



MINUTES
PUBLIC COUNCIL MEETING
November 6, 2017

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on November 6, 2017, at 7:12 p.m.

Members Present

Mayor Craig Scott
Deputy Mayor Trina Appleby
Councillor Geoff Gallant
Councillor Justin Martin
Councillor Tony Pollard
Councillor Peggy Roche
Councillor Mary Thorne-Gosse

Staff Present

Bernie Manning, Director of Infrastructure and Public Works
Ann Picco, Deputy Clerk
Brian Winter, Director of Planning and Development

Absent

Dawn Chaplin, CAO/Town Clerk
Ross Houlihan, Communications

Gallery

There were a total of 7 people in attendance.

Motion to Appoint Acting Town Clerk

Chief Administrative Officer/Town Clerk Dawn Chaplin was away from the office on Monday, November 6th, 2017; and, therefore, was not be in attendance at the Public Council Meeting of Monday, November 6th.

As a result, an Acting Town Clerk was appointed in order for the Public Council Meeting to proceed. See motion below:

226-17 Motion – Councillor Gallant / Councillor Pollard

RESOLVED THAT In the absence of the Chief Administrative Officer/Town Clerk for the Public Council Meeting of November 6th, 2017, that Deputy Clerk Ann Picco be appointed the Acting Town Clerk. Any operational matters are to be referred to the appropriate senior department staff member.

Question called. Motion carried.

For Motion: 7 (Mayor Scott, Deputy Mayor Appleby, Councillors Gallant, Martin, Pollard, Roche and Thorne-Gosse)

Against: 0

Abstained: 0

Adoption of Agenda

227-17 Motion – Councillor Thorne-Gosse / Councillor Martin

RESOLVED THAT the Agenda be adopted, as presented.

Question called. Motion carried.

For Motion: 7 (Mayor Scott, Deputy Mayor Appleby, Councillors Gallant, Martin, Pollard, Roche and Thorne-Gosse)

Against: 0

Abstained: 0

Adoption of Minutes

228-17 Motion – Councillor Thorne-Gosse / Councillor Pollard

RESOLVED THAT the Minutes of the October 23, 2017 Public Council Meeting be adopted with the following changes:

- Page 12 – Under Liaison Committees, Torbay Harbour Authority – time should read, "... open at 6:30 am and close at 6:30 pm ..."
- Page 14 – Under Next Public Council Meeting – date should read November 6th.

Question called. Motion carried.

For Motion: 7 (Mayor Scott, Deputy Mayor Appleby, Councillors Gallant, Martin, Pollard, Roche and Thorne-Gosse)

Against: 0

Abstained: 0

PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION

Mayor Scott referred to the Gallery and asked if anyone would like to present to Council. There were no comments.

Councillor Gallant called Point of Order at this point questioning if Mayor asked the Gallery if they had any items to discuss under the Question and Answer session? Mayor responded advising he did ask at the beginning of the meeting.

MAYOR'S REPORT

Mayor Scott advised that a meet and greet was recently held for Killick Coast councils, and he thanked those who attended.

He discussed the recent Municipalities Newfoundland and Labrador (MNL) Convention, advising he will have a report for the next meeting.

BUSINESS ARISING

The Business Arising Report, dated November 6, 2017, was accepted as presented.

CORRESPONDENCE

1. Northeast Avalon ACAP – Presentation concerning protection and enhancement of coastal and water resources. *Referred to the Planning and Land Use Development Committee.*
2. Municipal Assessment Agency Inc. – Ballot-Urban and Regional Director. *Referred to the Human Resources and Administration Committee.*
3. LW Consulting – Councillor Orientation Training Session. *Referred to the Human Resources and Administration Committee.*

COMMITTEES OF COUNCIL REPORTS

Community Services and Economic Development

- Minutes of the Community Services Committee Meeting, dated October 31, 2017
 - Items discussed included:
 - Softball Field
 - The importance of having a second softball field at Upper Three Corner Pond Park was discussed.

