



**MINUTES**  
**Regular Public Council Meeting**  
**Monday, March 12, 2018, Council Chambers**

Minutes of the Regular Meeting of Council held in the Council Chambers, Town Hall, on March 12, 2018, at 6:33 p.m.

**COUNCIL PRESENT:** Craig Scott, Mayor  
 Trina Appleby, Deputy Mayor  
 Geoff Gallant, Councillor  
 Justin Martin, Councillor  
 Tony Pollard, Councillor  
 Peggy Roche, Councillor  
 Mary Thorne-Gosse, Councillor

**ABSENT:** None.

**STAFF PRESENT:** Dawn Chaplin, Chief Administrative Officer  
 Ross Houlihan, Economic Development Officer  
 Bernie Manning, Director of Infrastructure and Public Works  
 Ann Picco, Deputy Clerk  
 Brian Winter, Director of Planning

**GALLERY PRESENT:** There were a total of 4 people in attendance.

- 1. Agenda / Minutes
  - 1.1 Adoption of Agenda

**RES-63-2018**

Moved by Mary Thorne-Gosse, seconded by Trina Appleby

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

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Craig Scott	x		
<b>Trina Appleby (Seconded By)</b>	x		
Geoff Gallant	x		

Justin Martin	x		
Tony Pollard	x		
Peggy Roche	x		
<b>Mary Thorne-Gosse (Moved By)</b>	x		
	7	0	0

CARRIED.

1.2 Adoption of Minutes

Adoption of Public Council Meeting Minutes, dated February 26, 2017.

**RES-64-2018**

Moved by Peggy Roche, seconded by Tony Pollard

*RESOLVED THAT the Minutes of the February 26, 2018, Public Council Meeting be adopted as presented.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Craig Scott	x		
Trina Appleby	x		
Geoff Gallant	x		
Justin Martin	x		
<b>Tony Pollard (Seconded By)</b>	x		
<b>Peggy Roche (Moved By)</b>	x		
Mary Thorne-Gosse	x		
	7	0	0

CARRIED.

**2. Proclamations/Presentations/Question & Answer Session**

2.1 Proclamations  
 None.

2.2 Presentations  
 None.

## 2.3 Question & Answer

Mayor Scott referred to the Gallery and asked if anyone would like to present to Council.

- There were no comments.

## 3. Mayor's Report

3.1 Mayor Scott discussed the below meetings/events he recently attended:

- Urban Municipalities Committee (UMC) Meeting - March 14th and 15th.  
There are new items added to the Agenda. CAOs and Economic Development Officers are going to be in attendance to meet separately. Everyone will then come together on Thursday, March 15th for update on meetings.
- Announcement at Juniper Ridge Intermediate  
Attended an announcement at the School last Wednesday. The Lions Club donated \$15,000 to the School Library Resource Center. The Principal advised that the funds will be used to buy chrome books and docking station cart.
- The Torbay Volunteer Fire Department provided a demonstration to Council on their new tanker truck on Sunday past. It's a great piece of equipment, and an asset to our Town and the entire region.

## 4. Business Arising

4.1 The Business Arising Report, dated March 12, 2018, was discussed and accepted as presented.

- Item 2 - Funding Opportunities / Green Initiatives pertaining to Community Center.  
No application was submitted under this funding; however, it was discussed with the Department of Municipal Affairs and Environment regarding working with project manager and capital campaign to explore funding programs outside the traditional ones.
- Item 13 - Request from resident of Gosse's Lane to connect to Town water.  
The Director of Planning has been in touch with the resident, who advised that he does have water at present. Director to follow up with resident in the Spring, 2018.
- Item 23 - Rodent Issues in the Community  
The Director of Infrastructure and Public Works is looking at an educational campaign. Information will be placed on the Town's website.

## 5. Correspondence

5.1 Municipal Assessment Agency Inc. (MAA) - Update on MAA  
For information.

## 6. Committees of Council

### 6.1. Community Services & Economic Development

#### 6.1.1. Community Services

##### Community Services Update

Items discussed included:

1. Youth Representative for Council
  - Staff are working with the School to figure out next steps.
2. Community Guide
  - Draft of the Summer Community Guide is complete and circulated to Council.
3. Mental Health Awareness
  - Mental Health First Aid Course is taking place April 21st & 22nd, 2018.

