



MINUTES
Regular Public Council Meeting
Monday, August 13, 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, August 13, 2018, at 6:30 PM

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

COUNCIL ABSENT: Peggy Roche, 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 9 people in attendance

1. Motion to Appoint Acting Town Clerk

- a) Appointment of Acting Town Clerk

Chief Administrative Officer/Town Clerk Dawn Chaplin was away from the office for the period of August 12th to 18th, 2018; and, therefore, was not in attendance at the Public Council Meeting of Monday, August 13th.

As a result, an Acting Town Clerk was appointed in order for the Public Council Meeting on August 13th to proceed. See motion below.

RES-189-2018

Moved by Justin Martin, Seconded by Trina Appleby

RESOLVED THAT In the absence of the Chief Administrative Officer/Town Clerk for the period of August 12th to 18th, 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 (Seconded By)	x		
Geoff Gallant	x		
Justin Martin (Moved By)	x		
Tony Pollard	x		
Mary Thorne-Gosse	x		
	6	0	0

Question called: CARRIED.

2. Agenda/Minutes

- a) Adoption of Agenda.

RES-190-2018

Moved by Tony Pollard, Seconded by Mary Thorne-Gosse

RESOLVED THAT the Agenda be adopted, as presented.

	For	Against	Abstained
Craig Scott	x		
Trina Appleby	x		
Geoff Gallant	x		
Justin Martin	x		
Tony Pollard (Moved By)	x		
Mary Thorne-Gosse (Seconded By)	x		
	6	0	0

Question called: CARRIED.

- b) Adoption of Public Council Meeting Minutes, dated July 30, 2018.

RES-191-2018

Moved by Mary Thorne-Gosse, Seconded by Tony Pollard

RESOLVED THAT the Minutes of the July 30, 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 (Seconded By)	x		
Mary Thorne-Gosse (Moved By)	x		
	6	0	0

Question called: CARRIED.

3. Proclamations/Presentations/Question & Answer Session

a) Question & Answer

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

- Resident of Coppertop Place
 - Resident discussed her concerns pertaining to the proposed development of a ten unit adult living complex at Coppertop Place, including:
 - Resident feels the development is not a good fit for the area, which is a small cul-de-sac.
 - Safety of present residents and children in the area is a concern, as development would bring in further traffic.
 - Possible decrease in residents' property values.
 - Resident advised when they purchased the property they were told at the time that this property was in conservation area and development could not take place. Their view would be protected.
 - Invasion of privacy and right to peaceful living for current residents will be disrupted.
 - Ten extra vehicles in the area, which will create noise and exhaust pollution.
 - People come to avail of the East Coast Trail and views of Torbay Bight, which will be inhibited with this development.
 - Resident felt snow removal will be an issue for the Town, and may have to be trucked away.
 - Rainwater drainage presently runs in the area and could be an issue if development proceeds.
 - Past development proposals for the area - resident questioned why these were turned down.

- Moving of conservation lines was questioned.
- Resident submitted correspondence to all Members of Council, indicating she would also deliver a copy to the Town Office.

4. Mayor's Report

a) Mayor Scott provided a report on events/meetings he recently attended:

- August 3rd
 - Meeting was held with the East Coast Trail Association pertaining to the Torbay Harbour Authority.
- August 6th
 - Met with MP Nick Whalen regarding budgeting priorities.
- August 8th
 - Met with residents of Coppertop Place to discuss recent development proposal.
 - Attended Smores and Songs event.
- August 12th
 - A Lemonade Stand in Honour of Nevaeh was held at the Town Hall parking lot. Mayor advised it was very well attended, and thanked residents who pulled the event together. He thanked Town staff who assisted in set up and the Torbay Folk Arts Council for providing entertainment. Mayor thanked everyone who attended and supported the event to make it a success.

5. Business Arising

a) Business Arising Report

The Business Arising Report, dated August 13, 2018, was accepted as presented.

6. Correspondence

a) Municipal Assessment Agency Inc. (MAA) - Update on the Municipal Assessment Agency

- For information purposes. Information pertaining to the Clar Simmons Scholarship was noted.

