

A regular meeting of Council was held on Monday, June 7, 2010, at 7:00 p.m. in the Community Centre, Trinity.

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

Delegates: Geoff Dawe and Cyril Bartlett

Visitors: Eric Coleridge

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

**Resolution 2010-06-41:** was made by Deputy Mayor Goldsworthy to adopt the minutes of May 3, 2010, it was seconded by Councillor White. All in agreement, resolution carried.

**Resolution 2010-06-42:** was made by Councillor Ballett to adopt the minutes of the special meeting of May 21, 2010, it was seconded by Councillor White. All in agreement, resolution carried.

### **Business Arising from Minutes:**

Mayor Miller informed Council that the Town Clerk/Manager checked with three law firms regarding a price quote to prepare a letter to clean-up the site at 35 High Street and all but one firm wanted a fee to do research before giving a quote. He explained that McInnes Cooper did the research and this was the options the firm came back with. 1) Issue a demand under the Section 178 of the Municipalities Act to order the client to clean up the land on or before the date issued by Council. If that is not done, the Town can remove whatever is there that constitutes a hazard to health or safety and issue an invoice to the client to recover the cost. 2) Issue a demand under Section 404(1)(f) to remove the buildings on site due to their dilapidated state as they are a public nuisance. If the client fails to do that, the Town could likely do that under Section 178 as the structures could be deemed a hazard. The Town would then invoice the client for the costs to remove. This remedy is also available under Section 102 of the Urban and Rural Planning Act, 2000. Council should decide whether the Town wants to issue a demand in respect of both actions above and whether it wants to lay out the options that the Town has if the client does not respond.

A discussion took place and Mayor Miller had concerns that if the Town took the approach to move forward providing the client refuses to comply with the letter and environmental issues arose at what cost would this be for the Town and how long would it take to recuperate this cost.

A suggestion was made by Geoff Dawe to have someone come in to do an environmental assessment prior to moving forward to find out exactly what the Town would be faced with if they did pursue cleaning up the site and recuperating the cost at a later date.

Councillor White asked if we could make one more attempt to contact the client and have him move forward with cleaning up the site before Council moves forward. Mayor Miller to contact the client and report back to Council. It was also decided to have the Town Clerk/Manager check with the Departments of Environment and Government Services regarding any environmental issues that may arise on the site.

Mayor Miller gave an update on the Waste Water study and informed that the letter of approval for the project is awaiting the Minister's signature and the contract will be offered to CBCL. He explained that the study should be completed by mid to late August.

### **New Business:**

Geoff Dawe asked permission to tie the sewer line from the new guest house/shed he is proposing to build to the existing sewer line under his house and run the water to the proposed site from his existing home. A discussion took place and Council understood that there is nothing wrong with what Mr. Dawe was proposing if everything was installed correctly as it would be no different than adding an extension to an existing home and installing a new bathroom. However, Council decided that a precedence should be set and this is not an extension to an existing home but a new building that will be used for the purpose of sleeping quarters with a washroom and should be treated as such. **Resolution 2010-06-43:** was made by Councillor Ballett to deny Mr. Dawe's request to connect the proposed guest house/shed to the existing home with water and sewer and install a new separate 6 inch line or place a 4 inch line from the main, it was seconded by Deputy Mayor Goldsworthy. All in agreement, resolution carried.

Mr. Dawe requested to change the size of the proposed guest house/shed from 12 x 24 to 12 x 28. A discussion took place and Councillor White asked if anything other than the extra 4 ft would be changed and Mr. Dawe assured Council that everything will remain as was approved in the original permit. **Resolution 2010-06-44:** was made by Councillor Kane to increase the size of the approved bunk house/shed from 12 x 24 to 12 x 28 with location, windows, roof pitch, clapboard remaining as was approved previously, it was seconded by Councillor Ballett. All in agreement, resolution carried.

Cyril Bartlett and Geoff Dawe left the meeting at 7:40 p.m.

