



***MINUTES***  
PUBLIC COUNCIL MEETING  
December 4, 2017

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Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on December 4, 2017, at 6:32 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**

Dawn Chaplin, CAO/Town Clerk  
Ross Houlihan, Communications  
Bernie Manning, Director of Infrastructure and Public Works  
Ann Picco, Deputy Clerk  
Brian Winter, Director of Planning and Development

**Gallery**

There were a total of 9 people in attendance.

**Adoption of Agenda**

239-17      Motion – Councillor Roche / 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**

240-17      Motion – Councillor Martin / Councillor Thorne-Gosse

**RESOLVED THAT** the Minutes of the November 20, 2017 Public Council Meeting 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

**PROCLAMATIONS / PRESENTATIONS / QUESTION & ANSWER SESSION**

Mayor Scott referred to the Gallery and asked if anyone would like to present to Council. The following had comments:

- Two Members of the Gallery came forward to discuss their proposal concerning the construction of a tiny house in Torbay.
  - The couple provided some background information pertaining to their tiny house, discussing their intent to purchase land in Torbay if permitted to proceed.
  - Council discussed Town regulations. A meeting is tentatively scheduled for December 11<sup>th</sup>.

**MAYOR'S REPORT**

Mayor Scott discussed the below:

- Mayor, Deputy Mayor and Councillor Gallant attended a round table meeting on Economic Development with Minister Mitchelmore. There was good conversation and Deputy Mayor took notes for the Community Services and Economic Development Committee. Mayor requested that a thank you letter be forwarded to the Minister – CAO to complete and forward.
- Mayor Scott attended the Cap and Gown Graduation Ceremony for the Holy Trinity High School, which took place on November 23<sup>rd</sup>. He advised he presented thirty-eight awards on behalf of the Town to students who had received honours. Mayor congratulated all students who received awards and who graduated. He further advised that ninety-six percent of the grade twelve students graduated, which is well above the provincial average – CAO to complete and forward letter to the school.
- Mayor discussed the recent Town Christmas events, including the Tree Lighting, Christmas Card Competition, Christmas Parade, Food Drive for the Community Food Bank, and the Toy Drive for the Single Parent Association for the Area. He thanked

Staff, the Torbay Volunteer Fire Department, the Lions Club and all volunteers for excellent work and participation at events.

- Mayor advised he attended a recent Finance Committee Meeting, first presentation of the 2018 Budget.

### **BUSINESS ARISING**

The Business Arising Report, dated December 4, 2017, was discussed and accepted as presented:

- Item 1 – Regional Transit
  - Update was requested.
    - CAO to follow up for next meeting.
- Item 7 – Emergency Plan
  - Update was requested.
    - Plan has been signed off by Fire and Emergency Services. Awaiting signed document by mail before coordinating training.
- Item 15 – Eastern Regional Service Board, Board of Directors position for Sub Region/Ward 5.
  - Councillor Roche advised she was elected, and thanked everyone for their support.
- Item 16 – Cross walk at Juniper Ridge.
  - A public meeting is scheduled. Consultants are engaging with residents within the 1.6 km zone to seek their feedback.
- Item 39 – Water capacity at North Pond
  - Matter is with the Public Works and Infrastructure Committee.

### **CORRESPONDENCE**

1. Municipal Assessment Agency – Urban Regional Director. ***Councillor Peggy Roche was re-elected by acclamation. See motion below regarding Avalon Regional Director:***

241-17      Motion – Councillor Roche / Councillor Martin

**RESOLVED THAT** the Town of Torbay vote for Betty Moore, Clarke’s Beach, on the ballot for the Municipal Assessment Agency Avalon Regional Director.

Question called. Motion carried.

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

Against: 0

Abstained: 0

**COMMITTEES OF COUNCIL REPORTS**

**Community Services and Economic Development**

- Minutes of the Community Services Committee Meeting, dated November 29, 2017

Items Discussed included:

1. Survey Results reference fees for community groups
  - Deferred for next meeting.
2. 2018 Community Guide and Winter Event
  - Draft of the 2018 Winter Community Guide was presented. There are a few other programs to be included, and waiting on confirmations.
3. Festival Committee update
  - The Festival Committee provided an overview of the 2017 Festival. Committee is in a good financial position.
  - Committee thanked the Town for support, and noted the importance of the Town's continued support. They're applying for funding to make the festival happen in 2018.
  - Council questioned the Festival Committee's financial information.
    - It was noted that Committee did present their budget for 2018, and provided their financial information to Committee. Information to be circulated to Council.
4. Program Update
  - (a) Christmas Card Competition
    - Two winners were notified on Thursday, November 29th.
  - (b) National Child Day - Pancakes and Pajamas.
    - Committee thanked the Lions Club for their work and participation with this event.
  - (c) Torbay Excursion
    - This event was a success.
  - (d) Wreath Making
    - Committee thanked the Community Services Coordinator for his work during this event.

