

**Town of Channel - Port aux Basques**  
**1833<sup>rd</sup> Regular Meeting**  
**January 19, 2022**

The 1833<sup>rd</sup> Regular Meeting of Council convened at 7:00 pm January 19<sup>th</sup>, 2022 Mayor Button presiding. Present were Deputy Mayor Andrews, Councillors Davis, Keeping, Lane, Ingram and Strickland. Also present were the Town Manager and Town Clerk and Incoming Town Clerk Nadine Osmond.

Before the meeting began, the Mayor presented awards for outstanding years of service to Channel-Port aux Basques as recognized by the Town and Municipal and Provincial Affairs:

Jerome Battiste for 16 years of dedication to Municipal Leadership to the Town of Channel-Port aux Basques as Councillor.

Mayor John Spencer for 16 years of dedication to Municipal Leadership to the Town of Channel-Port aux Basques as Councillor, Deputy Mayor and Mayor.

Chester Coffin for 20 years of dedication to Municipal Leadership to the Town of Channel-Port aux Basques as Councillor and Deputy Mayor.

The Mayor thanked these former council members for their years of dedication.

**Adoption of Minutes:** It was moved by Councillor Strickland and seconded by Councillor Lane that the 1832<sup>nd</sup> Regular Minutes of Council be adopted as presented and discussed. MC Unanimously

**Business Arising from Minutes:**

**Resident of 16 Main regarding Lighting on Grand Bay West Causeway:** The Town Manager advised that the request was sent to NL Power to install new poles, he will check to see if the request was completed.

**13 - 19 Grand Bay West Rd regarding invoice for Alleged Damages:** The Town Manager sent a response but a reply has not been received yet.

**Public Works Committee Report Nov 3 & 8:**

**“Love of Paws” Land in Industrial Park to Accommodate their Proposal Development –** Councillor Lane said a proposal is ready and he will review with the Mayor and Councillors before presenting to the Love of Paws group.

**Grand Bay West Gabion Cages Installation to Prevent Sea Erosion along the Trail way in the vicinity of the Matthew’s Farm –** The Town Manager needs to check with staff on an update but there may be new damages from the most recent storm.

**Historical Museum / Train Site** – The Town Manager advised that the roof on the museum building has been secured for the winter and will review quotes to replace the full roof in the spring. Also quotes will be prepared to install large post to help direct the ATV users on the proper route that goes through the Museum grounds.

**Fire Department Report November 3, 2021:**

**Cookie Campaign** – Councillor Strickland advised the funds raised through this campaign for the fire department totalled \$2604.60. The Mayor stated it was a worthwhile fundraiser, hats off to everyone.

**Fire Training Courses** – The Mayor did discuss this issue with the Minister while in St. John's. The Minister agreed he would speak to the appropriate individuals on this. Councillor Strickland requested that correspondence be sent to Fire Chief Musseau to keep him informed.

**Rain Storm / Trans Canada Highway Update:**

The Mayor advised that our staff are now assessing the damages from last night's storm (Jan 18, 2022); we have not tallied all the damages from the November storm and now we have this recent storm to assess. It is an ongoing event but in the next couple of days we will know the extent of the damages. The Town Manager advised both storms will overlap with the amount of damages. The Town received a lot of calls regarding water issues. Storms are becoming more challenging and we as residents need to be more prepared. Councillor Keeping asked about funding applications to help cover cost of damages. The Mayor advised that once the extent of damages from both storms are assessed we will be applying for financial assistance.

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

**Letter from resident of 10 Lillington Ave requesting a memory bench:** A letter was received from a resident of Lillington Avenue requesting a section of land on Read Street be set aside for the installation of a bench in memory of his grandmother. Councillor Keeping stated that the Public Works Committee can review to recommend a location and report back to Council.

**Letter from resident of 27 Bay Street regarding new activity on the Fixed Link:** A letter was received from a resident of 27 Bay Street requesting that Council keep pressing for information and discussion on the fixed link that was proposed by the Federal government. The Mayor said that there was a virtual call on January 13 with MP Gudie Hutchings about the fixed link and Marine Atlantic. The Mayor requested a full sit down meeting from Minister Hutchings with our full Council. The Minister explained that it is difficult times with the Covid restriction and that she is not travelling into any communities. The Mayor indicated to Minister Hutchings that this Council has been elected for a while