### **Water & Sewer Operator:**

Glen Vokey informed Council that he would be out of the province from June 17<sup>th</sup> to 22<sup>nd</sup> and would need Councillor Ballett to operate the system. Councillor Ballett agreed.

### **Fire Department:**

Town Clerk/Manager informed Council that we do not have anyone to collect fire fees for Old Bonaventure.

A discussion took place and Mayor Miller asked Councillor Ballett if the department had time to prepare the number of households per community that are required to pay fire fees and if so they should be brought to the Town Office in order for the Town Clerk/Manager to prepare a budget to determine how much each property will have to pay for fire fees. He went on to say that once we have these numbers Council can look at going back to each community to do public consultations and seek a committee to collect the fees.

Councillor Ballett had concerns that if the fee went up we would not be able to collect and he feared that the fire department may lose members. Council agreed to look at the budget first before any decisions are made regarding what a fire fee might be.

Mayor Miller asked Councillor Ballett to have an updated list of the members with telephone numbers so the Town Clerk/Manager can send out to the communities.

Town Clerk/Manager asked Councillor Ballett if the department could burn the wood and tree's that have been gathered in by the department before the summer. She explained a newsletter needed to be put out to the public notifying that we will not be collecting woods/trees until after September 6<sup>th</sup> for the annual bonfire. Councillor Ballett said he would bring this request back to the Fire Chief.

### **Heritage Committee:**

Councillor White had concerns regarding the structure of the Heritage Committee. He explained that during the appeal hearings it was evident to him the board felt the Heritage Committee lacked structure as to what qualifications were needed to sit on the board, minutes to be taken at the meeting, etc. Councillor White explained that he has made several calls, one to the Provincial Heritage Committee and one to the St. John's Heritage Committee which he is awaiting their return to find out what procedure they follow. He went on to say that the Heritage Committee should follow a certain procedure in order to build credibility. Councillor White will bring back any information he can obtain on a possible new structure of a Heritage Committee's to the next regular meeting for Council to review.

Councillor White inquired as to whether or not the Town should stop any new development in the heritage area until we have a new Town Plan. A discussion took place and Council decided that a new Town Plan could take up to two years to complete and felt that any new development could be monitored more closely instead of halting new development.

Councillor White also inquired about issuing stop work orders if new developers did not comply with the plans that were presented and approved by Council. Council agreed that they will monitor new development and if plans are not followed according to the permits issued a special meeting of Council would be called and stop work orders will be issued by the Town

Clerk/Manager upon Council's request.

Deputy Mayor Goldsworthy informed Council that the Heritage Committee reviewed a request to build a 12 x 12 addition to a sawmill with a log ramp at 23 Church Road and the Committee is recommending this extension. **Resolution 2010-06-45:** was made in principle by Councillor Ballett to approve the 12 x 12 extension and log ramp in principle providing it is in keeping with the heritage guidelines and the public has until the next regular meeting to review, it was seconded by Councillor White. All in agreement, resolution carried.

Deputy Mayor Goldsworthy informed Council that 13 Gallavan's Lane are requesting to erect a picket fence across the border of the Village Inn property adjacent to the back boundary which the Committee are recommending. **Resolution 2010-06-46:** was made by Councillor Kane to erect a palling fence bordering the back property at 13 Gallavan's Lane, it was seconded by Councillor White. All in agreement, resolution carried.

Deputy Mayor Goldsworthy informed Council that 31 West Street are requesting to erect a post and rail fence around the property which the Committee are recommending. **Resolution 2010-06-47:** was made by Councillor Kane to erect a post and rail fence around the property at 31 West Street, it was seconded by Councillor White. All in agreement, resolution carried.

Deputy Mayor Goldsworthy informed Council that 43 High Street are requesting to subdivide property at 43 High Street, one being a Residential Lot on which the existing home is located, the other being an Accessory Lot on which the existing shed is located. He explained that the Committee are recommending this but advised Council that the residential lot should have a lot coverage of 450 m<sup>2</sup> as stated in the Town Plan and advise the client the accessory lot will never become a building lot. **Resolution 2010-06-48:** was made by Councillor Ballett to approve in principle and give the public until the next regular meeting to review the subdivision of 43 High Street providing the residential lot have a coverage of 450 m<sup>2</sup> and the client be notified that the accessory lot will never become a building lot, it was seconded by Deputy Mayor Goldsworthy. All in agreement, resolution carried.

