



**MINUTES**  
**Regular Public Council Meeting**  
**Monday, November 19, 2018 Torbay Municipal Depot, 1**  
**Pump House Road (off Torbay Bypass Road)**

Minutes of the Regular Meeting of Council held in the Torbay Municipal Depot, 1 Pump House Road (off Torbay Bypass Road), on Monday, November 19, 2018, at 6:32 p.m.

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

**COUNCIL ABSENT:** Craig Scott, Mayor

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

**STAFF ABSENT:**

**GALLERY PRESENT:** There were a total of 6 people in attendance

**1. Agenda/Minutes**

a) Adoption of Agenda.

**RES-257-2018**

Moved by Justin Martin, Seconded by Mary Thorne-Gosse

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

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Trina Appleby	x		
Geoff Gallant	x		
<b>Justin Martin (Moved By)</b>	x		

Tony Pollard	x		
Peggy Roche	x		
<b>Mary Thorne-Gosse (Seconded By)</b>	x		
	6	0	0

Question called: CARRIED.

- b) Adoption of Public Council Meeting Minutes, dated November 5, 2018.

**RES-258-2018**

Moved by Tony Pollard, Seconded by Peggy Roche

*RESOLVED THAT the Minutes of the November 5, 2018, Public Council Meeting be adopted as presented.*

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

Question called: CARRIED.

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

- a) Question & Answer

Deputy Mayor Appleby referred to the Gallery and asked if anyone would like to present at tonight's Council Meeting.

- There were none.

**3. Mayor's Report**

- a) Deputy Mayor Appleby provided a report on recent events/meetings and recognized the below individuals:

- Community Bonfire on November 5th.
  - Deputy Mayor thanked Members of the Torbay Volunteer Fire Department for their work and participation.

- Council met on November 12th regarding the 2019 Budget.
- Thank you to the Torbay Lions Club, the Torbay Allied Youth, and all volunteers who participated in the Pancakes and Pajamas event on November 18th.
- Thank you to the Torbay Lions Club for partnering with the Town on the recent Winter Coat Drive.
- Congratulations to Torbay resident Mrs. Mary Fleming on her 100th Birthday. Mayor visited her and made presentation on Friday past.
- The first ever Eastern Region Joint Council Summit was held on November 14th
  - Deputy Mayor advised that this event was a great success. In attendance from Torbay was Mayor Scott, Deputy Mayor Appleby, and Councillor Roche.
- Congratulations to Torbay resident Ms. Rebecca Vickers, 2nd Runner-Up at the Miss Achievement Newfoundland and Labrador Scholarship Gala.
- Northeast Minor Hockey Under Twelve Girls attended the recent Rogers Hometown Hockey Festivities in Mount Pearl. They represented our community and area and will be aired on television.

#### **4. Business Arising**

- a) Business Arising Report - November 19, 2018

The Business Arising Report was accepted as presented.

#### **5. Correspondence**

- a) Municipalities Newfoundland and Labrador (MNL) - Safety/OHS Contact Information
- For information. Staff have forwarded information on to MNL.
- b) Residents of Streamside Lane - Correspondence regarding Heavy Equipment Traffic
- Referred to the Planning and Land Use Development Committee. Committee are already in process of reviewing.

#### **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 November 13, 2018

Items discussed included:

1. Development Proposals

a) Proposal from property owner 27 Brown's Lane to develop the property with a duplex building.

- Committee reviewed the application, it was suggested that the Director seek clarification on a couple of items prior to Committee making a recommendation on the application.

2. Amendments

a) Development Regulations Amendment No. 5, 2018, Housekeeping Amendment

- Committee agreed that it would recommend the amendment for adoption. See motion below.

b) Development Regulations Amendment No. 6, 2018, rezoning of land adjacent to Forest River Road from Residential Subdivision Area (RSA) to Residential Large Lot (RLL)

- Committee agreed that it would recommend the amendment for adoption. See below motion.

