

MINUTES
VILLAGE OF NEWBURY COUNCIL MEETING
MONDAY, DECEMBER 9, 2024
5:00 pm
Council Chambers



Council: Reeve Diane Brewer
Councillor Kevin Derbyshire (left at 7:00 pm)
Councillor Clyde Harris
Councillor Russell Patton
Councillor Randy Smith

Staff: Cathy Case, Clerk-Treasurer
Chad Trethewey, Fire Chief (for part of meeting)
Marion Ramos Cabral, Planner (for part of meeting)

1. **CALL TO ORDER**

Reeve Brewer to call the meeting to order.

2. **DECLARATION OF PECUNIARY INTEREST**

The Municipal Conflict of Interest Act requires any member of Council to declare a pecuniary interest and the general nature thereof; and, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

There were no pecuniary interests declared.

3. **TIMED EVENTS**

5:05 PM Rob Griffore, E& J Griffore Farms
RE: Wellington Street Subdivision Swale

Rob Griffore attended the meeting. Reeve Brewer gave Mr. Griffore permission to address Council. Mr. Griffore advised that he heard about the proposal to put a swale on his property adjacent to the Wellington Street Subdivision. He advised that the field has been systematically tiled with 4" tile to a 6" main along the border with the residential lots on Wellington Street west. The outlet is to the drain behind CPE property. He intends to clean up the property. Mr. Griffore is not interested in a swale or closed drain on his property.

**6:00 PM PUBLIC MEETING – ZONING BY-LAW AMENDMENT APPLICATION
 ZBA-01-2024
 38 & 40 Broadway Street, Newbury
 Owner: Gary Field Homes Inc.**

Moved By: Councillor Harris

Seconded By: Councillor Smith

“RESOLVED THAT the public meeting for the hearing of Zoning By-law Amendment Application ZBA-01-2024 be opened at 6:00 pm.” – Carried.

The purpose of the Zoning By-law Amendment application ZBA-01-2024 is to rezone the lands at 38 & 40 Broadway Street from the “Residential First Density (R1)” Zone to a new site-specific “Residential First Density exception 7 (R1-7)” Zone to permit the development of 4 townhouse units.

Planner Marion Ramos Cabral was in attendance for this portion of the meeting. Gary Field, Debra Denuke and Attila Brontiu were in attendance.

Planner Ramos Cabral reviewed her report recommending approval of the proposed zoning amendment. Council also reviewed written comments from the public. There were no questions or concerns from Council. Those in attendance were provided an opportunity to speak to the application.

Moved By: Councillor Smith

Seconded By: Councillor Patton

“RESOLVED THAT the public meeting for the hearing of Zoning By-law Amendment ZBA-01-2024 be closed and Council resume regular session.” – Carried.

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Zoning By-law Amendment Application ZBA-01-2024, filed by Gary Field Homes Inc. to rezone the lands at 38 and 40 Broadway Street from ‘Residential First Density (R1)’ to ‘Residential First Density exception 7 (R1-7)’ be approved.” – Carried.

4. COUNCIL MINUTES

Minutes of the regular Council meeting held on November 13, 2024 were reviewed.

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT the minutes from the regular Council meeting held on November 13, 2024 be approved as circulated.” – Carried.

5. BUSINESS ARISING FROM THE MINUTES

6. CORRESPONDENCE**NON-ACTION CORRESPONDENCE**

- 6.1 County of Middlesex – Middlesex County Council Meeting Highlights- November 12, 2024 and November 26, 2024
- 6.2 County of Middlesex – Notice of Special Meeting pursuant to Section 26 of the Planning Act, Tuesday, January 14, 2025, 3:00 pm.
- 6.3 Ministry of Municipal Affairs and Housing – amending Ontario Regulation 299/19 – Additional Residential Units to facilitate creation of additional residential units
- 6.4 Ministry of Environment, Conservation and Parks – Cyber Security- Municipal Drinking Water Systems and Wastewater Facilities
- 6.5 Thank you Legion Br. 583 Poppy Fund Chairperson

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council receive and file correspondence items 6.1 to 6.5.” – Carried.

ACTION REQUIRED CORRESPONDENCE

- 6.6 Township of King – requesting the redistribution of Provincial Land Transfer Tax and GST to municipalities for sustainable infrastructure funding

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council receive and file correspondence items 6.6.” – Carried.

7. STAFF REPORTS**7.1 Fire**

Fire Chief Chad Trethewey attended the meeting at 5:20 pm.

i) Training Update

The Project Zero door to door campaign is considered training for firefighters and a public education exercise. Pamphlets were handed out door to door. Alarms were left at residences that had old systems (not hard wired to home). As not all streets were covered, a program will be established for residents to receive a monitor. No firefighters are registered to attend certification training.

ii) Firefighter Recruitment

A new junior firefighter has joined the department.

iii) Firehall Flooring Replacement Project

The Clerk-Treasurer advised that the rooms need to be cleared of all furniture and other items. Drywall will be removed and replaced as required. A new toilet will be installed; the hanging sink will be replaced with new if contractor cannot rehang.