It was suggested that information pertaining to residential civic numbers and signage be placed in the guide. It was noted that a meeting is scheduled with the Director of Planning and Development, Fire Chief and the Commissionaires regarding property based regulations, of which civic numbering is a topic. A recommendation will be brought forward to Council.

#### 6.1.2. Economic Development

##### Economic Development Update

Items discussed included:

1. Torbay History House
2. Community Profile
3. Website Update
4. Public Works Webpage

Council discussed the History House, questioning when it will open. It was advised that consultant is presenting to Council on April 2nd. Funding applications to be submitted to ACOA. Once funding approved, target completion date can be determined. Work will possibly start in June, 2018, and hoping to open in approximately one year's time.

6.2. Finance

6.2.1. Corporate Services

Minutes of the Corporate Services Committee Meeting, dated March 7, 2018.

Items discussed included:

1. Third Party Project Manager Proposals for Community Centre
  - o CAO advised there were three proposals received from third party project management companies to act as the Town's project manager in the construction of the new community centre.
  - o Committee of the Whole met on Sunday past to discuss, and agreed to put forward recommendation for motion of Council.
2. Gas Tax Audit
  - o See Motion Below:
3. Invoice approval, cheque register & expense report were reviewed.

**RES-65-2018**

Moved by Tony Pollard, seconded by Peggy Roche

Item 2. Gas Tax Audit

*RESOLVED THAT the Town of Torbay adopt the Annual Expenditure Report for the Gas Tax Funding as prepared by BDO for the year ended December 31st, 2017.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Craig Scott	x		
Trina Appleby	x		
Geoff Gallant	x		
Justin Martin	x		
<b>Tony Pollard (Moved By)</b>	x		
<b>Peggy Roche (Seconded By)</b>	x		
Mary Thorne-Gosse	x		
	<b>7</b>	<b>0</b>	<b>0</b>

CARRIED.

6.2.2. Memo from CAO - Community Centre-Third Party Project Management

The Project Management scope of work involves coordination of the capital campaign, the operational model, procurement of equipment/furniture, communication, in addition to the building construction.

Before vote on the below motion was held, Council commented on the below:

- Council met on Sunday past to discuss the project thoroughly. There were gaps in the consultant's scope and identification of work.
- A third party project manager will look at entire project overall, and recognize savings throughout the project. Related costs for this project is warranted.
- Councillor Gallant discussed his concerns of bringing in an outside project manager, extra costs and need of third party.

After discussion, a vote was then held on the motion.

**RES-66-2018**

Moved by Tony Pollard, seconded by Peggy Roche

*RESOLVED THAT the Town of Torbay award the project management services for the community centre project to Wood in the amount of \$192,591 plus HST. This award is subject to the successful negotiation of fees and contract.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Craig Scott	x		
Trina Appleby	x		
Geoff Gallant		x	
Justin Martin	x		
<b>Tony Pollard (Moved By)</b>	x		
<b>Peggy Roche (Seconded By)</b>	x		
Mary Thorne-Gosse	x		
	6	1	0

CARRIED.

6.2.3. Finance Report

Items discussed included:

- Payroll for the period of February 24th to March 9th, 2018 for 36 employees totaled \$82,737.87.
- For the period of February 24th to March 9th, 2018, invoices in the amount \$197,494.13 were processed.
- The following ten (10) invoices were presented for approval. See motion below:

**RES-67-2018**

Moved by Tony Pollard, seconded by Peggy Roche

*RESOLVED THAT the Town of Torbay approve payment of invoices, as presented.*

<b>Invoice #</b>	<b>Vendor and Detail</b>	<b>Amount</b>
Feb 2018	CIBC Mellon (Pension Contributions – Feb 2018)	\$16,050.64
27210	Commissionaires (Jan 28-Feb 10 Enforcement)	\$10,304.00
18-016	Core Engineering (Design for Town Hall Renos)	\$12,075.00
14293948 Feb18	Newfoundland Power Inc. (Group Billing Feb Stmt)	\$14,518.20
4347	Pilot Communications (Community Centre Capital Campaign)	\$16,905.00
FD5781	Pomerleau Inc. (Proposal Kinsmen Centre Design)	\$35,000.00
Feb 16-28 2018	Receiver General for Canada (Payroll Remittance)	\$14,447.20
Torb-16107-10	Tract Consulting (Heritage Sites Detailed Design)	\$5,750.00
182984	Triware (Prepaid IT Support)	\$5,750.00
A0550611	WHSCC (2018 Assessment)	\$30,441.96
	<b>Total</b>	<b>\$161,242.00</b>

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Craig Scott	x		
Trina Appleby	x		
Geoff Gallant	x		
Justin Martin	x		
<b>Tony Pollard (Moved By)</b>	x		
<b>Peggy Roche (Seconded By)</b>	x		
Mary Thorne-Gosse	x		
	7	0	0

CARRIED.

6.3. Human Resources and Administration

6.3.1. Human Resources and Administration Committee Update

Items discussed included:

1. Performance Evaluations
  - The performance evaluation process for management is ongoing.
  - Council discussed the Town's Strategic Plan and performance goals, and requested a copy of the documents.
  - Council discussed CAO's present performance goals and requested a copy for review.
  - It was suggested that Council meet as Committee of the Whole once the Town's Strategic Plan is complete, so everyone is aware of information. Then, discuss CAO's goals and objectives over the remainder of this term of Council.
  - Chair advised that information can be forward to all Council Members.
2. Policy Development
  - CAO has completed research on the flag flying procedure as requested. Drafting of a policy will commence within the next 7-10 days. Once complete, the policy will come back to Committee and Council for review.
3. Respectful Workplace Policy
  - Training for Council and staff will take place on April 2 and 3, 2018.
  - The importance that everyone participate was noted.
4. Strategic Plan
  - CAO is currently reviewing the draft strategic plan with members of management. Once complete, the plan will come back to Committee and Council for review.

6.4. Planning and Land Use Development

6.4.1. Planning and Development

Minutes of the Planning and Development Committee Minutes, dated March 6, 2018

Items discussed included:

1. Development Proposals
  - a) Proposal from 1359 Torbay Road to expand the existing building from a six unit building to a ten unit building.
  - b) Proposal from potential tenant at 1339 Torbay Road to establish a fitness gym in the existing building located on that property.
  - c) Proposal from property owner 49 Roblin Place to establish a home office for a consulting business.



2. Correspondence

a) Correspondence from the Department of Municipal Affairs and Environment.

- Committee review and agreed that it is good information to have as the Cannabis roll out continues.

3. Other Items

a) Torbay Environmental Advisory Committee.

- See Motion below:
- Before vote on the below motion was held, Council discussed the below:
  - It was noted that there are no members at present.
  - The former Chair of the Committee was consulted.
- After discussion, a vote was then held on the motion.

b) Department Items

c) South Pond and Great Pond water sheds

- Committee agreed that these are two important items and that a new date should be set to discuss with all of Council.

**RES-68-2018**

Moved by Mary Thorne-Gosse, seconded by Justin Martin

*Item 3 - Other Items*

*a) Torbay Environmental Advisory Committee*

*RESOLVED THAT the Town of Torbay adopt the Torbay Environmental Advisory Committee Terms of Reference dated March 2018 Revision 2.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Craig Scott	x		
Trina Appleby	x		
Geoff Gallant	x		
<b>Justin Martin (Seconded By)</b>	x		
Tony Pollard	x		
Peggy Roche	x		
<b>Mary Thorne-Gosse (Moved By)</b>	x		
	7	0	0

CARRIED.