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

- It was questioned if Committee took into account flooding potential.
- The Director of Planning advised that there are requirements for zero net runoff and it's reference in the plan. He noted this is pertaining to rezoning only and will have to go through engineering. It will be addressed in the storm water management plan.

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

3. Correspondence

a) Correspondence from resident in relation to property in the Streamside Lane area.

- Committee agreed that the Director should meet with the property owner to address the issues.
- Director noted that a draft of the revised regulations will be ready for review at the next meeting to help address such items. The Director is working with the CAO and the Commissioners to revise the regulations.
- Committee want to ensure that by changing the regulations that it doesn't have a negative effect on other areas of the Town.

Council discussed the importance to ensure that there is no negative effect on other properties in the Town should regulations be changed. Large trucks and speeding are RNC matters and residents are encouraged to contact the RNC with any issues.

#### 4. Other Items

##### a) Marine Drive Trail

- Committee agreed that the Director should direct the solicitor to proceed with the suggested course of action.
- Committee also suggested that the Director make the new information available to all of Council to view in his office if requested.

##### b) TEA Committee review of Gully Flood Plain Analysis

- Committee reviewed the comments from the TEA Committee. It was agreed that the Director would answer some of their questions and asked PEC to provide a response to others.
- The response will form part of Council's review of the flood plain analysis.

Council further discussed correspondence from resident in relation to property at Streamside Lane.

- Council questioned if the Town contacted the heavy equipment owner.
  - The Director advised he did speak to the property owner, who assured him the larger machinery will be removed. The Director advised he will continue to work on regulations.
- In relation to revised regulations, Council questioned negative impact to other areas of the Community and what it entails.
  - It was clarified that the Town has to ensure wording won't negatively affect other business in the Town.
  - The Director is reviewing all pertaining to the revisions to the regulations. Regulations will come back to Council for review.
- Council questioned the Gully flood plain analysis and if it included Skipper's Landing.
  - Director clarified this analysis was already started, and will come back for Council's review.
  - It was also requested that this item come back to the Committee of the Whole and that CAO add this as an agenda item for next meeting.
  - It was questioned why the Town is doing a flood plain analysis on the Gully and what the expected outcome would be.
    - The Director advised that there are structures in the area that require upgrading. Development in the area was approved prior to this flood plain analysis starting and the Town needs to determine if there are issues.

**RES-259-2018**

Moved by Mary Thorne-Gosse, Seconded by Justin Martin

*RESOLVED THAT the Town of Torbay adopt Development Regulations Amendment No. 5, 2018. The purpose of this Amendment is to address a number of items in the regulations that needed to be reworded and adjusted. The amendment will now be sent to Municipal Affairs and Environment for review and registration.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
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		
	6	0	0

Question called: CARRIED.

**RES-260-2018**

Moved by Mary Thorne-Gosse, Seconded by Justin Martin

*RESOLVED THAT the Town of Torbay adopt Development Regulations Amendment No. 6, 2018. This amendment will rezone land adjacent to Forest River Road from Residential Subdivision Area (RSA) to Residential Large Lot (RLL)  
The amendment will now be sent to Municipal Affairs and Environment for review and registration.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
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		
	6	0	0

Question called: CARRIED.

6.2.2. Applications Approved

Applications Approved Report - November 2 - 15, 2018

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

<b>Application</b>	<b>Location</b>	<b>Proposal</b>
B2018-138	101 Upper Evening's Path	General Repairs
B2018-139	999 Torbay Road	General Repairs
B2018-140	999 Torbay Road	Renovations

6.3. Community Services & Economic Development

6.3.1. Community Services

Minutes of the Community Services Committee Meeting, dated November 13, 2018

Items discussed included:

1. Remembrance Day

Committee thanked those who participated in the Remembrance Day Ceremony on November 11th, 2018 and to all those who came out to be a part of the ceremony.

The Director will advertise an Expression of Interest to form a committee for Remembrance Day and Canada Day.

