



MINUTES
Regular Public Council Meeting
Monday, July 16, 2018 Multi-Purpose Building, Upper Three
Corner Pond Park, Bauline Line

Minutes of the Regular Meeting of Council held in the Multi-Purpose Building, Upper Three Corner Pond Park, Bauline Line, Town Hall, on Monday, July 16, 2018, at 6:30 PM

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

STAFF PRESENT: Craig Drover, Director of Finance
Bernie Manning, Director of Infrastructure and Public Works
Ann Picco, Deputy Clerk
Brian Winter, Director of Planning

STAFF ABSENT: Dawn Chaplin, Chief Administrative Officer

GALLERY PRESENT: There were a total of 5 people in attendance

1. Motion to Appoint Acting Town Clerk

- a) Motion to Appoint Acting Town Clerk - July 16, 2018 Public Council Meeting

Chief Administrative Officer/Town Clerk Dawn Chaplin was away from the office on Monday evening, July 16th; and, therefore, was not in attendance at tonight's Council Meeting. As a result, an Acting Town Clerk must be appointed in order for the Public Council Meeting to proceed. See Motion below:

RES-164-2018

Moved by Peggy Roche, Seconded by Geoff Gallant

RESOLVED THAT In the absence of the Chief Administrative Officer/Town Clerk for the Public Council Meeting of Monday, July 16, 2018, 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.

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

Question called: CARRIED.

2. Agenda/Minutes

- a) Adoption of Agenda.

RES-165-2018

Moved by Mary Thorne-Gosse, Seconded by Trina Appleby

RESOLVED THAT the Agenda be adopted, as presented.

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

Question called: CARRIED.

- b) Adoption of Public Council Meeting Minutes, dated July 4, 2018.

RES-166-2018

Moved by Tony Pollard, Seconded by Mary Thorne-Gosse

RESOLVED THAT the Minutes of the July 4, 2018, Public Council Meeting be adopted as presented.

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

Question called: CARRIED.

3. Proclamations/Presentations/Question & Answer Session

a) Question & Answer

Resident in the Gallery discussed the development proposal for a ten unit adult living complex at Copper Top Place:

- Resident advised he's opposed to the development and have concerns in the way of increased traffic, safety of area children and residents, and possible reduced property values for current residents.
- Under assumption that there would be no further development in the area; and, a cul-de-sac is not the place for this type of development.
- A petition has been started against the proposal, of which he provided a copy for information. Petition will be submitted once complete and signatures obtained.

Portugal Cove-St. Philip's Co-Fire Chief Fred Hollett

- Fire Chief discussed Rovers Search and Rescue fundraising campaign for a new Unmanned Aerial Vehicle (UAV):
 - Fire Chief provided a history of the Rovers, indicating origins with Scouting.
 - Main focus is search and rescue, and need has been identified for a UAV with infrared camera to assist in search efforts and activities in support of the RNC.
 - Municipalities in the Northeast Avalon have been contacted for support, as well as corporations and businesses.
- Request has been referred to the Finance Committee.

4. Mayor's Report

a) Mayor Scott discussed meetings/events he recently attended:

- July 9th
 - Capital Campaign meeting update.
- July 11th
 - Grand Opening of the new Airport terminal.
- July 12th
 - Torbay Harbour Authority Annual General Meeting.
- July 13th
 - Town's Senior's Tea and Social.
- July 14th
 - Attended the A Time in Torbay Festival and events this weekend past.
 - Assisted the Lions Club with their breakfast event.

5. Business Arising

a) Business Arising Report

The Business Arising Report, dated July 16, 2018, was accepted as presented.

6. Correspondence

a) Municipal Assessment Agency Inc. (MAA) - Upcoming 2019 Assessment

- Referred to the Finance Committee.

b) Jack Byrne Regional Sport & Entertainment Centre - 10th Anniversary Activities - Cost Sharing Request

- Referred to the Finance Committee.

c) Jack Byrne Regional Sport & Entertainment Centre - Expansion Project Town Contributions

- Council commented on the below:
 - Costs for expansion of ice surface - comparison with existing partners and if other communities were included.
 - Financing scenario between Government and communities of 70/30 arrangement.
 - Decision to complete the project.
 - Cost for Torbay versus other projects in the Community, such as pedestrian safety.

- Council to meet to discuss further before responding by deadline of July 31st.
- Referred to Finance Committee for review as well.

d) Memo from CAO regarding Rovers Search and Rescue Request

Information was attached regarding a request from the Rovers Search and Rescue fundraising campaign for a new UAV (Unmanned Aerial Vehicle).

