



## *MINUTES*

PUBLIC COUNCIL MEETING  
November 17<sup>th</sup>, 2008

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Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on November 17<sup>th</sup>, 2008 at 7:45 p.m.

### Members Present

Mayor Bob Codner  
Deputy Mayor Thorne-Gosse  
Councillor Peggy Roche  
Councillor Jim Cantwell  
Councillor Ralph Tapper  
Councillor Carol Ann Smith

### Staff Present

Dawn Chaplin, CAO/Town Clerk  
Jacquie Berkshire, Executive Clerk

### Regrets

Councillor Mike Byrne

Meeting was chaired by Mayor Codner

#### 275-08      Adoption of Agenda

Motion – Councillor Smith/Councillor Roche

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

Question called. Motion carried unanimously.

#### 276-08      Adoption of Minutes

Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

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

Question called. Motion carried unanimously

### CORRESPONDENCE

- ***Email from Don Lynch*** – Councillor Cantwell, Councillor Smith, Councillor Roche reported that they do not support outside classroom in a residential area particularly with the history of problems with the gazebo. Councillor Tapper reported that the outside classroom is estimated at \$100,000. Deputy Mayor Thorne-Gosse reported that nothing has come to Council for approval to date. Mayor Codner suggested that with the problems attached to the gazebo he isn't entirely sure that the residents of the area would want to put this in their backyards. He does feel that it would be a good teaching tool however a small group of vandals unfortunately dictate what must be done.
- ***Invitation to Council & Senior Staff Workshop*** – Councillor Smith advised that she is not available for this session.
- ***Correspondence re: The Jessica Campaign*** – The question was posed as to the cost of the underguard protection. Councillor Smith advised that it was reported at the MNL Convention in Corner Brook that the units were reasonably priced however no dollar figure was reported.
- **Correspondence from Municipalities NL re: Benefits of Belonging/Membership Services - FYI**

### BUSINESS OUTSTANDING

- ***Procedure for release of 155 future serviced lots*** – CAO working on this - B/F
- ***Correspondence re: Proposed Development Regulations Amendments No.'s 10 and 25 for Moores Valley Road*** – B/F
- ***Tappers Cove Road ownership*** – Councillor Cantwell reported that it is his understanding that the road is Provincially owned - B/F
- ***Mayor Codner will speak with university representatives regarding the possibility of an archeological dig at the Battery site.*** - This is being looked after by the Town Curator. She has made the initial contact - B/F
- ***Forest Landing – Phase One Issues*** – Councillor Tapper reported that he and Helen Spencer have sent an email list. CAO to compare - B/F
- ***Mayor to write correspondence to Julia Penny and Karen Channing regarding their participation in the Cape Farewell Arctic Voyage*** - Complete
- ***Request that Tract Consulting address the lack of Torbay presence at the Kiosk*** – Councillor Roche advised that Tract Consulting took their direction from Walter Butt. Councillor Roche and Councillor Cantwell state that they feel the Town of Torbay should not be responsible for additional costs incurred to have the Town's photos replaced has received. CAO to write a letter. B/F
- ***Regional Water*** – CAO reported that a letter has not yet been written however an email from Flatrock since last Council Meeting -B/F
- ***Jones Pond Trail*** – B/F
- ***Chip Truck at High School*** – B/F

### COMMITTEE REPORTS

**Capital Works/Public Works/Roads** - Nothing to report.

**Building Applications**

277 – 08 Motion – Councillor Cantwell/Councillor Tapper

**RESOLVED THAT** the Building Application Report dated November 14<sup>th</sup>, 2008 be adopted with the following changes

Application 8874-08 - Deferred for clarification from Development & Planning Officer.

Application 8835-08 Recommendation 4 changed to *this residence shall face Torbay Road however the driveway will be permitted to be accessed from Bellaventure Place.* Add Recommendation 5 – *The issue concerning the property to the rear of this one having its distribution field lines for its septic system on this property may be an issue with Government Services when reviewing the Application. This problem should be rectified before a building permit is issued.*

Question called. Motion carried unanimously.