2. Communications

Director noted that as the Fall Guide came out in September that there have been some minor changes with a few of the upcoming programs. The Director has meet with staff to ensure that social media is updated to reflect any changes that have been made.

3. Upcoming Events:

Torbay Excursion - November 23rd

Wreath Making - November 25th

Tree Lighting - November 29th

Breakfast with Santa - December 1st

Seniors Dinner - December 6th

Adult and Seniors Craft - December 9th

4. Christmas Card Competition

Committee discussed an inquiry reference the card competition and committee agreed that the Card Competition will remain Torbay residents only.

5. Tree Lighting

Committee discussed and requested to ensure that the Christmas Card Winner will assist the Mayor with the count down and lighting of the tree.

6. Parade Update

The Director provided Committee with an update that the Community Services Coordinator is working on recruiting more business floats and currently there are seven Community Organization Floats.

7. Recognition of Milestone Birthdays and Anniversaries

Following up from a request on a 100th Birthday Celebration, the following has been developed.

Recognition of Milestones

Recognition of Milestones requests are to be sent to the attention of the Department of Community Services four weeks prior to the date required. The Town will do their best to have the Mayor or another member of Council to be able to present the Certificate of Recognition along with a sweet treat and/or flower arrangement to the individual celebrating.

8. Winter Clothing Drive

Director thanked Staff and the Lions Club for their efforts in collecting coats, and other winter clothing. This was very successful and thank you to all involved.

9. Community Centre

Deputy Mayor inquired how things were going with operations and staffing. The Director noted that she and CAO are continuing work on this.

The Director referenced the Expressions of Interest that was in the North East Times and that this will go out mid-week of November 19 – 23rd and shared what will be advertised. A few additions will be added as per discussions of meeting.

It was noted that staff are planning ahead of time to see who is interested in using the facility, and there may be a possible extension of the the deadline.

Bring Forward

Minor Sports: Director will be continuing discussions with resident on inquiry for future program once more research is completed as well as budge



confirmation.

Policies Drafts: Director has sent policies to Council on October 26th.

Further to the above report, Council discussed the below:

- As some events have changed as per the Fall Guide, it was requested if updates could be sent out to residents by print.
- In relation to the Expressions of Interest regarding the Community Centre, it was requested that this be advertised in the Telegram, as well.
  - CAO noted the Town is reaching out to Recreation NL as well - they can reach out to sport organizations on a regional basis. Social media has been updated for further reach.
  - Council discussed the importance of communication for this, as there are many organizations who may want to avail and the Town needs to reach as many people as possible.
  - In relation to Recognition of Milestones, it was requested to have a picture of Mrs. Fleming placed on the Town's website.
    - Council discussed the use of appropriate pictures and approval process. It was suggested to develop a policy to include media permissions.
- Council discussed the Community Centre and related costs and funding.
  - An update was requested as to campaign and progress.
  - CAO advised this was discussed at a Committee of the Whole meeting. All materials were shared with all Council, and she can recirculate information and provide update. She will also follow up with coordinator to arrange another meeting and presentation to Council.
  - It was questioned if funding has started in relation to the campaign.
    - It was noted that campaign/board members are in place, along with the Chair. CAO will have more information next week. It is still the intent and target to fundraise and should be completed in a three month period.

#### 6.3.2. Economic Development

- No report.

#### 6.4. Finance

##### 6.4.1. Corporate Services

- No report.

##### 6.4.2. Finance Report

Finance Report, dated November 19, 2018

**Payroll**

Payroll, remuneration and honorariums for the November 3rd to 16th, 2018 for 28 employees totaled \$61,936.34.

**Accounts Payable**

For the period of November 3rd to 16th, invoices totaling \$212,193.99 were processed for payment.

