



MINUTES
PUBLIC COUNCIL MEETING
December 5, 2016

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on December 5, 2016, at 7:43 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

Absent

Brian Winter, Director of Planning and Development

Gallery

There were a total of 4 people in attendance.

Adoption of Agenda

398-16 Motion – Councillor Whitty / Councillor Smith

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

399-16 Motion – Councillor Scott / Councillor Thorne-Gosse

RESOLVED THAT the Minutes of the November 21, 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 December 5, 2016, was discussed and accepted as presented.

- Item 1 – Tappers Cove/Harbour Authority
 - Council commented on the below:
 - Enforcement of locked gate was discussed. The lock on the gate has been illegally removed a number of times, which is a safety concern.
 - It was suggested that this matter be discussed at the next Infrastructure and Public Works Committee Meeting, possibly before year end to consider options to have in place for the next fishing season.
 - See motion below:

400-16 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT effective immediately due to health and safety of staff and residents, that the gate to Tappers Cove be locked by the Town unless the Town is going to salt and sand the road like every other road in the community.

Question called. Motion carried.

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

Against: 0

Abstained: 0

- Item 5 – Status of trail of Marine Drive (Jones Pond Trail)
 - Mayor Tapper advised that he spoke to the property owner some months ago, and he is aware of the trail and buffer areas. A letter was forwarded to the owner outlining management units and trails.

- Item 7 – Town’s Emergency Plan
 - It was questioned if the Plan will be adopted before end of the year.
 - CAO advised a meeting is scheduled on Thursday to finalize the draft.

CORRESPONDENCE

1. MP Guy Caron – Ending unfair taxation on family business transfers - Bill C-274: Transfer of small business, family farm or fishing operation. ***See motion below:***

401-16 Motion – Councillor Roche / Councillor Scott

RESOLVED THAT the Town of Torbay send a letter of support to MP Nick Whalen, who’s presenting in Ottawa on behalf of residents of Torbay.

Question called. Motion carried.

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

Against: 1 (Deputy Mayor Gallant)

Abstained: 0

2. Principal, New Torbay Intermediate School – School Council. ***The school is required to appoint two Community Representatives and asked that Council suggest individuals for these positions. Councillor Whitty has agreed to this appointment of Community Representative.***

3. Grade 4 Class, Holy Trinity Elementary School - concerns relating to second hand smoke; and, the Class has requested more no smoking signage around areas of our Community. It was noted that there is limited signage. ***Council discussed signage around town facilities. Referred to Infrastructure and Public Works Committee for review.***

COMMITTEE REPORTS

Planning and Development

Building Applications Approved

Under the Application Approved Report, dated December 2, 2016, the following applications were approved subject to the normal conditions and requirements for building within the Town:

Application	Location	Proposal
B2016-171	50 Salerno Place	Replacement of Septic System
C2016-172	16 Dunphy's Lane	Single Family Dwelling
C2016-173	20 Dunphy's Lane	Single Family Dwelling
C2016-174	24 Dunphy's Lane	Single Family Dwelling
C2016-177	5 Brown's Lane	Replace Accessory Building

Executive Committee

Deputy Mayor Gallant advised that a meeting is scheduled for next week. He requested Council's input regarding goals and objectives relating to the 2017 evaluations before making final.

Corporate and Community Services

Under the Corporate Services Report, dated November 21 – December 1, 2016, the following invoices were presented for approval:

402-16 Motion – Councillor Thorne-Gosse / Councillor Roche

RESOLVED THAT the Town of Torbay approve payment of invoices totalling \$791,199.65, as presented.

Invoice Number	Vendor and Detail	Amount
1.	AMEC Foster Wheeler Americas Limited (New Municipal Depot Engineering Services)	\$6,783.28
2.	Business Logistic Services (Commissioner Fee for Municipal Plan Public Hearing)	\$5,868.80
3.	CIBC Mellon (Pension Contributions for November 2016)	\$16,018.88
4.	Farrell's Excavating Ltd. (Lynch's Lane Upgrades Holdback)	\$10,384.15
5.	Farrell's Excavating Ltd. (Lunch's Lane Road Upgrading)	\$93,457.35
6.	Linda Norris (New Museum RFP Contract Progress Payment)	\$19,990.00
7.	LW Consulting (Compensation Model Report)	\$5,750.00
8.	Modern Paving Limited (Road Improvements)	\$52,612.50
9.	Newfoundland Power Inc. (Group Billing November 2016)	\$5,095.66

10.	Northeast Avalon Regional Arena (Community Market Rental)	\$7,648.65
11.	Plan-Tech (Municipal Plan Review)	\$6,761.62
12.	Progressive Engineering and Consulting Inc. (Lynch's Lane Road Upgrading)	\$20,227.42
13.	Receiver General for Canada (Payroll Remittance for November 16-30, 2016)	\$16,509.98
14.	Redwood Construction Ltd. (Progress Claim #14 for the new municipal depot)	\$524,091.36

Question called. Motion carried.