7. Committees of Council

7.1. Committee of the Whole

7.1.1. No report.

7.2. Planning and Land Use Development

7.2.1. Applications Approved Report

Building Applications Approved Report, dated August 10, 2018

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

Application	Location	Proposal
C2018-092	398 Pine Line	Driveway Access
B2018-095	452 Indian Meal Line	General Repairs
B2018-096	5 McArthur Place	General Repairs
B2018-097	30 Easterbrook Drive	General Repairs
C2018-098	10 Streamside Lane	Accessory Building
C2018-099	205 Bauline Line	Extension to Single Family Dwelling
C2018-100	2 Cedarwood Lane	Accessory Building
C2018-101	16 Karon Drive	Accessory Building

Council discussed the below pertaining to proposed development for a ten unit adult living complex at Coppertop Place:

- It was noted that residents of Coppertop Place request for meeting was not referenced in the Business Arising Report. It was requested that Committee review residents' concerns.
- A meeting was held with a resident of Coppertop Place to review issues overall.
- Residents of Coppertop Place will be presenting at the next Council Meeting, August 27th.
- Resident in the Gallery commented that approval of this development would be precedent setting for other developers. Councillor Gallant called Point of Order indicating there's a Question and Answer Session at the end of the meeting. Point of Order well taken - Mayor advised residents can comment on items discussed at tonight's meeting during the Question and Answer session.

7.3. Community Services & Economic Development

7.3.1. Community Services

Community Services Update

1. Killick Coast Games

Opening ceremonies will take place on Monday, August 20th at 6:00 pm at the Soccer Pitch, Upper Three Corner Pond Park, 547 Bauline Line, Torbay.

The closing ceremonies are anticipated to take place on Thursday, August 23rd at 8:00 pm at the Senior Softball Field, Upper Three Corner Pond Park, 547 Bauline Line, Torbay. (If there is a delay in the closing Community Development Coordinator / Killick Coast Games Coordinator will notify all towns that in turn are responsible for notifying their players.

Wheelchair Basketball Demo:

As part of the 2018 Killick Coast Games, the Town of Torbay has incorporated a Wheelchair Basketball Demo in cooperation with Newfoundland and Labrador Basketball Association. Call for Athlete's ages 11 – 17 years has been advertised. The Town of Torbay is currently seeking five players (this will be mixed and athletes must be born between the years of 2001 – 2007).

Wheelchair basketball is open to players with physical limitations as well as able-bodied players. This will take place at Holy Trinity High School, Lynch's Lane, on Tuesday, August 21st beginning with the demo at 6:00 pm and the scrimmages at 6:30pm.

The of Torbay has created a new website for this year's games and there are social media platforms.

2. S'mores and Songs;

Thank you to all Musicians for a great performance. Thank you to the Torbay Volunteer Fire Department for assisting as well as all staff. A beautiful evening a nice turnout

3. Upcoming Events:

Yappy Hour - took place on August 11th

Pat Dawe Softball Tournament - September 7th – 9th

Community Guide - coming September 2018

7.4. Finance

7.4.1. Finance Report

Payroll

Payroll, remuneration and honorariums for the period of July 29th to August 10th, 2018, for 45 employees totaled \$81,232.35.

Accounts Payable

For the period of July 31th to August 10th, 2018 invoices in the amount \$1,039,890.36 were processed.

Invoices for Approval

The following twenty four (24) invoices are presented for approval:

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

- Review of expenditures
 - Council questioned if some items/work could be completed in-house versus third parties.
 - Matter to be discussed by the Human Resources and Administration Committee.
 - Matter to be discussed during budget process.
 - In relation to Harbourside, Council requested more information on this report.
 - Council asked to review expense reports.
 - Council discussed various on-going projects and need to review and re-evaluate them and how we engage consultants.

After discussion, question was called and Council voted on the motion.

RES-192-2018

Moved by Tony Pollard, Seconded by Justin Martin

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

Invoice #	Vendor and Detail	Amount
4385	<i>Pilot Communications – Capital Campaign Plan</i>	<i>\$38,007.50</i>
011989	<i>Prime Creative – Community Profile Booklet</i>	<i>\$8,067.25</i>
011991	<i>Prime Creative – Recycling Program 2018</i>	<i>\$9,065.61</i>
2017-054-1	<i>Progressive Engineering – Skippers Landing</i>	<i>\$5,117.50</i>

