

**Town of Channel – Port aux Basques  
1823<sup>rd</sup> Regular Meeting  
April 27<sup>th</sup>, 2021**

The 1823<sup>rd</sup> Regular Meeting of Council convened at 6:00 pm Mayor Spencer presiding. Present were Deputy Mayor Strickland, Councillors Battiste, Blackler, Coffin, Keeping and Lane. Also present were the Town Manager and Town Clerk.

**Greg Sheaves re Waste Collection Fees 1 LeGallais Street:** Mr. Greg Sheaves was present to outline his case of why he should be able to opt out of having to pay the waste management fee for his apartment building at 1 LeGallais Street.

Mr. Sheaves presented copies of letters from the Municipal Assessment Agency, ACE Appraisals, his insurance policy and a letter from the bank all stating his apartment building is considered commercial not residential. Mr. Sheaves said he wrote a letter asking to opt out on February 21<sup>st</sup>, 2021, he came down on February 26<sup>th</sup> to drop it off but the Town Office was closed. He called the Mayor who advised him to call and make an appointment therefore the letter was late. He wanted to opt out because he feels his building is not residential but commercial. Mr. Sheaves said the Town Office shouldn't have been closed to the public. They are no different than the banks. Mayor Spencer advised we were following public health guidelines.

Mr. Sheaves said the Municipal Assessment Agency has him classed as ICI which is Industrial, Commercial and Institutional. If he were to appeal his assessment on this property he'd have to pay \$100.00 as a commercial fee not the \$25.00 for residential.

Councillor Lane asked Mr. Sheaves how long he has had the building. Mr. Sheaves responded thirty five years. Councillor Lane said and you've been paying residential property tax rate all that time so if we were to now class you as commercial we could go back and adjust it accordingly. Mr. Sheaves said yes but if you do that you have to credit me for commercial waterline not per unit.

The Town Manager said the Town's Development Regulations state that apartments are residential. Mr. MacIsaac said if you want to change to commercial we'll have to charge you a commercial mill rate which means you will be paying more.

The Town Clerk advised Mr. Sheaves that residential and commercial water rates are the same and the Tax Rates state that it's by lateral size or per unit whichever is greater.

The Town Manager noted the rates are set by the South West Coast Waste Management which the Town adopted.

Mr. Sheaves said well if you don't allow me to opt out I'll tear the building down and then you'll get no taxes. All government ever does is gouge people and this is gouging.

Councillor Lane said Mr. Sheaves is talking commercial and residential. The garbage is through the Marine & Mountain Zone Waste Management Committee. That's not going to change, the Marine and Mountain Zone Waste Management controls this not us. Councillor Lane said bearing in mind if we do as you ask your rates will change.

Mayor Spencer said he thinks Mr. Sheaves should put his concerns in writing indicating what it is he wishes Council to do.

Councillor Lane said the monies collected goes to the waste management. We're not gouging because the Town doesn't get any money for this.

Mr. Sheaves said he burns his and two other tenants' garbage, the metal he throws in with the vehicles he has at his lot in Grand Bay West and the food waste he feeds to the crows.

Councillor Keeping said what you're suggesting is everyone should burn garbage and feed the rats, what kind of a community would we live in if we allowed that?

The Town Manager stated your letter was late because we were closed. Is there any reason why you didn't mail it as it would have been date stamped and we would have gone by that?

Mr. Sheaves said anyone that has wood stoves burns cardboard and paper that's wood. Plastic is also wood so that can be burned. It's not hurting the environment.

**Correspondence:** It was moved by Councillor Coffin and seconded by Deputy Mayor Strickland the correspondence be accepted and dealt with where necessary. MC Unanimously

**100 Caribou Road Request for Road Repairs and Upgrades:** An email was received from Starboard Side Guest House requesting Council replace the collapsed culvert in her parking lot and carry out some street repairs to Gullage's Drive.

Councillor Keeping noted that the Public Works Committee visited the site to assess the exposed culvert. It is a safety issue and a hazard. The Town Manager explained that from his investigation the culvert was not installed by the Town and is the responsibility of the property owner. Unless the property owner has proof that the Town was involved with installing the culvert, they have to take steps to secure that area a.s.a.p. The Town Manager will write the resident advising of this.

Councillor Lane asked if someone here told her not to repair it. The Town Manager said in emails back and forth he told her we would have to investigate it.

Councillor Keeping asked did she say it was her property? Councillor Lane said in one part yes and in another she's saying she don't own it.

