

A regular meeting of Council was held on Monday, December 7, 2009, 7:00 p.m. at the Community Centre, Trinity.

Members Present: Mayor Jim Miller
Deputy Mayor Scott Goldsworthy
Councillor Ian White
Councillor Doug Ballett
Councillor Joan Kane
Town Clerk/Manager Linda Sweet
Water & Sewer Operator Glen Vokey

Delegates: Princeline Woolridge, Daphne Clarke, Fire Chief Tony Broaders, Assistant Chief Fred Goldsworthy

Visitors: George Hayter, Eric Coleridge

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

Resolution 2009-12-70: was made by Councillor Ballett to adopt the minutes of November 2, 2009, it was seconded by Councillor White. All in agreement, resolution carried.

Bank Manager, Princeline Woolridge with RBC Trinity Branch presented a cheque to Mayor Miller in the amount of \$500.00 for the Trinity Festival Committee. The cheque was issued in honour of the volunteer services provided by employee Daphne Clarke for her time spent working with the Trinity Festival Committee. Council thanked both RBC employees. Ms. Woolridge and Ms. Clarke left the meeting.

Business Arising from Minutes:

Mayor Miller updated Council members on the status of the Integrated Community Sustainability Plan (ICSP) and informed that the second public meeting was held on November 17th, at the Lions Club in Port Union. He explained that we will receive the first draft of the ICSP before Christmas and the final report will be issued February 2010.

Mayor Miller asked Town Clerk/Manager to update Council on Rick Pippy's application for Crown Land. Town Clerk/Manager explained that she had spoken with Eric Carter of Crown Lands and his application was approved by all departments except for the Town. She went on to explain the reason the Town did not approve the application was due to the fact that Mr. Pippy has to go through the process of re-zoning the land in question and has to hire a planning consultant. Council agreed for the Town Clerk/Manager to write Mr. Pippy and cc Eric Carter and advise him of the next step in the process if he wishes to proceed.

Mayor Miller informed Council that he is in the process of applying for funding from ACOA to install a slipway, upgrade the playground and do the necessary work to complete the Lighthouse

Keepers dwelling. He explained that he will be working with Glen Vokey over the next few weeks to help with costing of the slipway and the necessary work to complete the Lighthouse Keepers dwelling before submitting the application.

Fire Department:

Fire Chief Broaders updated Council on the status of the Fire Department and explained that the Town Clerk/Manager updated him on the request to purchase new bunker suits under the 90/10 agreement. His understanding is that approval was granted to purchase two new suits complete with boots and gloves. Fire Chief Broaders asked Council to consider purchasing an extra five pairs of boots and they would pay for two pairs as well the department was requesting ten new pairs of gloves, with Council paying for five and the department paying for five pairs.

Chief Broaders informed Council that Tony Rose, Fire Protection Officer I, Fire Emergency Services did an inspection on the Fire Department a couple of weeks ago and a report will be forwarded to Council by Mr. Rose. Chief Broaders explained that Mr. Rose informed the department that they only have two air packs and would not be able to go into a building unless they had a minimum of four packs. Council discussed this and agreed to purchase two air packs and once the report from Mr. Rose was reviewed they would apply for funding under the 90/10 agreement for any necessary equipment the department needed.

Chief Broaders informed Council that the department has been doing some training with the Trinity Bay North department and were informed by them that the Town gives their department funding to go toward a point system. He asked Council if they would consider doing something for their department. Mayor Miller said he would check into the point system before the next meeting of Council.

Resolution 2009-12-71: was made by Councillor Kane to purchase two new air packs, three pairs of boots and five pairs of gloves and the fire department to purchase two pairs of boots and five pairs of gloves, it was seconded by Councillor White. All in agreement, resolution carried.

Fire Chief Broaders, and Assistant Chief Goldsworthy left the meeting.

Heritage Committee

Deputy Mayor Goldsworthy informed Council that the Heritage Committee met on December 4th, to review four requests that will be presented, and the members in attendance were, Stephen Locke, George Hayter and Glen Vokey and himself.

The first were the three skylights that have already been installed at 2 Fleet Street without approval. Deputy Mayor Goldsworthy explained that three of the four members of the Heritage Committee felt they should be removed as they do not belong in the house and were not originally approved and they should be replaced with dormers as originally presented and approved. The installation was against Development Regulation #20 (7) of the Urban and Rural

Planning Act which states “*No person shall erase, alter or modify any drawing or specifications which a permit to develop has been issued by the Authority.*” It was noted that the Heritage Committee and Council should have been advised in writing along with submission of revised plans if any alterations were being made to something that had already been approved for development at the time and not after the fact. It was explained in correspondence from the homeowner that this was an oversight on their part based on information they were provided by the designer and developer however it was felt by the Committee and Council that this should not be a determining factor as the skylights were still not an approved window design for the Heritage Area.

A review of the correspondence and revised drawings with the skylights was completed by Council and further discussion took place. Some members of Council agreed that if we are going to request 2 Fleet Street to remove the skylights than we should request 59 High Street to remove the skylight that was installed this past summer without approval.