- Canada 150 Mosaic
 - The mosaic was a fabulous success with a beautiful result.
 - Canada 150 Skate
 - The Skate, in participation with other municipalities, is taking place on December 10th, 9:00 am to 11:00 am.
 - Community Engagement
 - Community groups and the public will be engaged in relation to future fees for use of town facilities.
 - Budget
 - Meetings were held.
 - Youth Council Representation
 - Working through ideas and election process. Further information to be presented.
 - Recognition
 - Approximately eight-hundred people attended the Haunted Trail. Committee recognized and thanked staff and volunteers in relation to the Trunk or Treat.
- Minutes of the Community Economic Development Committee Meeting, dated October 31, 2017
- Items Discussed included:
 - A demographics project is underway spearheaded by area communities.
 - A memorial project to recognize former Mayor Bill Manning is being planned in collaboration with the Town of Portugal Cove – St. Philip’s.
 - The Community Market was held this weekend past. Positive feedback was received concerning the event.
 - The old municipal depot building expression of interest was questioned. No submissions were received by the deadline. An extension was issued and will now close on November 14th at 12:00 pm.

Finance

- Corporate Services Report
- Items discussed included:
 - Payroll for the period of October 21st to November 3rd, 2017 for 29 employees totaled \$67,199.31.
 - For the two week period of October 21st to November 3rd, 2017 invoices in the amount \$192,865.66 were processed.
 - The following sixteen (16) invoices are presented for approval. See motion below:

229-17 Motion – Councillor Pollard / Councillor Roche

RESOLVED THAT the Town of Torbay approve payment of invoices totalling \$192,865.66, as presented.

Invoice Number	Vendor and Detail	Amount
S0036841	A. Harvey & Co (Winter Road Salt Tender)	\$125,178.71
P.18917	Capital Precast (Recon Block for New Depot)	\$8,305.30
12132	Clarke's Trucking & Excavating (Winter Sand Tender)	\$52,497.50
26301	Commissionaires (Municipal Enforcement)	\$10,304.00
RO# 10495	Garland's Autobody Ltd. (Repairs to GMC Truck)	\$5,635.74
17069	Grand Concourse Authority (U3C Pond Easement to Soccer Field)	\$5,180.51
17093	Grand Concourse Authority (Lower St. Torbay Rd. Trail)	\$46,799.68
17095	Grand Concourse Authority (Woodbridge Connecting Trail)	\$7,131.56
17096	Grand Concourse Authority (Forest River Gazebo)	\$7,376.16
46950	LSW Wear Parts (Universal cutting edges for equipment)	\$14,392.25
31938568	Manpower Services (Poll clerks/Deputys for election)	\$12,372.06
14293948Oct17	Newfoundland Power (Group Billing)	\$7,280.52
010532-0000	Prime Creative (Recycling Program Fall 2017)	\$6,037.50
Oct 16-31 2017	Receiver General for Canada (Payroll deductions)	\$19,513.36
90614096	Stewart McKelvy (General Legal Advise Aug-Sept)	\$6,202.14
90614217	Stewart McKelvy (Appeal Board Hearing)	\$11,112.02

Council questioned a couple invoices above, requesting details. It was noted in process of making changes for future meetings so more detailed information is available.

Question called. Motion carried.

For Motion: 7 (Mayor Scott, Deputy Mayor Appleby, Councillors Gallant, Martin, Pollard, Roche and Thorne-Gosse)

Against: 0

Abstained: 0

- Minutes of the Corporate Services Committee Meeting, dated October 30, 2017
 - Items discussed included:
 - Update on auditor and financial statements.
 - The Town is in good financial shape with no audit issues of significance. The Town has made great strides over the past number of years and will continue to improve controls.

- Budget Update
 - Meetings have been set up with staff.
 - Director to have first draft of the budget for Committee's review for next Committee meeting.
- Council Invoice Approval Process
 - Moving on approval process regarding invoices.
- The management report from the auditor was questioned and when it would be available. Committee to follow up with the Director.