**Invoices for Approval**

The following eleven (11) invoices are presented for approval:

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

- Upgrade of repeater for Flatrock. It was questioned if this was cost shared. It was confirmed the Town invoiced back proportionately.
- Renovations to the Town Hall. Completion date was requested. It was noted that staff are moving downstairs to the completed basement late next week or early following week. Revised completion date will be provided to Council once known. It was further advised that the project is still under budget.

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

**2017 Financial Statements and Reports to Municipal Affairs**

- See below motion.

Motions and information were included regarding the Tax Recovery Plan and Taxes Receivable Report and loan renewal regarding the Arena, however, were deferred to next meeting.

**RES-261-2018**

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>
2-1010118	Bell Mobility – Radio Division: Upgrade of repeater for Flatrock	\$9,883.10
R91956	Capital Ready Mix: Winter Sand	\$52,181.25

14293963 OCT 18	Newfoundland Power: Streetlighting October 2018	\$19,402.03
18-23-05	Eastern Contracting Limited: Progress Claim #5 Town Hall Renovations	\$31,713.79
371295	Carew Services Limited: Claim 4 Historic Site Project (Beach)	\$44,794.70
371332	Carew Services Limited: Claim 5 Historic Site Project (Beach)	\$30,246.84
76527	Pardy's Waste Management: Annual Catch Basin and Culvert Clearing	\$5,313.00
2017-037-14	T2 Ventures Inc.: Garbage Collection October	\$42,966.30
NOVEMBER 2018	Trio Benefits: Group Benefits November 2018	\$7,495.05
2730	Marco Services Limited: Progress Claim 9 Community Centre (Amended)	\$948,982.94
6835	Vipamat USA: Hippocampe Wheelchair for Inclusion Programs	\$8,953.21
1329	Vigilant Management Inc.: Town Hall Renovations Project Management	\$5,732.87
	<b>Total</b>	<b>\$1,219,414.48</b>

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

Question called: CARRIED.

**RES-262-2018**

Moved by Tony Pollard, Seconded by Peggy Roche

*RESOLVED THAT the Town of Torbay adopt the consolidated financial statements for the year ended December 31st, 2017 as presented.*

	<b>For</b>	<b>Against</b>	<b>Abstained</b>
Trina Appleby	x		

Geoff Gallant	x		
Justin Martin	x		
<b>Tony Pollard (Moved By)</b>	x		
<b>Peggy Roche (Seconded By)</b>	x		
Mary Thorne-Gosse	x		
	6	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

- No report.

6.6.2. Torbay Volunteer Fire Department

- Minutes of the Torbay Volunteer Fire Department, dated October 29, 2018, were included for information.

6.7. Public Works and Infrastructure

6.7.1. Council discussed the below:

- Trail maintenance and deferral of work to next year. Use of volunteers was questioned in the way of maintenance.
  - It was noted that Town staff clear bins and pick up garbage on a regular basis.
  - Staff walked the trails to see what needed to be completed and maintained, including the addition of waste receptacles.

**7. Liaison Committees**

a) Jack Byrne Regional Sports and Entertainment Centre

A meeting was held on November 15th - the below was discussed by the Board of Directors:

- Possibility of holding a public meeting to discussed concerns around ice time

and possible second ice pad. Public meeting will likely be held in January or February of next year.

- Board Members contact information has been made public and placed on the Arena's website.
- Meeting minutes will be made available to the public and posted on the website for residents' information.
- Reports from staff and facility reports will be posted and made available to the public.
- Facility report will be included on the Agenda for the next Council Meeting.

b) Northeast Avalon Joint Council

Council discussed the recent Eastern Region Joint Council Summit, held on November 14th. In attendance were Mayor, Deputy Mayor and Councillor Roche.

- The Summit was hosted by the Eastern Regional Service Board.
- Councils got together and had good discussion on a number of items.
- There were presenters from various levels of government.
- Networking was very useful to discuss similar town issues.
- A presentation was made on regional cooperation, of which there were a lot of questions.

c) Torbay Harbour Authority

- No report.

d) Torbay Volunteer Fire Department

- Minutes were attached for information.
- Members are taking part in the upcoming Christmas parade.

e) Urban Municipalities Committee

- No report.

