

A regular meeting of Council was held on Monday, July 07, 2008, 7:00 p.m. at the Community Centre, Trinity.

Members Present: Mayor Jim Miller
Deputy Mayor Eric Coleridge
Councillor Tineke Gow
Councillor Scott Goldsworthy
Councillor George Hayter
Councillor Joan Kane
Town Clerk Linda Sweet

Town Clerk explained that Councillor Locke would be running late.

Delegates: Fire Chief, Fred Goldsworthy, Assistant Chief, Doug Ballett, Gerald Hiscock, Helene Gareau, Don Hiscock, Cathy Bartlett, Pat Ryan, Stephen and Sharon Jeans.

Meeting called to order at 7:00 p.m.

Motion 2008-07-32: was made by Councillor Hayter to adopt the minutes of June 02, 2008, it was seconded by Councillor Goldsworthy. All in agreement, motion carried.

Business Arising from Minutes:

Mayor Miller informed Council that we have written Mr. Maybee regarding the clean up of the former shipyard site but have not received a response. He advised that we will contact Mr. Maybee next week and if he does not respond we will contact a lawyer and have them write a registered letter to Mr. Maybee giving him 60 days to clean up the site or the Town will pursue other options by borrowing the money to have the site cleaned up and billing the property owner. Should the property owner refuse to pay the bill the Town can then pursue expropriating the property and re-selling it to collect its money.

Town Clerk explained that she contacted Hatch Mott MacDonald to receive information regarding the water lines crossing Caroline Toope's property. She went on to explain that the man hole was moved at Mrs. Toope's request so it would not be on her property but the water lines had to run through her property in order to get grade to service both Mrs. Toope and Mr. Miller with water and sewer. She showed a copy of the survey with the lines included and Council made a decision that Mrs. Toope has room to build without interfering with the lines therefore her request was denied to remove the improvement tax.

Mayor Miller explained that the motion **2008-06-22** needed to be recanted as we do not have a certified plumber in the area and the Water and Sewer Operator can do the inspections without one. The recanted motion was deferred until Councillor Locke attended the meeting.

Mayor Miller explained that himself and the Town Clerk attended the Tangible Capital Assets training workshop in Clarenville on June 5th, and work is ongoing listing the Town's assets by September. As well the Town Clerk attended the Integrated Community Sustainable Plan training session in Clarenville on June 13th

Mayor Miller informed Council that the LADR Workshop that was scheduled for June 13 & 14 in Trinity was postponed for a later date.

Mayor Miller informed that the walk for Heart & Stroke Foundation raised \$284.00.

Fire Department

Fire Chief, Fred Goldsworthy informed Council things were going well and they now have 13 members.

Assistant Chief, Doug Ballett proposed that Council consider waiving the fire fees for Volunteer Fire Fighters outside the municipality after they have served one year and are in good standing with the Department. Mr. Ballett explained that not only would this be an incentive for others to join the Department but would be a sign to current members who are paying their own gas and travel costs of having to drive from as far as Bonaventure every week, as well as to fire calls without any travel money, that Council and others appreciate them volunteering their time for the provision of this service.

Mayor Miller explained that this would be brought to the next Finance Meeting and be considered during the budget process this fall. The department would be informed of the decision.

Councillor Locke attended the meeting at 7:15 p.m.

Councillor Goldsworthy recanted **Motion 2008-06-22:** and it was seconded by Councillor Locke. All in agreement. **Motion 2008-07-33:** was made by Councillor Hayter to have the Water & Sewer Operator do the inspections on the homes and businesses, it was seconded by Councillor Goldsworthy. All in agreement, motion carried.

Festival Committee

Councillor Locke explained that we held our annual dance at Rocky's on July 5th and raised \$215.00 as a petty cash fund for the festival weekend and plans are in the process for the festival.

Town Clerk requested to order the fire works after the committee meets with Ms. Butt to discuss show times, etc. and Council agreed for the Town Clerk to proceed with making arrangements for the festival.

Heritage Committee

Deputy Mayor Coleridge informed Council that Stephen and Sharon Jean's were present to appeal the decision of Council to reject a building permit at 2 Stoneman's Lane.

Mrs. Jean's informed Council that she was taken back when she received a letter from the Town Clerk stating the land at 2 Stoneman's Lane did not meet the lot requirements of the Town Plan and they would not be able to erect a dwelling.

Mayor Miller explained that the Town Plan clearly states that the minimum residential lot area supplied by municipal water and sewer must have 450 square metres and that is what Council based their decision on.

Mrs. Jean's presented her case by stating that when the property in question was in the process of

being purchased in 1986 her father-in-law (John Jeans) wrote Council and asked for permission to erect a dwelling prior to purchasing the property. She went on to state a sentence from a letter received on 1986-09-29 from Alex Madryga, Clerk to the Council, saying "They agree to your building commitments". She argued that in her opinion this was clearly an approval to build.

Mayor Miller and Councillor Kane both agreed that this letter was only an approval in principle providing the Department of Public Health approved the site for development, and to their knowledge approval was never given.

