



***MINUTES***  
PUBLIC COUNCIL MEETING  
November 20, 2017

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Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall on November 20, 2017, at 6:30 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 7 people in attendance.

**Adoption of Agenda**

233-17      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**

234-17      Motion – Councillor Martin / Councillor Pollard

**RESOLVED THAT** the Minutes of the November 6, 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:

- Resident of Patrick's Path
  - Resident discussed the Town's Traffic Calming Policy.
    - Patrick's Path is presently at stage five of the Policy out of nine.
    - She advised that she, and residents of Patrick's Path, received the survey from the Town's Consultant; and, she discussed her concerns pertaining to the survey and possible deterrents to residents:
      - Deadline to respond and barriers and methods of responding.
      - Not all residents in the area will complete the survey as it is a busy time of year.
      - Concerns with stage of process, as the area could get turned down at this point if survey response does not come back at sixty percent.
      - Speed limits and safety or pedestrians.
    - The Residents requested that the Town consider Patrick's Path as a priority to put traffic calming measures in place.
  - Mayor commented on processes pertaining to speed calming. He noted that this is a learning process, and the Town will adjust to make easier for residents. He also advised that residents can drop off their surveys to the Town Office. A Green Communications Notice can go out to all area residents to advise of drop off.
  - Mayor advised that the Town will take her comments into consideration, and requested that she forward an email with her concerns to be addressed.

**MAYOR'S REPORT**

Mayor Scott discussed Remembrance Day and the various ceremonies that took place at the schools in the Community, noting they were all very well done. Mayor thanked former Mayor Bob Codner, who Chaired the Town's Remembrance Day Service and all who attended and participated.

He discussed recent presentations to Council from Vigilant Management and Eastern Regional Service Board.

Mayor also noted he attended a recent Human Resources and Administration Committee Meeting.

**BUSINESS ARISING**

The Business Arising Report, dated November 20, 2017, was accepted as presented.

**CORRESPONDENCE**

1. Canadian Federation of Independent Business (CFIB) - Letter to Premier Ball concerning Regional Service Boards. ***Referred to the Public Works and Infrastructure Committee.***
2. Municipal Assessment Agency Inc. (MAA) – Memo regarding Fees Reduced for 2018. ***Referred to the Finance Committee.***
3. Historic Sites Association of Newfoundland and Labrador - Recognize Outstanding Heritage Supporters in Your Community. ***Referred to the Community Services and Economic Development Committee.***
4. Eastern Regional Service Board – User Fee Structure. ***Referred to the Finance Committee.***
5. Eastern Regional Service Board – Election Process Board of Directors. **See motion below:**

Councillor Roche questioned if she was in a conflict of interest. All Members of Council agreed she was not in conflict.

235-17      Motion – Councillor Thorne-Gosse / Councillor Gallant

**RESOLVED THAT** the Town of Torbay vote for Candidate Peggy Roche in the Eastern Regional Service Board Election for Sub-Region/Ward 5, Metro Area.

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 15, 2017
  - Items discussed included:
    1. Budget
    2. Communications
    3. 2018 Winter Snow Days
    4. Fees for Facilities
    5. Good Will Programs
    6. Community Services Web Site
    7. Programs
  
- Minutes of the Community Economic Development Committee Meeting, dated November 15, 2017
  - Items discussed included:
    - a) Community Market Review
    - b) Expression of Interest Opening
    - c) History House Funding Update

Highlighted issues discussed included:

- a) Budget Submission
- b) Yaffle/Harris Centre
  - Yaffle is an interesting program and concept which allows residents in communities to identify their skill sets to volunteer their expertise.
  - Economic Development Officer to connect with the Harris Centre.

Correspondence discussed included:

- The Economic Development Officer received some correspondence from our local CBDC Cabot office recently. The correspondence was for the information

of Committee on the types of services that are offered to entrepreneurs at this office which covers the Torbay area.

Council questioned the Community Market and the possibility of extended hours. The Economic Development Officer advised that he is in process of conducting a survey for feedback from vendors regarding Market hours, including possibility of moving the Market from Saturday to Sunday.