**Financial Report**

278– 08 Motion – Councillor Roche/Deputy Mayor Thorne-Gosse

**RESOLVED THAT** Financial Report for the period of November 3-14, 2008 be adopted as presented.

Question called. Motion carried unanimously.

279– 08 Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

**RESOLVED THAT** all bills be paid to November 14<sup>th</sup>, 2008 to avoid interest.

Question called. Motion carried unanimously.

**Personnel & Training Committee** - Nothing to report.

**Recreation Committee** - Nothing to report.

**Regional Waste Management**

Mayor Codner reported that at the last meeting included a tour of Robin Hood Bay. There has been \$100,000,000.00 allotted from Government for the three (3) dumps. \$20,000,000.00 has been spent on Robin Hood Bay to date. Leeching problems have been addressed. Mayor Codner advised that one benefit of the system in place is to vent/contain methane gas. Down the road it is hoped that this will be used to generate electricity at the dump. There is a new building which can staff up to 14 people. There have been significant increases in tipping fees across the board for all towns from \$23 to \$50. Deputy Mayor Thorne-Goss asked if we should make an effort to educate our residents with recycling program to reduce the amount of waste thereby reducing the tipping

fees. Mayor Codner advised that there are attempts being made to set up meeting with those towns with recycling programs in place i.e. Mount Pearl.

### **Strategic Planning Committee**

CAO advised that Economic Development Officer is working on a model from Grand Falls-Windsor and Clarenville. He is currently putting together his briefing notes which will be distributed to the Committee.

### **Development Committee**

280- 08      Motion – Councillor Roche/Councillor Smith

**RESOLVED THAT** Council proceed with the next step of the amendment process, which is to adopt Plan Amendment No. 11 and Development Regulations Amendment No. 27 and to schedule a public hearing.

Question called. Motion carried unanimously.

281- 08      Motion – Councillor Roche/Councillor Smith

**RESOLVED THAT** council proceed with the next step of the amendment process, which is to send Plan Amendment No. 12 and Development Regulations Amendment No. 28 to Municipal Affairs for Provincial Review/Release.

Question called. Motion carried unanimously.

282- 08      Motion – Councillor Roche/Councillor Smith

**RESOLVED THAT** Council approve Barrox Holdings revised drawings for Victor Place as per Mae Design Limited's drawings Project No. 2008-0128 dated October 30, 2008. No permits will be issued until all normal conditions for developing within the Town of Torbay are met.

Question called. Motion carried unanimously.

283- 08      Motion – Councillor Smith/Councillor Roche

**RESOLVED THAT** Council give Winco Development a one year extension to its approval to develop 24 serviced building lots in the North Pond Road Area. This extension will expire on August 20, 2009. Conditions of this extension will include the normal standard conditions along with the following:

- Development Agreement to be signed and registered;
- All required sureties will have to be in place;
- Proof of a contract for construction be signed showing that construction will be started on or before August 20, 2009;
- If these conditions are not met by the August 20, 2009 deadline then the approval of the 24 serviced lots will be revoked.

Question called. Motion carried unanimously.

284- 08 Motion – Councillor Smith/Councillor Roche

**RESOLVED THAT** Council give MBM Development approval in principal so they can proceed with engineering and design work on the development. The approval letter will contain the normal standard conditions for such a development in the Town of Torbay.

Question called. Motion carried unanimously.

285- 08 Motion – Councillor Smith/Councillor Roche

**RESOLVED THAT** Council approve Victor Place as the name for a new cul-de sac-off Indian Meal Line. This is Phase II of Barrox Holdings Limited sub-division. Phase I was Nathanael Drive.

Question called. Motion carried unanimously.