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

Against: 0

Abstained: 0

Feasibility of Second Ice Pad

As per the Council Meeting held with the Arena Board representatives on November 22, 2016, it was agreed to bring forth a recommendation regarding the Town's contribution towards the feasibility study as it pertains to a second ice pad for the Jack Byrne Sports and Entertainment Centre.

A motion was put forwarded by Councillor Thorne-Gosse, seconded by Councillor Roche, to contribute \$38,000.00 towards a feasibility study for the Jack Byrne Sports and Entertainment Centre. This study will explore the feasibility of a second ice pad. This contribution is subject to the participation of the four municipal owners of the facility. After further discussion, Motion was withdrawn with consent of all Council, and referred until after 2017 Budget discussions.

Renovation and Expansion of the Kinsmen Community Centre

403-16 Motion – Councillor Thorne-Gosse / Deputy Mayor Gallant

RESOLVED THAT further to the request of the Department of Municipal Affairs, this is to confirm that the Town of Torbay will cover any project expenditures outside the approved multiyear capital works program for project 17-MYCW-16-00115, namely the renovation and expansion of the Kinsmen Community Centre.

Question called. Motion carried.

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

Against: 0

Abstained: 0

Infrastructure, Public Works, Public Safety and Shared Services

Councillor Scott provided an overview of items discussed under the Infrastructure and Public Works Committee Meeting, dated November 29, 2016.

➤ Safe Pedestrian

- The Director has informed Committee that after further discussions with RNC the surveillance equipment is not supplied to municipalities. See motion below:

404-16 Motion – Councillor Scott / Councillor Roche

RESOLVED THAT the Town of Torbay rescind Motion 347-16, as the Royal Newfoundland Constabulary does not provide or install surveillance equipment (cameras, etc.) for municipal use in ticketing.

Question called. Motion carried.

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

Against: 0

Abstained: 0

405-16 Motion – Councillor Thorne-Gosse / Councillor Scott

RESOLVED THAT the Town of Torbay purchase cameras with direction given by the RNC on type of cameras we should purchase to aid us in tracking down of motorized vehicles taking over our Town and any other criminal issues we are experiencing in the Town.

Council discussed that cameras placed in various places in the Community would be worthwhile, to capture unwanted activity and pass to proper authorities to make our community safer. Deputy Mayor discussed controls and policies that possibly need to be in place, further noting that he felt that this is something that law enforcement should handle.

After discussion, a vote was then held on the motion.

Question called. Motion carried.

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

Against: 1 (Deputy Mayor Gallant)

Abstained: 0

Mayor discussed issues of speeding and unwanted activity in the area of Spray Lane. Photos of activity and vehicles in the area were captured and forwarded to the RNC. Although the vehicle plates were not captured, some of the vehicles were recognized on the High School parking lot; and, the RNC did issue tickets. Mayor further noted that vehicles are leaving

garbage behind in several areas of the community. The Town needs to take action in relation to these issues, with guidance from our Infrastructure and Public Works Staff and the RNC.

Mayor requested that Council recess for a few minutes – it was consensus of Council to recess at 9:32 p.m.

Council resumed the Public Council Meeting at 9:35 p.m.

NOTICES OF MOTION

Deputy Mayor Gallant took over as Chair of the Public Council Meeting at 9:35 p.m.

Memo from Mayor Tapper – Motion regarding School Zones, dated December 5, 2016

Council has accepted the Town of Torbay 2015 Pedestrian Safety Review and the Town of Torbay Speed Zone Policy, both provided by Harbourside Transportation Consultants. When referencing School Zones and School Zone Speed Limits, both reports suggest posting 40 km/h. See motions below:

406-16 Motion – Mayor Tapper / Councillor Scott

RESOLVED THAT the School Zones for Holy Trinity Elementary School and Holy Trinity High School be combined to include the following roads:

- Marine Drive from Easterbrook to Torbay Road;
- Lynch's Lane from Marine Drive to Mahon's Lane through to Torbay Road;
- Torbay Road from Mahon's Lane to Fleming's Hill;
- Inclusive of all Seaview Avenue and all Doyle's & Quigley's Lane.