- The Town of Paradise has issued a fundraising challenge to neighbouring municipalities regarding same - information attached.
- The documentation has been forwarded to Torbay Volunteer Fire Department Fire Chief McGrath as well.
- As referenced, Portugal Cove-St. Philip's Co-Fire Chief was in attendance at tonight's meeting to provide information and answer any questions regarding the Rovers Search and Rescue Request.
- Referred to the Finance Committee for review.

7. Committees of Council

7.1. Committee of the Whole

7.1.1. No report.

7.2. Community Services & Economic Development

7.2.1. Community Services

Community Services Update

Items discussed included:

Note: No meeting held as all of committee was not available.

1. New Community Centre

Work is continuing with consultants on the Community Centre.

Upcoming Events:

1. Adventure Camp - beginning on Monday, July 16th. Sold out again this year.
2. Silver Spades - deadline for nominations is July 16th.
3. Community Ice Cream Stand - July 17th at Think Outside the Box.
4. Family Camp Out - July 28th at Upper Three Corner. Pre-registration required

5. S'mores & Songs - August 8th behind the Torbay Town Hall.

Council questioned the Green Team and who they report directly to. It was noted that they have a supervisor they report to, and they also report to the Town's Director of Community Services.

7.2.2. Economic Development

Economic Development and Communications Update

Items discussed included:

1. Regional Demographics

2. Communications

3. Torbay Beach Project

- Information on schematics and project timelines was included.

4. Waste Management Education

5. Evaluation of Torbay's Commercial and Industrial Potential

6. Economic Development Initiative Updates

CAO is meeting with the Community Services and Economic Development Committee on July 19, 2018 at 6:30pm.

7.3. Finance

7.3.1. Corporate Services

Minutes of the Finance Committee Meeting, dated July 11, 2018

Items discussed included:

1. Invoice approval, cheque register, income/expense and invoiced vs received report review.

2. Budget 2018-2019

- Budget process was discussed, and planning that will occur over the Summer.
- It is anticipated that public engagement will start in September.

3. Asset Management

- The asset management plan will be reviewed and directors will be asked to review current assets and anticipated spending during the budget process.

4. Capital Campaign

- The Capital Campaign will require a separate bank account to be opened. See below Motion.

RES-167-2018

Moved by Tony Pollard, Seconded by Peggy Roche

RESOLVED THAT the Town of Torbay open a separate RBC Bank Account for the 2018 Capital Campaign.

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

Question called: CARRIED.

7.3.2. Finance Report

Payroll

Payroll, remuneration and honorariums for the period of June 30th to July 14th, 2018 for 45 employees totaled \$87,781.10.

Accounts Payable

For the period of June 30th to July 14th, 2018 invoices in the amount \$197,416.71 were processed.

Invoices for Approval

The following nine (9) invoices are presented for approval - see below Motion.

Before question was called and a vote held on the Motion, Council discussed the below:

- Legal fees were reviewed to see where resources were going and applied.

- Pension contributions were discussed, and it was requested that this be revisited with upcoming budget discussions and process. It was asked that this be added to the next Human Resources and Administration Committee Meeting.

RES-168-2018

Moved by Tony Pollard, Seconded by Trina Appleby

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

Invoice #	Vendor and Detail	Amount
JUNE2018	Pension Contributions	\$15,718.28
Jun 16-30 2018	Receiver General of Canada – Payroll Remittance	\$32,349.34
18040	Grand Concourse Authority – UTC Softball Building	\$57,750.90
18040	Grand Concourse Authority – 2018 Trail Maintenance	\$17,561.19
2018021	Lynn Morrissey	\$7,039.30
14293948	Newfoundland Power Inc. – GRP Billing June 2018	\$8,093.61
14293963	Newfoundland Power Inc. – Streetlighting and Gateway Sign	\$17,101.99
90670677	Stewart Mckelvy Stirling Scales (General Advice - Planning)	\$8,194.71
185376	Triware – Prepaid Support	\$5,214.30
	Total:	\$169,023.62

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

Question called: CARRIED.

7.4. Human Resources and Administration

7.4.1. Human Resources & Administration Report

Human Resources and Administration Committee Update

Items discussed included:

1. Receptionist Position

Further to the update provided to Council on July 10, 2018, this is to reconfirm that the Receptionist position was posted on Career Beacon, the Town's website and via social media. Forty five applications were received upon closing. The CAO and Director of Finance reviewed the applications independently and agreed on the short list of candidates for interview. Upon completion of the interview process, it was agreed that Gillian Comerford be offered the temporary position. A further update will be provided after July 20, 2018.

2. Strategic Plan

The draft Strategic Plan is currently being reviewed by all Members of Council. Feedback provided will be discussed at the next Committee meeting. A recommendation will be brought forth to Council for the July 30, 2018 Council meeting.