### **SPECIAL COMMITTEES OF COUNCIL**

#### **By-Pass Road**

Mayor Codner reported that he has not seen anything since the tender about a month ago. Written confirmation has not yet been received however he will follow up with Mr. Mercer. **B/F**

**Communications** - Nothing to Report

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

### **LIAISON COMMITTEES**

#### **Arena**

Mayor Codner reported the Arena Board meeting was cancelled for last week. There is however a meeting scheduled this Thursday with the Minor Hockey Association. Councillor Smith advised that it had been brought to her attention that the Arena Board might want to consider a Seniors Rate. Mayor Codner stated that this was under review by the Board.

#### **Capital Coast Development Alliance**

Councillor Roche advised that the next meeting will be held November 20, 2008. This will be the AGM and will be held at the Capital Hotel. CAO will be joining Councillor Roche at this event. She also reported that she will be presenting the Town's vote for Colleen O'Toole in the election for the Regions seat on the Board of Directors as per Motion at the November 3, 2008 Council Meeting.

## **Environment**

Councillor Tapper reported that Tidy Towns detailed report is out and we how we ranked in August, as well as suggestions and recommendations for future competitions.

**Heritage** – Nothing to report in Councillor Byrne’s absence.

**Hillside Festival** – Nothing to report

## **North East Avalon Joint Council**

Councillor Roche reported that the next meeting will be held in Mount Pearl with Guest Speaker Rhonda Neary, President, and Newfoundland & Labrador Construction Association.

## **School**

Councillor Tapper reported that the Elementary School Council will be meeting on November 18, 2008 and the High School Council will be meeting on December 2, 2008.

## **Torbay Volunteer Fire Department**

Councillor Smith wanted to extend a thank you to the fire department for participating on Friday in the in the World Diabetes Day activities.

## **Tourism**

Councillor Roche advised that there was a meeting with Heritage, Economic Development Officer and Museum Curator regarding the Cupids 400 celebrations.

A meeting is scheduled on December 13 from 12:00 – 2:30 with Tourism, Heritage and Tract Consulting.

The Board of Directors Meeting will be held on November 21 in Cupids for the Northeast Avalon Tourism Board.

Councillor Roche also advised that she is still looking for feedback regarding Targa from those councilors who have not yet replied to her email.

## **Urban Municipalities Committee**

Deputy Mayor Thorne-Gosse reported that the next UMC meeting will be held in February.

## **Webpage**

CAO reported that Economic Development officer is currently compiling the information which will be uploaded to the new website.

## **NEW BUSINESS**

### ***Mayor Codner***

Mayor Codner extended an invitation on behalf of the Fire Department for everyone to attend a Christmas Party which will be held on December 7, 2008 for the Special Needs group.

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

### ***Councillor Byrne - Absent***

### ***Councillor Cantwell***

Councillor Cantwell raised the issue of signage on the outside glass at the entrance of the Town Hall and if there was some way we could have the Town's Coat of Arms installed. CAO advised there is some work being done and new signage will be placed shortly on the 4 entrance doors of the town hall. As well with the proposal by Tract Consulting there will be new signage outside the building.

### ***Councillor Roche***

Councillor Roche wanted to extend thanks to Director of Operations & Public Works and his staff for installing the signs on Convent Lane as had been requested at a previous council meeting. She also wanted to say on behalf of the Heritage Committee a thank you to Jeff Green for his efforts over the years and although he will be missed they wish him well.

### ***Councillor Smith***

Councillor Smith spoke to the road conditions specifically repairs that were recently done from PJ's to the Irving. She advised that she doesn't feel that the repairs are entirely an improvement. She suggested that the Town staff have a look at the area. Mayor Codner stated that he will have a look at it as well.

### ***Councillor Tapper***

Councillor Tapper advised he received a call from a parent in the Marine Drive area regarding residential safety. CAO reported that she has followed up with the RNC and an investigation is ongoing however there is to date no record of an incident report being generated at this time.

## **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.

*Robert A. M.*  
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**Mayor**

*N. Dawn Chaplin*  
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**CAO/Town Clerk**