6.4.2. Building Applications Approved

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

Application	Location	Proposal
C2017-067/D2017-059	1147 Torbay Road	Extension to Commercial Building
C2018-009	1196 Torbay Road	Commercial Shed/Garage
C2018-010	101 North Pond Road	Extension to Single Family Dwelling
C2018-013	20 Russworthy Place	Extension to Single Family Dwelling

6.4.3. Building Applications

**RES-69-2018**

Moved by Mary Thorne-Gosse, seconded by Justin Martin

Building Applications to be Approved

*Application: C2018-007*

*Location: 1359 Torbay Road*

*Proposal: Extension to existing 6 unit apartment building (additional 4 units)*

*Zoning: Town Centre (TC)*

*RESOLVED THAT the Town of Torbay defer Application C2018-007, under the Applications to be Approved section of the Building Application Report, dated March 9, 2018 for advertisement as per Regulations 10, 33 and 90 of the Torbay Development Regulations.*

	For	Against	Abstained
Craig Scott	x		
Trina Appleby	x		
Geoff Gallant	x		
<b>Justin Martin (Seconded By)</b>	x		
Tony Pollard	x		
Peggy Roche	x		
<b>Mary Thorne-Gosse (Moved By)</b>	x		
	7	0	0

CARRIED.

6.4.4. Business Applications

**RES-70-2018**

Moved by Mary Thorne-Gosse, seconded by Justin Martin

Business Applications to be Deferred for Advertisement

*Application: D2018-011*  
*Location: 1339 Torbay Road*  
*Proposal: Fitness Centre*  
*Zoning: Town Centre (TC)*

*RESOLVED THAT the Town of Torbay defer Application D2018-011, under the Applications to be Deferred for Advertisement section of the Business Application Report, dated March 9, 2018, for advertisement as per Regulations 10, 33 and 90 of the Torbay Development Regulations at the applicant's expense.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Craig Scott	x		
Trina Appleby	x		
Geoff Gallant	x		
<b>Justin Martin (Seconded By)</b>	x		
Tony Pollard	x		
Peggy Roche	x		
<b>Mary Thorne-Gosse (Moved By)</b>	x		
	7	0	0

CARRIED.

**RES-71-2018**

Moved by Mary Thorne-Gosse, seconded by Justin Martin

*Application: D2018-012*  
*Location: 49 Roblin Place*  
*Proposal: Home Office for Consulting Business*  
*Zoning: Residential Infill (RI)*

*RESOLVED THAT the Town of Torbay defer Application D2018-012, under the Applications to be Deferred for Advertisement section of the Business Application Report, dated March 9, 2018, for advertisement as per Condition 10 of the RI*

*Land Use Zone and Regulations 10, 33 and 90 of the Torbay Development Regulations at the applicant's expense.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Craig Scott	x		
Trina Appleby	x		
Geoff Gallant	x		
<b>Justin Martin (Seconded By)</b>	x		
Tony Pollard	x		
Peggy Roche	x		
<b>Mary Thorne-Gosse (Moved By)</b>	x		
	7	0	0

CARRIED.

6.5. Protective Services and Public Safety

6.5.1. Protective Services and Public Safety Committee

Protective Services and Public Safety Committee Update

Items discussed included:

1. Residential Traffic Calming

- Harbourside Consultants met with Council members and staff on March 7, 2018 to provide an overview of the speed calming measures proposed for Convent Lane, Country Drive, Mahon's Lane and Patrick's Path. Council requested revised project estimates for Patrick's Path and Country Drive. Once completed, the consultants will forward this information to the CAO. Committee will review all feedback at its next Committee meeting and bring forth a recommendation to Council at the February 26, 2018 Council meeting.

*At this point in the Council Meeting, Councillor Martin left the Public Council Chambers at 7:39 p.m.*

2. Torbay Road Sidewalk Plan and Roundabout

- The initial review form for the Torbay Road sidewalk plan and the proposed roundabout at the Marine Drive intersection has been submitted to the Green Municipal Fund. FCM confirmed receipt of the form on March 1, 2018. The Town is currently awaiting the review process, in order to determine if we will be invited to submit an application.

3. Emergency Plan
  - Due to staffing matters at Fire and Emergency Services, the Council and staff training and desktop exercise as it pertains to the Town's emergency plan will now take place after the Spring Fire School.
4. Ticketing Authority
  - A letter has been written to the Minister of Transportation and Works seeking approval to ticket under the Highway Traffic Act.
  - Regarding ticketing authority for property based regulations, the Commissionaires, the Director of Planning and Development and the CAO have a meeting scheduled for March 15, 2018 to discuss and develop the action plan.