Finance

➤ Corporate Services Report

- Items discussed included:
  - Payroll for the period of November 4th to 17th, 2017 for 32 employees totaled \$66,882.38.
  - For the two week period of November 4<sup>th</sup> to 17<sup>th</sup>, 2017, invoices in the amount of \$385,499.81 were processed.
  - The following nine (9) invoices are presented for approval. See motion below:

236-17      Motion – Councillor Pollard / Councillor Roche

**RESOLVED THAT** the Town of Torbay approve payment of invoices totalling \$156,019.53, as presented.

<b>Invoice Number</b>	<b>Vendor and Detail</b>	<b>Amount</b>
89156287	BDO Canada (Year-end audit)	\$12,978.90
October 2017	CIBC Mellon (Pension Contributions)	\$15,540.80
26404	Commissionaires (Enforcement Oct 8 – 21)	\$10,120.00
150794	K & D Pratt (Hoses, Extrication, lights)	\$8,619.25
17.004	Linda Norris (New Museum RFP)	\$19,990.00
14293963Oct17	Newfoundland Power (Streetlighting, display sign)	\$18,649.54
82965	NL HVAC Ltd (Relocate Nederman exhaust – fire hall)	\$9,775.00
Nov1-15	Receiver General for Canada (Payroll remittance)	\$18,486.04
2017-037-02	T2 Ventures (Garbage Collection)	\$41,860.00
	Total	\$156,019.53

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 17, 2017
  - Items discussed included:
    1. Update from RBC
      - The Town is in great financial shape.
      - Overall economics was discussed in the province versus rest of Canada. Canada is recognizing growth, whereas Newfoundland and Labrador is not. The interest rate is expected to rise and is expected to go up again next year. The Province will pay more for short term rates; however, good news is there shouldn't be much effect on longer term rates.
    2. Budget Update
      - The Director and CAO are planning to review the draft budget this week and will decide on how to present to Council.
      - Requests for residents' input went out through Torbay Alerts. A public consultation will be held so residents can view the first draft and provide feedback.

#### Human Resources and Administration

- Minutes of the Human Resources and Administration Committee Meeting, dated November 15, 2017
  - Items discussed included:
    1. CAO Performance Evaluation
      - Committee met with the HR consultant to review the CAO's performance evaluation. Next steps and timelines were discussed.
    2. Heavy Equipment Operator Positions
      - Twenty-five applications were received. Eight interviews were conducted by the Director of Infrastructure and Public Works and CAO on November 15, 2017. There is a recommendation for hire for four positions, which will enable shifts to be put in place for the 2017/2018 snow clearing season, starting on December 4, 2017. CAO to reconfirm once the Director completes the reference checks.

#### Planning and Land Use Development

- Minutes of the Planning and Development Committee Meeting, dated November 14, 2017
  - Items discussed included:
    1. Development Proposals
      - a) Correspondence from potential property owner 1611 Torbay Road. The potential property owner is inquiring if a particular type business is permitted on the property.

- Director will contact the potential property owner to advise them to submit a formal application to start the process.
- b) Correspondence in relation to Tiny Houses
  - Presentation to be scheduled.
- c) Robins Pond Estates Development
  - Committee agreed that open space for the proposed development could be the trail development as per the drawings. If the trail value is less than, the required 10%, then a monetary amount will be determined as per regulations for the remaining amount.
- d) Correspondence from the property owner Doyle's & Quigley's Lane in relation to a development approval.
  - See below motion:

237-17      Motion – Councillor Thorne-Gosse / Councillor Martin

**RESOLVED THAT** the Town of Torbay give the Estate of Nicholas Cullen a six-month extension to their existing Development approval under Motion No. 526-15. If there is no substantial movement (engineering completed and development agreement executed) on the file by June 15, 2018 then the approval along with the 10-lot water allocation will be withdrawn. The development will be subject to all standard conditions as of today's date.

Question called. Motion carried.

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

Against: 0

Abstained: 0

2. Amendment

- a) Municipal Plan Amendment No. 1, 2017, Development Regulations Amendment No. 2, 2017 - An amendment to rezone land in the Forest Landing area from Rural (RUR) to Residential Large Lot (RLL).
  - Committee agreed that the Director should seek a commissioner and some possible dates prior to the next PLUD meeting. Committee will then make a recommendation to adopt the amendments and appoint the commissioner.

3. Correspondence

- a) Correspondence from property owner 1322-1332 Torbay Road

- Committee suggested that the Director discuss with the CAO the option of having some money budgeted for purchasing these types of properties.
  - b) Email correspondence from the Department of Municipal Affairs and Environment Groundwater Division
    - As for the chemical testing it should be recommended but not be a requirement at this time. The Director will do some more research on costs and procedures and bring it back to Committee.
4. Other Items
- a) Torbay Environmental Advisory Committee.
    - The Director noted that he has received some feedback from other Municipalities; draft terms of reference should be ready for the next meeting.
  - b) Circular from the Department of Municipal Affairs and Environment in relation to removing the limits of service requirements.
    - According to this announcement, there is no longer a limit to where capital funding can be used. The Director is of the opinion that this has not been followed over the past few years anyway.
  - c) Email letter from resident forwarded to the committee by Councillor Thorne Gosse.
    - Resident has concerns about different activities in the Great Pond area. The Director noted that most of these items would be items that the Public Works Department could address.
  - d) PLUD Meeting Times.
    - Meeting times were discussed.
  - e) Presentation by the Eastern Regional Services Board
    - Committee suggested that the Director send his comments out to all of Council, and that he revise his budget to reflect any new training that may be required.