Resolution 2009-12-72: was made by Councillor White to have 2 Fleet Street remove the skylights that have been installed without approval and denial of the revised plans to include skylights, it was seconded by Councillor Kane. This was based on Councils right under Regulation #20 (2), (5) and (6) to ensure that plans as submitted and approved are followed or otherwise has the right to require the correction and/or removal of any changes not approved and/or the possibility of the revocation of the permit. As well as Development Regulations for the Heritage Area “Condition For The Heritage Area Zone” *Section 5 Windows and Doors, Scale, Proportion and Spacing* states, “*After alteration or construction, the proportions of and relationships between doors and windows shall be compatible with the original architectural style and character of the structure and with the character of the surrounding environment as documented.*” The placement of skylights are not in keeping with the original architectural style and character of any of the surrounding properties. Deputy Mayor Goldsworthy against, resolution carried.

Resolution 2009-12-73: was made by Councillor Ballett to have 59 High Street remove the skylight that was installed without approval, it was seconded by Councillor White. Deputy Mayor Goldsworthy against, resolution carried.

The Heritage Committee also expressed concerns that what is being approved at the Council table must be adhered to by all residents otherwise the Town will quickly lose control of development and the original architecture of the Town which Trinity has been so well known for will begin to disappear.

Deputy Mayor Goldsworthy informed Council that 59 High Street made a request to replace four top windows with traditional wooden 3/6, replace the third window on the bottom floor with a door and replace the two other windows on the bottom floor with traditional wooden 6/6 that is facing the water side. It has also requested the replacement of the door facing the roadside with a traditional wooden 6/6 window. Deputy Mayor Goldsworthy informed Council that the Heritage Committee recommend this be approved but asked that the window in the door have

bars to match the older type doors.

Resolution 2009-12-74: was made by Councillor Ballett to allow 59 High Street to replace the four top windows with traditional wooden 3/6, replace the third window on the bottom floor with a door, replace the two other windows on the bottom floor with traditional wooden 6/6 facing the water side and replace the door facing the roadside with a traditional wooden 6/6 window with the addition that a window in the new door have bars to match the older type doors, it was seconded by Deputy Mayor Goldsworthy. All in agreement, resolution carried.

Deputy Mayor Goldsworthy informed Council that 42 High Street requested to remove two sliders and add three new windows to the back of the home. He explained that the Heritage Committee did not recommend the vinyl windows in the drawing but suggested they could use vinyl inserts with wooden facings and a 2" window cell, and windows should be in proportion with the rest of the house. These recommendations are within keeping of the Heritage Regulations.

Resolution 2009-12-75: was made by Councillor White to deny the vinyl windows in the drawing provided for 42 High Street but allow traditional wooden windows or inserts with wooden facings and a 2" window cell and keep the size in proportion with the dwelling, it was seconded by Deputy Mayor Goldsworthy. This is to ensure compliance with the Heritage Regulations as stipulated in Development Regulations for the Heritage Area "Condition For The Heritage Area Zone" *Section 5 Windows and Doors, Scale, Proportion and Spacing* which states, "*After alteration or construction, the proportions of and relationships between doors and windows shall be compatible with the original architectural style and character of the structure and with the character of the surrounding environment as documented.*" All in agreement, resolution carried.

Deputy Mayor Goldsworthy informed Council that 14 Clinch's Lane has requested to build a patio 8' wide along the South West side and extend around the back 14' wide with glass inserts. He explained that the Heritage Committee were recommending the proposed patio.

Council had a discussion regarding the glass inserts vs. the traditional wood spindles.

Resolution 2009-12-76: was made by Deputy Mayor Goldsworthy to approve the patio as presented, it was seconded by Councillor Ballett, Councillor White and Councillor Kane were against. Mayor Miller was required to break the tie and voted against the glass inserts, resolution denied.

It was suggested that when 14 Clinch's Lane was informed of Council's decision that it would be noted that a patio would be permissible at the requested dimensions however it must be constructed with wooden spindles instead of glass inserts and if this was acceptable to the applicant to contact the Town Clerk/Manager.

Festival Committee

Town Clerk/Manager asked if we will be doing our annual Light Up Christmas. Council agreed to have the judging on December 23, at 7:00 p.m. and the judges would be Sherry Locke and Deputy Mayor Goldsworthy. As well Council agreed that staff and councillors homes cannot be judged and the prize amounts would be 1st prize \$100.00, 2nd prize \$50.00 and 3rd prize \$25.00.