Mrs. Jean's explained that her father-in-law purchased a house nearby and never pursued having Department of Public Health's approval for the land located at 2 Stoneman's Lane but it was always his intention to build or for members of his family to build on the property.

Mrs. Jean's also informed Council that in June 2005 they had a curb stop installed at 2 Stoneman's Lane with the intent to build. She explained that when Mr. Frank Lapointe whom will be designing some concept drawings for a proposed dwelling on the site inquired to the Town Clerk why they would allow a curb stop to be installed if the site did not meet the Town Plan requirements. Mrs. Jean's stated the Town Clerk's reply was they did not have a copy of the survey on file. Mrs. Jean's stated to Council that this was clearly not the case as in a fax dated November 26, 2004 with a request to erect a fence on the property they had included a copy of the land survey.

Deputy Mayor Coleridge expressed concerns that the Town Plan needed to be amended, as he did not agree with the lot requirements. Mayor Miller informed all present that the Heritage Area Town Plan was amended in 2007 and any and all concerns should have been addressed then. He explained that this process took months to prepare along with the cost of having it amended and anyone who had concerns or suggestions should have brought them forward then. He explained that the Heritage Area Town Plan that is adopted is what Council should be following.

After some further discussion Mayor Miller asked for a decision to be made either in favor or against 2 Stoneman's Lane becoming a building lot. **Motion 2008-07-34:** Deputy Mayor Coleridge made a motion to allow 2 Stoneman's Lane to become a building lot, and approve in principle a dwelling pending the design and historic guideline regulations are followed, it was seconded by Councillor Gow. Deputy Mayor Coleridge, Councillor Gow, Councillor Goldsworthy, and Councillor Hayter were for this motion. Mayor Miller, Councillor Kane and Councillor Locke were against this motion. Motion carried. Town Clerk to write Mr. & Mrs. Jean's of Council decision. Mr. & Mrs. Jean's thanked Council and left the meeting.

Mayor Miller read two letters objecting the decision of Council to allow an octagon-shaped house at 45 High Street. The first was from Mrs. Florence White, and the second one was from Mr. Ian White who also informed Council that he has appealed this decision to the Regional Appeal Board. Mayor Miller informed the Town Clerk to notify the owners of 45 High Street not to proceed with any work until a decision has been determined by the Regional Appeal Board. Council agreed to let the process take place through the Regional Appeal Board and no further discussion was held on this matter.

Deputy Mayor Coleridge informed Council that the Trinity Historical Society is requesting permission to erect a traditional paling fence in front of the Lester-Garland House and the committee are recommending approval. Fence permit approved.

Deputy Mayor Coleridge informed Council that we received a request to replace a family home at

59 West Street, Taverner's Point. Deputy Mayor Coleridge explained that the Town Plan does not allow any development within this area without having proper road access, therefore the Heritage Committee could not recommend approval. Council agreed that a plan needs to be put in place to develop a road for this area. Town Clerk to inform.

Incoming Correspondence

- a) Minister Clyde Jackman Re: Support for the Skerwink Trail. June 09/08 - File
- b) Boyd Coleridge Re: BBQ and Tank taken for clean up garbage. June 16/08 - Deputy Mayor Coleridge declared a conflict of interest and left the meeting. Mayor Miller read the letter and Council agreed that this is between the contractor and Mr. Coleridge. Councillor Goldsworthy asked the Town Clerk to inform the contractor that he should not be taking propane tanks to the dump site. Town Clerk to inform Mr. Coleridge and the garbage contractor of Council's decision. Deputy Mayor Coleridge returned to the meeting.
- c) Canadian Society for Training and Development (CSTD) Re: 2008 Learn @ Work Week. June 16/08 - File
- d) Vista '08 Summer Games Re: Support of the Summer Games Program. June 20/08 - Town Clerk to write a letter of support.
- e) Canadian Heritage Re: \$200 grant for Canada Day and Final Report to be completed. June 20/08 - Mayor Miller thanked everyone who helped out during the Canada Day celebrations.
- f) Clyde Rose Re: Concerns with the traditional right-of-way being blocked. June 20/08 - Mayor Miller read the letter of concern regarding the right-of-way being blocked and Council agreed that this matter was brought before Council on February 4, 2008 and made the same decision that this was between the property owner and Mr. Rose. Town Clerk to inform Mr. Rose.
- g) BAYNet's Youth Centre Re: Mayor invited to the Grand Opening. June 20/08 - File
- h) Dept. of Municipal Affairs Re: Third quarter MOG \$4191.00. June 20/08 - File
- i) Dept. of Municipal Affairs Re: Reminder to Submit 2007 Financial Statements. June 24/08 - Town Clerk informed Council that all statements were forwarded.
- j) Dept. of Municipal Affairs Re: Community Enhancement Employment Program. June 24/08 - File
- k) DTTA Re: Update and Membership fees for 2008/09. June 24/08 - Council agreed to defer until later.
- l) Dept. of Municipal Affairs Re: Receipt of request for funding new equipment on a 90/10 cost share basis. June 24/08 - Mayor Miller will follow up before the next meeting.
- m) Linda Barce Re: Approval in Principle transferred to new owners if property is sold. June 26/08 - Council agreed that if the property is sold the approval in principle would be transferred to the new owners.
- n) Ian White Re: Request to ensure that the permitted development located at 4 Dandy Lane is built in accordance with the plan submitted. July 04/08 - Deputy Mayor Coleridge declared a conflict of interest and left the meeting. Mayor Miller read the letter ensuring that the permitted development at 4 Dandy Lane be built in accordance with the plan that was submitted and approved by the Town. Mayor Miller assured that the plans would be followed as submitted. Deputy Mayor Coleridge was asked to return to the meeting.
- o) Heritage Foundation of NL Re: Doors Open information. July 04/08 - Mayor Miller informed Council that the Historical Society would be holding Doors Open on September 20th and 21st.

