

A regular meeting of Council was held on Tuesday, September 02, at 7:00 p.m., at the Bonaventure English Harbour Development Association building.

Members Present: Mayor Jim Miller
Deputy Mayor Scott Goldsworthy
Councillor Dawne Marlow
Councillor Joan Kane
Town Clerk/Manager Linda Sweet

Regrets: Councillor Ian White and Water & Sewer Operator Glen Vokey

Delegates: Katharina Frasure, Tom Maybee, Gerald Hiscock, Helene Gereau and Lisa Moulard

Visitor: Wayne White, Jim Whitlock, Carol Whitlock, Mary Clarke, Ed Simmons, Judy Kennedy, Bruce Grant, Geoff Dawe, Donna Dawe, Barb George, Elizabeth Burry, Pinky Duff, Judy Dupuis, Linda Robinson, Skip Robinson, Chris Hiscock, Karen Huys, Tony Huys.

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

Resolution 2014-09-57: was made by Deputy Mayor Goldsworthy to adopt the minutes of August 05, 2014, it was seconded by Councillor Marlow. All in agreement, resolution carried.

Business Arising from the Minutes:

Deputy Mayor Goldsworthy asked that the Capital Works application be moved to the next meeting due to not having time to review with work commitments. Members of Council agreed to discuss at the next meeting.

Mayor Miller informed Council that we approved our draft audit at the August meeting and the final copy is now ready for approval. **Resolution 2014-09-58:** was made by Councillor Marlow to approve the 2013 Audit, it was seconded by Councillor Kane, all in agreement, resolution carried.

A copy of the journal entries was presented and **Resolution 2014-09-59:** was made by Deputy Mayor Goldsworthy to accept the journal entries as presented, it was seconded by Councillor Marlow. All in agreement, resolution carried.

Mayor Miller informed Council that the RFP for the slipway has been forwarded to the Provincial Historic Sites for final approval before we can move forward. He went on to explain that it did not look like this would move forward this fall but hopefully early spring of 2015.

Mayor Miller asked the Town Clerk/Manager to check with Hurdles Welding and Automotive to find out when the crusher would be here to remove the cars and if we don't get a definite

answer to contact the company and find out when they would be back in Trinity/Goose Cove in order that the cars that have been piled up on other property could be removed.

Town Clerk/Manager informed Council that she has contacted both property owners for a copy of their surveys in order to determine if the generator shed could be moved to West Street but to date has not received the surveys. Council asked if she would contact them again prior to the next meeting.

Heritage Committee

Deputy Mayor Goldsworthy informed Council that the Heritage Committee did not get the opportunity to meet to discuss the upcoming applications.

Deputy Mayor Goldsworthy informed Council that 36 Water Street has submitted an application to construct a shed. A discussion took place and **Resolution 2014-09-60:** was made by Deputy Mayor Goldsworthy to approve in principle 36 Water Street's request to build a shed giving the public 30 days notice for any objections/concerns, it was seconded by Councillor Marlow. All in agreement resolution carried.

Deputy Mayor Goldsworthy informed Council that we received an objection from 11 Clinch's Lane regarding 15 Clinch's Lane request to extend the wharf and add an additional shed. He explained that the Town Clerk/Manager met with both the applicant and the concerned and they came to an agreement which did not change anything within the application other than the placement of the wharf which was included with Council's package. He went on to explain that the applicant submitted a new drawing showing the placement change of the wharf and a letter from the concerned with approval of the new placement of the wharf. A discussion took place and it was agreed that this application did not need to go for another 30 day review as nothing changed other than the placement of the wharf and **Resolution 2014-09-61:** was made by Councillor Kane to approve the drawing with the new placement of the wharf, it was seconded by Councillor Kane. All in agreement, resolution carried.

Deputy Mayor Goldsworthy informed Council that 16 Clinch's Lane submitted an application to build an addition 12 x 16 to the current shed. A discussion took place and **Resolution 2014-09-62:** was made by Councillor Kane to approve in principle 16 Clinch's Lane request to build an addition 12 x 16 to the current shed, giving the public 30 days notice for any objections/concerns it was seconded by Councillor Marlow. All in agreement, resolution carried.