The Town Manager said she first contacted him via email January 2021. The employee she noted in her correspondence went up there on his own. At the time the Town Manager said he instructed her to put a barricade there. The Town Manager said he suggest we make a decision expediently to see if she's going to fix it or not, it has to be done.

The Town Manager said this is not a street. It is a 6 metre easement to allow the Town and utility companies access. Mr. MacIsaac said we checked with former employees who advised we did not put a culvert there. He said he will have staff carry out some dye test to check to see where this is flowing.

Mayor Spencer said last year there was indication of excavation work in the same spot. He noted they had it dug up and pushed all the dirt to one side and left it.

Councillor Lane asked if she can tie in to the manhole. Mr. MacIsaac said he doubt very much given the area where the culvert is to.

Councillor Keeping said in the Public Works Committee report it was said we will write her but we can go back and check it again. He said he doesn't know where the water is coming from.

The Town Manager said the unfortunate part is when you purchase a property you're assuming any and all liabilities. The Town Manager said it is best for the Public Works Committee to review all the emails back and forth between him and the owner.

**Department of Municipal & Provincial Affairs re Special Assistance Grant:** Correspondence was received from the Director of Municipal Finance advising that our request for financial assistance to assist with the cost of a major watermain break in the distribution system at the water treatment plant has been denied as they consider their routine operations and maintenance.

Deputy Mayor Strickland asked what is their rationale as there was nothing in that situation that was not routine. The Town Manager said he has already sent an email to the MHA concerning this.

**Royal Newfoundland Constabulary Association Request for Support:** Correspondence was received from the RNC Association requesting the Town purchase an ad to sponsor their 31<sup>st</sup> Anniversary Community Guide. This year the topic is focusing on "Suicide Prevention Awareness".

Mayor Spencer said he doesn't feel we should do this.

Councillor Lane said he takes objection to Mayor Spencer's comment because suicide is very serious. He said he will be pursuing this issue. He feels the Kids Help Line is very important.

Mayor Spencer said he didn't mean to belittle suicide. He knows this is a serious issue but we give to a lot of causes.

Councillor Blackler said locally the need is there for mental health assistance for youth. He said he feels the equivalent could go to schools and have a bigger local impact.

The Town Clerk said the letter said they give a donation to the Kids Help Line didn't say funds received goes to them.

Councillor Blackler said there's room for partnership with the town and the schools that will have a bigger local impact.

It was agreed we explore Councillor Blackler's idea further.

**Public Works Committee Report:** Councillor Keeping presented the Public Works Committee Report of April 26<sup>th</sup>, 2021.

The Public Works Committee met on Monday, April 26<sup>th</sup>, 2021, at 10:00 a.m. Present were Councillors Keeping, Coffin, Lane, the Town Manager and Mayor John Spencer. The following items were discussed and sites visited:

1. **Warren's Road** - As a follow up to correspondence received and discussed at council's last regular meeting, the Committee visited to address the condition of the road. After the effects of winter conditions, the road will require some granular materials and grading. Also, it was obvious that the garage at the base of road is at the same level of the road which could make it prone to flooding. A curb will be installed from the slope of the hill past the garage during the paving of the road.

\*Note: Warrens Road is currently on our Capital Works priority list which is on file with Municipal Affairs for approval.

2. **Vardy's Lane** - The committee visited this area and recommends that the hill section be repaired during this construction season using the Town's asphalt recycler. When the paving crew did this lane two years ago they could not get to the top of the hill.
3. **Metal Storage Containers** – The Committee recommends the Town Manager order two containers for the purpose of storing Municipal items such as tires, parts, etc. These containers will be located within the Town's Municipal Yard and will be set up and painted to match the Town Depot.
4. **T.C.H. Directional Signage** – These signs were strategically located along the Main Streets of Town. A number of these sign have been damaged and gone missing. We recommend that these signs be repaired and replaced before this summer.
5. **Tenders for Granular and Equipment**. (Town Manager to give report on successful bidders.
6. **Intersection to Grand Bay West Subdivision** – The Town Manager reported that preparation for changes to this entrance will be undertaken prior to paving crews arriving for this summer paving projects.
7. **42 Grand Bay Road** – The request received from the property owner to connect his property drainage system to the Town sewer system, was denied for the following reasons:
  - It would require digging up a section of the newly paved street of Grandview Crescent.
  - It is contrary to Municipal, Provincial and Federal Regulation to allow storm sewer runoff into sanitary sewer system.
  - The Town will be undertaking upgrades to the storm drainage system in Grand Bay Road this construction season, which runs along the front of his property. He will be able to connect to this system at that time.
8. **Garbage Storage Boxes** – The Committee discussed the ongoing issues of the poor condition some of these wooden storage boxes are in and the problems they are creating with rodents. It is proposed that our garbage truck operator make a list of these boxes and the civic addresses. These owners will be written and advised of the Town's regulations and advised to clean, repair, or replace these boxes.

