



**MINUTES**  
**Regular Public Council Meeting**  
**Monday, September 10, 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, September 10, 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

**COUNCIL ABSENT:**

**STAFF PRESENT:** Dawn Chaplin, Chief Administrative Officer  
Craig Drover, Director of Finance  
Bernie Manning, Director of Infrastructure and Public Works  
Ann Picco, Deputy Clerk  
Brian Winter, Director of Planning

**STAFF ABSENT:**

**GALLERY PRESENT:** There were a total of 12 people in attendance

**1. Agenda/Minutes**

a) Adoption of Agenda.

**RES-207-2018**

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 |

Question called: CARRIED.

- b) Adoption of Public Council Meeting Minutes, dated August 27, 2018.

**RES-208-2018**

Moved by Tony Pollard, Seconded by Mary Thorne-Gosse

*RESOLVED THAT the Minutes of the August 27, 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 (Moved By)</b>         | x          |                |                  |
| Peggy Roche                            | x          |                |                  |
| <b>Mary Thorne-Gosse (Seconded By)</b> | x          |                |                  |
|  | 7          | 0              | 0                |

Question called: CARRIED.

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

- a) Proclamations

NL Sexual Assault Crisis and Prevention Centre  
Sexual Violence Awareness Week is September 17th - 21st, 2018.

See motion below.

**RES-209-2018**

Moved by Craig Scott, Seconded by Peggy Roche

*RESOLVED THAT the Town of Torbay do hereby proclaim September 17th - 21st, 2018, as Sexual Violence Awareness Week and encourage all citizens to become involved in activities organized throughout this week.*

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

Question called: CARRIED.

b) Question & Answer

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

- Residents in the gallery discussed proposed improvements regarding traffic calming in the Patrick's Path area:
  - They discussed their concerns in the way of safety as it pertains to the recent road work at the intersection of Patrick's Path and Bauline Line.
  - Residents felt that the intersection as it is now is more dangerous than before.
  - They questioned widths of the road and design work.

Mayor advised that this is a work in progress and the Town's engineers are visiting the site on September 11th to ensure the area is properly designed.

**3. Mayor's Report**

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

- August 20th
  - Killick Coast Games Opening Ceremonies
    - Mayor thanked Council Members, Town staff, participants, and volunteers who made this event a success.
- August 23rd
  - Killick Coast Games Closing Ceremonies
    - The Town of Portugal Cove-St. Philip's is hosting next year's

Games.

- September 5th
  - Juniper Ridge Intermediate School Year Opening Assembly
    - Mayor attended Assembly, advising he read aloud a proclamation and declared the new school year.
    - This is their first year doing this event, with students participating in various activities.
- September 6th
  - Community Centre site visit
    - Project is moving along.
- September 8th
  - Pat Dawe Classic Softball Tournament
    - The Tournament took place this past weekend.
    - The Field at Upper Three Corner Pond Park was dedicated as the Pat Dawe Memorial Ball Field.

Mayor wished a Happy Birthday to all those whose birthdays fell within the Months of August and September.

#### 4. Business Arising

a) Business Arising Report

The Business Arising Report was discussed and accepted as presented:

- Item 1 - Regional Transit Study
  - An update was requested. CAO to follow up.
- Item 7 - Rodent Information
  - Council discussed residents' issues and methods of controlling rodents.
  - It was noted that information sharing is important, and it was requested that information to residents be provided through Town communications.

#### 5. Correspondence

a) Municipalities Newfoundland and Labrador (MNL) - 2018 Premier's Forum on Local Government

- MNL are accepting nominations for candidates to represent the Avalon, Central, Eastern, Labrador, Northern and Western Regions at the upcoming Forum in October.
- See motion below.

#### RES-210-2018

Moved by Peggy Roche, Seconded by Mary Thorne-Gosse

*RESOLVED THAT the Town of Torbay nominate Mayor Craig Scott to attend the 2018 Premier's Forum on Local Government to represent the Avalon Region.*

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

Question called: CARRIED.

## 6. Committees of Council

### 6.1. Committee of the Whole

6.1.1. No report.

### 6.2. Planning and Land Use Development

#### 6.2.1. Planning and Development

Minutes of the Planning and Development Committee Meeting, dated September 5, 2018

Items discussed included:

#### 3. Other Items

a) Cole Property Whiteways Pond Area site enhancement

See motion below.

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

- Residents may be concerned with activity take place.
- Conditions are in place and the area will be monitored.
- It was questioned if a timeline should be in place.
- It was requested that area residents be notified.

An amendment (friendly) was put forward to notify area residents who may be impacted. See motion below.

