



## ***MINUTES***

PUBLIC COUNCIL MEETING  
August 11<sup>th</sup>, 2008

---

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on August 11<sup>th</sup>, 2008 at 7:38 p.m.

### **Members Present**

Mayor Bob Codner  
Deputy Mayor Mary Thorne-Gosse  
Councillor Mike Byrne  
Councillor Jim Cantwell  
Councillor Ralph Tapper  
Councillor Carol Ann Smith

### **Staff Present**

Dawn Chaplin, CAO/Town Clerk  
Ron Fleming, Director of Operations & Public Works  
Jacquie Berkshire, Executive Clerk

### **Regrets**

Councillor Peggy Roche  
Brian Winter, Development and Planning Officer

Meeting was chaired by Mayor Codner

### **Others**

See Attached.

#### 185-08      **Adoption of Agenda**

Motion – Councillor Byrne/Councillor Smith

**RESOLVED THAT** the Agenda be adopted as presented.

Question called. Motion carried unanimously.

#### 186 - 08      **Adoption of Minutes**

Motion – Councillor Tapper/Councillor Cantwell

**RESOLVED THAT** the Minutes be adopted as presented.

Question called. Motion carried unanimously.

### **PRESENTATIONS/PRESENTATIONS**

Presentation made to Council by Doug Ballom of the Nature Conservancy of Canada. The Nature Conservancy of Canada is a non-profit organization that deals with private land. They purchase land or have it donated and keep it natural. They began in the mid 90's but it wasn't until 1999 that they opened an office. They currently own 25 properties. They are not an advocacy group.

After Mr. Ballom made his presentation Mayor Codner presented him with a small gift as a token of the Town's appreciation for his time.

### **CORRESPONDENCE**

- ***Correspondence from Kathy Taylor-Rogers*** – Mayor Codner to write a letter to respond to Ms. Taylor-Rogers correspondence. Mayor did speak to the letter. He stated that he felt that the actual heading was not worded correctly on the petition.
- ***RNCA – Certificate of Appreciation - FYI***
- ***Correspondence from Maureen Bourne, Bourne's Holdings Ltd.*** – Mayor received a call approximately 2 weeks ago. Mayor to start the process to have property rezoned.

170-08      Motion – Councillor Cantwell/Councillor Smith

**RESOLVED THAT** Council consider complying with the owners request to rezone land from ROS back to original designation.

Question called. Motion carried unanimously

- ***Correspondence from Rosalind Slade*** – In light of Mrs. Slade's situation Council will grant her request to extend the deadline to have the shed on her property torn down until fall 2008 as she requested.
- ***Correspondence from Frank & Lisa Molloy*** – Director of Operations & Public Works suggested that this be gazette. Mayor Codner and CAO to have a study done on speed limits within the Town.

170-08      Motion – Councillor Cantwell/Councillor Byrne

**RESOLVED THAT** the speed limited on Motion Lane be changed from 50KM/h to 30KM/h.

Question called. Motion carried unanimously

- ***Correspondence from Stewardship Association of Municipalities Inc.*** - FYI

### **BUSINESS OUTSTANDING**

- Correspondence – Northern Avalon Tourism Association – Request for Presentation – *September 22, 2008 at 6:30 p.m. – will confirm. B/F*
- Correspondence - Government of Newfoundland and Labrador/Department of Municipal Affairs – Years of Service Award Submission for Councillor Cantwell - *B/F*
- Correspondence – Municipalities Newfoundland and Labrador. Self Sustainability Assessment for Torbay to take place on Monday, August 18<sup>th</sup> at 7:00PM. – *Complete.*
- Correspondence – Government of Newfoundland and Labrador/Department of Tourism, Culture and Recreation – Letter of thank you for financial support – *Complete.*
- Depot Petition presented to Council on June 16, 2008 – *B/F*
- Correspondence - Georgina Brown – *B/F*
- Correspondence – Ron Walsh – *B/F*
- Correspondence re: Proposed Development Regulations Amendments No.'s 10 and 25 for Moores Valley Road – Brian followed up as the correspondence was not received in this office. The letter is currently on the Director's desk and will be forthcoming shortly. *B/F*
- Strategic Planning Session – October 17-18. CAO to follow up with Council on logistics. – *B/F*
- Cost estimate for culvert work at Tapper's Cove. Director of Operations and Public Works to obtain – *Cost estimate at \$20,000.00 B/F.*

### **COMMITTEE REPORTS**

**Capital Works/Public Works/Roads Street Lighting** – Nothing to report.

#### **Building Applications**

187 – 08 **Motion** – Councillor Cantwell/Councillor Tapper

**RESOLVED THAT** the Building Application Report dated August 11<sup>th</sup>, 2008 be adopted as presented.

Question called. Motion carried unanimously.

