



MINUTES
Regular Public Council Meeting
Wednesday, October 10, 2018 Community Room, Jack
Byrne Regional Sports & Entertainment Centre, 7 Kennedys
Brook Drive, Torbay

Minutes of the Regular Meeting of Council held in the Community Room, Jack Byrne Regional Sports & Entertainment Centre, 7 Kennedys Brook Drive, Torbay, on Wednesday, October 10, 2018, at 6:31 p.m.

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: Dawn Chaplin, Chief Administrative Officer
Craig Drover, Director of Finance
Ann Picco, Deputy Clerk
Brian Winter, Director of Planning

STAFF ABSENT: Bernie Manning, Director of Infrastructure and Public Works

GALLERY PRESENT: There were a total of 13 people in attendance

1. Agenda/Minutes

- a) Adoption of Agenda.

(Deputy Mayor Appleby arrived at 6:32 p.m.)

RES-225-2018

Moved by Justin Martin, 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 (Moved By)	x		
Tony Pollard	x		
Mary Thorne-Gosse (Seconded By)	x		
	6	0	0

Question called: CARRIED.

- b) Adoption of Public Council Meeting Minutes, dated September 24, 2018.

RES-226-2018

Moved by Justin Martin, Seconded by Trina Appleby

RESOLVED THAT the Minutes of the September 24, 2018, Public Council Meeting be adopted with the following change:

- *Mayor omitted in error that Deputy Mayor also attended the brunch for the Killick Coast Games volunteers, and requested that the Minutes be revised to reflect this.*

	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. Proclamations/Presentations/Question & Answer Session

- a) Proclamations
- Torbay Volunteer Fire Department - Fire Prevention Week 2018
 - See motion below.

RES-227-2018

Moved by Justin Martin, Seconded by Trina Appleby

RESOLVED THAT the Town of Torbay Proclaim October 7 - 13, 2018, as Fire Prevention Week throughout our Community, and urge all the people of Torbay to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm sounds by exiting the building immediately, and to support the many public safety activities and efforts of the Torbay Volunteer Fire Department during Fire Prevention Week 2018.

	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.

b) Presentations

- Presentation to the Rovers Search and Rescue

Council supported and presented the Rovers Search and Rescue with a donation towards their fundraising campaign for a new Unmanned Aerial Vehicle (UAV) equipped with infrared camera. The UAV will assist in their search and rescue efforts and capabilities to the entire Northeast Avalon Region.

Mr. Fred Hollett, on behalf of the Rovers Search and Rescue, accepted the donation; and, advised Council that they will be organizing an event in the very near future - inviting councils to visit their facility so everyone is aware of their resources and equipment utilized for search and rescue efforts.

c) Question & Answer

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

- Resident of Lower Street discussed her concerns and issues regarding the trail construction in the area. She discussed her privacy, including removal of mature trees, and issues of ATVs using the trail.
- Resident of Coppertop Place discussed the below as it pertains to the recent development proposal in the area:
 - He thanked the Planning and Land Use Development Committee and Council for decision to refuse this application.
 - Procedures for development in the Town, suggesting a change to process as it pertains to conservation zones and wetlands.

- Stress on area residents during process, and suggested the Town contacting Eastern Habitat Joint Council first before information goes out to the public.
- Notification to residents of development proposals.
- Resident also questioned the conservation line in the area and possibility of moving.
- Mayor discussed discretionary use and process, advising the Planning and Land Use Development Committee will review. Regarding notification to residents, notice is sent out to all residents so that everyone is treated fairly. In relation to moving of conservation line, the property owner would have to request.

3. Mayor's Report

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

- Attended budget presentation from staff.
 - Mayor thanked staff and Council for their participation and input.
- October 1st
 - National Seniors Day
 - Attended event at The Traditional Deli and Coffee House. Mayor thanked them for hosting and thanked staff and the Torbay Folk Arts for organizing. He also thanked all seniors who attended and participated.
- MNL Convention
 - Attended the Premiers Forum. Two main topics discussed both pertained to the changes to the Municipalities Act, one being conflict of interest and the second being code of conduct.
 - Several important resolutions came forth. One being protection of water sheds, put forth by the City. Other resolutions included use of dirt bikes and ATVs and mental health.
- Torbay Volunteer Fire Department Open House is taking place on October 11th.
- Mayor mentioned all those whose birthdays fell in the month of October and wished all a Happy Birthday.