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

- It was questioned if a timeline should be included in the motion. Permit timelines and expiry were noted.
- Permit and property rehabilitation work and timelines were questioned.
- Issues of safety as it pertains to the property were discussed.

After discussion question was called and a vote was held on the Amendment.

Council further discussed the main motion:

- Safety and timelines were discussed.
- A plan and conditions are in place from start to finish of this project.

After discussion, question was called and a vote held on the Motion.

b) SAM Conference

• Information is gone out to all Council to see if anyone is interested in going. There has been no response to date.

e) Development of 65 and 69 Marine Drive

- Council discussed the below:
  - At last meeting, there was discussion regarding applications being approved for development and that this area is in conservation zone.
  - Chair, Councillor Thorne-Gosse, provided clarification, as follows:
    - There is conservation land behind the area zoned as Residential Medium Density (RMD).
    - Although land in the Conservation Zone is part of the lot, development is taking place in the RMD Zone only, of which this is required area.
    - Individuals have to follow legislation pertaining to conservation lands.
    - Eastern Habitat Joint Ventures are contacted if development is in or near conservation zone.

**RES-211-2018**

Moved by Mary Thorne-Gosse, Seconded by Justin Martin

*RESOLVED THAT the Town of Torbay give the property owner at 164 Great Pond Road approval to rehabilitate his property located at that address with the following conditions:*

- o There shall be no blasting permitted on the property;*
- o All old equipment that is currently on the site will have to be removed first prior to any excavation or earth work being done.*
- o When 25% of the site is rehabilitated, then a maximum of 12 loads can be removed from the site. The Director of Planning and the Director of Infrastructure and Public Works will determine if 25% is completed each time.*
- o Then a further 25% will have to be completed, which will permit another 12 loads to be removed and so on until the site is completely rehabilitated. Therefore, a total of 48 loads will be permitted to be removed from the site.*
- o The property owner is responsible for the upkeep and maintaining of Great Pond Road, dust control may be required. The road shall be returned to its original condition or better when the project is completed.*
- o Great care shall be taken while transporting material through the Great Pond Water Shed area and a spill kit shall be on site at all times.*
- o It is the property owner's responsibility to ensure that he is complying with other Provincial and Federal regulations.*
  - o Failure to comply with any of these requirements will result in the approval being withdrawn.*

|                                     | <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                |

Question called: CARRIED.

**RES-212-2018**

Moved by Geoff Gallant, Seconded by Peggy Roche

*RESOLVED THAT the Town of Torbay include letters of notification to all area residents potentially impacted along route in area of Great Pond.*

|  | <b>For</b> | <b>Against</b> | <b>Abstained</b> |
|--|------------|----------------|------------------|
|  |            |                |                  |

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

Question called: CARRIED.

### 6.2.2. Applications Approved

Building Applications Approved Report - August 23 - September 6, 2018

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

| Application | Location            | Proposal  |
|-------------|---------------------|---|
| C2016-106   | 29 Indian Meal Line | Removal of existing accessory building and construction of new accessory building |
| C2018-107   | 14 Duggan Place     | Single family dwelling  |
| B2018-108   | 926 Torbay Road     | Replace existing deck   |
| B2018-109   | 11 Reddy Drive      | Replace existing deck   |

### 6.2.3. Business Applications

Business Application Report, dated September 7, 2018

Business Applications to be Approved

- See motion below.

#### **RES-213-2018**

Moved by Mary Thorne-Gosse, Seconded by Justin Martin

*Application: D2018-084*

*Location: 3 St. Nicholas Lane*

*Proposal: Convert single family dwelling to a bakery*

*Zoning: Mixed Development (MIX)*



*RESOLVED THAT the Town of Torbay approve Application D2018-084, under the Applications to be Approved section of the Business Application Report, dated September 7, 2018, subject to the following conditions:*

1. All normal conditions and requirements for operating a business within the Town of Torbay.
2. The business will be subject to business tax in accordance with the published schedule of taxes and fees for the Town of Torbay.
3. A minimum of five parking spaces shall be provided for the bakery.

|                                     | <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                |

Question called: CARRIED.

### 6.3. Community Services & Economic Development

#### 6.3.1. Community Services

Chair, Deputy Mayor Appleby discussed the below:

- A Committee Meeting will be held before next Council Meeting.
- Deputy Mayor recognized and thanked Community Services staff for their work involved in the Pat Dawe Classic Softball Tournament.
- The Fall Community Guide is out.
  - Deputy Mayor encouraged residents to review and register and participate in events.