188 – 08 **Motion** – Councillor Cantwell/Councillor Smith

**RESOLVED THAT** Building Application Number 8742-08 deferral be rescinded.

Question called. Motion carried unanimously.

### **Financial Report**

189- 08 Motion – Councillor Byrne/Deputy Mayor Thorne-Gosse.

**RESOLVED THAT** Financial Report for July 11 – August 7, 2008 be adopted as presented.

Question called. Motion carried unanimously.

190 – 08 Motion – Deputy Mayor Thorne-Gosse/Councillor Tapper

**RESOLVED THAT** all bills be paid to avoid interest.

Question called. Motion carried unanimously.

191 – 08 Motion – Deputy Mayor Thorne-Gosse/Councillor Smith

**RESOLVED THAT** the Town of Torbay approve the audit for 2007 as presented by the auditing firm of Belanger, Clarke, Follett and McGettigan.

Question called. Motion carried unanimously.

192 – 08 Motion – Deputy Mayor Thorne-Gosse/Councillor Cantwell

**RESOLVED THAT** on the recommendation of the Town's auditor's that the Town maintain a reserve fund of \$500,000 for unforeseen expenses and that the remainder be paid on debt reduction.

Question called. Motion carried unanimously.

193 – 08 Motion – Deputy Mayor Thorne-Gosse/Councillor Cantwell

**RESOLVED THAT** the Town of Torbay award the Recreation Master Plan contract to Tract Consulting in the amount of \$37,295.00 plus HST.

Question called. Motion carried unanimously.

### **Personnel & Training Committee**

194 – 08 Motion – Councillor Smith/Deputy Mayor Thorne-Gosse

**RESOLVED THAT** Lisa Niblock is hired as the Account Receivable Clerk for the Town of Torbay effective August 11<sup>th</sup>, 2008.

Question called. Motion carried unanimously.

### **Recreation Committee**

Councillor Tapper advised that the Tidy Town Judges were in the Town on August 7<sup>th</sup>, 2008. He wanted to thank Tina Auchinleck-Ryan, Mayor Codner, Tidy Town Judges and the Town staff for their support. The beautification awards were held on the evening of August 7 at the Kinsmen Centre. The event was well attended and feedback was positive. The judges noted that they had not seen an event like it other than in a National setting. Again Councillor Tapper thanked the Recreation Supervisor for her efforts in the preparation of both the Tidy Towns judging and the Beautification Awards. The Tidy Towns award winners will be announced in October in Corner Brook.

Councillor Tapper also wanted to thank Council for their support of the Recreation Master Plan.

The Haunted Hike is scheduled for Thursday, August 14<sup>th</sup>, 2008. Councillor Tapper encourages all to get out to this fun event.

### **Regional Waste Management**

Mayor Codner advised that the committee will be meeting this week.

### **Strategic Planning Committee**

Dates set for October 17-18, 2008. CAO to follow up with Council with respect to logistics.

### **Development Committee**

195 – 08      Motion – Councillor Smith/Councillor Tapper

**RESOLVED THAT** Council refuse application from Nino Construction to develop a parcel of land towards the end of Quigley's Lane and construct eight (8) new homes. Quigley's Lane is currently over the permitted 300 meter length of an unserviced cul-de-sac and extending it would only add to the saturation.

Question called. Motion carried unanimously.

196 – 08      Motion – Councillor Smith/Councillor Cantwell

**RESOLVED THAT** Council refuse application from Shirley Thorne to extend Garden Road and construct two (2) new homes. Garden Road is currently over the permitted 300 meter length of an unserviced cul-de-sac and extending it would only to the saturation.

Question called. Motion carried unanimously.

197 – 08      Motion – Councillor Smith/Councillor Byrne

**RESOLVED THAT** Council approve the following names Lower Bridge Road and River Bank Place for the Bridge Road Subdivision. These names have been approved through the 911 system.

Question called. Motion carried unanimously.

