



MINUTES

PUBLIC COUNCIL MEETING
April 22, 2008

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on April 22nd, 2008 at 7:35 p.m.

Members Present

Mayor Robert Codner
Councillor Jim Cantwell
Councillor Mike Byrne
Councillor Peggy Roche
Councillor Carol Ann Smith

Staff Present

Dawn Chaplin, CAO/Town Clerk
Brian Winter, Develop. & Plan. Officer
Ron Fleming, Dir. of Oper. & Public Works
Jacquie Berkshire, Executive Clerk

Regrets

Councillor Ralph Tapper
Deputy Mayor Thorne-Gosse

Meeting was chaired by Mayor Codner.

Others

Geoff Gallant
Jeff Green
Jerome Quinlan

79-08 **Adoption of Agenda**

Motion – Councillor Smith/Councillor Byrne

RESOLVED THAT the Agenda be adopted as presented with amendment that Building Application Report and Business Application Report moved up in the agenda under Adoption of Minutes.

Question called. Motion carried unanimously.

80 - 08

Adoption of Minutes

Motion – Councillor Cantwell/Councillor Smith

RESOLVED THAT the Minutes be adopted as presented.

Question called. Motion carried unanimously.

CORRESPONDENCE

Correspondence from Atlantic Institute for AIMS – FYI

Correspondence from Municipalities Newfoundland & Labrador – Mayor Graham Letto

BUSINESS OUTSTANDING

CAO to advise on Multi Material Cleanup – *CAO advised that Flatrock is not participating this year in the cleanup. B/F*

Hillside Festival – *See under Liaison Committees*

Correspondence re: Proposed Development Regulations Amendment No.'s 10 and 25 for Moores Valley Road – Development and Planning Officer advised that this is still with the Department of Municipal Affairs – B/F

The Weather Network – *CAO is still waiting to hear back from Mr. Belanger. B/F*

Development & Planning Officer to Check with Department of Environment re: the number of artesian wells. *Development & Planning Officer advised that he has a call in to Water Resources Division however has not yet heard back from them. B/F.*

Building Application No. 8578-08 – *Complete.*

COMMITTEE REPORTS

Capital Works/Public Works/Roads Street Lighting

Nothing to Report.

Building Applications

81 – 08

Motion – Councillor Cantwell/Councillor Roche.

RESOLVED THAT the Building Application Report be adopted as presented.

Question called. Motion carried unanimously.

Financial Report

82 – 08 Motion – Councillor Cantwell/Councillor Roche.

RESOLVED THAT further to motions 18-08 and 54-08, that the Town of Torbay term out \$500,000 as it relates to the town's portion of arena construction expenses (MPA project number 06019). This represents the first term out. Loan to be repaid over a 15 year period.

Question called. Motion carried unanimously.

83 – 08 Motion – Councillor Cantwell/Councillor Smith.

RESOLVED THAT further to the second installment of multi-year capital works 2005-2008 funding (\$836,408) that the Town of Torbay term out is portion of \$418,204. Loan to be repaid over a 10 year period.

Question called. Motion carried unanimously.

84 – 08 Motion – Councillor Cantwell/Councillor Roche.

RESOLVED THAT the Financial Report be adopted as presented.

Question called. Motion carried unanimously.

85 – 08 Motion – Councillor Cantwell/Councillor Roche.

RESOLVED THAT all bills be paid to avoid interest.

Question called. Motion carried unanimously.

Personnel & Training Committee - Nothing to report.

Recreation – Nothing to report in the absence of Deputy Mayor Thorne-Gosse.

Strategic Planning Committee – Nothing to report

Development Committee

86 – 08 Motion – Councillor Smith/Councillor Roche.

RESOLVED THAT Motion 78-08 be revised to read – **RESOLVED THAT** the Town proceed with the next step of the amendment process which is to send Development Regulations Amendment No. 26 to Municipal Affairs for Provincial Registration.

Question called. Motion carried unanimously.

Waste Management Committee

Further to Mr. Connors presentation to Council on April 7, 2008 CAO will be meeting with Mike Wadden and Gerard Tracey on April 28, 2008 to explore expansion of water Management initiatives within the Town.

SPECIAL COMMITTEES OF COUNCIL

By-Pass Road

There is a public meeting scheduled for May 1, 2008 with Mr. Cluney Mercer. He has advised that this is the only date he has available for some time.

87 – 08 Motion – Councillor Smith/Councillor Roche.

RESOLVED THAT the Town of Torbay purchase advertising in an effort to give adequate notice to the Town's residents of the meeting.