**8. Notices of Motion**

**9. New Business**

a) Mayor Scott - Absent

b) Deputy Mayor Appleby

Deputy Mayor discussed the importance of economic development in the way of tax revenue. She discussed the importance to let people know that Torbay is open for business, and want to see back on the agenda for 2019. Torbay wants to hear from business and potential new businesses.

She congratulated the City of Mount Pearl for their work in bringing Rogers Hometown Hockey to their Community.

c) Councillor Gallant

Councillor Gallant discussed trails in the Community and the work the Town has put into this and developments in the way of open spaces. He discussed the importance of trails and parks to the Community, encouraging residents to discuss with Council during the upcoming budget consultation. Healthy living and economic development is important in Torbay and Council should ensure this continues. Councillor Gallant encourages residents to attend the upcoming public budget meeting and ensure their voice and priorities are heard.

d) Councillor Martin

Councillor Martin reminded residents to drive slowly and with caution, especially in school zones, as the weather is changing and getting colder.

He encouraged everyone to attend the public budget meeting on November 26th.

e) Councillor Pollard

Councillor Pollard reminded everyone of the upcoming public budget meeting on November 26th, 7:00 p.m., at the Jack Byrne Regional. He indicated the importance of this meeting to residents so Council can hear their feedback and priorities on the budget.

f) Councillor Roche

Councillor Roche discussed the recent Livable Cities Forum she attended, and commented on the below:

- The main objective of the form was managing local climate risks in Atlantic Canada, including Newfoundland and Labrador, Canada and nationally. She circulated a copy of the Agenda for information.
- There were seven presenters who provided overviews on adaptive tools and programs available to communities to help identify, understand and plan for climate vulnerabilities.

- They were put in groups and completed a mock disaster practice, of which discussions were informative, interesting and educational.
- The importance to have an emergency plan and training in place.
- Information referred on to the Public Safety and Protective Services Committee.

g) Councillor Thorne-Gosse

Councillor Thorne-Gosse congratulated and wished Mrs. Fleming a happy birthday. She discussed the importance of recognizing people in the Community who reach a milestone and for the town to have a process in place.

**10. Question & Answer Session**

a) Deputy Mayor referred to the Gallery and asked if anyone had comments on tonight's Meeting. The following had comments:

- Storm water management completion
  - It was noted that this will be completed before the end of this year.
- In relation to emergency planning, Member of the Torbay Environment Advisory Committee discussed geology mapping they had provided to a previous Council, indicating areas within the Community with structural and flooding issues. She advised Members would be available to meet with Council to further discuss basic bedrock geology and possible impacts to developments in the Town.
- Resident questioned the upcoming Budget Meeting and if information would be made available to the public for review before the Meeting.
  - It was noted that information pertaining to the meeting will be advertised and promoted through the Town's various communications.
- Resident complimented the Town on snow clearing operations.
- Resident commented on Councillor Roche's discussion pertaining to the Livable Cities Forum, in the way of managing local climate risks in Atlantic Canada and emergency planning.
  - It was noted that it's mandatory that municipalities have an emergency plan in place.
- Resident discussed the upcoming Budget Meeting, further noting the importance of trails and open spaces in the Community, and has been a long-time priority identified in Town plans. She also discussed and commended the construction work at the Beach, indicating she's looking forward to seeing it completed.

**11. Next Public Council Meeting**

a) The next Public Council Meeting is scheduled to take place on Monday, December 3,

2018, at 6:30 p.m. Details as to location will be provided at a later date.

**12. Adjournment**

- a) Adjournment of Meeting.

**RES-263-2018**

Moved by Justin Martin, Seconded by Mary Thorne-Gosse

*RESOLVED THAT the meeting be adjourned at 7:48 p.m., as there was no further business.*

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

Question called: CARRIED.

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

\_\_\_\_\_  
Mayor