3. Next Committee Meeting

The next Committee meeting will be held on July 18, 2018 at 6:00pm.

7.5. Planning and Land Use Development

7.5.1. Planning and Development

Minutes of the Planning and Development Committee Meeting, dated July 10, 2018

Items discussed included:

1. Development Proposals

a) Application from property owner of 1543-1547 Torbay Road to construct a five-unit residential building.

b) Discretionary Use Notice for 3 St. Nicholas Lane.

2. Amendments

a) Items for a possible regulations amendment.

3. Correspondence

a) Correspondence from Newfoundland Power.

b) Email letter in relation to Great Pond area properties.

4. Other Items

a) Torbay Environmental Advisory (TEA) Committee

- It was also suggested that the new TEA Committee come in to meet Council.

b) Delinquent Property letters

The Director gave an update on a number of delinquent properties.

- After much discussion, Committee agreed that the property owners that are not complying should be written a final notice to advise them that if the property issues are not rectified or the Town is not presented with an acceptable plan within twenty (20) working days a legal order will be issued and the Town may undertake the work to rectify the issue and charge related costs to the property owner.

7.5.2. Applications Approved

Applications Approved Report - June 30 - July 12, 2018

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

Application	Location	Proposal
C2018-081	858 Torbay Road	Recycling Bin/Kiosk
C2018-082	26 Flora Drive	Accessory Building
C2018-083	71 Indian Meal Line	Single Family Dwelling
C2018-085	171 Marine Drive	Single Family Dwelling
C2018-086	171 Marine Drive	Accessory Building
C2018-087	30 Lower Street	Driveway Access

7.5.3. Business Applications

Business Application Report, dated July 12, 2018

Business Applications Advertised - For information purposes:

Application: D2018-084
Location: 3 St. Nicholas Lane
Proposal: Convert single family dwelling to a bakery with small cafe
Zoning: Mixed Development (MIX)

The proposal to convert the existing single family dwelling located at 3 St. Nicholas Lane to a bakery with small cafe can be classified as General Assembly/Catering and is listed as a Discretionary Use within the Mixed Development (MIX) Land Use Zone. Discretionary Use applications are subject to Condition 4 of the MIX Land Use Zone and Regulations 10, 33 and 90 of the Torbay Development Regulations. This application was discussed as Item 1(b) at the Planning and Land Use Development Committee (PLUD) meeting on July 10, 2018. As per Motion 031-18, the application will be advertised in the next edition of the Northeast Avalon Times.

7.6. Protective Services and Public Safety

7.6.1. Protective Services and Public Safety Committee

Protective Services and Public Safety Committee Update

Items discussed included:

1. Juniper Ridge Crosswalk

The surveyor is completing a final layout of the bases and pending the weather, the bases will be installed on July 13, 2018. From there remaining equipment will be installed with the crosswalk markings to be painted on July 19, 2018.

2. Residential Speed Calming - Convent Lane, Country Drive, Patrick's Path, Mahon's Lane

Attached is the advertisement for the Invitation to Tender for traffic calming implementation on Convent Lane, Country Drive, Patrick's Path and Mahon's Lane. The tender closes on July 27, 2018. A recommendation for award will be forthcoming upon close of the tender.

3. Residential Speed Calming - Indian Meal Line

Further to the motion passed at the July 4, 2018 Council meeting, CAO has followed up with the consultant to confirm next steps and timelines. CAO will advise once she receives as reply.

4. Next Committee Meeting

The next Committee meeting takes place on July 18, 2018 at 7:00pm.

Council further discussed the below:

- Juniper Ridge Crosswalk
 - It was questioned what's being done with the Elementary School, and if it would go to consultant for completion of a study.
 - Crossing guard program was discussed and other possible solutions in the way of road configurations.
 - Councillor Thorne-Gosse served Notice of Motion for next Meeting that this be looked after.

7.6.2. Torbay Volunteer Fire Department

Minutes of the Torbay Volunteer Fire Department Meeting, dated June 25, 2018, was included for information.

7.7. Public Works and Infrastructure

7.7.1. Memo from CAO Regarding Road Requests

- An overview from the Supervisor of Infrastructure and Works on the various components of roadwork (shouldering, ditching, culvert replacement, potholes, large road repairs) for the remainder of 2018 was provided for information.
- Road Repairs completed since May included areas of Matthew Drive, Upper evenings Path, Riverdale Drive, Fields Lane, Patrick's Path and Karon Drive.
- The document entitled Large Asphalt Road Repairs/Patches will be tendered within the next 7 days.

