourned at 9:16 p.m., as there was no further business.

Question called. Motion carried.

For Motion: 4 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, and Smith)

Against Motion: 0

Abstained: 0

Mayor

CAO/Town Clerk