## **SPECIAL COMMITTEES OF COUNCIL**

**By-Pass Road** – Nothing to report

**Communications** – Nothing to report

**St. John's Region Regional Plan** – Nothing to report

## **LIAISON COMMITTEES**

### **Arena**

Mayor Codner reported that the project is on schedule as he last reported. Councillor Smith asked if the most recent minutes would be forthcoming. Mayor Codner advised that that would be included in the next council package. As well a tour of the new arena facility was scheduled for Monday, August 18<sup>th</sup>, 2008 for all Councillors.

**Capital Coast Development Alliance** – Nothing to report in Councillor Roche's absence.

**Chamber of Commerce** – Nothing to report in Councillor Roche's absence.

### **Environment**

Councillor Tapper stated the Beautification Awards were done in conjunction with the Tidy Towns judging. Torbay had 16 Nominations.

### **Heritage**

Councillor Byrne advised that the planning of the 20<sup>th</sup> Anniversary week of events are well underway. Currently there are a number of events being planned including an anniversary dinner, an afternoon for the kids including Halloween storytelling, a kitchen party and the highlight being the reopening of the museum with new exhibits.

**Hillside Festival** – Nothing to report.

**North East Avalon Joint Council** – Nothing to report.

**School** – Nothing to report.

### **Torbay Volunteer Fire Department**

198 – 08      **Motion** – Deputy Mayor Thorne-Gosse/Councillor Tapper

**RESOLVED THAT** until the signed Memo of Understanding and cheques are received by the Town of Torbay the Pumper will be returned from the Town of Flatrock to the Town of Torbay.

Question called. Motion carried. Councillor Cantwell against.

**RESOLVED THAT** written notice will be delivered August 12, 2008 to the Town of Flatrock with a deadline of Friday, August 15<sup>th</sup>, 2008 to provide the signed Memo of Understanding and cheques to the Town of Torbay.

Question called. Motion carried unanimously.

**Tourism** – Nothing to report in Councillor Roche’s absence.

**Urban Municipalities Committee** – Nothing to report.

**Webpage**

Councillor Byrne advised that work on the new website is still ongoing. It is anticipated that the site be up by the end of the month. He also advised that some departments have still not provided their information and encourages them to get it to CAO as soon as they can.

**NEW BUSINESS**

***Mayor Codner***

Mayor Codner wanted to congratulate CAO Dawn Chaplin on her efforts with respect to Tidy Towns and the Beautification Awards.

He also spoke to the location of the Battery site and that we should consider looking into speaking with the University regarding an archeological dig. He advised he will undertake to speak with the university. **B/F**

***Deputy Mayor Thorne-Gosse***

Deputy Mayor Thorne-Gosse spoke on a personal note with respect to the recent PC nomination for the upcoming By Election in Cape St. Francis. She is extremely disappointed with the outcome and the low voter turnout in the Town.

***Councillor Byrne***

Councillor Byrne wanted to congratulate all involved with the Beautification awards and their efforts for a job well done. He also wanted to thank Councillor Roche for the nomination regarding the Beautification Awards.

***Councillor Cantwell***

Councillor Cantwell advised that in his conversation with the Tidy Town Judges he was told that they hadn’t seen an event done like the Towns other than at a national event. He also extended his congratulations to Tina Auchinleck-Ryan.

***Councillor Roche - Absent***

***Councillor Smith***

Councillor Smith asked about the Winterlights Sign on Torbay Road as you enter the Town. CAO advised that the sign was placed their last week in anticipation of the Tidy Town Judges arrival on August 7<sup>th</sup>, 2008.

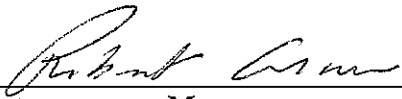
Councillor Smith also asked about the outcome of the recent Myrick meeting. CAO advised that there was a copy of the letter in her mail.

***Councillor Tapper***

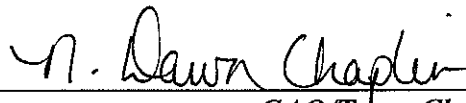
Councillor Tapper spoke to endorsing candidates in the upcoming By Election and that Mayor and Councillors should be careful about endorsing a candidate.

**ADJOURNMENT**

As there was no further business the meeting adjourned at 9:18 p.m. on a motion by Councillor Cantwell and seconded by Councillor Smith.



***Mayor***



***CAO/Town Clerk***