4. Business Arising

a) Business Arising Report - October 10, 2018

The Business Arising Report, dated October 10, 2018, was discussed and accepted as presented.

5. Correspondence

- a) Department of Municipal Affairs & Environment - Circular to Municipalities
- Referred to the Community Services and Economic Development Committee.

6. Committees of Council

1. Committee of the Whole
 - 1.1. No reports.
2. Planning and Land Use Development
 - 2.1. Planning and Development

Minutes of the Planning and Development Committee Meeting, dated October 2, 2018

Items discussed included:

3. Other Items

a) Signage and Advertisement Regulations revisions

- A motion was included to accept changes to the Sign and Advertisement Regulations, however, was deferred to next meeting for further review.

b) Flood Plain Analysis – The Gully

- Committee reviewed the report and agreed that this is something that should be shared with the Torbay Environment Advisory Committee.
- Committee also agreed that when the budget process is completed then all of Council should meet to discuss the analysis.

c) Delinquent Properties

- Committee discussed the delinquent properties that the Town has been dealing with over the last number of months.
- Committee agreed that if more progress is not made by the next meeting then Committee will be putting forward a recommendation to have the work required completed by the Town and invoice the property owners.

2.2. Applications Approved

Building Applications Approved Report, dated October 5, 2018

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

Application	Location	Proposal
B2018-119	1278 Torbay Road	General repairs
C2018-120	32 Flora Drive	Accessory building
C2018-121	15 Bauline Line	Renovations and new deck
B2018-122	5 Byrne's Lane	General repairs
C2018-123	7 Katrina Place	Accessory building

3. Community Services & Economic Development

3.1. Community Services

Community Services Update, dated October 5, 2018

1. Budget Presentation

- Presentations took place on October 4th.

2. Remembrance Day Ceremony

- This year's ceremony will be emceed by Mayor Scott. Mayor and staff are working on details for the service.

3. Community Market

- Currently have 100 Vendors.

- Everything is looking good for this year's market, and will be boosting adverting over the next few weeks – sharing to the public the vendors they can expect to see at the market.

4. Upcoming Programs

- Ads were attached for information.

3.2. Economic Development

No reports.

4. Finance

4.1. Finance Report

Payroll

Payroll, remuneration and honorariums for the September 22nd to October 5th, 2018 for 37 employees totaled \$90,406.97.

Accounts Payable

For the period of September 22nd to October 5th, 2018, invoices totaling \$482,228.71 were processed for payment.

Invoices for Approval

The following twelve (12) invoices are presented for approval. See motion below.

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

- Grand Concourse Authority
 - The trail construction at Lower Street was discussed in the way of trees removed and loss of privacy. Budget was discussed and reinstatement of trail and other properties. It was noted this matter is going back to the Infrastructure and Public Works Committee.
- Timeline for the heritage sites was questioned, as well as payment to consultant for heritage site detailed design. It was requested to have the project managers meet with Council same night as meeting regarding the community centre so updates can be provided.

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

RES-228-2018

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
370991	Carew Services Limited – Claim #2 Heritage Sites	\$79,695.00
SEPT2018	CIBC Mellon – Pension Contribution September	\$15,052.80
28795	Commissionaires – Aug 26 – Sept 8	\$5,520.00
18-023-03	Eastern Contracting Ltd. – Progress Payment Town Hall Renovations	\$60,716.67
17070	Grand Concourse Authority – Claim 1 Gateway Sign Beautification	\$18,291.13
17967	Grand Concourse Authority – U3C Softball Building Upgrade	\$27,008.51
18070	Grand Concourse Authority – Junior Softball Pitch Claim 4	\$92,642.32
18084	Grand Concourse Authority – Lower Road	\$14,098.51

	<i>Walkway Reinstatement</i>	
2018-11	<i>LW Consulting – Strategic Plan Development</i>	\$6,653.52
SEPT 16-30	<i>Receiver General of Canada – Payroll Remittance</i>	\$29,280.65
2017-037-13	<i>T2 Ventures Inc. – Garbage Collection</i>	\$41,860.00
TORB-16107-13	<i>Tract Consulting Inc. – Heritage Sites Detailed Design</i>	\$8,712.69
	<i>Total</i>	\$399,531.80

	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.