Deputy Mayor Goldsworthy informed Council that we received an application to build a dwelling at 2 Stoneman's Lane. He explained that the committee were recommending the proposed application but advised Council that the Town's Municipal Plan Development Regulations states the minimum rear yard depth be 6 metres with no variances therefore Council should ask for the plot plan to be revised by .5 metres to meet the recommended rear yard depth. **Resolution 2010-06-49:** was made in principle by Councillor Ballett to approve the dwelling application at 2 Stoneman's Lane providing the applicant submit a new plot plan before the next regular scheduled meeting to meet the 6 metre rear yard depth and the public has until the next regular meeting to view the plans, it was seconded by Councillor White. All in agreement, resolution carried.

Councillor White has concerns that we issue permits for new development but we have no staff person to inspect the site to make sure that the Town's minimum setback requirements are followed or plans that are approved are adhered to. A discussion took place and Council agreed that to hire someone for this type of work would be costly, and agreed that this would not be a

full time but rather a contracted position on an as needed basis. Mayor Miller agreed to seek a terms of reference for a position of this type and put out a request for proposals to find out exactly what the cost would be and if Council could afford to hire someone on a contractual basis it would be looked at. The Heritage Committee agreed they would monitor new development to make sure the guidelines were followed for the time being.

**Festival Committee:**

Town Clerk/Manager asked Council for permission to order \$3,000.00 worth of fire works from the Festival funding. Council approved.

Eric Coleridge left the meeting at 8:30 p.m.

**Incoming Correspondence**

- a) Dept. of Environment and Conservation Re: 2009 Annual Drinking Water Quality Report. May 06/10 - File
- b) Newfoundland Power Re: Replacement of meter at Gott's Pond. May 17/10 - File
- c) Robert Cotter Re: Decision of Appeal Board. May 18/10 - File
- d) Yvonne Courtney Re: Supporting a hole in the golf tournament to help raise money for the Ronald McDonald House. May 25/10 - **Resolution 2010-06-50:** was made by Councillor Kane to donate \$50.00, it was seconded by Councillor Ballett. All in agreement, resolution carried.
- e) Lisa Brown Re: Community Health Needs Assessment. May 26/10 - File
- f) Service Canada Re: Canada Summer Jobs application/agreement. May 26/10 - File
- g) Community Sector Council NL Re: Cabot Loop Clusters Project. May 26/10 - Town to become a member.
- h) Glen Vokey Re: Resigned from the Heritage Committee. May 26/10 - File. Mayor Miller thanked Glen for his time served on the Committee. It was then noted that until Councillor White brought back to another meeting more information regrading a new structure for the Heritage Committee that it would remain the same and no new members would be asked to join.
- i) Canada Heritage Re: Grant for Canada Day in the amount of \$160.00. June 1/10 - File
- j) Dept. of Gov't Services Re: Building Accessibility Review for proposed vacation home for 25 Railway Road. June 2/10 - File
- k) Martin Jamieson Re: Returned appeal fee cheque and asked to have it donated to the Festival Committee. June 7/10 - Council agreed to have the cheque transferred to the Festival Committee.

**Invoices for Operating Account from May 3 to June 4, 2010 Needing Approval  
\$16,858.99**

**Resolution 2010-06-51:** was made by Deputy Mayor Goldsworthy to pay the outstanding invoices in the operating account, it was seconded by Councillor Ballett. All in agreement, resolution carried.

**Income for Operating Account from May 3 to June 4, 2010      \$17,728.83**

<b>Finances:</b>	Operation Account., June 4, 2010	<b>\$102,632.44</b>
	Festival Account., June 4, 2010	<b>\$3,972.67</b>

Gas Tax to be carried forward June 4, 2010	\$3,608.68
Recreation Grant June 4, 2010	\$10,664.91
Purchased new playground equipment	\$1,435.09

Town Clerk/Manager informed Council that she purchased a new piece of playground equipment at Costco last week.

