

MINUTES OF MEETING

GRAND FALLS-WINDSOR TOWN COUNCIL

HELD IN THE TOWN HALL

7:00 P.M., TUESDAY, JUNE 22ND, 2021

PRESENT: Mayor: Barry Manuel
 Deputy Mayor: Mike Browne
 Councillors: Rod Bennett, Amy Coady-Davis, Holly Dwyer,
 Shawn Feener, Mark Whiffen
 Staff: D. Finn, Chief Administrative Officer
 K. Antle, Director of Community Services
 N. Chatman, Director of Public Works and
 Development
 S. Gosse, Director of Corporate Services
 R. Hannaford, Communications Officer
 K. Hutchinson, Deputy Town Clerk

Prior to the meeting the Mayor signed a Proclamation for Recreation Month – June 2021.

The Mayor called the meeting to order at 7:00 P.M. and asked for any errors or omissions to the Minutes of Meeting #543 of June 1st, 2021.

Motion

Bennett\Coady-Davis

Be it resolved that the Minutes of Meeting #543 of June 1st, 2021 would be adopted as circulated. This motion carried by a vote of 7-0.

BUSINESS ARISING OUT OF THE MINUTES

None

DISBURSEMENT REPORT

Councillor Bennett presented the Disbursement Report in the amount of \$682,038.90.

Motion

Bennett\Feener

Be it resolved that the Disbursement Report in the amount of \$682,038.90 would be adopted as presented. This motion carried by a vote of 7-0.

COMMITTEE REPORTS

Community Services

The following report was presented by Councillor Coady-Davis.

COVID-19 NL Reopening Plan

The Committee discussed the COVID-19 NL Reopening Plan just released by the Provincial Government. The Plan allows for a gradual allowance for more formal gatherings throughout the summer. Outdoor gatherings after July 1st allow for two hundred and fifty (250) people and five hundred (500) people after August 15th. All other COVID-19 Regulations must be followed as well.

The Committee recommends staff plan programs and events throughout the summer as long as we follow the guidelines within this Plan. With the warm summer weather now upon us it was also recommended to open the splashpad as of June 15th with staff monitoring the COVID-19 Regulations and attendance capacity.

Thomas Amusements

The Committee discussed a request from Thomas Amusements to come to Grand Falls-Windsor from September 1st – 5th, 2021.

The Committee approves this request subject to approval from the Provincial Government and that they follow all COVID-19 guidelines.

Brownfield Developments

The Director informed the Committee staff met with Mark Whiffen who completed a research paper on the benefits of Brownfield Developments in Newfoundland and Labrador. His research focused on how to repurpose contaminated land for future Economic Development.

The Committee recommends staff research the idea and develop a policy that would work for Grand Falls-Windsor to repurpose areas such as the former Abitibi Mill site.

Billy Ballard Monument

The Director presented the Committee with a budget to construct the Billy Ballard monument. As it is difficult to erect a weatherproof and vandal proof structure for Billy's bike and cart, it would be safer to store the bike inside.

The Committee recommends the Mayor contact the Ballard family about housing the bike at the Heritage Society building and to erect a story board monument across from the Green Depot on Columbus Drive.

Economic Development Updates

The Director presented the Committee with an update of projects the Economic Development staff have been working on over the last few months.

The Committee recommends staff continue to work on these initiatives and report back to the Committee with any future developments.

I move the recommendations and report of this Committee.

Motion

Coady-Davis\Browne

Be it resolved that these recommendations and report would be adopted as circulated. This motion carried by a vote of 7-0.

Councillor Coady-Davis noted Thomas Amusements initial request came in for September 1st – 5th, but then the plan for the re-opening of the Province was released and now they have confirmed that they are coming on July 28th to August 1st instead. The splashpad was supposed to open on June 15th, but there were mechanical issues, so I would like the Director of Community Services to give us an update on that.

