



MINUTES

PUBLIC COUNCIL MEETING September 8th, 2008

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on September 8th, 2008 at 7:43 p.m.

Members Present

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

Staff Present

Dawn Chaplin, CAO/Town Clerk
Brian Winter, Development & Planning Officer
Ron Fleming, Director of Operations & Public Works
Jacquie Berkshire, Executive Clerk

Meeting was chaired by Mayor Codner

Others

See Attached.

215-08 Adoption of Agenda

Motion – Councillor Byrne/Councillor Roche

RESOLVED THAT the Agenda be adopted as presented.

Question called. Motion carried unanimously.

216 - 08 Adoption of Minutes

Motion – Councillor Smith/Councillor Byrne

RESOLVED THAT the Minutes be adopted as presented with the following amendments:

Page 1 – Date on Minutes should be “*August 25th, 2008*”

Members Present should include “*Councillor Roche*”

Page 2 – remove “*the outcome and*” from Deputy Mayor Thorne-Gosse’s quote from August 8, 2008 minutes.

Page 2 – Correspondence regarding Motion Drive and speed limit should read “*Mayor Codner and CAO to have a study done on speed limits within the Town*”

Page 6 – Tourism – should read “*Nothing to Report*”

PRESENTATIONS/PRESENTATIONS

217 – 08 Motion – Councillor Smith/Deputy Mayor Thorne-Gosse

RESOLVED THAT September 15-19, 2008 be proclaimed Sexual Violence Awareness Week.

Question called. Motion carried unanimously.

Andrea Milley, Provincial Program Coordinator with the Newfoundland and Labrador Sexual Assault Crisis and Prevention Centre Inc. presented Mayor Codner with the Proclamation for his signature.

CORRESPONDENCE

- Correspondence from NL Design – Municipal Depot Site Assessment

218 – 08 Motion – Councillor Byrne/Councillor Cantwell.

RESOLVED THAT Council advise Newfoundland Design to provide scope of work and cost estimate associated with evaluating the parcel of Crown Land located in the vicinity of Little Gallows Cove Pond as a potential site for a Municipal Depot at a cost of approximately \$600.00.

Question called. Motion carried unanimously.

- ***Correspondence from Eastern School District*** – Mayor Codner advised that this letter is in response to his recent letter to the Eastern School District. Councillor Tapper asked about the status of the tender. It was determined that Councillor Smith was not in conflict. She advised that the land acquisition will be complete by the 13th of the month.
- ***Correspondence from Eastern Newfoundland Regional Appeal Board*** – FYI
- ***Email re: Kinsmen Playground*** – B/F

219 – 08 Motion – Councillor Cantwell/Councillor Smith

RESOLVED THAT the Kinsmen Centre playground and recreation facilities be closed at 9:00 p.m. subject to review at the September 22, 2008 Council Meeting.

Question called. Motion carried unanimously.

BUSINESS OUTSTANDING

- Correspondence re: Proposed Development Regulations Amendments No.'s 10 and 25 for Moores Valley Road – *Development & Planning Officer circulated correspondence dated August 11, 2008 from Department of Municipal Affairs Engineering & Land Use Planning Division. Update to Council and further research by Development Committee and they will provide more information when they receive it. B/F*
- Cost estimate for culvert work at Tapper's Cove. Director of Operations and Public Works to obtain – *Quote received. Councillor Cantwell asked who owns the Road? B/F*
- Mayor Codner will speak with University representatives regarding the possibility of an archeological dig at the Battery site. – *Mayor Codner spoke with Museum Curator who will speak with someone from MUN. B/F*
- Kinsmen Community Centre & Park – *B/F*

220 – 08 Motion – Deputy Mayor Thorne-Gosse/Councillor Roche

RESOLVED THAT Council undertake to complete fence at Blair and Valerie Whalen's property near the Kinsmen Community Centre & Park subject to Budget.

Question called. Motion carried unanimously.

COMMITTEE REPORTS

Capital Works/Public Works/Roads Street Lighting

221 – 08 Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

RESOLVED THAT Council award the tender for the Lease of one (1) 2009 Front End Loader complete with snow clearing equipment to Harvey and Company Ltd., having the lowest total monthly lease cost of \$4601.65 HST included for 60 months at 5.745% with a \$1.00 buyout at the end of the term.

Question called. Motion carried unanimously.

222 – 08 Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

RESOLVED THAT Council award the tender for the 2008/2009 Ice Control Materials (Sand) to the low bidder Butler's Sand and Stone at a total cost of \$38,374.80 HST included.

Question called. Motion carried unanimously.

223 – 08 Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

RESOLVED THAT Council advertise for proposals for an Automatic Vehicle Location system to be installed in all Town owned vehicles and equipment.

Question called. Motion carried unanimously.

Building Applications

224 – 08 Motion – Councillor Cantwell/Councillor Byrne

RESOLVED THAT the Building Application Report dated September 8th, 2008 be adopted as presented with a correction on application 8790-08 recommendation to read: ...Mahon's Lane be "**approved**" ... and correction on application 8792-08 Recommendation 4 to read: "**All drainage problems in that area are to be addressed before a permit is granted.**"

Question called. Motion carried unanimously.

225 – 08 Motion – Councillor Cantwell/Deputy Mayor Thorne-Gosse

RESOLVED THAT the Business Application Report dated September 8th, 2008 be adopted as presented.

Question called. Motion carried unanimously.