➤ Applications Approved Report, dated November 17, 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>
C2017-187	6 Forest River Road	Accessory Building
C2017-188	Portion of 14 St. Nicholas Lane	Single Family Dwelling
C2017-189	15 Gallows Cove Road	Accessory Building
C2017-190	1770 Torbay Road	General Repairs

Protective Services and Public Safety

- Update of the Protective Services and Public Safety Committee Meeting
  - Items discussed included:
    1. Commissionaires
      - The October 2017 Report was attached for information.
    2. Pedestrian Safety
      - A. Juniper Ridge Intermediate
        - Harbourside has completed the traffic counts on Torbay Road / in the vicinity of Anstey's Cove and Juniper Ridge Intermediate. They are currently completing documentation regarding a crossing guard program, undertaking the topographic survey of the area and reaching out to residents / in the area – to advise on the work Council is undertaking to address pedestrian safety concerns. CAO has requested an update and will provide to Committee upon receipt.
      - B. Overview of Pedestrian Safety Study
        - In process of confirming a meeting date with the consultants, so Council can be provided with an in depth overview of the pedestrian safety study and its associated policies.
      - C. Residential Traffic Calming Requests
        - The Town has received numerous traffic calming requests.
        - Rejection letters have been mailed to seventeen residents whose streets did not meet the minimum requirement for speed calming measures.
        - Surveys have been circulated to residents living on Convent Lane, Country Drive, Patrick's Path and Mahon's Lane to confirm their interest in speed calming measures for and participation in a planning exercise / (Step Five of the Town's policy). It should be noted that 60% of the street must be interested to proceed with the planning exercise.
    3. Torbay Volunteer Fire Department
      - An overview of the Torbay Volunteer Fire Department will be held on November 27, 2017 for Committee Members. An invitation (via meeting invite) was extended to all Council.

4. Emergency Plan

- There have been some staffing changes at Fire and Emergency Services. CAO will follow up to confirm interim measures, in particular the status of scheduling training for all Council and the desk top exercise.

Public Works and Infrastructure

- Minutes of the Public Works and Infrastructure Committee Meeting, dated November 15, 2017
  - Items discussed included:
    - Updates
      - MYCW - 2012-2014 - Municipal Depot Design Project
        - The Director advised that fibre-op services have been installed and all Items such as the energy control, door locks and phone system will be integrated in due time.
    - Recreational Facilities
      - Director has informed members that staff is preparing for the Christmas Season with planned events form community services.
      - Trails and walkways
        - Lower Street to Torbay – there are location and property issues with property owner to use and access his property. Mayor to meet with property owners.
      - Community Kinsmen Centre Upgrade
        - Negotiations are positive with alternative submission.
      - UTC Recreation Area
        - Works on the Multi Use play area and Junior Softball Pitch has begun and look to completed early Summer 2018 in time for playing season.
      - Town staff will develop trail agreement to ensure all parties involved are engaged and working to a common good.
    - Waste Management
      - the Town has started informing residents to the changes in bag limits for the upcoming season. The Town will work with the existing contractor to ensure all operations continue to operate smoothly.
      - Council discussed that residents will have a limit of five bags per household. The decision was based on a waste management study. In relation to tipping fees at Robin Hood Bay, fees for recycling is less than 1/3 compared to solid waste. The Town needs to encourage residents to recycle. Councillor Gallant advised he will have a notice of motion for next meeting pertaining to this decision. It was noted that although this

was a policy change, it has to be changed in the Town's regulations too and brought forward as a motion. At present, the Town's regulations indicate ten bags of garbage. Will be brought forward, along with a recommendation for next meeting.

- Correspondence & Action Report Items
  - The Town will be conducting a food drive the first week of December. From December 5<sup>th</sup> to 8<sup>th</sup>, and will be collected in conjunction with regular garbage collection. Donations will be collected by Infrastructure and Public Works Staff. Council asked that residents donate and support local food banks.
  - Skippers Landing
    - Some blasting and ditching has been completed in the area.
  - Holy Trinity Primary Service
    - Town staff will collect all correspondence and develop a response to school.
  - Moore's Valley Rd (Randel property)
    - Committee has asked staff to review all correspondence of the property in question. Resident will be informed of findings.
    - Correspondence has been mailed out to occupant.
  - Great Pond
    - Staff to install no motorized vehicle in pond sign.