#### 6.3.2. Economic Development

Economic Development and Communications Update

##### 1. Picco's Ridge Memorial

2. Investment Readiness of the Northeast Avalon

3. Beach Advisory Committee

4. Torbay History House and Museum

5. Community Market

- It was noted that registration is open.

6. Torbay Beach Sites

Council discussed the below:

- The Fall Community Guide
  - It was noted the paper copy is not yet out to residents, however, the Guide is out digitally including through the Town's website and social media.
  - It was requested that deadline for event registration be extended, as paper copy is not yet out to residents.
- The Beach Advisory Committee
  - It was questioned if Committee met. It was noted that Committee did meet to discuss what they would like to do on site.
  - It was noted that the Committee would like a Council representative. CAO to have this added to next Meeting Agenda to discuss process.
- Heritage Committee/Board
  - Residents are inquiring details.
  - It was noted that this is work in process, as it pertains to the Torbay History House and Museum.
  - The Economic Development Committee will be meeting before next Council Meeting and it was requested that information pertaining to the above be brought forward for next Council Meeting.

6.4. Finance

6.4.1. Corporate Services

Chair, Councillor Pollard, discussed the Rovers Search and Rescue funding campaign for a new Unmanned Aerial Vehicle (UAV).

See motion below.

6.4.2. Finance Report

**Payroll**

Payroll, remuneration and honorariums for the period of August 25th to September 7th, 2018 for 42 employees totaled \$67,077.27.

**Accounts Payable**

For the period of August 25th to September 7th, 2018 invoices with the value of \$1,026,445.86 were processed for payment.

**Invoices for Approval**

The following five (5) invoices were presented for approval. See motion below.

**RES-214-2018**

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>  |
|------------------|--|----------------|
| 1607317          | TAPCO – Speed Cushions and Accessories                     | \$31,253.38    |
| 28584            | Commissionaires – Municipal Enforcement                    | \$5,152.00     |
| 2693             | MARCO Services Ltd. – Progress Claim #7                    | \$919,993.65   |
| 2017-037-12      | T2 Ventures Inc. – Garbage and Recycling Collection        | \$41,860.00    |
| 7222             | Wedgwood Café & Catering – UMC Meetings August 16th & 17th | \$6,451.94     |
|                  |  | \$1,004,710.97 |

|                                  | <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                |

Question called: CARRIED.

**RES-215-2018**

Moved by Tony Pollard, Seconded by Peggy Roche

*RESOLVED THAT the Town of Torbay donate \$1,000.00 to the Rovers Search and Rescue.*

|                                  | <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                |

Question called: CARRIED.

6.5. Human Resources and Administration

6.5.1. No report.

6.6. Protective Services and Public Safety

6.6.1. Protective Services and Public Safety Committee

Minutes of the Protective Services and Public Safety Committee Meeting,  
dated August 28, 2018

Items Discussed

1. Commissionaires Report

A copy of the report was attached for information.

Discussion with Committee focused on four main items:

A. Traffic Regulations - The regulations are now in effect. Warning tickets have been issued for parking on Kennedy's Brook Drive and Whiteway's Pond Road.

B. License Plate Identification - Peter is following up with Motor registration to confirm approval process for license plate identification. This will assist with identifying the owners of abandoned vehicles.

C. ATV/Dirt Bikes - Several investigations are ongoing with the RNC.

D. School Patrols - the Commissionaires will have an increased presence in school zones next week - with students returning to school.

2. Pedestrian Safety - Indian Meal Line, Karon Drive and North Pond Committee discussed next steps regarding implementation of speed calming measures on these three streets. As budget 2018 resources are expended, it was agreed that implementation funds would be requested for budget 2019. Committee also requested that the CAO discuss the procedure with consultants to identify a more cost effective process.

### 3. Sidewalks

Committee requested that CAO follow up with the consultants to confirm the phasing of the sidewalk plan along with capital costs. Committee will be including this as a recommendation for budget 2019. CAO confirmed this information should be available within the next two weeks.

### 4. Pedestrian Crossing in Torbay Road in the vicinity of Marine Drive/Convent Lane

Committee requested that CAO follow up with the consultants to confirm the implementation costs and timelines for the pedestrian crossing. CAO confirmed she would provide this information to all Council via email upon receipt.

