



MINUTES
PUBLIC COUNCIL MEETING
September 26, 2016

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on September 26, 2016, at 7:40 p.m.

Members Present

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

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

Gallery

There were a total of 7 people in attendance.

Adoption of Agenda

345-16 Motion – Councillor Smith / Councillor Thorne-Gosse

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried.

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

Against 0

Abstained: 0

Adoption of Minutes

346-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Minutes of the September 12, 2016, Public Council Meeting be adopted as presented.

Question called. Motion carried.

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

Against 0

Abstained: 0

PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION

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

BUSINESS ARISING

The Business Arising Report, dated September 26, 2016, was discussed and accepted as presented.

- Councillor Smith discussed Item 6 – Unwanted activity at the Kinsmen Centre and dangerous activities in the Community.
 - She requested that her comments be included in the Minutes:
 - At September 12th's Council Meeting, she commented on issues of street racing in the area of Mahon's Lane.
 - Councillor Smith provided an update that on September 24th, street racing happened at approximately 7:00 p.m., just as three youth were proceeding on foot on Mahon's Lane. She personally spoke with the RNC because two of the youth were her grandchildren. She would like to see Council and Staff ramp up the action/reaction to this street racing issue in the areas of Mahon's Lane, Lynch's Lane, Marine Drive, and Torbay Road, before there is a fatality.
 - She noted that since the speed sign has been placed on the north side of Mahon's Lane to monitor speed of vehicles travelling in that direction, the street racers are speeding in the opposite direction to avoid being monitored.
 - Council discussed the importance of looking into solutions for unwanted and dangerous activities.
 - Take back our Town through established policies, media, and public awareness.
 - Possibility and investigation of camera installation in areas of the Town for license plate identification of vehicles.

- Speed bumps to control speeding in areas of the Community.
- Resources to be taken into consideration for the upcoming 2017 budget process.
- See motion below:

347-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Town of Torbay follow up with the RNC to avail of security cameras that could help us in tracking down motorized vehicles that are taking over our Town, and to work closely with the RNC to see what we can do to make it a better place.

Question called. Motion carried.

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

Against 0

Abstained: 0

- Updates were provided on the following items:
 - Item 3 – Regional Transit
 - A meeting is scheduled for October 6th at Metrobus to discuss public transportation.
 - Item 12 – Flooding issues at St. Nicholas Church
 - Infrastructure and Public Works have visited the area and will be making recommendations. The Director has spoken to the resident.
 - Item 26 – East Coast Trail Study
 - Mayor has forwarded correspondence/feedback to the Association.
- Item 8 – Video/Telephone conference attendance at Council Meetings
 - CAO provided an update indicating once she follows up with MNL and the High School, information will come back to the Executive Committee.

CORRESPONDENCE

1. Department of Municipal Affairs – Fire Protection Financial Assistance Grant. ***For information purposes. The Fire Department has received approval for funding to purchase equipment.***
2. Jingle Bell Walk & Run for Arthritis – Request for Donation. ***Referred to Corporate and Community Services Committee.***
3. Allied Youth Torbay Post – Request for Donation of Rental of the Kinsmen Centre. ***Town staff to approve and contact Allied Youth.***

COMMITTEE REPORTS

Planning and Development

Building Applications Approved

Under the Building Application Approved Report, dated September 23, 2016, the following applications were approved subject to the normal conditions and requirements for building within the Town of Torbay:

Application	Location	Proposal
D2016-136	983 Torbay Road	Water Treatment, Pump, and Heating Business
C2016-137	20 Cordelia Crescent	Accessory Building
C2016-138	6 Quarry Road	Accessory Building
C2016-139	10 Flora Drive	Accessory Building
C2016-140	1697 Torbay Road	Accessory Building
C2016-142	2 Edgewater Lane	Fence
C2016-143	12 Roblin Place	Accessory Building

Building Applications to be Deferred

Application: C2016-120
Location: 21 Brown's Lane
Proposal: Duplex (Double Dwelling)
Zoning: Residential Medium Density (RMD)

348-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Defer Application C2016-120, under the Applications to be Deferred section of the Building Application Report, dated September 23, 2016, for review by the Planning and Development Committee (PLUD).

Question called. Motion carried.