\*Note – The Town's application for funding for pilot project through MMSB to implement the mobile plastic storage bins was unsuccessful. We are currently discussing ways and means to implement the program on a cost shared project between the Town and the homeowner. This will be presented in a future meeting.

9. **100 Carlbou Road** – The Committee visited the site to assess the exposed culvert. It is a safety issue and a hazard. The Town Manager explained that from his investigation the culvert was not installed by the Town and is the responsibility of the property owner. Unless the property owner has proof that the Town was involved with installing the culvert, they have to take steps to secure that area a.s.a.p. The Town Manager will write the resident advising of this.

The Town Manager advised the line painting will have to be retendered as no bids were received. Mr. MacIsaac said in discussion with other municipalities they are having difficulties getting street paint due to shortages.

Councillor Lane said if we are going to have a lack of paint maybe we can do what the Department of Highways are doing and put a pre mark out. The Town Manager said yes we can do that as we purchased some extra paint last year.

The Town Manager advised we received three tenders for granulars. One was disqualified because they didn't meet the spec. Tenders for granulars were received from Manuel's and Clifford Sheaves Construction and low bid will be awarded to them for individual granulars. We received two tenders for the excavators from Manuel's Construction and C & C Enterprise and C & C was the lowest bid.

It was moved by Councillor Lane and seconded by Councillor Battiste the Public Works Committee Report of April 26<sup>th</sup>, 2021 be adopted as presented and discussed. MC Unanimously

**Recreation Committee Report:** Deputy Mayor Strickland presented the amended Recreation Committee Report of March 11<sup>th</sup>, 2021 at 2:30 pm via google meet.

In attendance: Deputy Mayor Todd Strickland, Councillor Blackler, Councillor Coffin, Facility Manager Wanda Merrigan, Recreation Director Shauna Strickland and Town Manager Leon MacIsaac.

The meeting was to discuss the removal of the ice surface on the rink. It was agreed and recommended by the committee to start this process.

There was discussion the restructuring of the Facility Manager's position. The committee made a recommendation of support to utilize current staff to fill the position.

Councillor Lane asked if we could discuss the issue of the Facility Manager's position.

The Town Manager advised yes we can discuss it but not in a public meeting as it relates to staff. We will discuss it after the regular meeting.

It was moved by Councillor Lane and seconded by Councillor Coffin the Amended Recreation Committee Report of March 11<sup>th</sup>, 2021 be adopted as presented and discussed. MC Unanimously

**Revised CIP:** The Town Manager advised that we have to submit two revised Capital Investment Plans to the Gas Tax Secretariat for 2017 Phase I Paving Project because we underspent due to lack of availability of asphalt and the 2019 Phase II Paving Project where we overspent due to the large increase in the price of asphalt. He advised he needs a motion of Council in order to submit these revised CIPs.

Motion by Councillor Lane/Seconded by Deputy Mayor Strickland

Be it resolved:

That the Town of Channel - Port aux Basques submit a revised Capital Investment Plan to the Gas Tax Secretariat for Project 45-2019-6927 to change the total Gas Tax Fund allocation from \$409,620.00 to \$710,400.30.

Be it further resolved that the Town of Channel – Port aux Basques submit a revised Capital Investment Plan to the Gas Tax Secretariat for Project 45-2019-6660 to change the total Gas Tax Fund allocation from \$228,165.00 to \$120,798.69.

Voted for 7 /Against 0


MC Unanimously

The Town Manager said we will be continuing with our paving plan again this construction season to use our remaining gas tax funds.

Councillor Lane asked with our new gas tax funds will it double.

The Town Manager said no just this year's allotment will double. Mr. Macisaac said when this Council came on we made a statement to make a concerted effort to do as much pavement during their term as possible.

**Adjournment:** With no further business it was moved by Councillor Battiste and seconded by Councillor Lane the meeting be adjourned at 6:55 pm.

  
John Spencer  
Mayor

  
Julia Ingram  
Town Clerk