**Resolution 2010-06-52:** was made by Councillor Kane to accept all account finances as presented, it was seconded by Deputy Mayor Goldsworthy. All in agreement, resolution carried.

**General/New Business:**

Mayor Miller inquired if Council would like to proceed with the process of developing a New Town Plan and where we would seek funding. He explained that the new agreement for Gas Tax has not been signed yet so we cannot use that funding until the agreement is signed. He explained that we have \$14,000.00 set aside for the project and suggested using that along with some of the Gas Tax funding once the agreement is signed. Council agreed and asked to have a Request for Proposal's drafted for the next meeting if possible.

7 Hannah Hiscock's Hill are requesting a conditional approval to build a house. **Resolution 2010-06-53:** was made by Councillor Ballett to approve in principle the dwelling as presented with the understanding a copy of the subdivided land survey must be on file at the Town Office and a Government Services approved septic design documents presented before the building permit can be issued, it was seconded by Deputy Mayor Goldsworthy. All in agreement, resolution carried.

A request from Plaza Investments to have 5 Ash's Lane used as two guest apartments. **Resolution 2010-06-54:** was made by Councillor Kane to approve 5 Ash's Lane request to be used as two guest apartments providing all Government Services regulations are met and on file at the Council office, it was seconded by Councillor Ballett. All in agreement, resolution carried.

A request to operate 53 High Street as a tourism home. **Resolution 2010-06-55:** was made by Councillor Kane to approve 53 High Street as a tourism home providing all Government Services regulations are met and on file at the Council office, it was seconded by Councillor Ballett. All in agreement, resolution carried.

A request to operate 25 Railway Road as an executive vacation home. **Resolution 2010-06-56:** was made by Councillor Kane to approve 25 Railway Road as an executive vacation home providing all Government Services regulations are met and on file at the Council office, it was seconded by Deputy Mayor Goldsworthy. All in agreement, resolution carried.

A request from 65 Route 239 to build a new garage 30 x 50 was presented. A discussion took place regarding the size of the building and what it would be used for. **Resolution 2010-06-57:** was made by Councillor Ballett to approve the 30 x 50 garage/storage area but inform the client that the building is only to be used as a garage/storage area and should the client have other intentions for the use of this building in the future such as a business a written request must be

made to Council first, it was seconded by Deputy Mayor Goldsworthy. All in agreement, resolution carried.

Mayor Miller informed Council that the garbage contract will need to be extended for a least one more year. A discussion took place and Council agreed to advertise the garbage contract next month for one year starting September 6, 2010 to August 30, 2011.

Mayor Miller informed Council that the Tourism Kiosk study has been completed by Sandy Newton and any member of Council wishing to review the document advise the Town Clerk/Manager and she will email a copy and bring any concerns/comments forward to him within the next five days as a follow-up meeting with funding agencies would be held in a few weeks to seek funding to move forward with the Kiosk.

Deputy Mayor Goldsworthy informed Council that the road going into the dump and the dump in general needs repairs and an annual cleanup. Town Clerk/Manager to contact the Charleston Sweet Bay Waste Disposal Committee.

Town Clerk/Manager informed Council she had a concerned citizen complain regarding dumping up at the Loop. A discussion took place and all agreed that this is becoming a problem everywhere but until someone comes forward to advise whom is dumping there is not much Council can do.

Deputy Mayor Goldsworthy informed Council that he noticed a leak upstairs in the back room of the Library. Mayor Miller asked Glen Vokey to look at it and repair if possible.

The next regular meeting of Council will be July 5, 2010 at 7:00 p.m. in the Community Centre.

**Resolution 2010-06-58:** was made by Deputy Mayor Goldsworthy to adjourn the meeting at 9:15 p.m., it was seconded by Councillor Ballett. All in agreement, resolution carried.

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Mayor

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Town Clerk/Manager