Human Resources and Administration

- Minutes of the Human Resources and Administration Committee Meeting, dated October 25, 2017
 - Items discussed included:
 - Committee Mandate
 - Reviewed and discussed function of Committee.
 - Strategic Plan
 - Eighty residents completed the online survey and results have been forwarded to the consultant.
 - The consultant is working on the Council and senior staff survey at present and will be circulated to all for completion.
 - Planning Session will take place on November 17/18.
 - The Strategic Plan will not impact the 2018 budget process, which is currently underway.
 - Committee of Council Mandates
 - Discussed committees overall to ensure roles are known and understood.
 - Rules of Procedure
 - Reviewed Council's procedures.
 - Consultant
 - Committee will be meeting with the HR Consultant on November 15, 2017.
 - Staff
 - Committee agreed that the CAO will take the lead on human resources for the organization and engage the respective department directors.
 - The positions for Animal Control Officer and Heavy Equipment Operators for Winter Snow Clearing are two pressing matters and CAO will proceed with hiring for these positions. Once interviews are completed, recommendations for hire will come back to Committee.

At this point in the Meeting, Mayor requested that Council recess the Public Council Meeting. Council consented unanimously to recess at 7:43 p.m. for approximately fifteen minutes. Councillor Roche left the Public Council Chambers at 7:43 p.m.

Council Resumed the Public Council Meeting at 8:03 p.m.

Planning and Land Use Development

- Minutes of the Planning and Development Committee Meeting, dated November 1, 2017
 - Items discussed included:
 - Development Proposals
 - Request from property owner at the end of Riverdale Drive to extend the street to accommodate 8 new fully serviced building lots.
 - Proposal to develop 11 unserviced building lots in the Torbay Road South Area across from Middle Cove Road – Kennedy’s Brook Estates Phase II.
 - Email correspondence from property owner/developer on Indian Meal Line in relation to proposed development and the removal of rock.
 - Development proposal from property owner for twelve unserviced building lots on the eastern side of Robins Pond – Robins Pond Estates, re-development of Humpity Marsh Road area of off Indian Meal Line.
 - See motion below:

230-17 Motion – Councillor Thorne-Gosse / Councillor Martin

RESOLVED THAT the Town of Torbay give the Developer of Robins Pond Estates Approval in Principal so they can proceed with engineering and design work on the proposed 12 lot unserviced subdivision – known as Robins Pond Estates as outlined on Mae Design Limited’s drawing number C-2, Project No 2013-008. No permits will be issued until all conditions for developing within the Town of Torbay are met and a development agreement is signed.

Open space was questioned pertaining to trails. It was noted that the Director of Planning is, and will continue, to monitor as per the Town’s conditions.

After discussion a vote was then held on the motion.

Question called. Motion carried.

For Motion: 6 (Mayor Scott, Deputy Mayor Appleby, Councillors Gallant, Martin, Pollard, and Thorne-Gosse)

Against: 0

Abstained: 0

- Amendment
 - Request from property owner 615 Bauline Line in relation to property zoning.
 - See motion below:

231-17 Motion – Councillor Thorne-Gosse / Councillor Martin

RESOLVED THAT the Town of Torbay permit the rezoning of property as described on the attached drawing to allow for the rezoning of land in the area of 615 Bauline Line. The property is to be rezoned from Rural to Residential Infill (RI). The applicant will pay for the cost of the amendment up front before any work is started on the amendment. A regional Plan Amendment is also required.

Council discussed the rezoning and asked for further elaboration for new Council Members.

The Director clarified that this was discussed at previous council meetings, and it was agreed to delay until new council were in place after the election. It was agreed to contact adjacent property owners, and there is a small section which falls within the 30M livestock buffer zone. The rezoning is required to bring existing buildings into conformity.

After discussion a vote was then held on the motion.

Question called. Motion carried.

For Motion: 6 (Mayor Scott, Deputy Mayor Appleby, Councillors Gallant, Martin, Pollard, and Thorne-Gosse)

Against: 0

Abstained: 0

- Request from property owner 142A Quigley's Lane to have the property rezoned from Watershed to a Residential Use.
- Municipal Plan Amendment No. 2, 2017, Development Regulations Amendment No. 3, 2017 and St. Johns Urban Region Regional Plan amendment. An amendment to rezone a parcel of property on Barn Marsh Road from Rural to residential to accommodate a single-family dwelling.
- Correspondence
 - Correspondence from property owner 1147 Torbay Road
 - The property owner is requesting that the property be changed from primary residential to commercial.
- Other Items
 - Torbay Environmental Advisory Committee.
 - The Director has requested information from other Municipalities in relation to a terms of reference document.
 - Councilor Martin noted that he has been in contact with the previous Advisory Committee's Chair.
 - Once in draft will send to all Council for their opinions.