The School Zone for the Middle School include:

- The new road (name not officially given) from the school to Torbay Road.
- Along Torbay Road from Whitty's Lane to Martin's & Doyle's Lane (across from Brown's Lane).

Question called. Motion carried.

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

Against: 0

Abstained: 0

407-16 Motion – Mayor / Councillor Scott

RESOLVED THAT the speed limit posting within all three School Zones be 40 km/h and that the Town of Torbay immediately write the Provincial Government to implement this change on their roads impacted.

Council discussed changing the present speed zone from 30 km/h to 40 km/h. As per the Town's present policy, it recommends 40 km/h. Mayor advised that he will talk to regional mayors concerning standard speed limit for all schools in the area. With consensus of Council, a friendly amendment was put forward by Councillor Scott, seconded by Councillor Roche, to amend speed limit to 30 km/h. After further discussion regarding speed limits, the friendly amendment was withdrawn with consent of all Council, and all agreed to the proposed 40 km/h.

After discussion, a vote was then held on the motion.

Question called. Motion carried.

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

Against: 0

Abstained: 0

408-16 Motion – Mayor Tapper / Councillor Thorne-Gosse

RESOLVED THAT based on availability of Torbay Infrastructure and Public Works Staff, School Zone signage be posted on at least every second utility pole in these identified zones. If permission has to be obtained from utility pole owners, correspondence should be forwarded as soon as possible.

Question called. Motion carried.

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

Against: 0

Abstained: 0

Mayor Tapper resumed as Chair of the Public Council Meeting at 9:50 p.m.

NEW BUSINESS

Mayor Tapper

Mayor Tapper noted that a Special Public Council Meeting will be held next Monday, December 12th in relation to the 2017 Budget.

Mayor provided highlights of his Mayor's Report, dated November 18 – December 1, 2016:

- November 18th – Funding Announcement for Torbay was held at the Kinsmen Community Centre.
- Attended two NEAR Committee Meetings with the Director of Planning. A meeting was held on November 21st and a workshop was recently held last Thursday, December 1st, Every town/city had an opportunity to present to see what they envisioned in the new Plan.

- The Festival of Trees, Tree Lighting Ceremony, Seniors' Social, Santa Claus Parade and the Breakfast with Santa events were well attended. Mayor thanked all staff involved in organizing.

Deputy Mayor Gallant

Deputy Mayor Gallant thanked Staff, Volunteers and Residents of the Community for making all events and activities a big success. He thanked all involved.

He talked about documentation, commenting on the importance of public discussions and process.

Councillor Roche - Pass

Councillor Scott

Councillor Scott thanked all involved with recent Christmas events. He advised that it's nice to attend these events and talk to people – our volunteers do a great job, and they appreciate it when Council Members attend their events and recognize what they do.

He thanked and congratulated the Holy Trinity High School students, who collected toys for the Single Parent Association.

Councillor Scott advised that he received positive feedback from towns involved in the recent turkey drive. He advised that residents can drop off their food items here at the Town Hall – Monday and Tuesday would be the best days; and, items will be delivered to the North East Avalon Foodbank on Wednesday morning at 11:00 a.m.

Councillor Smith

Councillor Smith thanked Staff and Volunteers who put off excellent events this Christmas Season. She thanked committee groups and volunteers from the High School as well. She discussed that the Town be more inclusive of all residents for next year referring to the addition of a quiet zone during the Santa Claus parade.

Councillor Thorne-Gosse

Councillor Thorne-Gosse thanked volunteers who worked on various events, including the Festival of Trees. This was one of their initiatives to raise funds to go towards next year's Time in Torbay event.

She reminded everyone of the upcoming music session with the Folk Arts Group at the Traditional Coffee House. There are a lot of upcoming young musicians, and she encouraged all to go and see on Thursday evening 7 – 9 p.m.

Councillor Whitty

Councillor Whitty discussed the recent Christmas events, indicating he heard good comments around the community regarding our volunteers, including Allied Youth. It's great to see the community come together.

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. There were no comments.

NEXT PUBLIC COUNCIL MEETING

A Special Public Council Meeting will take place on Monday, December 12, 2016, 6:00 p.m., Council Chambers, Torbay Town Hall.

ADJOURNMENT

409-16 Motion – Councillor Smith / Councillor Scott

RESOLVED THAT the meeting be adjourned at 10:00 p.m., as there was no further business.

Question called. Motion carried.

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

Against: 0

Abstained: 0

Mayor

CAO/Town Clerk