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

Against 0

Abstained: 0

Business Applications to be Approved

Application: D2016-123
Location: 1234 Torbay Road
Proposal: Pizza Takeout Business
Zoning: Mixed Development (MIX)

349-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application D2016-123, under the Applications to be Approved section of the Business Application Report, dated September 23, 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. The development shall comply with the Town of Torbay's parking requirements.

Question called. Motion carried.

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

Against 0

Abstained: 0

Application: D2016-127
Location: 38 Whitty's Lane
Proposal: Home office for marketing consulting business
Zoning: Residential Infill (RI)

350-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the Town of Torbay Approve Application D2016-127, under the Applications to be Approved section of the Business Application Report, dated September 23, 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: 7 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Smith, Scott, Thorne-Gosse and Whitty)

Against 0

Abstained: 0

Councillor Smith left the Public Council Chambers at 8:11 p.m. for the remainder of the meeting.

Executive Committee

No report or motions.

Corporate and Community Services

Under the Corporate Services Motions Report, dated September 12-22, 2016, the following invoices and recommended motions were presented for approval.

351-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Town of Torbay approve payment of invoices, totalling \$698,304.83, as presented.

Invoice Number	Vendor and Detail	Amount
1.	E.C. Boone (Gateway Signage – LED Display)	\$34,051.50
2.	Farrell’s Excavating Ltd (Final Payment – Mahon’s Lane Road Improvements)	\$8,694.98
3.	Harvey and Company Limited (Acquisition of Kubota Mower)	\$10,896.25
4.	Holden’s Transport Limited (relocation of Public Works infrastructure from current depot site to Upper Three Corner Pond Park)	\$5,117.50
5.	Progressive Engineering and Consulting Inc. (Morris Avenue Upgrading)	\$15,770.82
6.	Receiver General for Canada (Payroll Deductions for September 1-15, 2016)	\$29,148.61
7.	Redwood Construction Ltd. (Municipal Depot Construction)	\$505,795.89
8.	Redwood Construction Ltd. (Municipal Depot Construction)	\$83,829.28
9.	Torbay Folk Arts Council Inc. (Start Up Donation)	\$5,000.00

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Thorne-Gosse and Whitty)

Against 0

Abstained: 0

Infrastructure, Public Works, Public Safety and Shared Services

Municipal Depot Building Project – Change Orders

- Motion 343-16 (Public Council Meeting Minutes, September 12, 2016)

Motion regarding the Change Order Numbers 14, 15, and 16 is incorrect; and, therefore, it is recommended that Motion 34-16 be rescinded.

352-16 Motion – Councillor Scott / Councillor Roche

RESOLVED THAT the Town of Torbay rescind Motion No. 343-16, Minutes of the Public Meeting of Council, dated September 12, 2016.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Thorne-Gosse and Whitty)

Against 0

Abstained: 0

- Change Orders 15, 16 and 17

The above Change Order Numbers are correct. See below separate motions required for these Change Orders.

353-16 Motion – Councillor Scott / Councillor Thorne-Gosse

RESOLVED THAT the Town of Torbay approve Change Order No. 15 for the municipal depot building project a credit in the amount of \$7,743.00 (plus HST) for work eliminated with the removal of guiderail deemed unnecessary to the project.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Thorne-Gosse and Whitty)

Against 0

Abstained: 0

354-16 Motion – Councillor Scott / Councillor Thorne-Gosse

RESOLVED THAT the Town of Torbay approve Change Order No. 16 for the municipal depot building project in the amount of \$1,429.26 (plus HST). This change order pertains to changes required to janitor’s closet.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Thorne-Gosse and Whitty)

Against 0

Abstained: 0

355-16 Motion – Councillor Scott / Councillor Thorne-Gosse

RESOLVED THAT the Town of Torbay approve Change Order No. 17 for the municipal depot building project in the amount of \$19,964.02 (plus HST). This change order pertains to change to demising wall in the wash bay.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Thorne-Gosse and Whitty)

Against 0

Abstained: 0

NOTICES OF MOTION

None.