Upcoming Programs:

- (a) Tree Lighting - Thursday, November 30th at 6:00 pm
- (b) Breakfast with Santa - Saturday, December 2nd at 9:00 am
- (c) Christmas Parade - Sunday, December 3rd, at 1:00 pm
- (d) 65 + Christmas Social - Thursday, December 7th at 7:00 pm
- (e) Special Needs Party - December 9th
- (f) Freezin' for a Reason Polar Dip – December 10<sup>th</sup> at 10:00 am
- (g) New Year's Eve Fireworks - 8:00 pm

It was noted that Breakfast with Santa sold out quickly; and, it was questioned if the Town could further accommodate residents next year due to demand so no kids are turned away. Committee to review and discuss for next year.

Other:

1. Request for accommodations for seniors dinner.
  - Event is sold out as space is limited.
  - Committee will further look at accommodations for 2018.
2. Access to Heritage House for smaller programs/gatherings
  - Committee noted this will have to be brought to the Museum Curator/ Heritage to see if this facility is open and able to accommodate.

Standing Items:

- (A) New Community Centre
  - Council are looking into. A staff working committee has been formed.
- (B) Youth Councillor for 2018
  - Committee provided some suggestions for staff to look into.
  - It is planned to have call for nominations out in January, 2018.
  - The Town will appoint one youth councillor.
- (C) Fees structures
  - Currently being reviewed.

- Minutes of the Community Economic Development Committee Meeting, dated November 29, 2017

Items Discussed included:

1. Project Updates
  - a) Town App
    - A test of the new Town App will be available this week for senior staff to review. Full launch to residents is expected before Christmas.
  - b) Expression of Interest (EOI) Update
    - The EOI is still under review and additional information is still being requested. The Economic Development Officer provided an overview of services being provided by Stantec to update the entire Town Centre project.
    - There is still some work and review to be completed pertaining to the building.
  - c) Community Profile
    - The Town is looking to create an interactive community profile.
    - The Community Profile will provide information to tourists concerning the Killick Coast; and, will have online mapping and interactive abilities.

- d) History House Funding
  - There is one piece left to put together for ACOA funding concerning an app. Information to be completed then will make application to ACOA for funding.
- 2. Highlighted Issues
  - a) Mapping Project
    - The Town is looking at hiring services to have detailed mapping completed. The Director of Community Services, Director of Infrastructure and Public Works and the Economic Development Officer to meet and further discuss.
  - b) Community Market Survey
    - Economic Development Officer to have information for next meeting.
- 3. Correspondence
  - a) A Time In Torbay Festival Review
    - Committee are looking to make sure there's something for every age group in 2018.
    - Festival dates are July 13 – 15, 2018.
    - A 2017 Final Overview was included for information.
  - b) Minister Mitchelmore's Economic Development Meeting
    - A meeting was recently held with Minister Mitchelmore to discuss economic development opportunities in the region. Mayor, Deputy Mayor and Councillor Gallant attended.
    - There is interest in the Town supporting a Chamber of Commerce.

## Finance

### ➤ Corporate Services Report

#### Items discussed included:

- Payroll for the period of November 18th to December 1st, 2017 for 27 employees totaled \$64,288.57.
- For the two week period of November 17<sup>th</sup> to December 1st, 2017, invoices in the amount of \$158,833.42 were processed.
- The following five (5) invoices are presented for approval.
  - See motion below:

242-17      Motion – Councillor Pollard / Councillor Roche

**RESOLVED THAT** the Town of Torbay approve payment of invoices totalling \$166,929.94 as presented.

Invoice Number	Vendor and Detail	Amount
46723	Atlantic Powertrain & Equipment (Hydraulic Pump Assembly)	\$15,697.44
26509	Commissionaires (Municipal Enforcement)	\$10,304
NL-00844901	MicMac Fire & Safety (4xBunker Suits & accessories)	\$12,029.00
9295	North East Avalon Regional Arena (Community Market rental)	\$7,337.00
2017-043-1	Progressive Engineering & Consulting (Flood Plain Analysis)	\$21,562.50
	Total	\$166,929.94

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 November 28<sup>th</sup> / 30<sup>th</sup>, 2017

Items discussed included:

- Main purpose of the meeting was to discuss the 2018 Budget.
- Reviewed department submissions.
- Another meeting is scheduled again for review on Monday coming to hopefully finalize.
- There has been a lot of information received from the residents' survey, and will incorporate into the budget process.
- There will be another opportunity to present to the public again to receive final feedback.