226 – 08 Motion – Councillor Cantwell/Councillor Roche

RESOLVED THAT Crown Land Application dated September 8th, 2008 be adopted as presented.

Question called. Motion carried unanimously.

Financial Report

227– 08 Motion – Councillor Roche/Deputy Mayor Thorne-Gosse

RESOLVED THAT Financial Report for the period of August 25 – September 5, 2008 be adopted as presented.

Question called. Motion carried unanimously.

228 – 08 Motion – Deputy Mayor Thorne-Gosse/Councillor Roche

RESOLVED THAT all bills be paid to avoid interest.

Question called. Motion carried unanimously.

Personnel & Training Committee

229 – 08 Motion – Councillor Smith/Deputy Mayor Thorne-Gosse

RESOLVED THAT a new employee agreement will be developed immediately and implemented prior to December 31, 2008. This document will outline policies and procedures for the positions of Chief Administrative Officer/Town Clerk, Director of Operations and Public Works, Development and Planning Officer, Supervisor of

Recreation and Healthy Living, Economic Development Officer, Executive Clerk, Museum Curator, Accounts Payable Clerk, Accounts Receivable Clerk, Assessment Clerk and the Clerk/Receptionist.

Question called. Motion carried unanimously.

230 – 08 Motion – Deputy Mayor Thorne-Gosse/Councillor Smith

RESOLVED THAT the salary recommendations approved by Council on August 18, 2008 be implemented immediately and where appropriate retroactive to March 3, 2008.

Question called. Motion carried unanimously.

231 – 08 Motion – Councillor Smith/Deputy Mayor Thorne-Gosse

RESOLVED THAT the CAO meet with staff members individually to discuss the specific details of the employee agreement and that the CAO draft a letter for all staff to sign accepting the terms of the agreement.

Question called. Motion carried unanimously.

Recreation Committee – Nothing to report.

Regional Waste Management

Mayor Codner advised that the Board has a new Manager Mr. Kelly and it is hoped that there will be a meeting within the next month. Mayor Codner will advise as he receives information.

Strategic Planning Committee

CAO is finalizing details of the Strategic Planning session which will be held on October 17-18, 2008 and will advise by the end of the week.

Development Committee

232 – 08 Motion – Councillor Smith/Councillor Roche

RESOLVED THAT to proceed with the next step of the amendment process, which is to send Plan Amendment No. 11 and Development Regulations Amendment No. 27 (which is the rezoning of Land North of Indian Meal Line between Peters Place and Nathaniel Drive extension from a Rural destination to a Residential Large Lot designation) Municipal Affairs for the Provincial Review/Release.

Question called. Motion carried unanimously.

SPECIAL COMMITTEES OF COUNCIL

By-Pass Road

Mayor Codner reported that he is trying to arrange a meeting and is hoping to have something to report at the next Council Meeting on September 22nd, 2008.

Communications – Nothing to report

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

LIAISON COMMITTEES

Arena

Mayor Codner reported that the arena is scheduled to open on September 22nd, 2008. At this time 70% of the seats are in and the pavement and concrete will be done shortly. There have also been 2 staff hired and they are expected to start on September 15th, 2008.

233 – 08 **Motion** – Deputy Mayor Thorne-Gosse/Councillor Smith

RESOLVED THAT the Town of Torbay provide Northeast Avalon Regional Board of Directors Inc. with an operational grant of \$28,000.00.

Question called. Motion carried unanimously.

Capital Coast Development Alliance – Nothing to report.

Chamber of Commerce – Nothing to report.

Environment – Nothing to report

Heritage

Councillor Byrne advised that there is a committee meeting scheduled for September 9th, 2008. He also made note that the exterior of the museum has been painted and suggested that members of Council take the time to view it.

Hillside Festival

Councillor Smith asked about the status of the stage for the 2009 Hillside Festival. CAO to meet with the Committee to discuss the recommendations/options. Mayor Codner suggests that the committee may want to consider moving the Festival to the new Arena in future years.

North East Avalon Joint Council

Councillor Roche reported that the first meeting of the new season will be held in Wabana on September 17, 2008 at 7:30 p.m.. Everyone is welcome.

School

Councillor Tapper reported that the high school meeting is scheduled for early October. Mayor Codner and Councillor Tapper will endeavor to have a meeting with officials regarding the gymnasium for the new school.

Torbay Volunteer Fire Department – Nothing to report.

Tourism

Councillor Roche advised that she circulated information on the Targa Bursary. She also advised that everyone should look in the mail for their information sheet on the upcoming Targa 2008 which will be held in Torbay on Sunday, September 14th, 2008. Volunteers are welcome. Deputy Mayor Thorne-Gosse voiced concerns regarding the road closure due to the race. Councillor Smith suggested that Council may want to reevaluate this for future years.

Urban Municipalities Committee – Nothing to report.

Webpage

Councillor Byrne reported that the website is still being worked on and it is hopeful that it will be up soon.

NEW BUSINESS

Mayor Codner - Pass

Deputy Mayor Thorne-Gosse - Pass

Councillor Byrne - Pass

Councillor Cantwell - Pass

Councillor Roche - Pass

Councillor Smith - Pass

Councillor Tapper - Pass

ADJOURNMENT

As there was no further business the meeting adjourned at 8:57 p.m. on a motion by Councillor Cantwell and seconded by Councillor Smith.



Mayor



CAO/Town Clerk