- Planning Department Budget Overview
 - The Director gave an overview of the Department’s budget submission.

In relation to Item 1 (d), Development Proposal from property owner for twelve unserviced building lots on the eastern side of Robin Pond – Robins Pond Estates, re: development of Humpity Marsh Road area off Indian Meal Line, Council discussed open space and green space to the value of ten percent of raw land value, as per the draft letter to developers, versus fair market value. It was further noted that this is a draft letter for information of Council, and not attached to this development. Committee will bring forward recommendation as per the Town’s regulations.

- Applications Approved Report, dated November 3, 2017

The following applications were approved subject to the normal conditions and requirements for building within the Town of Torbay:

Application	Location	Proposal
C2017-167	59 Quigley’s Lane	Single Family Dwelling
C2017-170	89 Marine Drive	Extension to Single Family Dwelling
C2017-171	16 Duggan Place	Single Family Dwelling
C2017-181	18 Riverdale Drive	Accessory Building
C2017-182	533 Indian Meal Line	Accessory Building
C2017-183	15 Falkirk Place	Renovations to Single Family Dwelling
C2017-184	16 Dunphy’s Lane	Accessory Building
C2017-185	20 Woodbridge Lane	Single Family Dwelling
C2017-186	20 Woodbridge Lane	Accessory Building

Protective Services and Public Safety

- Minutes of the Protective Services and Public Safety Committee Meeting, dated October 25, 2017
 - Items discussed included:
 - Commissionaires
 - Commissionaires provided an overview of work to date, including:
 - Issues including ATV Use around the Community.
 - Possibility of partnering with Crimestoppers.
 - A public awareness campaign and a reporting mechanism regarding ATVs.
 - Issues of commercial vehicles in residential areas. The Town will consult with the RNC to come up with solutions.
 - Safety concerns in school zones are being addressed. There will be a school zone safety blitz in Torbay during November.
 - Commissionaires are in contact with their colleagues as to how to combat indiscriminate dumping.

- Pedestrian Safety
 - Juniper Ridge Intermediate
 - Consultant has been engaged to monitor pedestrian traffic in the area and come back with recommendations.
 - There are safety concerns with residents and children crossing the road. Looking into crossing guard system, including adequate lighting and flashing lights.
 - Council discussed that crossing guards should be inclusive for all schools in the Community.
 - Residential Traffic Calming Requests
 - Consultants have been notified that the Town would like to see some movement on this. CAO checking on cost to proceed with neighbourhood and resident involvement.

Council discussed direct contact to the Commissionaires rather than directing through the Town first. It was requested that this be added to the Agenda.

Public Works and Infrastructure

- Minutes of the Public Works and Infrastructure Committee Meeting, dated October 18, 2017
 - Items discussed included:
 - MYCW - 2012-2014 - Municipal Depot Design Project
 - The Director has advised fibre-optic service has been installed and operating, and phone system integrated.
 - Alternative Water Study
 - Project is ongoing and work will continue into November. Expect a preliminary report December 2017.
 - Application Clean Water Wastewater
 - This project has been delayed and will be waiting on meeting with various officials to discuss further direction.
 - Traffic calming
 - The Town's consultant is compiling statistics for next phase of submissions. Four raised crosswalks have been installed along with appropriate painting.
 - Beautification – season has ended.
 - Trails and walkways
 - Lower Street to Torbay – construction has ceased with approximately sixty five percent complete. Location and property issues are existing with property owner to use and access his property.
 - Community Kinsmen Centre Upgrade
 - Negotiation for the Request for Proposal is ongoing and an agreement should be in place within the next two weeks.