	<i>Drawings</i>	
2018-018-02A	<i>Progressive Engineering – AccusPlus and LIDAR Imagery</i>	\$31,031.75
2679 R1	<i>Marco Services Limited -Progress Claim #5 Community Centre</i>	\$513,550.77
July 16-31 2018	<i>Receiver General of Canada – Payroll Remittance</i>	\$26,996.61
14293963	<i>Newfoundland Power Inc. – Street Lighting</i>	\$19,297.04
92825167	<i>Terrapure Environmental – Hazardous Waste (Spring Clean Up)</i>	\$7,670.17
92828201	<i>Terrapure Environmental – Hazardous Waste</i>	\$6,234.98
August 2018	<i>Trio Benefits – GRP Benefits August 2018</i>	\$8,014.85
1242	<i>Viligant Management Inc. – Town Hall Renos Progress Billing</i>	\$9,004.96
1243	<i>Viligant Management Inc. – Procurement Strategy</i>	\$9,453.69
2017-037-11	<i>T2 Ventures – Garbage Contract</i>	\$41,860.00
89377337	<i>BDO Canada LLP – 2017 Audit</i>	\$22,107.60
89516141	<i>BDO Canada LLP – 2017 Audit</i>	\$14,841.90
July 2018	<i>CIBC Mellon – Pension Contributions July</i>	\$15,194.46
7507	<i>Clean Sweep Maintenance – Annual Line Painting</i>	\$13,455.00
COMMI001	<i>Commissionaires – Municipal Enforcement July 1 – 14</i>	\$5,336.00
18-023-01	<i>Eastern Contracting – Progress Payment #1 Town Hall</i>	\$63,226.04
18-023-02	<i>Eastern Contracting – Progress Payment #2 Town Hall</i>	\$59,401.43
2313	<i>EC SI – Grinder/Flow Monitor</i>	\$32,596.75
18055	<i>Grand Concourse Authority – Pole Replacement</i>	\$5,969.27
1172	<i>Harbourside Transportation Consultants</i>	\$9,481.83
	<u>Total:</u>	<u>\$974,983.96</u>

	For	Against	Abstained
Craig Scott	x		
Trina Appleby	x		
Geoff Gallant	x		
Justin Martin (Seconded By)	x		

Tony Pollard (Moved By)	x		
Mary Thorne-Gosse	x		
	6	0	0

Question called: CARRIED.

7.5. Human Resources and Administration

7.5.1. Human Resources and Administration Report

Minutes of the Human Resources and Administration Committee Meeting, dated August 8, 2018

Items discussed included:

1. Strategic Plan

See motion below:

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

- The Strategic Plan is this term of Council's priorities.
- Committee Chair read aloud the "Our Vision" section of the Plan and the Long Term Strategic Initiatives. Chair thanked Council for their work and input into the Plan.
- Council discussed that the Plan is a living document and should be reviewed on a yearly basis as there could be other items/additions included.
- The Plan is a guiding document for Council. There are items that Council wish to complete during this term of Council and there are long-terms goals as well.

After discussion, question was called and Council voted on the motion.

2. Performance Evaluations

CAO will be meeting with the Directors and HR consultant within the next two weeks to discuss their performance evaluations. A modified version of the evaluation process will be developed for non-management staff. Regarding goal setting for 2019, Committee requested that the CAO develop a three year work plan for the strategic plan initiatives, set goals for the Directors and herself for the coming year. Once this is developed, it was requested that the CAO bring back to Committee for review. Committee will then follow up with Council. Committee agreed that if the CAO needed to engage the HR consultant for assistance, she could do so.

3. Compensation and Benefits

CAO advised that she will be bringing forth a recommendation regarding compensation and benefits and the associated Human Resource policies before the end of September.

4. Organizational Structure and Reallocating Duties

CAO will have a recommendation regarding the organizational structure once Council meets with the consultant regarding the Community Centre operational model and she meets with the auditor. This will also include the economic development and communications functions.

5. Resident Email

Committee discussed an email sent by a resident. It was agreed that due to privacy, no information would be released. Committee requested that the CAO follow up with the resident.

RES-193-2018

Moved by Geoff Gallant, Seconded by Trina Appleby

RESOLVED THAT the Town of Torbay adopt its Strategic Plan for the period of 2018-2021 as presented.