Council further discussed the below:

- Recent feedback from Question and Answer Session from residents of Patrick's Path regarding intersection of Patrick's Path and Bauline Line.
- Sidewalk construction in other towns and cities as it pertains to design and costs.
- The Provincial Government's recent announcement of \$555 Million agreement with the Government of Canada for community infrastructure. It was suggested the Town be prepared for an application submission as it pertains to water, sewer, and sidewalks.
- Crosswalk on Torbay Road at the Elementary School. It was questioned if the CAO had information pertaining to deadlines and costs. CAO advised she circulated information to all Council for review. It was requested that the Town be proactive and locate funding for installation this year, for safety reasons.
- Bauline Line - it was noted that the shoulder of road is very narrow and is a concern with children getting on and off buses. It was requested that Committee review and if the Town could write the Provincial Government to look into. Mayor noted at last UMC Meeting, a representative from the Department of Transportation and Works mentioned a program they have in place whereby they'll provide funding to a town to get this type of work completed.

#### 6.6.2. Municipal Enforcement

Municipal Enforcement Report, dated August 28, 2018 was included for information.

6.6.3. Torbay Volunteer Fire Department

Minutes of the Torbay Volunteer Fire Department Meetings, dated August 6th and August 20th, were included for information.

6.7. Public Works and Infrastructure

6.7.1. Public Works Reports

Public Works Committee Update

An update was provided for Council's information.

Council discussed the below:

- Under Roads Division, it was requested that the Road Improvements List be posted for residents' information.
- Under Animal Control, it was noted that there was also emails received pertaining to cats. It was requested that this be reflected in the report.

**7. Liaison Committees**

a) Jack Byrne Regional Sports and Entertainment Centre

- No report.

b) Northeast Avalon Joint Council

- A meeting is scheduled for Wednesday of this week.

c) Torbay Harbour Authority

- Work has been completed on Tapper's Cove Road in the way of road widening and creation of further parking area.

d) Torbay Volunteer Fire Department

- There were twelve emergency calls since last meeting.
- Five new recruits have been introduced to the Department.

e) Urban Municipalities Committee

- Torbay hosted the UMC Meeting in August. Feedback was well received from MNL and other towns. Attendees enjoyed the view from St. Nicholas Hall, and were impressed with the tour of the new Municipal Depot and the Community Centre project. All sessions were informative and useful.

**8. Notices of Motion**

- a) There were none.

**9. New Business**

- a) Mayor Scott

Mayor Scott thanked the Deputy Mayor for filling in for him last Council Meeting and acting as Chair.

He thanked all those who organized and participated in the Pat Dawe Classic Softball Tournament this weekend past. Mayor advised that a ceremony was held same weekend to dedicate the field as the Pat Dawe Memorial Ball Field.

Mayor advised it was another successful year with the soccer league. He noted the Town will try and get softball going next year.

- b) Deputy Mayor Appleby

Deputy Mayor thanked all those involved in the end of season soccer fun day on Saturday past. She thanked Foodland for their donation to support the soccer club. Deputy Mayor thanked families, volunteers and all who made this a successful soccer summer.

She recognized and thanked CAO for responding to an issue over the weekend regarding a vehicle interfering with traffic at the end of Roblin Place.

Deputy Mayor thanked colleagues for decision to dedicate field, noting the importance to recognize residents who have given to the Community.

- c) Councillor Gallant

Councillor Gallant thanked all those who participated in the Softball Tournament this weekend past, noting appreciation of the dedication of the field. He advised it's great to get the Community together regarding history of the Town.

d) Councillor Martin

Councillor Martin asked the Planning and Land Use Development Committee to review policy for commercial vehicle permits. He requested copies of the Town's policies for taxis, buses, etc., as we have a growing population and safety of drivers and passengers is important.

e) Councillor Pollard - Passed

f) Councillor Roche - Passed

g) Councillor Thorne-Gosse

Councillor Thorne-Gosse thanked all volunteers and participants involved in the Pat Dawe Classic Tournament this weekend past. She advised it was great to see the field dedicated to the Late Pat Dawe.

She discussed speed calming measures at Patrick's Path, noting to keep in mind that there is farming equipment/tractors and heavy equipment that also come out of Bauline Line and the turn should compensate for this. She noted a lot of comments have been received on this turn.

**10. Question & Answer Session**

a) Mayor Scott referred to the Gallery and asked if anyone had any comments on tonight's Meeting.

- There were no comments.

**11. Next Public Council Meeting**

a) The next Public Council Meeting is scheduled to take place on Monday, September 24, 2018, at 6:30 p.m., Multi-Purpose Building, Upper Three Corner Pond Park, Bauline Line.

**12. Adjournment**

a) Adjournment of Meeting.



**RES-216-2018**

Moved by Trina Appleby, Seconded by Justin Martin

*RESOLVED THAT the meeting be adjourned at 8:03 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          |                |                  |
|                                    | <b>7</b>   | <b>0</b>       | <b>0</b>         |

Question called: CARRIED.

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

\_\_\_\_\_  
Mayor