The Director of Community Services advised the parts are on order and we will have them tomorrow and they will be installed by the end of the week.

Councillor Whiffen discussed the concept of Brownfield Development Policy and how it can positively impact a community. Brownfield Development Policy does provide an incentive for developers to develop the contaminated land and get access to a tax rebate to offset this remediation cost.

Mayor Manuel advised that discussions were underway placing Billy Ballard's bike inside at the Heritage Society. He has spoken to the Ballard family who are in favor of that idea. Council has also committed to have a story board across from the Green Depot on the corner of Columbus Drive and Main Street with a picture of Billy and some information on the contribution that he made to our community.

Public Works and Development (1 of 2)

The following report was presented by Councillor Dwyer.

Crown Land – 77 Peddle Drive

The Committee reviewed a referral from Crown Lands for a request of backland for the resident at 77 Peddle Drive. This is an increase in area of approximately 146 square metres from the original application to bring the total to 53 square metres. The adjustment is to take in all the land currently in use.

The Committee recommends that this be approved as the request has come from Crown Lands. The Committee also recognizes that there are several incidents of residents encroaching on Crown Lands within Town boundaries and recommends staff alert Crown Lands to address this moving forward.

Land Request – 3 Beeton Place

The Committee reviewed a request for backland from the resident at 3 Beeton Place. The request is for approximately 440.9 square metres of land.

The Committee recommends the rear lot be squared off for a total of 206.83 square metres of backland.

Land Request – 68 High Street

The Committee reviewed a request from a local business owner to purchase land at 68 High Street to erect a small office building. The land is owned by the Town and is currently used for overflow parking.

The Committee recommends that the sale to the business owner be denied at this time as Council needs to give public notice on its intention to sell Town land as per Section 201.2 of the Municipalities Act. The Committee is interested in development and recommends staff complete an RFP for an Expression of Interest to develop this piece of property. All proposals would need to include a proposed development plan for Council's consideration. This would still provide an opportunity for the current interested party to purchase the land.

New Cemetery Location

The Committee reviewed a couple of proposed locations for a new Town Cemetery. The current land for cemeteries within Town will be used in the coming years and a long-term development plan is required.

The Committee recommends this be brought to a future Committee meeting as members would like additional time to review the various proposed locations.

Semi-Dump

The Committee reviewed a request from the Director of Public Works and Development for \$45,000 in funding to purchase a secondhand semi-dump to replace the existing unit. The current piece of equipment is in poor condition and the cost to repair is too excessive.

The Committee recommends this be approved.

I move the recommendations and report of this Committee.

Motion

Dwyer\Feener

Be it resolved that that these recommendation and report would be adopted as circulated. This motion carried by a vote of 7-0.

Public Works and Development (2 of 2)

The following report was also presented by Councillor Dwyer.

1 Sapling Street

The Committee reviewed a request for compensation from the resident at 1 Sapling Street for a sewer back-up that occurred in January 2019. The resident has come forward with information that was not presented in their initial claim. Council previously discussed this claim on seven (7) other occasions.

The Committee recommends that the claim be denied again as per the current Sewer Blockage Policy. The Policy states that "Blockages located in a single line are the responsibility of the owner to the main line. The Town will be responsible for replacing collapsed pipe on Town property only. Blockages in double services will be the responsibility of the owner to the Y connection."

I move the recommendation and report of this Committee.

Motion

Dwyer\Browne

Be it resolved that this recommendation and report would be adopted as circulated. This motion defeated by a vote of 3-4 with Deputy Mayor Browne and Councillors Whiffen, Feener and Bennett voting "Nay".