Question called. Motion carried unanimously.

Communications – *Nothing to report*

St. John's Region Regional Plan

Development & Planning Officer advises that we are waiting for approval from provincial cabinet.

LIAISON COMMITTEES

Arena

Opening for the new Arena is set for September 5, 2008.

Capital Coast Development Alliance - Nothing to Report.

Chamber of Commerce - Nothing to report.

Environment – No report as Councillor Tapper is absent.

Heritage

Meeting scheduled for April 23, 2008. Councillor Byrne to enquire about funding for a strategic Plan. Additionally the Museum Curator position will be advertised in the Telegram on Saturday, May 3, 2008.

Hillside Festival

The Committee met with CAO and further to that the Finance Committee met. It was decided that the Hillside Festival budget be increased by \$5000.00 for a total of \$12000 for

the 2008 Festival. Additionally efforts to decrease costs by reducing advertising and stage rental costs will be made. Councillor Smith asked for clarification. Mayor Codner advised that expenses are generally more than revenue. Proceeds from the revenue of the event should offset the difference keeping the total budget in line with previous years. Councilor Byrne advised that he is pleased with the increase in the Budget. Councillor Roche concurred and suggested that it should have been done earlier.

88 – 08 Motion – Councillor Roche/Councillor Cantwell.

RESOLVED THAT the budget for the Hillside Festival be increased by \$5000.00 to a total of \$12000.00.

Question called. Motion carried unanimously.

North East Avalon Joint Council

Minutes of previous meeting, April 16, will not be approved until the next meeting on May 21, 2008.

School

Councillor Smith excused herself from Chambers at 8:02 p.m. as it was thought there might be a conflict of interest. Mayor Codner advised that he received a call from the Engineer who is waiting to have rezoning of the proposed for the new school land. Councillor Smith returned to chambers at 8:04 p.m.

Torbay Volunteer Fire Department

Councillor Byrne advised that the Fireman's Ball went ahead on April 12, 2008. Event was well attended. It was also noted that the Town of Torbay Volunteer Firefighters work very hard for the Town. Additionally, in recent days there were a number of incidents whereby the Firefighters were called on to go above and beyond Both Councilors Byrne and Smith as well as Mayor Codner acknowledges the efforts of these volunteers.

Tourism

The Heritage Committee and the Tourism Committee will be meeting on April 23rd, 2008 to discuss potential partnership opportunities.

Councillor Roche advised of issues with the Kiosk which is located Marine Drive. She has concerns as to why Torbay was left off the photo. It was suggested that a strong letter be written requesting an explanation. Councillor Roche will also arrange a meeting with CAO, Mayor Codner and herself with NATA in an effort to get a more detail as to how the decision was made to exclude the Town of Torbay photo from the Kiosk.

Urban Municipalities Committee

Next meeting is scheduled for May 23 – 24 in Bonavista. Nothing further to report as Deputy Mayor Thorne-Gosse was absent.

Webpage

Executive Clerk has been trying to meet with the designer for several weeks. Two meetings have been scheduled however the designer has canceled on both occasions. In an effort to have the site up and running we will look at our options regarding this designer.

NEW BUSINESS

Mayor Codner - Pass

Deputy Mayor Thorne-Gosse - Absent

Councillor Byrne

Councillor Byrne suggested the use of the Town sign to publicize information sessions. Sweeper - Director of Operations and Public Works clarifies that the Town has already purchased a sweeper for street cleaning component of the new backhoe.

Councillor Cantwell - Pass

Councillor Roche

Councillor Roche advised of her concern of off roading in residential areas of Torbay. In particular on her street there has been a truck in her area off roading on a piece of vacant land that is currently for sale. She advised that there are ducks, grouse and their babies in the area which is a wetland. There are also children in the area and the truck is driving at excessive speeds. This activity has been ongoing over the past 2 weeks. CAO to speak with Constable Grace to have patrols in the area particularly those times when the truck is said to be in the area.

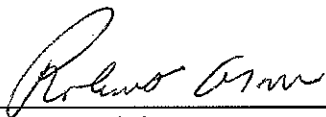
Councillor Smith

Councillor Smith voiced her concern with the recent brush fires and the fire at Irving and Coady's Excavating. Councillor Smith also asked if Council would be meeting before the May 1, 2008 Bypass Road Public Meeting.

Councillor Tapper - Absent

ADJOURNMENT

As there was no further business the meeting adjourned at 8:30 p.m. on a motion by Councillor Cantwell and seconded by Councillor Smith.



Mayor



CAO/Town Clerk