



## *MINUTES*

### PUBLIC COUNCIL MEETING June 30<sup>th</sup>, 2008

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Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on June 30<sup>th</sup>, 2008 at 7:35 p.m.

#### **Members Present**

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

#### **Staff Present**

Dawn Chaplin, CAO/Town Clerk  
Brian Winter, Develop. & Plan. Officer  
Jacquie Berkshire, Executive Clerk

#### **Regrets**

Ron Fleming, Director of Operations & Public Works

Meeting was chaired by Mayor Codner.

#### **Others**

See Attached.

#### 143-08      **Adoption of Agenda**

Motion – Councillor Byrne/Councillor Tapper

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

Question called. Motion carried unanimously.

#### 144 - 08      **Adoption of Minutes**

Motion – Councillor Cantwell/Councillor Tapper

**RESOLVED THAT** the Minutes be adopted as presented with the following changes:

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Motion 117-08 should be "Motion Failed. Mayor Codner, Councillor Cantwell, Councillor Byrne and Councillor Roche against Motion"

Remove from minutes under Strategic Planning Committee "Councillor Tapper and Deputy Mayor Thorne-Gosse will get together for strategic planning session". Incorrectly recorded.

### **PROCLAMATIONS/PRESENTATIONS**

145-08 Motion – Councillor Smith/Tapper

**RESOLVED THAT** the September 22-26, 2008 be proclaimed Learn @Work Week.

Question called. Motion carried unanimously.

### **CORRESPONDENCE**

- *Correspondence from NL Public Libraries – FYI*
- *Correspondence from Government of NL – Dept. Transportation & Works – Mayor Codner suggested that Councillor Tapper discuss this with Environment & Trails Committee. B/F*
- *Correspondence from Georgina Brown – CAO to prepare a letter to Ms. Brown. B/F*
- *Correspondence from Town of Marystown*

146-08 Motion – Deputy Mayor Thorne-Gosse/Councillor Roche.

**RESOLVED THAT** the Town of Torbay adopt the resolution put forward at the UMC meeting on May 24, 2008 to allocate 50 cents per capita in their 2009 budget to the Daffodil Place Campaign.

Question called. Motion carried. Councillor Smith and Councillor Tapper against motion.

- *Correspondence from Fisheries & Oceans – Councillor Cantwell has been appointed on the Harbor Authority Board and will be a liaison with Council and the board.*
- *Correspondence from David J. Tucker – FYI*
- *Correspondence from A. Norman, P. Norman & C. Norman - FYI*
- *Correspondence from Ron Walsh – It was suggested that this should go to Public Works and Development committees as both are involved in this matter. B/F*
- *Correspondence for Winners Walk of Hope – Mayor Codner asked Council if any of them were available to participate in this walk on September 7, 2008. He advised he may participate depending on his schedule at that time.*

### **BUSINESS OUTSTANDING**

Depot Petition presented to Council on June 16, 2008 – *It was decided by Council that the petition be deferred until the Concept Plan and the identification of other sites are received.*

Correspondence from Marathon Holdings Inc. – No date on survey/petition – *CAO advised that the petition was circulated 10 days prior to May 15. It was also noted by CAO that due to the Privacy Act only the heading of a Petition can be provided to those wishing to view a petition.*

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 – *Development & Planning Officer advises that this is still with Municipal Affairs. He has placed another call to them. He has also emailed the department. He will now write a letter requesting a written response. B/F*

Business Application No. B1015-08, dated May 29, 2008 deferred until publication – *Complete.*

Business Application No. B1016-08, dated June 12, 2008 deferred until publication – *Complete.*

### **COMMITTEE REPORTS**

#### **Capital Works/Public Works/Roads Street Lighting**

Nothing to report.

#### **Building Applications**

147 – 08 Motion – Councillor Cantwell/Councillor Smith.

**RESOLVED THAT** the Building Application Report dated June 27, 2008 be adopted as presented.

Question called. Motion carried unanimously.

148 – 08 Motion – Councillor Cantwell/Councillor Roche.

**RESOLVED THAT** the Business Application B1015-08 dated June 27, 2008 be adopted as presented.

Question called. Motion carried unanimously.

149 – 08 Motion – Councillor Cantwell/Councillor Roche.

**RESOLVED THAT** the Business Application B1016-08 dated June 27, 2008 be adopted as presented.

Question called. Motion carried unanimously.

150 – 08 Motion – Councillor Cantwell/Councillor Byrne.

**RESOLVED THAT** the Crown Land Application Report dated June 27, 2008 be adopted as presented.

Question called. Motion carried unanimously.

**Financial Report**

151 – 08 Motion – Councillor Cantwell/Councillor Tapper.

**RESOLVED THAT** Financial Report for June 13-27, 2008 be adopted as presented.

Question called. Motion carried unanimously.

152 – 08 Motion – Councillor Byrne/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.*

**Strategic Planning Committee**

Deputy Mayor Thorne-Gosse advises that an email will be forwarded to all Councilors in an effort to poll them for their availability for a Strategic Planning Session over the summer months. **B/F**

**Development Committee** – *Nothing to report.*

**Waste Management Committee**

Mayor Codner reported that there has been on Waste Management since the last update he provided to council.

**SPECIAL COMMITTEES OF COUNCIL**

**By-Pass Road**

Mayor Codner reported that he will attempt to set up a meeting in an effort to get an update on the activity of the bypass road. Development and Planning Officer advised that there has been talk that there has been a change in the route of the bypass road however this is inaccurate.