now and she has not had a sit down meeting with them. Councillor Keeping suggested that a letter be sent to the Prime Minister and Minister LeBlanc (Minister of Transport), copied to Minister Hutchings, to inquire about this. Councillor Lane said we need to push further and request the Minister of Transport to investigate the ferry rates and cost recovery; there is a big cost to the residents of the whole province. The Mayor stated that we have been battling this for years. Minister Hutchings indicated that she is looking into meeting with the most appropriate government representatives. The Mayor said we have two Cabinet Ministers that represent Newfoundland and Labrador so this is an opportunity to see if they can work on our behalf. Councillor Strickland said that the people of Newfoundland, especially on the east coast, don't really understand the big picture on how the ferry rates affect them. We need the support of the residents of the province to fight this issue. Councillor Strickland questions if we should do an educational piece on this. Councillor Keeping agrees that people of Newfoundland do not realize that the cost of everything purchased in this province is affected by the cost recovery mandate. Councillor Keeping suggested we might need to check into the cost of putting information out on public media to get support from the people of the province. Councillor Lane said we approached the attendees of the MNL to help support the cost recovery review and individual municipalities all agreed to support the issue but the MNL board did nothing for us. The Mayor suggests that we need to sit down with the MNL as well. Councillor Strickland advised that he and the former Mayor spoke to representatives at a UMC meeting but they did not get a lot of support there. The Mayor suggested that we could take that a step further and ask to be a guest speaker at the small towns meetings.

**Letter from resident of 34 Currie Avenue regarding water issue in backyard:** A letter was received from a resident of 34 Currie Avenue regarding a water issue on his property. The Public Works Committee will meet with the resident and report back.

**Letter from Qalipu Cultural Foundation requesting a donation:** A letter was received from the Qalipu Cultural Foundation requesting a financial donation to support their educational programming for the Mi'kmaq people of Newfoundland. After some discussion, the Mayor and Councillors decided not to support this request at this time.

**Letter from resident of 6A East Avenue requesting Public Works to review issue with Town's storm water system:** A letter was received from a resident of 6A East Avenue to review the Town's storm water system on her property and running water that has caused problems for them for a few years now. The Public Works Committee will review and report back.

**Letter from Department of Justice & Public Safety regarding our Municipal Emergency Management Plan:** A letter was received from the Department of Justice and Public Safety regarding our Municipal Emergency Management Plan. The Town Manager said the staff can take part in the training offered from this department. The Mayor said he participated previously in the training and it was a very beneficial exercise. The Town Clerk advised that Judy Brake, our emergency coordinator, offered to come out to offer two courses in our region for any councillor or staff. This would be open to the other municipalities on the southwest coast as well. The Town Clerk advised that our plan is being updated with new contact information that tends to change often. The Mayor and Town Manager would

like to have another tabletop event organized for our area. The Town Clerk will contact Judy Brake to request to have a table top exercise and training in the near future.

**Letter from Ronald McDonald House requesting donation for their new project:** A letter was received from Ronald McDonald House requesting a donation for their new Family Time Park project. This request was supported by the Mayor and Councillors.

It was moved by Councillor Lane and seconded by Councillor Strickland that we donate \$500.00 toward Ronald McDonald's Family Time Park project. MC Unanimously

**Letter from Department of Municipal & Provincial Affairs regarding approval of the Capital Investment Plan:** A letter was received from the Department of Municipal & Provincial Affairs stating the approval of our revised Capital Investment Plan for 2021 paving.

**Letter from the owner of 1 Legallais Street regarding garbage collection:** A letter was received from the owner of 1 Legallais Street regarding garbage collection at his apartment building and complaining about the Town Clerk. The Mayor asked the Town Manager to speak on this for the benefit of the new councillors. The Town Manager advised this resident came to Council in April of 2021 regarding this same fee structure. This waste disposal fee structure was adopted by the previous council as part of last year's budget. The fee structure was sent out all property owners including this resident. The deadline to opt out of this collection was March 2021 for commercial business but not for residential. This resident being a residential property owner and not commercial would not have been entertained by the Marine and Mountain Zone Waste Management (MMZWM) Committee as they also received correspondence on the same issue. This building has always been taxed as residential and not commercial. Residential owners pay a fee based on the number of rental units. This is the only individual that has come to council about a grievance against this fee, however the fee structure was approved by the MMZWM Committee. The previous Council told the resident that if he wished to be considered commercial his property taxes would increase but he did not request this change. He has the choice of being taxed commercial and not pay for garbage collection or taxed as residential and pay the garbage collection fee. The commercial tax rate is 2.5 mils more than residential. It was indicated that he wants to burn his own garbage but Councillor Keeping reminded everyone that all incinerators across the province have been shut down because burning is not permitted by government so this resident can't burn his own garbage. This property is assessed as commercial /industrial but he is classed as residential and has been since he has owned the building and we have not had any arguments from the other owners of residential properties.