5. Human Resources and Administration

5.1. No reports.

6. Protective Services and Public Safety

6.1. Protective Services and Public Safety Committee

Minutes of the Protective Services and Public Safety Committee Meeting,
dated September 26, 2018

Items discussed included:

1. Commissionaires Report

A. Traffic Regulations - Twenty-two tickets have been issued to date. Most are related to the Chase The Ace Event at the Jack Byrne Regional Sports and Entertainment Centre.

B. School Patrols - an update was provided on patrols during the first week of the new school year. He stated that the crosswalk at Juniper Ridge is working well.

C. New Roles - Committee was advised that Peter Morey will be taking on a new role with the Commissionaires effective October 8, 2018. Zack

Strowbridge will be assuming the day patrol shift and a new staff member will be hired to replace Zack on the evening and weekend shifts. Peter will still be involved - but at a supervisory level.

D. Snow clearing Season - It was agreed that we would review patrol times in preparation for the upcoming snow clearing season.

2. Crosswalk in the Vicinity of Torbay Road/Marine Drive/Convent Lane
Committee discussed and agreed that due to budgetary resources and time of year, that implementation of this pedestrian safety crossing be included in budget 2019 and installed in the spring of the year.

3. Pedestrian Safety - Rodger's and Gosse's Crescent
CAO confirmed that the consultants did not review this street for speed calming. The request is for a one way street. Committee requested that CAO conduct additional research.

4. Pedestrian Safety - Howlett's Avenue
Councillor Martin presented a letter from a resident on Howlett's Avenue. Councillor Gallant confirmed Councillor Martin was not in a conflict in presenting this resident letter. Committee requested that the CAO follow up with the resident.

5. Speed Calming Policy
Committee agreed that it would request a meeting with all Council to discuss the Town's speed calming policy.

Council further discussed the below:

- The Town has received numerous speed calming requests. The Town put together a policy, which was implemented and working well. The policy will be reviewed for solutions for smaller issues.
- An update on Patrick's Path was requested.
 - CAO advised that resident feedback will be circulated to Council with the recommendation that the road be widened. This will be implemented before the Winter.
 - Deputy Mayor requested that her comments go on record - she questioned plan regarding Patrick's Path and information from consultant.
 - She questioned if Council were making a decision by email, noting we do not as a council make decisions by emails. Council should discuss, review and make a decision, and she discussed her concerns regarding decisions by email. Deputy Mayor requested clarification, to go on record so residents are clear.
 - Mayor clarified that Council already voted on this project. The project is approved. Residents advised us of their

concerns and the Town went back to the consultants. The Town realized the road/intersection was too narrow and requested feedback from residents. A drawing was forwarded to Council for consideration. Decision was made, and recommendation was to widen. It was noted that if the Town waits, the asphalt plant will be closed and the road will not be widened until the Spring. It's operational as part of the project, an improvement to the road/intersection.