	For	Against	Abstained
Craig Scott	x		
Trina Appleby (Seconded By)	x		
Geoff Gallant (Moved By)	x		
Justin Martin	x		
Tony Pollard	x		
Mary Thorne-Gosse	x		
	6	0	0

Question called: CARRIED.

7.6. Protective Services and Public Safety

7.6.1. Protective Services and Public Safety Report

Minutes of the Protective Services and Public Safety Committee Meeting, dated August 8, 2018

Items discussed included:

1. Speed Calming Tender - Mahon's Lane, Convent Lane, Country Drive and Patrick's Path

CAO provided an overview of the recent tender call for speed calming measures for the four noted streets. Seven tender packages were picked up and three bids were received. Harbourside reviewed the tender packages and recommended awarding to the low bidder. Project materials were acquired via separate procurement process. Town staff will install the speed cushions. Total project budget is \$246,578.08 (HST included). May 9, 2018 estimate provided to Council was \$250,964.50 (HST included). Committee agreed to bring forth a recommendation to Council to award the tender. Committee also requested that the CAO confirm start date for the project.

See motion below:

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

- Overall process was questioned, breakdown of other portions, and inclusion of staff time.
- It was questioned that as part of tender, discussion was to be had with land owner at the end of Patrick Path and Bauline Line.
- It was requested that the final design be forwarded to Council.

After discussion, question was called and Council voted on the motion.

2. Pedestrian Safety - Indian Meal Line

632 surveys were delivered, with 75 responses, which translated into a 12% response rate. This is below the policy threshold.

Council has already approved the \$11,080 required to complete the resident engagement and capital estimate. As all pedestrian safety budget funds have been expended for 2018, Councillor Gallant will bring the matter forth for Council discussion and direction.

3. Pedestrian Safety - Karon Drive and North Pond Road

4. Sidewalks and Roundabout for Torbay Road

Council further discussed the below as it pertains to pedestrian safety and speed calming:

- Chair questioned motion approved by Council at last Council meeting to approve crosswalk at Marine Drive/Torbay Road and related costs which are not in the budget. He felt funds could have been spent elsewhere, on Indian Meal Line, Karon Drive and North Pond Road.
- Council discussed need for crosswalk at the Elementary School for safety.

It was clarified that the motion is to design and implement, which will go to tender and the tender comes back to Council for final vote.

- Council discussed solution would be a roundabout in the area of Marine Drive/Convent Lane/Torbay Road, however, funding request was not approved.
- Only 12% response rate on survey received from residents of Indian Meal Line. It was noted that Indian Meal Line is a provincial road and affects everyone. It was noted a petition was received with numerous signatures regarding speed calming.
 - Council noted that residents may not have responded due to the fact that this is Summer and residents are away and on holidays. It was requested that this be reviewed again.
- Referred back to Committee for further discussion and funding options.

RES-194-2018

Moved by Geoff Gallant, Seconded by Justin Martin

RESOLVED THAT the Town of Torbay award the traffic calming implementation tender for Convent Lane, Country Drive, Patrick's Path and Mahon's Lane to the low bidder, Dexter Construction Company limited in the amount of \$117,562.00 plus HST for a total of \$135,196.30.

	For	Against	Abstained
Craig Scott	x		
Trina Appleby	x		
Geoff Gallant (Moved By)	x		
Justin Martin (Seconded By)	x		
Tony Pollard	x		
Mary Thorne-Gosse	x		
	6	0	0

Question called: CARRIED.

7.7. Public Works and Infrastructure

7.7.1. Public Works Report

Minutes of the Public Works Committee Meeting, dated August 8, 2018

Items discussed included:

- 1) MYCW 2017-2021

- Community Center Project

2) Recreational Facilities

3) Waste Management

4) Miscellaneous

- Roads

The Town has engaged a consultant to develop a Stand Offer Agreement tender to repair town roads. The current road work has gone public competition and should be finalized within the next week.

- History House

Committee would like an update and direction of project and any short and long term plans for maintenance of facility.

Council further discussed the below:

- Council requested information pertaining to the History House, including an update, direction of project, and management of facility.
- Council requested update regarding moving of monument to the beach.

Scheduling of the next meeting: Meeting was scheduled for Wednesday, August 16, 2018 at Town Hall.