- Waste Management
 - Continuation of existing contractor with the contract has been executed. The Town will work with the existing contractor to ensure all operations.
 - Fall Leaf Drop Off
 - Residents can drop their leaves off at the Torbay Municipal Depot between 8:30 a.m. and 4:00 p.m. Monday to Friday. Leaves must be in paper bags.
 - Peter's Place
 - The Town consultant has completed the roads assessment report and Peters Place is ranked 77 of the 190 roads in the Town.
 - Thornes Lane
 - Upgrades to the existing road from to Torbay Road to Town property has been completed.
 - Skippers Landing
 - The Town's consultant will be on site within two weeks to complete the necessary survey work for the area and develop a report for ongoing issues.
 - Holy Trinity Primary Service
 - Town staff will collect all correspondence and develop a response to the school.
 - Moore's Valley Road
 - Committee has asked staff to review all correspondence of the property in question.
 - Reardon's Lane
 - Committee has asked staff to look at shouldering.
- Minutes of the Public Works and Infrastructure Committee Meeting, dated October 30, 2017
- Upper Three Corner Recreation Area
 - Quotes are being obtained for the junior softball pitch starting in November.
 - Work on the multi-use play area has started.

Council discussed the trail going up from the beach, as work as stopped. It was noted that there are issues of land ownership. The landowner is presently out of the Province. A meeting will be scheduled in the Spring with the owner.

Council requested an update in the Skipper's Landing area. The Director advised a consultant will be on site in approximately two weeks. Residents will be consulted with and engaged.

LIAISON COMMITTEES

- Jack Byrne Regional Sports and Entertainment Centre
 - No report.
- Northeast Avalon Joint Council
 - No report.
- Torbay Harbour Authority
 - No report.
- Torbay Volunteer Fire Department
 - No report.
- Urban Municipalities Committee
 - No report.

NOTICES OF MOTION

There were none.

NEW BUSINESS

Mayor Scott

Mayor Scott discussed the recent MNL Convention, and commented on the following:

- The Town put forth a resolution regarding a plastic bag ban which was passed.
- He had the opportunity to speak with ministers about things the Town would like to move forward on.
- Networking with neighbouring municipalities.
- Premier's Forum was held with topic of discussion being regional government.

Deputy Mayor Appleby

Deputy Mayor Appleby discussed the recent MNL Convention, which she attended, advising it's a great way to network with fellow communities and councillors. She strongly recommended councillor participate as it's a great networking opportunity for regional cooperation.

She advised she attended the recent Stewardship Association of Municipalities (SAM) Meeting. She discussed some highlights of the meetings including nature based tourism, trails, Ducks Unlimited and services that could be provided, potential regional work between communities, and regional economic development.

Councillor Gallant

Councillor Gallant thanked new Council Members on doing a great job on first committee meetings.

Councillor Martin

Councillor Martin congratulated Councillor Roche who received 20 Years of Municipal Service recognition at the MNL Convention.

He advised he attended the Community Market, and he thanked all who participated. Councillor Martin advised he spoke to residents and was impressed by items vendors had for sale.

Councillor Martin encouraged everyone to shop locally to support the local economy here in the Community first before going outside or online. The Town does have a business directory, and he reminded businesses if not on the director to contact the Economic Development Officer.

Councillor Pollard – Pass

Councillor Roche - Absent

Councillor Thorne-Gosse

Councillor Thorne-Gosse discussed the Community Market on Saturday past, advising there was a good turnout. She thanked staff and vendors who put the whole day together. She advised that some of the vendors felt that the day was not long enough, and if in future the market could stay open until maybe 8:00 p.m. instead of closing at 4:00 p.m. Mayor advised he will bring back to Committee for consideration.

QUESTION & ANSWER SESSION

Mayor Scott referred to the Gallery and asked if anyone had any questions or comments in relation to tonight's Council Meeting.

- A resident in the Gallery questioned the Fall Leaf Drop-Off hours, noting it's difficult for those working in the day to do drop off during the hours of 8:30 a.m. to 4:00 p.m. She suggested an evening or a Saturday drop-off as well. Mayor advised noted and can look at in future.

NEXT PUBLIC COUNCIL MEETING

The next Public Council Meeting is scheduled to take place on Monday, November 20, at 6:30 p.m., Council Chambers, Torbay Town Hall.

ADJOURNMENT

232-17 Motion – Councillor Martin / Councillor Thorne-Gosse

RESOLVED THAT the meeting be adjourned at 8:59 p.m., as there was no further business.

Question called. Motion carried.

For Motion: 6 (Mayor Scott, Deputy Mayor Appleby, Councillors Gallant, Martin, Pollard, and Thorne-Gosse)

Against: 0

Abstained: 0

Mayor

CAO/Town Clerk