- Chair noted that the Town received feedback from residents, work was stopped, and the intersection will now be made wider. Council listened to residents' feedback, and the consultants were ok with solution.
 - CAO advised that the majority of residents supported widening. Emails will be circulated so Council can see support of widening of road. Residents' feedback was also provided to consultants to see if in agreement with solution.
 - Deputy Mayor requested that residents' letters be made available for the public.
- Crosswalk at Torbay Road and recent motion was discussed.
 - It was noted that there is a motion to proceed with design work, and now implementation will be included in the 2019 budget. CAO was questioned as to why decision was made by Committee to complete next Spring.
 - Councillor Gallant called point of order, noting question should be directed to Chair, not staff. Mayor advised point of order not well taken and CAO can answer the question. CAO advised that budget slippage is forthcoming to Council as part of meeting on Sunday. Reviewed budget to year end and coming forth as part of discussion this weekend. Slippage and projections to year end cross referenced with requests for 2019.
 - Mayor discussed that the Town can still complete the design work, as the crosswalk wouldn't get installed until the Spring. CAO also confirmed that it will take approximately seven weeks for materials to arrive, which will put us at mid-Winter season.
 - Speed calming at Gosse's and Rodger's Crescent was discussed, and it was questioned if possibility of one-way street was going to be reviewed by the Public Works and Infrastructure Committee.
 - CAO advised that additional research will be completed and cross-referenced to the Town's speed calming policy, then a recommendation will be brought forward to Council.
 - It was requested that a date for the review of the speed calming policy be scheduled as soon as possible.
 - Road repairs/construction was discussed as it relates to the upcoming budget.

- It was noted this is within process.

6.2. Municipal Enforcement

The Municipal Enforcement Report, dated September 26, 2018, was included for information.

6.3. Torbay Volunteer Fire Department

Minutes of the Torbay Volunteer Fire Department, dated September 17, 2018 was included for information.

7. Public Works and Infrastructure

7.1. Public Works Reports

Minutes of the Infrastructure and Public Works Committee Meeting, dated September 26, 2018

Items discussed included:

1. Operational Overview

The Supervisor of Infrastructure and Public Works provided an overview of Public Works operations - work recently completed and the workplan for the next couple of weeks. Work completed included winter damages (Motion Lane and Western Island Pond Drive), filling of potholes, shouldering (700 tonnes of Class A used), preparation for upcoming asphalt work (Bernice Drive, Anastasia Place and Spray Lane).

Upcoming work includes completion of bulk garbage collection, culvert replacement (Crowe's Lane). Preparation for snow clearing season (equipment repairs, delivery of sand/salt), clean out of catch basins, and ditching.

Community Centre Project

Further to Committee's discussion with Council on October 1, 2018, it was agreed that Wood would be engaged to provide site inspection services for the Community Centre project - as per their proposal dated August 22, 2018. A motion of Council is required to commence implementation. See motion below.

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

- Council agreed to have a project manager in place to ensure all is going according to plan and to ensure contractor is doing things correctly and properly.

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

Council further discussed the below:

- Grand Concourse
 - Council discussed trail maintenance. CAO advised that she met with Grand Concourse on September 19th for an update on all projects. They recommended that trail maintenance be undertaken and CAO requested scope of work. Due to lateness of season, it was agreed to defer to Spring.
 - Council discussed the importance to keep the trails maintained.
 - The Lower Street Trail was discussed and it was noted matter is going back to the Public Works and Infrastructure Committee.
 - Budget process was discussed and it was requested that expense reports be included in Council packages.
 - It was noted that this is an operational issue and ongoing, and once a budget is approved, a Director deals with the operational issues. CAO is looking after matters in the absence of the Director of Infrastructure and Public Works.

RES-229-2018

Moved by Mary Thorne-Gosse, Seconded by Trina Appleby

RESOLVED THAT the Town of Torbay engage Wood for site inspection services for the community centre project in the amount of forty six thousand two hundred dollars (\$46,200.00) plus HST.

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

Question called: CARRIED.

7. Liaison Committees

- a) Jack Byrne Regional Sports and Entertainment Centre

Residents concerns were forwarded to the Arena Executive and Board. The Chair is working on motioning and items will be actioned. Residents concerns were also

copied to the Community Representatives to ensure everyone is aware and understand residents' issues.

b) Northeast Avalon Joint Council

The meeting scheduled for this evening was cancelled.

c) Torbay Harbour Authority

The Harbour Authority had a successful Summer, and the Recreational Food Fishery is now closed. They are happy with the work on the road to increase parking.