NEW BUSINESS

Mayor Tapper

Mayor provided highlights of his Mayor’s Report, dated September 10 – 22, 2016:

- September 10th – attended opening of Bill Churchill Field in Portugal Cove-St. Philip’s.
- September 13th – Council began discussions/meetings on the upcoming 2017 Budget.
- September 14th – Grand opening of trail at Upper Three Corner Pond Park.
- September 15th – Meeting was held with the City of St. John’s regarding water servicing.
- September 20th – meeting with the NEAR Regional Planning Group, fifteen towns within the Avalon area. Hoping to have new plan in place by end of June, 2017.
- September 22nd – attended Service of Remembrance – Ulster Canada Initiative. This was a special wreath laying ceremony at St. John’s War Memorial in recognition of the HMS Laurentic, a naval reserve ship, that sunk in 1917 with twenty-three Newfoundlanders on board. This is commemorated in Northern Ireland every year.

Councillor Roche left the Public Council Chambers at 8:22 p.m.

Deputy Mayor Gallant

Deputy Mayor discussed speeding in the Community, indicating he's glad the Town is taking a close look into.

He discussed that he and Mayor Tapper visited the Grade Four class at Holy Trinity Elementary School last week to discuss how Towns worked, and to answer any questions the children had, including what they wanted in the Community. He thanked the Mayor for arranging and he thanked the children at the Holy Trinity High Elementary.

Councillor Roche - Pass

Councillor Scott

Councillor Scott discussed the recent Ronald McDonald House Annual Red Shoe Run/Walk that he and the Mayor participated in on Saturday past. He advised the event was very well attended and they're doing a great job. He further indicated he was glad to be there to offer support.

He discussed speeding issues in the Community advising that Council's decision to investigate cameras is not diverting from our present speed calming policy, which is ongoing.

Councillor Scott advised that he had a teleconference last week with other representatives from the Province participating in the upcoming Premier's Forum on October 5th. He received today their pre-consultation package with the four main topics of discussion (revenues for municipalities, aging municipal infrastructure, regional opportunities, and local service districts and unincorporated areas), which he will forward to all Members of Council. He asked that Council forward any comments they may have on the topics to him so he can bring forward.

Councillor Roche returned to the Public Council Chambers at 8:28 p.m.

Councillor Smith - Absent

Councillor Thorne-Gosse - Pass

Councillor Whitty

Councillor Whitty discussed the recent Stewardship Association of Municipalities (SAM) Meeting, held in Happy Valley – Goose Bay, which he attended September 22nd – 24th. He thanked Mayor for the opportunity to attend, advising that the meeting was very interesting being his first time attending. Discussions were around trails and wetland policies. Councillor Whitty advised that SAM is looking for a town to host their Spring meeting, which he suggested Torbay as a possibility. He also congratulated a student here in Torbay on recently receiving the SAM Scholarship. Mayor Tapper to do a letter of congrats.

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. The following had comments:

- Resident of Bauline Line
 - Resident discussed unwanted activity and speeding in the Community and the use of cameras to obtain license plate numbers of vehicles.
 - Impression by consultants that this was outside the municipality and difficult to put in place.
 - Process of identifying vehicles and handling issues.
 - Feasibility, responsibility and costs to purchase and install cameras, and why responsibility of municipalities and not the RNC.
 - Mayor Tapper advised that the use of cameras will be researched at this time. He discussed the importance that the Town take action for the Community in relation to speeding and unwanted activities taking place.

- Resident of Quigley's lane
 - Resident discussed dirt bike and ATV speeding in the area of Quigley's Lane, indicating the RNC should be more involved.
 - Resident discussed his concerns in the way of safety, including noise and speeding issues.

- Resident of Whitty's Lane
 - Resident discussed the use of snowmobiles on an area pond.
 - She questioned if signage can be put in place notifying that motorized vehicles are prohibited on the pond.
 - She also advised that the users are blocking access to the lane, and the snowmobiles are very loud.
 - Mayor Tapper advised that information will be passed on to the Director of Infrastructure and Public Works.
 - Resident thanked the Director of Infrastructure and Public Works for erecting a street sign on her road within two to three days of notification that there was no sign.

NEXT PUBLIC COUNCIL MEETING

The next Public Council Meeting will take place on Tuesday, October 11, 2016, 7:30 p.m., Council Chambers, Torbay Town Hall.

ADJOURNMENT

356-16 Motion – Deputy Mayor Gallant / Councillor Scott

RESOLVED THAT the meeting be adjourned at 8:40 p.m., as there was no further business.

Question called. Motion carried.

For Motion: 6 (Mayor Tapper, Deputy Mayor Gallant, Councillors Roche, Scott, Thorne-Gosse and Whitty)

Against 0

Abstained: 0

Mayor

CAO/Town Clerk