The Town Clerk wished to note that she did not return his calls because this issue has been discussed several times and he has been advised of Council's decision over and over. Also this is the first time the four vacant units has been brought to the Town's attention as stated in his letter received on Monday. The onus is on the property owner to inform the Town of vacant units in a timely manner and the vacancies would have to be confirmed by the Town. The Town Clerk advised that she did send the resident an email stating the section of the Municipalities Act stating that services can be discontinued if taxes or fees are owing. Further discussion followed. The Town Manager will respond with a letter stating that he has to pay the invoice for 2021 or the Town will enforce the consequences. When the

2022 invoices for garbage collection are sent out and he brings up the 4 vacant units again then it can be reviewed by the Town Manager for this current year.

Councillor Davis asked about the issue of burning garbage and if anything can be done about it. The Town Manager advised that we need to draft a new open fire burning regulation, as there has been other concerns about business owners burning garbage in the industrial park area. Councillor Keeping suggested that we can get the Department of Environment involved or at least look into it. The Mayor agreed that this open fire burning regulation needs to be in place.

**Public Works Committee Report December 15:** Councillor Keeping presented the Public Works Report of Dec 12, 2021.

The Public Works Committee met on Wednesday, December 15, 2021, at 10:00 a.m. Present were Councillors Ingram, Keeping, Lane, and the Town Manager. The following items were discussed and sites visited:

1. **Caribou Road:** Request by resident expressing concerns regarding speeding in the area and requesting the speed limit be reduced to 30km per hour.

The Committee visited the area and drove the assigned speed both up and down the street from Scott's Cove Park, as far as Pizza Delight. While driving both up and down it was obvious the assigned speed limits are fine, as we had a lineup while going in both directions. (The speed limits are fine; the issue is driving above the posted limits.) Our recommendation is:

- a) We investigate placing permanent speed indicator/warning sign in the location where the speed limits change. The Town Manager will sort out the cost.
- b) Also, we will request R.C.M.P. to carry out more patrols in this area.
- c) If the measure fail, we will revisit the issue and consider changing the speed limits.

Note – If we lower the speed limit, we felt this would create the issue of vehicles passing in the area which would create a bigger problem.

2. **Resident of 38 Main Street Regrading Speeding and Crosswalks in this area:** The committee discussed this issue and recommends that all designated crosswalk and speed signs be reinstated and properly marked this Spring.

3. **Residents of 5 Main Street:** Concerns about his sewer discharge line behind First Choice Convenience due to Town's sewer upgrades and Downtown back road completion.

The committee visited the area and recommended the Town Manger take necessary steps to reroute and connect the resident's sewer line to the system that is now being installed by the Town.

4. **21 Knox Avenue:** Regrading Water Drainage from Roads and gutter onto her property.

The committee visited the area to discuss the concerns with the homeowner, however she wasn't at home. The Town Manager will take steps to correct this problem.

5. **8A Bungay Lane:**

- a) Resident in area throwing and leaving garbage around their property.
- b) Concerns over condition of Town's access steps in the area.

The committee visited the area and confirmed the residents' concerns are legitimate. Also, while there it was determined there were other issues that need to be addressed. The committee recommends the following:

- 1) The steps and handrails be repaired or replaced, if necessary as soon as the spring weather permits.
  - 2) Letters be written to the property owners responsible for the garbage and litter located in the area.
  - 3) A letter be written and sent to the owner of 6 Bungay Lane which is dilapidated and ordered to either upgrade or remove this property.
  - 4) A letter be written and sent to property owners on 95 Main Street to repair the property and remove existing garbage there now.
6. **77A Main Street:** Request for Town to install access walking or steps at bottom portion of the Lane to this area.

The Committee visited the area and given the steepness of the bottom of the Lane onto Main Street and the safety issues it poses we recommend a set of concrete steps and handrail be installed at the lower section of the Lane. Council to decide if we are going to request cost share from the residents.

**Correspondence:** Regarding lack of off-street parking by the Seniors Apartment Building next to LeGrow Health Centre. Discussed in a meeting with Minister Haggie and a letter to be sent to Western Health Board.

#### **Public Works Committee Report December 15:**

**Caribou Road:** The Mayor said that with regards to speeds in town, residential streets with 30kms are more like speedways. The speed indicator signs are effective in other towns. Deputy Mayor Andrews asked about the cost of the signs. Town Manager stated the cost is approximately \$5500.00 but we can see if we can get a better price through the Canoe procurement program.

**77A Main Street:** Councillor Keeping said there has been phones calls regarding this area. There is some asphalt on this lane but if the Town put it there it was before his time as Town Manager. Public Works figures there will be fourteen steps required to be installed.