Councillor Whiffen stated he was voting against this recommendation, as he believes we should provide some compensation to the resident at 1 Sapling Street. He does understand that we have a Policy in place regarding blockages in single lines, but he believes that this is a unique circumstance where there was poor infrastructure planning compared to how infrastructure is laid out these days. We have in the past gone against Policy for rare circumstances and he does not believe that all the evidence that has been demonstrated leaves beyond reasonable doubt of where the location of the blockage was. The unique circumstances here is that the line where it currently sits extends beyond the property line of the resident and crosses another property where there was an existing home that has since been demolished. It has been indicated in the Committee that if a line crosses another piece of property the Town will take care of it to protect those living around them. There is no clarity on where the blockage was whether it was on his property, another property or a join, and he thinks the biggest issue here is that the resident tried to fix it himself instead of calling the Town first. For those reasons, he believes that some assistance should be provided to the resident.

Deputy Mayor Browne stated he is of the opinion that the issue with 1 Sapling Street was caused way back in the 1950's and the resident provided correspondence to Council with respect to where the service line had to be put in the first place which made no sense what-so-ever. We have reached out to former Mayors of the former Town of Windsor and they agreed with the resident and he voted against this recommendation for those reasons.

Councillor Bennett advised he also voted against this recommendation, because as stated earlier it is a unique piece of property and if it was done right back in the day, we would not have this issue today. He knows the Town is not responsible out to the main line and that this line goes across another piece of property, but this has a possible Y connection and nobody knows for sure if that connection is the problem which is a result of poor development from the former Town of Windsor. For those reasons, he voted against this recommendation.

Councillor Feener stated he also voted in favour of the resident getting compensation. The Director could not give him an answer with certainty if there was a Y connection there, and because there was another property involved this very well could be a result of the blockage. Because of these reasons, he voted against the recommendation.

Councillor Dwyer stated she was not voting in favour of compensation in this case. She thinks it is important for us that if we have a Policy that they are consistently enforced, and our Policy that has been in place for several years clearly states that blockages located in single lines are the responsibility of the owner to the main line. This blockage was not in the main line, because if it had been we would have had more residents complaining at that time. We need to stay consistent with our Policy because it is our employees that are usually the first point of contact from these homeowners and they need to be assured that we remain consistent in our own Policy that they are following. The resident had an option to hook up to Sapling Street and because it would have been more expensive, opted not to do that. For those reasons, she voted in favour of the recommendation.

Councillor Coady-Davis stated she will not be supporting compensation in this case. This case is no more unique than other requests we receive about these matters. We have a Policy set on this matter, because it is so difficult to manage and when you go outside of Policy it opens up so many other issues that come along with that. The Policy is set to ensure that our staff have direction on how to deal with these issues and she trusts the opinion of our staff when they go out to do inspection on these lines, and respect the decisions and information they bring back to management. If we start second guessing and going against that Policy it is going to create a level of distrust between staff and Council, as staff may wonder if Council is going to support what they are saying. Going against Policy is going to

create havoc, and it is encouraging residents to consistently keep coming back if they disagree with Council's decision. Seven (7) times we have discussed this, and this is not a thirty (30) second conversation, this is an hour long conversation seven (7) times that has taken away valuable time of Council to be able to discuss and make decisions on other very important items that are going on in Town. The only time Council should be discussing matters like this about going against Policy is in extreme circumstances.

Mayor Manuel agreed with Councillor Coady-Davis as this has gone back now over two (2) years and been discussed several times. The biggest reason why we cannot agree to this is because we will be going against our own Policy. He does not recall any examples of us doing that. It is ridiculous to go against Policy, that is what it is there for and we certainly cannot afford to accommodate everyone. An extreme circumstance; maybe, but that has to come with proof not speculation. The last request came with Minutes from the former Town of Windsor back in 1964, and all I got from those Minutes was that the resident was told he would not get the ideal connection if he built there. The property was built seventy (70) years ago, and we are not going back seventy (70) years and correcting everything that happened in the Town for poor infrastructure from the former Town of Windsor because it is not feasible. We cannot speculate if there is a Y connection there, the lot next door has been empty for seventy (70) years which is not our property meaning, we do not cover it. He wanted to give the resident compensation, but if we do we are opening up Pandora's Box going against our Policy. For those reasons, he voted for the recommendation.