### Human Resources and Administration

- Human Resources and Administration Committee Update

Items discussed included:

1. HR Consultant

- CAO met with the HR Consultant on November 28, 2017. Discussions included the respectful workplace/harassment policy; the performance evaluation process for staff, compensation/benefits and evaluations of two contract staff. These matters will be discussed in further detail at the next Human Resources and Administration Committee Meeting.

2. Staffing

A. Heavy Equipment Operators

Reference checks were completed regarding the four heavy equipment operators required for the upcoming snow clearing season; and, they were hired for the seasonal snow clearing (December 4, 2017-March 30, 2018).

B. Animal Control Officer Position

Nineteen resumes were received for the Animal Control Officer position. The Director of Infrastructure and Public Works and the CAO screened the resumes and met to discuss the short list. Interviews were held today, and the results of the interview process will come forth at the next Human Resources and Administration Committee meeting.

Planning and Land Use Development

- Minutes of the Planning and Development Committee Meeting, dated November 28, 2017

Items discussed included:

1. Development Proposals

- a) Application from property owner 16 Shea's Lane to establish an art gallery with a painting studio serving the public.
- The application will be dealt with in the Business Application Report dated December 1, 2017, application number C2017-191

2. Correspondence

- a) Correspondence from property owner 5-7 Gosse's Lane in relation to connecting to Town water.
- Committee agreed that there currently is no water allocated for this area. Until the final Water Alternatives Study is completed, Committee cannot make a recommendation on the proposal.
  - Council discussed the above correspondence and history. It was noted that the owner is responsible for their own services. Council questioned if the Town can do anything as it is a hardship for the owner.
  - Council requested it go back to Committee for further review.

3. Other Items

- a) Torbay Environmental Advisory Committee.
- Committee reviewed the first draft of the Terms of Reference.
  - Committee members agreed that it is a good first draft and that the next step would be to seek input from Council and the old advisory committee.



- b) Email from Councillor Martin in relation to the Habitat Management Plan.
  - There is reference to the Habitat Conservation Plan in the draft Terms of Reference for the Environment Advisory Committee. They will also help play a role in achieving the objectives of the plan.
- c) Fence 1229 Torbay Road
  - Committee visited the site to see firsthand the concerns of the adjacent property owner.
  - Committee discussed a couple of different possible options. The Director will discuss with the property owners to see if the issue can be resolved.
- d) Request to rezone land in the South Pond area
  - Committee discussed the request and the South Pond watershed area in general.
  - To be discussed with Council as a whole to make decision.
  - It was questioned if there should be no fishing signs on the pond because of the potential contamination. The Director is checking with the Department of Environment.

➤ Applications Approved Report, dated December 1, 2017

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

<b>Application</b>	<b>Location</b>	<b>Proposal</b>
B2017-192	20 Reddy Drive	General Repairs
C2017-193	21 North Pond Road	Single Family Dwelling
C2017-195	16 Edgewater Lane	Accessory Building

➤ Business Application Report, dated December 1, 2017

Applications to be Deferred for Advertisement

Application: C2017-191  
Location: 16 Shea's Lane  
Proposal: Art Gallery and Painting Studio  
Zoning: Residential Medium Density (RMD)

243-17 Motion – Councillor Thorne-Gosse / Councillor Martin

**RESOLVED THAT** the Town of Torbay defer Application C2017-191, under the Applications to be Deferred for Advertisement section of the Business Application Report, dated December 1, 2017, for advertisement as per Condition 9 of the RMD Land Use Zone and Regulations 10, 33 and 90 of the Torbay Development Regulations at the applicant's expense.

Question called. Motion carried.

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

Against: 0

Abstained: 0

### Protective Services and Public Safety

➤ Update of the Protective Services and Public Safety Committee Meeting

Items discussed included:

1. Torbay Volunteer Fire Department

- It was agreed that the report Fire Chief McGrath presented at the 6:00pm meeting would be included in the Council package for information.

2. Commissionaires

A. Report

- Commissionaires presented their report dated November 27, 2017. A copy will be included with the Committee report for Council's information.

B. Commercial Vehicle in Residential Area

- The issue pertains to a vehicle parked on a hill where not permitted.
- The RNC cannot ticket as there are no “no parking” signs in the vicinity.
- Council discussed that there is a safety issue as the vehicle is parked on a hill in a residential area.
- The Town is sending a legal letter out to all involved, including the resident, the bus owner, and the RNC to advise of the serious nature of this matter. Also trying to determine another location the vehicle can be parked.

C. Crime Stopper Signage

- It was agreed to post two signage along Torbay Road – Northside and Southside and on Indian Meal Line.
- It was noted that this does not cover traffic crimes, more for suspicious activity. Council encouraged to call when necessary.

D. Indiscriminate Dumping

Commissionaires circulated a PowerPoint presentation to Committee. It was agreed they would review before next meeting, so an action plan could be discussed at that time.