It was moved by Councillor Strickland and seconded by Councillor Lane the Public Works Committee Report of December 15<sup>th</sup>, 2021 be adopted as presented and discussed. MC Unanimously

#### **New Business:**

##### **Fireworks:**

The Deputy Mayor wanted to have a discussion on Fireworks. Grand Falls-Windsor just put a ban in place stating certain days and certain times allowed for fireworks. The Deputy Mayor has concerns in relation to autistic kids, pets and people with PTSD or mental health issues. We should consider approved days for using fireworks. Councillor Lane asked if we can put a permit structure in place? The

Town Manager said that we would have to develop a regulation on fireworks first. Deputy Mayor Andrews said that he spoke to the local Autism group and they are in full support of this idea and since we are an Autism Friendly Town it would be a good idea to put in place. The Mayor asked if the Recreation Committee could take this on for recommendations for the regulations/bylaws. Councillor Strickland advised that this is not a new topic as he was involved in similar discussion at other provincial meetings. Fireworks are an issue for discussion with the Fire Department as well. The Recreation Committee will review and provide a report at a later date.

**Grand Bay West Beach:**

The Deputy Mayor spoke with past residents of the area and there were wooden barricades in place at the beach in the past. He wondered if gabion cages or a concrete barrier to block the parking lot would be considered. Councillor Lane said this was a point of interest of previous public works committees. Councillor Keeping said we considered looking at a concrete barrier and maybe some steps going down to the beach. It is certainly on the public works agenda now since the last storm. This will be reviewed and discussed with Council.

**Civic Holiday:**

The Town Clerk said that we are getting calls from a few businesses in town wondering about our civic holiday in August. She discussed it with the Economic Development Officer/ Recreation Director to use August 1 as our civic holiday as it coincides with the federal civic holiday, Come Home Year and Astrolabe Days. It was moved by Councillor Keeping and seconded by Councillor Lane to have August 1 as our Civic Holiday.

**Motion to Borrow:** The Town Clerk advised that the motion she asked for in our last meeting for approval to borrow for 2020/2021 Municipal Capital Works program was not acceptable to the Department of Municipal & Provincial Affairs as it has to be separate loans per project. They cannot be combined therefor she needs two new motions.

Moved by Councillor Strickland/Seconded by Deputy Mayor Andrews

**Resolution No. 01192022A dated January 19<sup>th</sup>, 2022**

Be it Resolved

The Town of Channel – Port aux Basques from the Bank of Montreal \$184,684.25 for a period of five years at an interest rate of 2.87%/five year amortization with a monthly payment of \$3,307.88 . This is Council's share of the 2020/2021 Municipal Capital Works Project Cox Avenue Reconstruction Project Number 17-RNC-21-00013.

**Resolution No. 01192022B dated January 19<sup>th</sup>, 2022**

Be it Resolved

The Town of Channel – Port aux Basques from the Bank of Montreal \$108,844.78 for a period of five years at an interest rate of 2.87%/five year amortization with a monthly payment of \$1,949.52. This is Council's share of the 2020/2021 Municipal Capital Works Project Grand Bay Road Storm Sewer Installation Project Number 17-RNC-21-0009.

Voted for 7/Against 0

**Community Sustainability Plan:** The Town Clerk reviewed this document with Council. It is a requirement from the Town every year and has to include our audit. We have to provide the amount of taxes we recovered the previous year and how we propose to collect taxes the following year. In 2020 we recovered 87% of our outstanding and current taxes. In 2019 it was 88%. The Town Clerk has placed our goal at 80% as our tax collection has been going well. For those who have difficulty paying we allow them to have a tax payment plan. We also have garnished wages for poll tax and collected rent from tenants to pay on their outstanding property taxes. As a last resort we discontinue services. As well we have to consider property auctions. On this note, the Town Clerk requested a Finance Meeting to review some doubtful accounts for write off on the advice of our auditor.

It was moved by Councillor Lane and seconded by Councillor Strickland to accept the report on the Tax Recovery Plan as presented. MC Unanimously

Councillor Lane asked to briefly discuss the storm from last night. He had a discussion with Councillor Keeping and the Town Manager on the cliff rock at the old dumpsite. We are going to have a requirement for a lot of amour stone in the very near future. Public Works and the whole Council need to have a long discussion on being prepared for damage from future storms. The Mayor agreed a lot of discussion needs to happen, as storms are more frequent and causing bigger damages.

**Adjournment:** With no further business, it was moved by Deputy Mayor Andrews and seconded by Councillor Lane the meeting be adjourned at 9:00 pm.

Brian Button  
Mayor

Julia Ingram  
Town Clerk