The following Resolution was presented by Councillor Dwyer:-

RESOLUTION GF-W 2021-322

SCHEDULE "A"

2020-23 MULTI-YEAR CAPITAL WORKS PROGRAM

WHEREAS: the Town of Grand Falls-Windsor qualifies for funding under the Provincial Multi-Year Capital Works Program;

WHEREAS: all projects and funding allocation under these Agreements must be approved through the Department of Transportation and Infrastructure;

AND WHEREAS: the Town of Grand Falls-Windsor has been approved for funding under the 2020-23 Multi Year Capital Works Program;

THEREFORE BE IT RESOLVED: that the Town of Grand Falls-Windsor agrees to provide the Ultimate Recipients portion for the 2020-23 Multi-Year Capital Works Program as identified as the Municipal Share in the attached Schedule “A”.

Motion

Dwyer\Browne

Be it resolved that Resolution GF-W 2021-322 would be adopted as circulated. This motion carried by a vote of 7-0.

The following Resolution was also presented by Councillor Dwyer:-

RESOLUTION GF-W 2021-323

REVISED CAPITAL INVESTMENT PLAN

WHEREAS: the Town of Grand Falls-Windsor qualifies for funding under the Provincial Gas Tax Agreement;

WHEREAS: all spending under this Agreement must be approved through submission of a Gas Tax Capital Investment Plan;

AND WHEREAS: the Town of Grand Falls-Windsor has a funding shortfall of \$47,290.00 in Project #99-2021-7329 – Road Upgrades for Scott Avenue, and a funding shortfall of \$59,325.00 for Project #99-2021-7360 – Road Upgrades for four (4) streets (supporting documents attached);

THEREFORE BE IT RESOLVED: that the Town of Grand Falls-Windsor approves the relocation of funding under the Gas Tax Agreement for Project #99-2021-7329 in the amount of \$47,290.00 for the Project #99-2021-7360 in the amount of \$59,325.00.

Motion

Dwyer\Browne

Be it resolved that Resolution GF-W 2021-323 would be adopted as circulated. This motion carried by a vote of 7-0.

Committee of the Whole

The following report was presented by Deputy Mayor Browne.

Association of New Canadians

The Regional Settlement Co-ordinator, Ms. Judy Judge, delivered a presentation to the Committee about the activities of the Association of New Canadians in the Central Region. Ms. Judge spoke about the process that is involved for an immigrant to get settled in Canada. The Association helps these individuals get connected with employment and provides other support to help them get adjusted in their daily living in Canada.

The Committee thanked Ms. Judge for her presentation and recommends that staff remain supportive of the Association of New Canadians.

Grand Falls House Correspondence

The Committee discussed correspondence from the Provincial Government regarding the transfer of the Grand Falls House to the Town. The correspondence discusses the transfer of the Grand Falls House as being impeded by a legal claim from the Heritage Society related to expropriated land where the Long-Term Care Centre is now built. As well, the results of the Phase I Environmental Assessment on the ten (10) acres of lands where the Grand Falls House is located has been received by the Town.

The Committee recommends that the Heritage Society and the Heritage Foundation be provided with a written update on the status of the land transfer and to circulate a copy of the Phase I Report. Further, the Committee recommends discussing this issue again in a future Committee of the Whole meeting and deciding a path forward.

Salvation Army Red Shield Campaign

The Committee reviewed correspondence from the Red Shield Campaign Week and their request for a donation.

The Committee recommends that \$500.00 be approved for this purpose.

Street Resurfacing 2021

The Committee reviewed the 2021 Street Resurfacing Tender Summary and recommends that the tender be awarded to Penney Paving in the amount of \$1,369,500.75 plus HST. This award is \$91,614.55 over budget.