Incoming Correspondence

a) Councillor White Re: Letter of resignation from the Heritage Committee. Aug 06/14 – Deputy Mayor Goldsworthy explained the Heritage Committee only has three members and asked if Council would consider seeking another two members. A discussion took place and it was decided to post on the town's website and Trinity Anchor a request for two residents of Trinity/Goose Cove to submit a request to sit on the Heritage Committee.

b) Municipal Assessment Agency Re: Two board members that have resigned. Aug 14/14 - File

- c) PMA Re: Fall Forum in Gander on Sept. 18-19. Aug 19/14 - File
- d) Fire & Emergency Services Re: Funding request for hoses has been denied. Aug 19/14 – Mayor Miller requested a copy of the letter.
- e) 26 Water Street Re: Request to operate 26 Water Street as a vacation home next summer. Aug 19/14 – A discussion took place and **Resolution 2014-09-63:** was made by Councillor Marlow to approve in principle 26 Water Street’s application providing all other Government Agencies were met and off street parking was provided for the business, it was seconded by Deputy Mayor Goldsworthy. All in agreement, resolution carried.
- f) Gander International Airport Authority Re: Invitation to attend a supper at Fisher’s Loft in Port Rexton on Sept. 18th at 7:00 p.m. Aug 19/14 - File
- g) Dept. of Municipal & Intergovernmental Affairs Re: Gas Tax Agreement. Aug 25/14 - Mayor Miller read a copy of the Ultimate Recipient Gas Tax Agreement and **Resolution 2014-09-64:** was made by Deputy Mayor Goldsworthy to accept the 2014-2019 Gas Tax Agreement, it was seconded by Councillor Kane. All in agreement, resolution carried.
A discussion took place on the Capital Investment Plan and a quote was received from Coastal Paving to pave 931 sq. ft. of Church Road at a cost \$3,497.63 including taxes. **Resolution 2014-09-65:** was made by Councillor Kane to pave 931 sq. ft. of Church Road under the Gas Tax Agreement at a cost of \$3,497.63, less the HST Rebate \$154.75, \$3,342.88, it was seconded by Councillor Marlow. All in agreement, resolution carried.
- h) Trinity Historical Society Re: Sponsorship for 10th Annual Golf Tournament. Aug 25/14 - File
- i) Eric Coleridge and Karen Huys Re: Request to consider paying cost of paving the driveway near the Council office. Aug 28/14 – Request denied based on previous requests to clear snow through this area. Council reaffirmed its decision that the access through the Town property was merely an easement for access to the properties that was agreed to and it was not a Council Road.
- j) 25 West Street Re: Request from 25 West Street to operate as a vacation home. Aug 28/14 – A discussion took place and **Resolution 2014-09-66:** was made by Deputy Mayor Goldsworthy to approve in principle 25 West Street’s request to operate as a vacation home providing all other Government Agencies were met and off street parking was provided for the business, it was seconded by Councillor Marlow. All in agreement, resolution carried.
- k) Arthritis Society Re: Declaring September 2014 as Arthritis Awareness Month. Sept. 2/14 – Mayor Miller signed the Proclamation.
- l) Wooden Boat Museum Re: Notice of Annual General Meeting. Sept. 2/14 - File

Outgoing Correspondence

- Letter to 23 West Street with approval in principle to construct a new home. -File
- Letter to 38 High Street with approval in principle to build an extension to the house. - File
- Letter of approval for 1 Path End to build a wharf shed. - File

Invoices for the Operating Account from July 5th, to August 1st, 2014, \$34,300.37. A discussion took place and **Resolution 2014-09-67:** was made by Councillor Marlow to pay the outstanding invoices in the operating account, it was seconded by Councillor Kane. All in agreement, resolution carried.

Finances:

Operation Account as of August 1, 2014

\$84,525.68

Recreation Funding	\$2,057.12
Trinity Festival (Mortars)	1,080.00
Trinity Festival (Moose Burgers)	228.00
Sub Total	\$3,365.12
Supplies for Tournament (nets/balls/etc)	893.39
Recreation Funding	\$2,471.73

Age Friendly Grant **\$6,500.00**

Resolution 2014-09-68: was made by Councillor Kane to accept the finances as presented, it was seconded by Deputy Mayor Goldsworthy. All in agreement, resolution carried.

General/New Business:

Mayor Miller informed Council that the land auction for 47 Fort Point Road took place on August 29th, and the land sold for \$115,044.25 plus HST. Council reported it was pleased with the results of the auction and would be further investigating auctioning other pieces of land in the future.

A discussion took place on the fall cleanup and it was decided to hold it on September 23rd, providing the dump was cleaned up.

Councillor Marlow informed Council that the road entering Hewitt's Lane and at the beginning of Route 239 is eroding and needed to be looked at to determine who was responsible the town or the Department of Works, Services and Transportation. Mayor Miller said he would look at it to determine what needed to be done.