Mayor thanked the Harbour Authority for their good work and look forward to starting up again next year. They're using the facility there still for commercial fishing. The President will touch base when he returns from offshore.

d) Torbay Volunteer Fire Department

Minutes were included for information. As part of Fire Prevention Week, Open House is taking place on October 11th at 6:30 p.m.

e) Urban Municipalities Committee

A meeting was held at the recent MNL Convention. Briefly discussed the potential project with the RNC and an update was provided to Members. A representative from the Department of Municipal Affairs provided information on government / municipalities infrastructure cost sharing, which was well received. A call for projects is coming out October 15th with six weeks to apply. It was suggested to ensure we know what we want to apply for.

8. Notices of Motion

- a) None.

9. New Business

- a) Mayor Scott

Mayor Scott thanked staff and Council for making his job easier. Recreation staff kept him up to date with events for his attendance.

He congratulated Deputy Mayor Appleby on being elected as Avalon Director at the recent MNL Convention.

Mayor discussed the MNL Convention, advising networking is important with other communities, to work together. We are forming good relationships with other towns for cooperation and advocating on issues. He also advised that he took part on a panel with Telus at the Convention, and discussed technology and its uses.

b) Deputy Mayor Appleby

Deputy Mayor Appleby thanked Council for nominating her for the MNL Avalon Director position. She thanked all who supported her at the MNL Convention, noting there were great candidates. She discussed regional cooperation with neighboring communities advising that everyone got together and supported her. Events like MNL Convention and organizations providing opportunities is beneficial and valuable. She thanked communities and people who voted advising she's looking forward to being on the MNL Board of Directors as MNL Avalon Director.

c) Councillor Gallant

Councillor Gallant thanked all residents for attending tonight's Council Meeting at the Arena, advising hoping to be back in the Town Hall soon.

d) Councillor Martin

Councillor Martin congratulated Deputy Mayor on her election as MNL Avalon Director.

He advised he was contacted by residents regarding issues of residential and vehicle break ins. Councillor Martin encouraged everyone to contact the RNC should they see anything suspicious. A resident has requested a meeting, which he will discuss further with Chair of the Protective Services and Public Safety Committee. Mayor requested he forward information on to CAO so she can advise the Commissionaires.

e) Councillor Pollard - Passed

f) Councillor Roche - Absent

g) Councillor Thorne-Gosse

Councillor Thorne-Gosse congratulated Deputy Mayor on her election as MNL Avalon Director this past weekend at the MNL Convention.

She thanked CAO for her work over this past few weeks for being pulled in so many different directions. She noted her appreciation for all CAO is doing for residents of Torbay.

Councillor Thorne-Gosse thanked residents of Coppertop for their input and dealing with Council through the recent proposed development application process. Suggestions made will be brought back to the Planning and Land Use Development Committee.

10. 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 of Coppertop Place thanked all Members of Council for being accessible to area residents in relation to a recent application for development, and she thanked all residents for working together. She discussed the conservation line in the area of Coppertop Place. She questioned rezoning process, and if the Town had right to request rezoning. It was noted that this would have to be done in consultation with the property owner.
- Residents discussed maintenance of trails in Torbay as compared to a neighboring community. She suggested that if the Town is spending money creating trails, it should have to take ownership and look after them. Possibility of accessing East Coast Trail volunteers for trail maintenance was noted.
- Resident discussed recycling and commended the Town's education program, "Sort It Out, Torbay!" She questioned measuring the amount of recycling in the Community and if it has increased. It was noted the program will track and once complete the Town will have a better idea of status as it relates to recycling.
- Resident noted that students from the High School require community volunteer hours in order to graduate. She suggested that the Town look into to see if students can volunteer for various upcoming Town events. It was noted that Community Services are always in communication with the school looking

for volunteers.

11. Next Public Council Meeting

- a) The next Public Council Meeting is scheduled to take place on Monday, October 22, 2018, at 6:30 p.m. Details as to location will be provided at a later date.

12. Adjournment

- a) Adjournment of Meeting.

RES-230-2018

Moved by Justin Martin, Seconded by Tony Pollard

RESOLVED THAT the meeting be adjourned at 7:56 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 (Seconded By)	x		
Mary Thorne-Gosse	x		
	6	0	0

Question called: CARRIED.

CAO/Town Clerk

Mayor