UV Equipment RFP

The Committee reviewed the supply of UV Treatment Equipment Tender results for the Wastewater Treatment Facility and recommends that the tender be awarded to Trojan Technologies in the amount of \$526,946.09. This award is \$246,171.18 under budget.

Thomas Amusements

Thomas Amusements have requested to be accommodated in Grand Falls-Windsor from July 28th to August 1st.

The Committee recommends this request be approved subject to them remaining compliant with any public health guidelines.

Fireworks

The Committee discussed the possibility of having fireworks on Canada Day given the recent change in the public health guidelines. Staff informed the Committee that fireworks would not be available in time for this coming Canada Day because the supplier is not able to accommodate.

As an alternative, the Committee is interested in co-ordinating a fireworks display on Grand Falls-Windsor Day and is requesting that staff explore options and report back to the Committee.

National Indigenous Peoples Day - June 21st, 2021

The Committee discussed a request from a local group that was interested in hosting an event at Gorge Park to recognize National Indigenous Peoples Day.

The Committee recommends that \$100 be approved for the purpose of purchasing hotdogs and beverages. As well, the Committee recommends that the Town raise an aboriginal flag on this day at the Town Hall.

Gorge Park Maintenance

The Committee discussed the maintenance of garbage cans at Gorge Park and on High Street. Reports are that garbage is overflowing, and that crows and seagulls are picking in garbage cans and causing litter to scatter. Staff report that the cans are emptied on Friday and Monday; however, summer students have now started work so they can be emptied more frequently. As well, staff report that new garbage cans have been ordered and that the new ones cannot be accessed by birds because the garbage is loaded from the sides on the cans.

Compost Area

The Committee discussed the concern about residents not knowing where to drop off their compost materials. The Committee recognizes that site development is not complete, but the Committee did review the site plan and encouraged staff to complete the construction as soon as possible.

Fireworks Responsible Use Campaign

The Committee requested an update on the Fireworks Responsible Use Campaign materials. Staff reported that two (2) videos have been produced and are soon ready for release to the public.

I move the recommendations and report of this Committee.

Motion

Browne\Dwyer

Be it resolved that these recommendations and report would be adopted as circulated. This motion carried by a vote of 7-0.

Councillor Bennett expressed "Thank You" to all of Council for the first time ever we raised the Mi'kmaq flag at the Town Hall in recognition of Indigenous Day. It was a great day, "Thank You" for the opportunity.

Mayor Manuel acknowledged we are happy to support the Aboriginal Day, it is an important day and it was his pleasure to attend as well. He is looking forward to events expanding in the future in support.

Deputy Mayor Browne advised New Canadians moving to Grand Falls-Windsor have to go to St. John's to write their English exam. He would like to follow up to see if that exam can be done here in Grand Falls-Windsor. He also

noted the fireworks videos are great and they are now posted to our Facebook page creating awareness about the issues fireworks cause.

Mayor Manuel expressed “Thank You” also to our Communications Officer for putting these fireworks videos together. She has been doing a great job since she was hired in August of 2020.

Councillor Dwyer advised the first video released in the series is with respect to pets and the effects fireworks has on them. The second video being released soon is with respect to people with autism. Council has agreed that before we consider creating a regulation that we try to educate residents first, so that they understand what the repercussions of fireworks are for everyone.

Councillor Whiffen noted in regards to the Association of New Canadians, he would like to speak about the Atlantic Immigration Project and what it means to receive your employer designation to be able to hire immigrants to work at your business. It is an important program for a lot of our businesses, and if anyone would like more information on it, he would encourage them to contact the Association of New Canadians on the necessary steps to follow.

Mayor Manuel advised the Association of New Canadians has been operating for a while now and is certainly a good service for people that are new here. He also advised garbage cans are ordered and we will replace all the garbage cans around Town. They are on back order, but as soon as we receive them they will be installed.

Corporate Services

The following report was presented by Councillor Bennett.