Outgoing Correspondence

- Request to Minister Denine regarding cost share on new equipment. - File
- Letter to Bill Maybee regarding clean up of shipyard site. - File
- Community Capital Grant for recreation sent - File
- Canada Day Final Report sent - File
- Crown Lands survey completed and sent to Graham Letto MNL. - File
- Letter advising that 2 Fleet Street has approval in principle to build. - File

- Letter advising that 2 Stoneman's Lane does not have adequate lot size. - File

Invoices For Operating Account from June 2 to July 4, 2008

Total invoices needing approval in Operating Acct. \$20,089.69

Income for Operating Account from June 3, to July 4, 2008

Total Income for Operating Account \$ 9,362.52

Deputy Mayor Coleridge expressed concern regarding expenditures over revenue and Mayor Miller informed that approximately \$3700.00 was monies spent from the Festival Committee account for the new basketball area by the fire department, as well clean up days and dump site clean up are included. **Motion 2008-07-35:** was made by Councillor Kane to pay the outstanding invoices in the operating account, it was seconded by Councillor Hayter. All in agreement, motion carried.

Invoices for the Capital Account West Street

Total Invoices for the Capital Account \$148,652.85

Finances:

Status of bank account:	Operating Acct. July 04, 2008	\$94,260.56
	Molson Grant July 04, 2008	\$1,000.00
	Capital Acct. July 04, 2008	\$76,995.61
	Trinity Day Festival July 04, 2008	\$1,262.20

Motion 2008-07-36: was made by Councillor Goldsworthy to pay outstanding invoices in the Capital Account when funding is received from the Provincial Government and accept all account balances, it was seconded by Councillor Kane. All in agreement, motion carried.

General/New Business

Town Clerk explained that we need our road signs replaced and Council agreed that some members of Council and our summer student will try and put the signs up as soon as possible.

Doug Ballett on Ed Verge's behalf requested to remove gravel from one piece of property to another. Mayor Miller explained that we would need written permission from the property owner to remove this gravel and if more than 10 truck loads were removed we would need a quarry permit from the Department of Mines and Energy. Mayor Miller informed Mr. Ballett once he has received written permission to forward it to the Town Clerk. Fire Chief and Assistant Chief left the meeting.

Mayor Miller informed Council that Father William Hann has purchased a piece of property located at 78 Main Road and the Department of Works Services and Transportation has denied him access. Mayor Miller went on to explain that Father Hann will be in Trinity later this month and he just wanted to inform Council of what was transpiring. Council suggested that Father Hann seek some adjoining property for access.

Gerald Hiscock, Helene Gereau, Pat Ryan, Don Hiscock and Cathy Bartlett all voiced their concerns regarding the state of the shipyard site. They all agreed that this site needed to be cleaned up as soon as possible, and the new owner should be held accountable. As well they all agreed that the site was a fire and safety hazard for the adjoining property owners well as being an eye sore for local residents and tourist.

Council agreed with the concern's and Mayor Miller agreed to proceed with his earlier statement if he did not received a response from the owner by July 15th.

Gerald Hiscock inquired about the status of the force main. Mayor Miller explained that a meeting was held in Trinity on May 7th, with Municipal Affairs and Environment to discuss the situation and try to come up with a solution to the force main freeze up. He explained that Frank Huxter, with Municipal Affairs is currently seeking a study that was prepared some years ago by Fisheries and Oceans to determine any effects of having the holding tank where it was originally supposed to go. Mayor Miller went on to explain that he would be following up on this and hopefully we would have some answers before the next meeting.

Mr. Hiscock asked permission to remove some of the big rocks by the Fire Department to his land at 16 Water Street. Mr. Hiscock explained that he has applied for a permit from the Department of Environment to fill in this site. Mayor Miller informed Mr. Hiscock once he received his permit to make his request then.

Councillor Goldsworthy informed Council that he had been informed that the Loop has been turned into a dump site. He went on to explain that he visited the site and we do have a huge problem with it becoming a dumping ground. Council agreed that if Department of Environment was contacted they may be willing to do something about the mess. Town Clerk to inform Department of Environment.

Motion 2008-07-37: was made by Deputy Mayor Coleridge to adjourn the meeting at 8:40 p.m., it was seconded by Councillor Gow. All in agreement, motion carried.

The next regular meeting of Council will be August 11, 2008 at 7:00 p.m. in the Community Centre, Trinity.

Mayor

Town Clerk