**Communications** – *Nothing to report.*

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

## **LIAISON COMMITTEES**

### **Arena**

Mayor Codner advised that the next arena meeting is scheduled for Thursday, July 10, 2008. He reported that the September 5, 2008 opening is still planned. At this time there are 10 subcontractors on site and the design team is optimistic of the opening date. Councillor Tapper noted that after reviewing the arena minutes he noticed the absence of Mr. Tomey and Mr. Byrne at some of the arena meetings. Deputy Mayor Thorne-Gosse advised that although these board members have missed meetings there is considerable work that goes on behind the scenes and the arena meetings are mainly updates of this work which is brought to the Board as a whole at these meetings.

**Capital Coast Development Alliance** – *Nothing to report.*

**Chamber of Commerce** - *Nothing to report.*

### **Environment** –(see attached report)

Councillor Tapper reported that the Committee met on June 25, 2008 with guest speakers from Eastern Habitat Joint Ventures (EHJV) – Jonathan Sharpe and Barbara Campbell. There was a lengthy discussion on the Western Island Pond situation and there were four (4) recommendations made by the Mr. Sharpe. After providing the recommendations it was noted that if the recommendations are not met the EHJV will not be able to continue to be part of an agreement where one party is clearly not acting in good faith. It was noted that the Town's Legal Counsel advises that the Development Agreement should be registered with the Registry after it is signed. This will set out the terms and conditions which is a means of educating property owners as well.

Councillor Tapper also advised that he attended the Stewardship Association of Municipalities (SAM) meeting in Bay Roberts.

### **Heritage**

Councillor Byrne reported that the new curator, Maureen Power, is in place and she comes with extensive experience. The Committee met on June 25, 2008. New software has been purchased, the new curator has met with the web designers, three (3) students have been hired and some of the municipal plaques will be presented shortly. It has been suggested that this year's annual Christmas in the Bight be used as a food drive instead of charging a fee for admittance and attendees could bring a non perishable food item which would be donated to the local food bank. There is a story telling program being worked on which would be introduced to the schools. The Museum is looking at purchasing the rights to its existing logo. With this being the 20<sup>th</sup> Anniversary of the Torbay Museum there is a grand reopening planned in the fall. It is hoped to secure the Signal Hill Tattoo as part of the celebration.

**Hillside Festival** – *Nothing to report.*

### **North East Avalon Joint Council**

Councillor Roche advised that there will not be another meeting with the NEAJC until September.

**School** – *Nothing to report.*

**Torbay Volunteer Fire Department**

Deputy Mayor Thorne-Gosse advised that there has not yet been a meeting with Mayor Parsons as he is still out of town.

**Tourism**

Councillor Roche advised that the Happenings Guide is in circulation throughout the community and thanked all who had a part in putting it together.

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

**Webpage**

Councillor Byrne advised that work on the new website is moving forward and it is anticipated that the site will be live by August, 1, 2008.

**NEW BUSINESS**

***Mayor Codner***

Mayor Codner reminded everyone that the Canada Day 2008 events listing was in circulation and invited everyone to participate. The first event is scheduled at 11 a.m. with the July Drive Memorial Service.

***Deputy Mayor Thorne-Gosse - Pass***

***Councillor Byrne***

Councillor Byrne wanted to give his heartfelt thanks on behalf of both the Byrne and Power families, to everyone who called, sent flowers, cards, food, etc. on the passing of his brother Jack.

He also suggested that council consider a doggie park for the Town.

***Councillor Cantwell - Pass***

***Councillor Roche - Pass***

***Councillor Smith***

Councillor Smith advised that Michelle Myrick has yet to receive a response to her concerns. She advised that Ms. Myrick has also had a meeting with various Town staff. Mayor Codner advised that he has requested a meeting with both Ms. Myrick and her husband however Mr. Myrick is unable to attend as he is currently out of town and will be for several weeks. The request of this meeting by Mayor Codner is based on the advice of the Town's solicitor, Mr. Pittman. The mayor also advised that in his conversation with Ms. Myrick she did not see the point of the meeting.

Councillor Smith voiced that she does not understand why the meeting has to be postponed until Ms. Myrick's husband can attend.

153 – 08      Motion – Councillor Smith/Deputy Mayor Thorne-Gosse

**RESOLVED THAT** a response to Michelle Myrick's email request of November 15, 2007 regarding the storm drain situation at 11 Pineridge Crescent and 18 Karon Drive be forwarded forthwith to Ms. Myrick without further delay.

Question called. Motion Defeated.

Mayor Codner, Councillor Tapper, Councillor Cantwell, Councillor Byrne and Councillor Roche against Motion.

***Councillor Tapper***

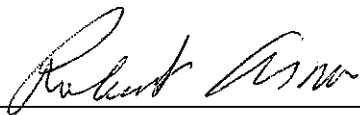
Councillor Tapper spoke about excess gravel on North Pond Road. He spoke with a resident on today's date and asked about road repairs in the area. Councillor Cantwell advised he witnessed workers sweeping the area of concern. CAO to speak with the Depot Foreman with an effort to having the sweeper address the issue in the area. **B/F**

Councillor Tapper also asked about the Land behind the Town Hall and Depot. CAO advised that surveys and assessments are underway. CAO also commented that Municipal Assessment Agency is carrying out a review of all properties in Torbay.

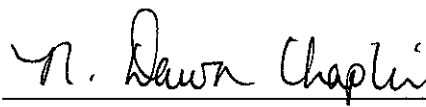
Councillor Tapper also spoke to the Great Pond Watershed Review and was advised that the review is ongoing. A presentation was made on Monday, June 23, 2008 with a recommendation to move ahead to bring Great Pond on stream as soon as feasible. Director of Operations and Public Works is looking into this matter. A meeting is currently being scheduled for the next week with this issue being on the agenda.

**ADJOURNMENT**

As there was no further business the meeting adjourned at 9:15 p.m. on a motion by Councillor Cantwell and seconded by Councillor Smith.



*Mayor*



*CAO/Town Clerk*