3. Pedestrian Safety

A. Juniper Ridge Update

- The Town is moving ahead with consultations. A public meeting is scheduled for December 13<sup>th</sup>.

B. Speed Calming Requests

- December 1st is the deadline to receive feedback from residents on Convent Lane, Mahon's Lane, Country Drive and Patrick's Path regarding their involvement in identifying speed calming measures for their streets.

Council further discussed the commercial vehicle in residential area. They commented that the matter needs to be addressed immediately as it is a safety issue, and further discussed the possibility of erecting a “no parking” sign as soon as possible in the vicinity.

Councillor Gallant asked to make a motion to erect signage, however, Mayor advised that a motion would be out of order as Committee has already recommended course of action. He advised he could provide notice of motion if he so wished.

Council further discussed “no parking” signage and a motion, at which time Mayor Scott called for order. CAO advised she would like to circulate information to Council tomorrow, so all are aware what the Town can and cannot do. Council agreed and to proceed with forwarding legal correspondence first.

Public Works and Infrastructure

No report or motions.

LIAISON COMMITTEES

- Jack Byrne Regional Sports and Entertainment Centre
  - A meeting is scheduled for next week. Mayor Scott will be in attendance.
  - A public notice went out to residents through social media last Friday requesting interest as community reps on the Arena Board. It closes on December 15<sup>th</sup>. CAO to identify costs for rack card via mail.
- Northeast Avalon Joint Council (NEAJC)
  - No report.
- Torbay Harbour Authority
  - Councillor Martin reported that the gate is now closed during the night.

- Torbay Volunteer Fire Department
  - No report.
- Urban Municipalities Committee
  - A meeting is scheduled in January, 2018, in Grand Falls-Windsor.

**NOTICES OF MOTION**

There were none.

**NEW BUSINESS**

***Mayor Scott***

Mayor Scott thanked everyone who participated in the Town's recent Christmas events. He also noted upcoming evenings, including the Seniors' Christmas Party and the Special Needs Christmas Party on Saturday coming. He encouraged everyone to attend these events.

He also discussed the REMAX Charity House Food Drive event taking place this weekend and next from 2:00 – 4:00 p.m., advising they are looking for volunteers.

He read aloud birthdays that fell in this Month, and wished all a happy birthday.

***Deputy Mayor Appleby***

Deputy Mayor Appleby thanked all residents and business who participated in the Town's Christmas events, advising there were a lot of good community involvement, engagement and support. She thanked staff and expressed her appreciation for all their hard work on events. She thanked the Community Services Coordinator for his work on the wreath making event.

***Councillor Gallant***

Councillor Gallant thanked the Torbay Volunteer Fire Department, bringing awareness to the great work they do. He noted that the average response time on emergency calls in 6.8 minutes.

***Councillor Martin***

Councillor Martin advised he received correspondence from a family on Moore's Valley Road concerning water issues. Will forward on to the Public Works and Infrastructure Committee.

He advised he participated in the Christmas Parade yesterday and thanked the Commissionaires for allowing him to go along with them. He advised there was a great turn out, noting we have great organizers, staff and volunteers.

***Councillor Pollard*** - Pass

***Councillor Roche***

Councillor Roche discussed the correspondence from property owner 5-7 Gosse's Lane in relation to connecting to Town water, advising resident requested she bring to Council. Director of Planning to further discuss with Councillor Roche.

***Councillor Thorne-Gosse***

Councillor Thorne-Gosse thanked all staff and volunteers for recent Christmas events. She further thanked the Lions Club and the Allied Youth who also participated.

### **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. The following had comments:

- A resident in the Gallery thanked the Town for the use of the Community Centre during a recent search for a missing person, advising everyone involved really appreciated it.
- Resident discussed issues on Lynch's Lane, including speeding, parking, littering, advising actions have started up again.
  - She discussed traffic calming policy, noting the area is not conforming. She questioned why volume of traffic is presented as being low and speeding is not high. She advised there is a lot of traffic on Lynch's Lane, especially during school drop off and pick up times and kids who drive to and from school. She also noted that speeds are high.
  - Mayor advised will follow up with consultant and look at solutions to alleviate parking issues.
  - CAO further noted that the Commissionaires are aware and they are doing patrols to monitor the area.

### **NEXT PUBLIC COUNCIL MEETING**

The next Public Council Meeting is scheduled to take place on Monday, December 18, at 6:30 p.m., Council Chambers, Torbay Town Hall.

**ADJOURNMENT**

244-17      Motion – Councillor Martin / Councillor Thorne-Gosse

**RESOLVED THAT** the meeting be adjourned at 8:10 p.m., as there was no further business.

Question called. Motion carried.

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

Against: 0

Abstained: 0

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*Mayor*

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*CAO/Town Clerk*