Labour Report

The Committee reviewed the labour costs as of week twenty-four (24). Total labour was \$1,501,799. This was \$121,249 (7.5%) under budget.

The Committee recommends that staff continue to monitor labour costs moving forward.

Disbursement Report

The Committee reviewed the Disbursement Report in the amount of \$682,038.90 and recommends this be presented at the next Council meeting.

Cash Collection Report

The Committee reviewed taxation collection for May 2021. Total taxation receivable as of that date was \$6,102,293 (\$7,710,299 – 2020) a decrease of \$1,608,005 (20.86%) from the previous year.

The Committee recommends that staff continue to work with residents and businesses to get all outstanding taxes paid as soon as possible. In addition, residents are reminded to contact the Corporate Services Department at 709-489-0402 to discuss payment options, or to set up a payment plan.

Funding Request – Youth 2000 Centre (Y2C)

The Committee reviewed a request from the Youth 2000 Centre (Y2C) to support their fundraising efforts.

The Committee recommends \$100 be approved.

I move the recommendations and report of this Committee.

Motion

Bennett\Feener

Be it resolved that these recommendations and report would be adopted as circulated. This motion carried by a vote of 7-0.

NOTICE OF MOTION

None

OTHER BUSINESS

Councillor Bennett noted tomorrow is Grad Day for Exploits Valley High, it is virtual this year due to COVID-19, but can be watched live on Rogers Cable. He read out a statement to explain why he cannot vote on anything related to negotiations as he is in a conflict of interest. He advised that his wife is a unionized CUPE Local 1349 worker with the Town of Grand Falls-Windsor and therefore in conflict so he will remove himself from meetings and voting in association with the negotiations. He also advised that if anyone has questions or would like information regarding the same to contact someone else on Council.

Mayor Manuel explained that conflicts of interest come up from time to time and those involved remove themselves from discussion. This is not an uncommon practice.

Councillor Dwyer noted the clean-up is complete and would like to thank staff for that valued service. She also wanted to thank the paint crew for pushing to get our crosswalks painted. There has been an obvious improvement around Town just in time for the last day of school. She reminded residents of our Water Conservation Policy as it has been a very dry spring and summer, but we have to make sure our reservoir is adequate. So homes with odd numbers can water their lawns Wednesday, Friday and Sunday and those that have homes with even numbers can water their lawns Tuesday, Thursday and Saturday with no lawn watering on Mondays at all. For those people with new lawns these guidelines do not apply.

Councillor Whiffen wished the Exploits Valley High Grads congratulations, and to have a safe and happy summer.

Deputy Mayor Browne expressed congratulations to the graduates. He noted he and the Director of Public Works and Development met with a representative from NL Power about the distance of the lights from the road on Grenfell Heights, and the process has started to get them moved closer to the road. 2016 was when the Liberal Administration promised to pave Grenfell Heights Extension, he thinks it is time for them to get that done.

Councillor Coady-Davis expressed congratulations to the Exploits Valley High Grads, who's Graduation will be live streamed on Rogers Cable and we will have that link on our Facebook page. The motorcade will be held at 6:30 P.M. and the route is also posted on our Facebook page. She wished all students a happy summer.

Mayor Manuel expressed congratulations to the Grads. He also said we take water for granted, but it is important to follow guidelines during the dry weather. Happy summer to all residents.

Motion

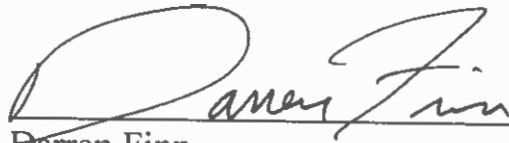
Browne\Coady-Davis

Be it resolved that the meeting of the Grand Falls-Windsor Town Council would be adjourned until the next regular scheduled meeting of July 13th, 2021. This motion carried by a vote of 7-0.

The meeting adjourned at 8:21 P.M.



Barry Manuel
Mayor



Darren Finn
Chief Administrative Officer