*Councillor Martin returned to the Public Council Chambers at 7:40 p.m.*

6.5.2. Municipal Enforcement  
Report attached for information.

6.5.3. Torbay Volunteer Fire Department  
Report attached for information.

6.6. Public Works and Infrastructure

6.6.1. Public Works

Minutes of the Public Works and Infrastructure Committee Meeting, dated March 7, 2018

Items discussed included:

1) MYCW 2017-2021

Community Center Project

The project has commenced with the demolition of the Kinsmen Centre. The project team meets regularly will provide updates periodically throughout the construction.

Committee has agreed to a standard procedure of processing Change Orders (CO) for the duration of the project. Prior to items being presented as a CO, all Requests for Information (RFI's) and Contemplated Change Orders (CCO's) will be reviewed by Owners Advisor (A49) and vetted by staff. Once all parties agree with CCO's it will be moved to a (CO) and will presented to committee for recommendation and then presented to Council for final approval in the form of a motion.

If there is a time constraint decision that is required the same process will be followed but the approval of Council will be required via email and then presented to Council at the subsequent council meeting.

It was noted that process may change with appointment of project manager.

During the course of the project all CO's will presented to Council in the example:

<b>RCO#</b>	<b>Description</b>	<b>Value (HST incl.)</b>
	Original contract price	\$8,100,000.56
CO 4	New Wall Glazing	\$5,000.00
CO 3	Counter Finishes	\$1,300.00
	Total CO's	\$6,300.00
CO's(1-2)	Previously Approved CO'S	\$18,000.00
	Revised Contract Price	\$8,124,300.56

2) Recreational Facilities

- Multi-Purpose Court UTC - ongoing.
- Junior softball Pitch – ongoing.

Council questioned the softball field and if it would be available for tournaments. It was noted that use is mainly for minor softball. Council discussed infrastructure and conduit installation with possibility to expand to full size. It was noted that there is not room to expand in the area. Matter to be brought back to Committee for further review.

3) Waste Management

The Director and Committee in conjunction with the Planning and Development Committee have developed a Multi-Unit Disposal policy for approval and for inclusion in current Regulations. It has been reviewed and will be adjusted for our regulations with recommendations to follow.

New Town of Torbay Policy:

The Town of Torbay does not collect garbage from multi-unit residential buildings that have more than 4 units. This is in accordance with the Town's Waste Disposal Regulations. All existing units above the 4 unit threshold will be grandfathered to maintain status quo.

In addition the Town will reduce the residential permitted bag limit from 10 bags of garbage to 5 bags with the recycling being unlimited. The process will align with the town's current waste management program and education and come into effect July 1, 2018.

Council discussed bag limits and residents who share containers. Council discussed there could be some challenges for residents, however, this will encourage more recycling in the Community. It was noted this is for information purposes and will come back to Council to vote on. Councillor Gallant to forward email to Committee with concerns.

4) Miscellaneous

Trail Agreement – ongoing.

Snow Clearing Project – ongoing.

5) Correspondence & Action Report Items

Skippers Landing – the Town's municipal consultants are reviewing and will provide the necessary information required for tendering.

**7. Liaison Committees**

7.1 Jack Byrne Regional Sports and Entertainment Centre

A meeting is scheduled for this Thursday evening. A presentation will be made regarding study on the expansion of new ice surface.

7.2 Northeast Avalon Joint Council

No report.

7.3 Torbay Harbour Authority

No report.

7.4 Torbay Volunteer Fire Department

The Department is in process of holding elections for position of Lieutenant and Firefighter of the Year. It was noted that they have a policy in place to vote my email, as not everyone can get to all meetings. They can also vote by proxy.

7.5 Urban Municipalities Committee

Meeting is scheduled for this week.

**8. Notices of Motion**

8.1 Notices of Motion - None.

**9. New Business**

**9.1 Mayor Scott**

Mayor Scott listed everyone whose birthdays are in the Month of March. He wished everyone a Happy Birthday.