8. Liaison Committees

a) Jack Byrne Regional Sports and Entertainment Centre

No report.

b) Northeast Avalon Joint Council

No report.

c) Torbay Harbour Authority

A meeting was held last week to discuss matters such as safety and parking issues.

- A meeting was held with East Coast Trail and came to agreement to ensure safety awareness.
- Research is underway regarding properties and potential widening of area to alleviate parking issues.

d) Torbay Volunteer Fire Department

Meeting was held on August 6th. Items discussed included:

- Booth at the recent St. John's Regatta. It was another successful turnout this year.
- Eleven emergency calls since last meeting.

e) Urban Municipalities Committee

The Town is hosting the upcoming UMC Meeting on August 16th and 17th. Mayor requested Council advise CAO if attending.

9. Notices of Motion

10. New Business

a) Mayor Scott

Mayor thanked CAO and staff for their participation and set up of the Lemonade Stand in honour of Nevaeh Sunday past.

He congratulated the Town of Flatrock on their new chain of office and thanked the Hogan Family for donating.

Mayor advised the Urban Municipalities Committee (UMC) Meeting is taking place Thursday and Friday.

He advised the Killick Coast Games are starting soon and encouraged all to get out and take in some of the sports events, especially the first wheelchair basketball event.

Mayor acknowledged all those whose birthdays were in August.

b) Deputy Mayor Appleby

Deputy Mayor thanked everyone who attended and supported the Lemonade stand in honour of Nevaeh.

She thanked the children who have volunteered to be part of the Killick Coast Games, advising that our children are our future and we're thankful they want to represent our Town.

c) Councillor Gallant

Councillor Gallant thanked everyone who attended the Lemonade Stand in honour of

Nevaeh, and all those who participated.

d) Councillor Martin

Councillor Martin thanked all those who attended and participated in the Lemonade Stand in honour of Nevaeh.

He advised he received an email from a resident regarding issues of ATV speeding between hours of midnight and 6:00 a.m. Councillor Martin to forward email to CAO/Deputy Clerk to forward on to Commissionaires.

Councillor Martin discussed Torbay Talks questioning how residents can get their information included. Mayor noted that residents can forward their information on to the Town for inclusion.

He put forward a Notice of Motion. In relation to a current tender for a Town vehicle, he requested that the tender be changed to reflect that the vehicle be exclusively hybrid or plug in hybrid.

e) Councillor Pollard

Passed.

f) Councillor Roche

Absent

g) Councillor Thorne-Gosse

Councillor Thorne-Gosse thanked resident Erica MacDonald for taking the initiative for the Lemonade Stand in honour of Nevaeh event on Sunday past. It's events like these that brings the Community together. She noted it was nice to see the family there and participate. She thanked everyone involved, noting their goal was surpassed with donations still coming in.

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 Town's Communications System.
 - Resident advised she has not been receiving any notifications and questioned who it was assigned to.

- Town to look into and follow up.
- Resident in the Gallery discussed the consultant speed calming survey for Indian Meal Line.
 - She asked that the layout/format of the survey be reviewed.
 - She requested that process be reviewed as well - return envelope or postage was not included for residents.
 - To be referred back to Committee for further review.
- Resident in the Gallery questioned payroll and employees under the Finance Report.
 - Mayor noted the Town has employed Summer students and students for the upcoming Killick Coast Games.
- Resident in the Gallery questioned the monument on the beach.
 - Mayor clarified a monument at the Torbay War Memorial is being moved to new structure at the beach.
- Resident in the Gallery questioned the roundabout on Torbay Road.
 - Mayor clarified that the Town had applied for Federal funding for the project which was not approved. The Town will consider any other funding applications/projects.
 - Resident questioned if a roundabout would increase traffic speeds. Mayor advised a roundabout would completely change dynamic of intersection and traffic will have to slow down.

12. Next Public Council Meeting

- a) The next Public Council Meeting is scheduled to take place on Monday, August 27, 2018, at 6:30 p.m., Multi-Purpose Building, Upper Three Corner Pond Park, Bauline Line.

13. Adjournment

- a) Adjournment of Meeting.

RES-195-2018

Moved by Justin Martin, Seconded by Mary Thorne-Gosse

RESOLVED THAT the meeting be adjourned at 8:23 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		

Mary Thorne-Gosse (Seconded By)	x		
	6	0	0

Question called: CARRIED.

CAO/Town Clerk

Mayor