### **LIAISON COMMITTEES**

- Jack Byrne Regional Sports and Entertainment Centre
  - No report.
- Northeast Avalon Joint Council (NEAJC)
  - The following information was provided for review.
    - NEAJC Correspondence
    - NEAJC Meeting Minutes, dated May 24, 2017.
    - NEAJC Meeting Minutes, dated July 29, 2017.
    - NEAJC Constitution and By-Laws
    - Priority Issues Report – 2013-2014
    - Priority Issues Report - 2013-2014 Amended

Councillor Thorne-Gosse provide some highlights of the meeting, including:

- They're going to be doing a strategic plan, and looking at a list of priorities as to how the North East Avalon Joint Council can meet various town's requirements.
- A listing of records of decisions/motions was discussed. Councillor Thorne-Gosse suggested that the Town look into as well. Mayor requested that the Human Resources and Administration Committee look at.

- Torbay Harbour Authority
  - Councillor Martin provided a verbal report, as follows:
    - A meeting was held on Wednesday, November 15<sup>th</sup> regarding fishing marinas on the North East Avalon.
      - The meeting held by St. John's East MP Nick Whalen and the Department of Fisheries and Oceans.
      - Councillor Martin was in attendance, as well as MHA Kevin Parsons, representatives of other Councils including Bauline, Flatrock and Pouch Cove, members from Harbour Authorities within the region, and a FFAW representative.
      - There was a large public turnout, of which MP Whalen gathered information from residents on current issues and concerns with marinas within our region.
      - Tapper's Cove issues were acknowledged, including traffic and parking issues during recreational food fisheries, the large rocks installed incorrectly that should be remediated to relieve parking issues, and deterioration of the concrete which requires attention.
      - MP Whalen took all information provided, and will compile a report to the Federal Ministers.
  
- Torbay Volunteer Fire Department
  - No report.
  
- Urban Municipalities Committee
  - No report.

### **NOTICES OF MOTION**

There were none.

### **NEW BUSINESS**

#### ***Mayor Scott***

Mayor Scott thanked all Council and residents who submitted information and feedback pertaining to the Town's Strategic Plan. He thanked CAO for organizing all, and he thanked everyone for participating advising it's a good plan to move forward.

He congratulated the Town of Pouch Cove on recently signing a Stewardship Association of Municipalities Agreement.

Mayor thanked Town staff and the Lions club for their work on events this week, including Tunes and Chuckles and PJ Pancakes.

He wished all who had birthdays in the month of November a Happy Birthday.

***Deputy Mayor Appleby***

Deputy Mayor Appleby advised that a group of volunteers have come together in the past couple days, called Killick Coast Christmas Committee. They're focusing on children and seniors and reaching out to local organization to identify people in need and to support communities in the Killick Coast region.

***Councillor Gallant***

Councillor Gallant thanked Council Members for a great Strategic Planning Session, advising it was well done with good conversations.

***Councillor Martin***

Councillor Martin advised he received correspondence from a resident on Ellard's Lane requesting remediation of asphalt on the road. Will forward to the Public Works and Infrastructure Committee for their next Committee Meeting.

***Councillor Pollard***

Councillor Pollard discussed a recent FCM Meeting in Paradise. A presentation was held on Adaptation of Climate Change, by the Department of Municipal Affairs and Environment. He suggested that the Town look into possible funding opportunities and green initiatives pertaining to the community centre.

***Councillor Roche***

Councillor Roche discussed a study done by NL Design some time ago pertaining to water capacity at North Pond. She advised a resident brought it to her attention and she requested a copy of the report if it can be located. She suggested that the study be reviewed and looked into to see if there's a possibility that there's more water than previously thought; and, therefore could increase the Town's revenues. She requested that the Public Works and Infrastructure Committee look into.

Councillor Roche advised she represented the Town at a MADD presentation held this morning. She discussed MADD's Support Project Red Ribbon Campaign, the 30<sup>th</sup> year anniversary. The campaign raises awareness about risks and consequences of impaired driving and symbolizes innocent victims of impaired driving.

***Councillor Thorne-Gosse***

Councillor Thorne Gosse reminded everyone of upcoming Christmas events taking place, including Tree Lighting, Breakfast with Santa, and the Christmas Parade, and asked everyone to refer to the recent community guide for information.

Number of floats participating in the Christmas Parade was questioned. Director of Community Services to provide an update to Council.

**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:

- Resident in the Gallery questioned waste management and the changes in bag limits for the upcoming season.
  - She noted that there are residents in the Town who share one garbage box, and who all recycle. If residents share a box, then there could be more than five bags per week, and not all bags will be collected. She felt that residents are entitled to have all their garbage picked up.
  - Mayor advised noted and will take into consideration.

**NEXT PUBLIC COUNCIL MEETING**

The next Public Council Meeting is scheduled to take place on Monday, December 4, at 6:30 p.m., Council Chambers, Torbay Town Hall.

**ADJOURNMENT**

238-17      Motion – Councillor Martin / Councillor Thorne-Gosse

**RESOLVED THAT** the meeting be adjourned at 7:58 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*