He advised he received an email from a resident of Convent Lane complimenting the Town's Public Works staff on their snow clearing efforts.

Mayor congratulated the following:

- Holy Trinity High Grade 9 Girls Volley Ball Team competed in the recent Winter Games in Deer Lake.
- Holy Trinity High Senior Girls Basketball Team won Silver Medal in the recent Martin Molloy Tournament.
- Holy Trinity High Grade 8 Girls Basketball Team hosted and won Gold Medal in Provincial "A" Championships.
- Killick Coast Chargers Basketball Girls Team Under 14 won Provincial Championships.

He thanked the Torbay Volunteer Fire Department for their work and recent demonstration of their new tanker truck.

**9.2 Deputy Mayor Appleby**

Deputy Mayor Appleby thanked the Torbay Lions Club for their recent donation to Juniper Ridge Intermediate School Library Resource Centre.

She thanked Torbay resident and Member of the Torbay Environment and Trails Committee for inviting her to a meeting last week. The group put in a lot of work and enthusiasm around environmental matters, Stewardship, as it pertains to the Gully. She noted that this is a great way for the Town to work with Volunteers.

Deputy Mayor thanked the Torbay Volunteer Fire Department for recent demonstration of their new tanker.

She discussed Council working together as a team and moving forward and past any issues, and the need to be mindful of what Council are here to do and accomplish.

**9.3 Councillor Gallant**

Councillor Gallant thanked the Torbay Volunteer Fire Department for all their good work.



9.4 **Councillor Martin**

Councillor Martin discussed his comments at the last meeting regarding salt and sand on provincial roads in our community. He clarified on his comments advising of his respect of committees and he was not approaching our MHA on behalf of the Town.

9.5 **Councillor Pollard**

Councillor Pollard discussed Years of Service and congratulated Staff who would be receiving awards in the near future.

He discussed Shea's Lane, noting topic may come up when he's away. Mayor advised expressions of interest coming soon.

Councillor Pollard advised he will be on holidays starting March 14th to 30th, and asked Mayor to attending Committee meetings in his absence.

9.6 **Councillor Roche**

Councillor Roche discussed the Heritage House and the Board. She requested that everyone be made aware that it will be another year before there is a call for members.

9.7 **Councillor Thorne-Gosse**

Councillor Thorne-Gosse advised she will be on vacation March 26th to April 2nd.

She thanked everyone for their patience over the past couple of Council Meetings. There was some back and forth on the topic of remuneration, and some misunderstanding pertaining to dates - both her and Deputy Mayor were looking at different times.

**10. Question & Answer Session**

- 10.1 Resident in the Gallery, and Member of the Torbay Environment and Trails Committee, thanked the Deputy Mayor for attending a recent meeting. She advised she was invited to the school to speak, and is presently working with them to develop beautification.
- 10.2 Resident questioned the Beach Committee and status of the Committee. It was noted that the Committee is tied to the Heritage Board and under this group. The Committee will be put in place when the Board of Governance is in place. CAO forwarded an email to the Chair advising of same, and can resend.
- 10.3 Resident questioned why there's two sections for the Torbay Volunteer Fire Department. Mayor clarified that the Department falls under the Protective Services

and Public Safety Committee as well as Liaison. The Fire Chief attends the Protective Services Committee as required and Mayor is the Liaison with the Department, and reports back to Council.

**11. Next Public Council Meeting**

11.1 The next Public Council Meeting is scheduled to take place on Monday, March 26, at 6:30 p.m. Council Chamber, Torbay Town Hall.

**12. Adjournment**

12.1 Adjournment of Meeting.

**RES-72-2018**

Moved by Trina Appleby, seconded by Justin Martin

*RESOLVED THAT the meeting be adjourned at 8:25 p.m., as there was no further business.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Craig Scott	x		
<b>Trina Appleby (Moved By)</b>	x		
Geoff Gallant	x		
<b>Justin Martin (Seconded By)</b>	x		
Tony Pollard	x		
Peggy Roche	x		
Mary Thorne-Gosse	x		
	7	0	0

CARRIED.

\_\_\_\_\_  
CAO/Town Clerk

\_\_\_\_\_  
Mayor