A discussion took place regarding the paving of the easement going through Council property that has access to five other residential property owners. Mayor Miller informed Council that we were not notified that the easement was going to be paved but he did find out and went to speak to Mr. Eric Coleridge and informed him that Council would not be responsible for the pavement and if it got damaged during renovations work on the Town building Council would not be responsible for fixing it. Mr. Coleridge acknowledged this during their conversation.

Lisa Moulard addressed concerns that neither she nor Geoff Hiscock was contacted about the easement being paved and she went on to explain that the pavement now covers their private water line to their house. She also had concerns about getting up and down during the winter as she felt with the access being paved it would be much more slippery.

Mayor Miller asked Council how they wanted to address the issue giving two options, leaving the paved access as it, or close off the access to all residential properties and have them use the public path that runs up by the Forge and behind Council property. A discussion took place and **Resolution 2014-09-69:** was made by Deputy Mayor Goldsworthy to have Mr. Coleridge remove the pavement. No Council member would second the resolution therefore it was defeated. Council agreed to allow the pavement to remain.

A discussion took place regarding the remains of the house at 1 Bugden's Lane. The property owner of 1 Bugden's Lane passed out a summary of what she felt transpired since August 2011.

Town Clerk/Manager informed Council that 1 Bugden's Lane filed an application on August 17, 2011, to tear down the old house but preserve the additional wing (porch) to be later modified to serve as a storage shed, approval was granted at September 6, 2011, with no conditions attached to the letter of approval. At our March 5, 2012, regular meeting 1 Bugden's Lane filed an application to renovate the remains of the house and approval in principle was given giving the public 30 days notice for any objections/concerns. On April 04, 2012, 5 Bugden's Lane filed a letter of complaint objecting that 1 Bugden's Lane request to renovate the remains of the house did not meet the Town's regulations. The letter of concern was addressed at on March 5, 2012, and Council reviewed *Section 33 (2) No accessory building or part thereof shall project in front of any building line*. Council made a decision that the additional wing (porch) had to be moved back to meet the setback requirements before any work renovation work could take place. 1 Bugden's Lane never did any work on the additional wing (porch) but filed a new application to build a new shed which was approved.

On August 5, 2014, 1 Bugden's Lane came to the Town office looking for a general repair permit to do some repair work on the additional wing (porch) which the Town Clerk/Manager issued and a few days later received a call from 5 Bugden's Lane saying that a general repair permit should not have been issued as the structure on the site did not get moved back and does not meet the Town regulations. A letter was then sent on August 12, 2014, informing 1 Bugden's Lane no work could proceed without first moving the structure back five feet.

1 Bugden's Lane felt that in Council's letter dated September 06, 2012, to allow her to keep the additional wing without regulations should apply and not the later decision to move the remains back 5 ft.

5 Bugden's Lane felt that the Town regulations were not followed under *Section 45 (3) A building which is legally used for any purpose but does not conform to the regulation of the use zone in which it is located, and which subsequently suffers damage or deterioration to an extent greater than fifty percent of its replacement value, excluding land, shall not be reconstructed except in conformity with the regulation for the use zone. Section 33 (2) No accessory building or part thereof shall project in front of any building line.*

A discussion took place and **Resolution 2014-09-70:** was made by Councillor Kane allow 1 Bugden's Lane to carry out General Repairs to the structure as it was not being altered in anyway but just simply caring out repairs to ensure the buildings safe and continued use by putting up siding on the additional wing (porch) without moving the building back, it was seconded by Councillor Marlow. Deputy Mayor Goldsworthy against as he felt this was something that was overlooked in the beginning and should be rectified now, resolution carried.

Mayor Miller informed Council that TARGA will take place on September 17th, and asked for volunteers.

Mayor Miller informed Council that 105 Route 239 has requested to build a 12' extension to the house. **Resolution 2014-09-71:** was made by Deputy Mayor Goldsworthy to approve 105 Rout 239's applications to build a 12' extension, it was seconded by Councillor Marlow. All in agreement, resolution carried.

Resolution 2014-09-72: was made by Deputy Mayor Goldsworthy to adjourn the meeting at 8:00 p.m., it was seconded by Councillor Marlow. All in agreement, resolution carried. Next regular meeting will be held October 6, 2014, at the Bonaventure English Harbour Development Association building at 7:00 p.m.

Mayor

Town Clerk/Manager