Incoming Correspondence

- a) Dept. of Municipal Affairs Re: Municipal Planning Guide for Pandemic Influenza. Nov 4/09 - File
- b) NL Organization of Women Entrepreneurs Re: 2010 Entrepreneur of the Year Awards. Nov 6/09 - Councillor White suggested nominating Christine Whelan and Tineke Gow. Town Clerk/Manager to fill out the papers and send.
- c) Dion Kendall Re: Crown Land Application. Nov 6/09 - Council asked the Town Clerk/Manager to place an ad for one week advising of this application at Mr. Kendall's expense and if no objections are received than the application will be approved.
- d) The Packet Re: Ad for the DTTA booklet. Nov 6/09 - Approved
- e) Dept. of Human Resources Re: New mailing address for JCP projects. Nov 10/09 - File
- f) Town of St. Lawrence Re: Nominate Deputy Mayor Paul Pike for the position of Eastern Director for the Municipal Assessment Agency. Nov 10/09 - File
- g) Municipal Assessment Agency Re: Municipality's ballot for the Eastern Director for the Municipality Assessment Agency. Nov 17/09 - Council agreed to nominate Fred Best.
- h) Naval Reserve Headquarters Re: Namesake Presentation by the Canadian Navy. Nov 17/09 - Mayor Miller informed Council that he has emailed and phoned but has not received any response.
- i) Town of Clarendville Re: Nominate Mayor Fred Best for the position of Eastern Director for the Municipal Assessment Agency. Nov 17/09 - Fred Best was nominated.
- j) Dept. of Municipal Affairs Re: Approval for a Special Assistance Grant to purchase two bunker suits under the 90/10 agreement. Nov 17/09 - Town Clerk/Manager to order suits.
- k) Tony Rose, Fire Protection Officer, Fire Emergency Services Re: Questions concerning the Fire Department. Nov 24/09 - Town Clerk/Manager responded to the questions.
- l) Fort Point Lions Club Re: Request for a donation to help offset the cost of the Annual Christmas Parade. Nov 27/09 - Council agreed to give a \$50.00 donation.
- m) Dept. of Municipal Affairs Re: 2010 Budget Forms. Dec 2/09 - Town Clerk/Manager will fill out the necessary papers once the budget is adopted.

Outgoing Correspondence

- Letter to the Fire Chief inviting him to attend the next regular meeting of council. File

Total Invoices Needing Approval from November 2 to December 4, 2009 \$ 17,462.41

Resolution 2009-12-77: was made by Deputy Mayor Goldsworthy to approved the outstanding invoices, it was seconded by Councillor Kane. All in agreement, resolution carried.

Income for Operating Account from November 2, to December 4, 2009 \$18,414.59

Finances:	Operation Account., December 4, 2009	\$80,066.05
	Festival Account. December 4, 2009	\$3,418.34

Resolution 2009-12-78: was made by Councillor Ballett to accept the finances as presented, it was seconded by Councillor White. All in agreement, resolution carried.

General/New Business:

Mayor Miller informed Council that the Finance Committee met and reviewed the budget the Town Clerk/Manager had prepared. He went on to inform that the Finance Committee suggested reducing the mill rate from 5.5 mills to 4.5 mills, exempting the not-for-profit organizations (Lions Club, Girl Guides, B.E.D.A., Trinity Historical Society and Rising Tide Theatre) from property tax and the remaining taxes remaining the same as 2009.

Mayor Miller and Councillor Ballett declared a conflict of interest regarding the decision of exempting not-for-profit organizations as both are employees of not-for-profit groups. Mayor Miller and Councillor Ballett left the room.

Deputy Mayor Goldsworthy explained to Council that the committee reviewed exempting all the not-for-profit organizations as per requests that had been received from the Trinity Historical Society and Rising Tide Theatre and upon research with other towns it was found out that most exempted the not-for-profit groups from property taxes but they were still charged for water and/or water/sewer services. With this exemption the town was still able to reduce the mill rate in order to keep taxes at a reasonable level that should be acceptable to residents. **Resolution 2009-12-79:** was made by Councillor Kane to exempt all the not-for-profit organizations but to continue to charge for water and/or water/sewer services, it was seconded by Councillor White. All in agreement, resolution carried.

Mayor Miller and Councillor Ballett returned to the room.

Mayor Miller presented the budget for 2010 to be \$348,508.81. **Resolution 2009-12-80:** was made by Councillor Kane to accept the budget as presented for 2010 to be \$348,508.81 reducing the mill rate from 5.5 to 4.5, exempting all the not-for-profit organizations and the remaining rates will be as per the previous year, it was seconded by Deputy Mayor Goldsworthy. All in agreement, resolution carried.

Water and Sewer Operator requested to have a street light at the Pump House. He explained that the light over the door does not work most of the time and the area needed to be better lit. Council agreed to have a light placed on the pole.

Town Clerk/Manager received two requests from the Packet to place a Christmas and New Years ad \$67.20 + tax, and a "Keep Christ in Christmas" page \$41.00 + tax. Council agreed to place the usual Christmas and New Years ad at \$67.20.

Resolution 2009-12-81: was made by Councillor Ballett to adjourn the meeting at 8:30 p.m., it was seconded by Councillor White. All in agreement, resolution carried.

Mayor Miller wished all a Merry Christmas and a Happy New Year and informed that the next regular meeting will be held February 1, 2010, at 7:00 p.m. in the Community Centre.

Mayor

Town Clerk/Manager