7.7.2. Memo from CAO Regarding Community Centre

Backup documentation was attached as it relates to an amendment for change order #6 for the Community Centre project (Project Number 17-MYCW- 16-00115). This addition is required to keep the perimeter curtain out of the playing courts in the gymnasium. Correspondence was attached from the Project Manager. See below Motion.

RES-169-2018

Moved by Mary Thorne-Gosse, Seconded by Trina Appleby

RESOLVED THAT Further to Motion RES-132-2018, that Change Order #6 be amended in the amount of \$2,679.08 to accommodate the additional cost to have

the perimeter curtain kept out of the playing courts. Total change order is now \$89,071.54 plus HST.

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

Question called: CARRIED.

8. Liaison Committees

a) Jack Byrne Regional Sports and Entertainment Centre

Council further discussed the below as it pertains to the Arena expansion project and town contributions:

- Costs for the Town's individual contribution and Board representation.
- It was requested to seek clarification from the Board.
- Board is looking for commitment from town partners and asking for direction.
- The Town is not in a position to make a decision by their deadline of July 31st.
- Feedback will be brought back to the Board of Directors.

b) Northeast Avalon Joint Council

No report.

c) Torbay Harbour Authority

The Torbay Harbour Authority held their Annual General Meeting and Elections on July 12th. A new Chair and Executive were elected. A meeting will be scheduled with the new Chair.

Council thanked the outgoing Executive for their work over the past number of years and congratulated new Members.

d) Torbay Volunteer Fire Department

Councillor Martin reported on the below:

- A meeting was held last Monday evening. There were three calls the night of their Meeting.
- They discussed plans for their booth at the St. John's Regatta.
- There were a number of emergency calls since last meeting, including water rescue, medical and fire.

e) Urban Municipalities Committee

Mayor reported that the next Meeting will possibly be scheduled here in Torbay.

9. Notices of Motion

- a) There were none.

10. New Business

- a) Mayor Scott

Mayor Scott thanked the A Time in Torbay Committee, Committee Chair, Town staff, Community groups, businesses and event sponsors who helped make all events successful.

He thanked the outgoing Chair and Executive of the Torbay Harbour Authority for all their work over the past number of years. Mayor congratulated the new Chair and Executive, advising he's looking forward to working with them.

- b) Deputy Mayor Appleby

Deputy Mayor Appleby commended the A Time in Torbay Committee for their work on recent Festival events. She thanked the following:

- Organizations who assisted in set up of events.
- The Lion's Club and all volunteers to make the events a success.
- All those who came out and participated to show support to the Committee.
- Mayor and Councillor Martin for assisting the Lion's Club with their breakfast and helping out.

c) Councillor Gallant

Councillor Gallant thanked all volunteers in the Community.

He discussed St. John's Pride Week 2018, advising he took part in the Pride Parade on Sunday past. He advised Sunday's events and the Parade were very well attended and there was great support from government officials. Councillor Gallant thanked everyone from the Community who participated.

Councillor Gallant discussed Council's recent debate concerning speed calming and speed bumps. He discussed a motion he put forward on May 25th, 2015 concerning installation of speedbumps, of which was defeated by Council at the time. Councillor Gallant advised that Council agreed to go with a policy, he does understand where residents are coming from, and that this is a decision of Council.

d) Councillor Martin

Councillor Martin thanked the A Time in Torbay Committee. He advised he attended the Lion's Club Breakfast event, and thanked everyone who participated and volunteered on Festival events.

e) Councillor Pollard

Passed

f) Councillor Roche

Passed

g) Councillor Thorne-Gosse

Councillor Thorne-Gosse thanked all involved in the A Time in Torbay Festival and events. She thanked Committee, staff and volunteers for making it happen.

11. Question & Answer Session

- a) Mayor Scott referred to the Gallery and asked if anyone had comments on tonight's Council Meeting. The following had comments:
- Resident in the Gallery questioned the below:
 - Arena expansion project.
 - Resident advised that Council should have meeting and be ready before other communities say yes or no.
 - He questioned why there wasn't a meeting some months ago, and where the Town goes from here.
 - Mayor advised the Town will meet and review.
 - Building Application
 - Resident advised his application for a permit to build was refused, and questioned how he can proceed with an amendment.
 - The Director of Planning requested he meet with him.

12. Next Public Council Meeting

- a) The next Public Council Meeting is scheduled to take place on Monday, July 30, 2018, at 6:30 p.m. Multi-Purpose Building, Upper Three Corner Pond Park, Bauline Line.

13. Adjournment

a) Adjournment of Meeting.

RES-170-2018

Moved by Justin Martin, Seconded by Mary Thorne-Gosse

RESOLVED THAT the meeting be adjourned at 7:45 p.m., as there was no further business.

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

Question called: CARRIED.

CAO/Town Clerk

Mayor