Fire Chief Trethewey reported:

- Structure fire on December 4th; NFD on site in 7 minutes; Fire Inspector to investigate and provide report; perimeter fencing was erected due to safety concerns—fence will be removed on satisfactory clean up completed.
- Meeting being set up with FCHS Emergency Coordinator
- Firefighter remuneration is being calculated

Fire Chief Trethewey left the meeting at 6:00 pm.

7.2 Building Services

The Building Services Report for November 2024 was reviewed.

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT Council accept the Building Services Report for November 2024 as presented.” – Carried.

7.3 By-law Enforcement

The November By-law Enforcement Report had not been submitted.

7.4 Animal Control

The Humane Society London Middlesex has not submitted the Q3 report.

7.5 Water

i) DWQMS

- (a) Annual Risk Assessment Review (DWQMS Element 7 and Element 8)

Moved By: Councillor Smith

Seconded By: Councillor Harris

“RESLOVED THAT Council confirm Element 7 and Element 8 of DWQMS as reviewed and discussed.” – Carried.

(b) Mock Emergency Exercise (DWQMS Element 18)

The 2024 mock emergency exercise was conducted as per Element 18. The scenario was that the analysis of the water sample taken on December 9, 2024 indicated that there was an adverse water quality result in the sample from the Municipal Office. An Adverse Water Quality Report has been submitted. This report is received by Sco-Terra Operations Group and the Clerk-Treasurer. Council and Top Management/DWQMS Representative reviewed that actions must be taken to address the situation, including finding the emergency contact phone numbers in Tab 16.a. and what follow up procedure and corrective actions are required.

ii) Tri-County Water Board of Management Meeting

Agenda from November 19, 2024 Tri-County Water Board of Management Meeting and Minutes from September 24, 2024 meeting were reviewed. Note: Budget meeting scheduled for Tuesday, December 17 at 9:00 am.

iii) Ministry of the Environment, Conservation and Parks Inspection Report

A copy of the Inspection of Newbury Distribution System conducted on July 16, 2024 by the Ministry of the Environment, Conservation and Parks was reviewed. The final inspection rating was 100%.

iv) External Audit Services – Intertek/SAI Global

An external audit by approved third party provider is required annually. Intertek/SAI Global has been engaged by the Village of Newbury to conduct audits. Renewal of agreement for services is required.

Moved By: Councillor Derbyshire

Seconded By: Councillor Smith

“RESOLVED THAT Council approve the renewal of agreement with Intertek/SAI Global as circulated for external audit of DWQMS.

7.6 Sewer

7.7 Administration

i) Framework for Processing and Evaluating Settlement Area Boundary Expansion Proposals

The County Planning Department is recommending that the Council of the Village of Newbury adopt a formal policy to follow for settlement area boundary expansion proposals. The need for the policy is due to changes made to provincial legislation to accommodate accelerated housing development. The Framework for Processing and

Evaluating Settlement Area Boundary Expansion Proposals will ensure that applications are complete (ie what documents must be submitted) and consistent.

Moved By: Councillor Harris

Seconded By: Councillor Smith

"RESOLVED THAT Council has no concerns with the Framework for Processing and Evaluating Settlement Area Boundary Expansion Proposals as prepared and submitted by the County of Middlesex.

ii) Wellington Street Subdivision Swale on Municipal Property

The developer is looking to proceed with an agreement drain for the swale proposed to be constructed on private and Village property (park). Council approved the swale in principle at the November meeting but no specifics on the impact to the park were available. Council reviewed the swale information submitted and directed staff to provide the developer with the contact information for Rob Griffore (E & J Griffore Farms) the owner of property adjacent to the subdivision and would be a party to an agreement drain for swale as proposed.

iii) Limerick Landfill Closure

Council reviewed correspondence from the Municipality of Southwest Middlesex about the potential cost to the Village for the closure of the Limerick Landfill. The actual costs will not be known until the tender process closes later in December.

vi) Drainage Review – Broadway Street

Council directed that a plan for review of the drainage on Broadway Street and area be incorporated into the 2025 budget for consideration.

vi) Outdoor Skating Rink

Council will determine the feasibility of installing an outdoor skating rink in the new year.

7.8 Financial

i) Accounts Listing

Moved By: Councillor Smith

Seconded By: Councillor Patton

"RESOLVED THAT Council approve the accounts in the amount of \$117,255.50 as presented." – Carried.

ii) OPP 2025 Billing Update

In October, the Village received notification that the 2025 OPP billing would be \$118,054.00. It was announced at the end of November that the Province was revising the 2025 costs. Notice was received that the 2025 OP billing is revised to \$101,788.00 (an increase of \$3,028.00 over 2024 instead of the initial \$19,294 proposed increase).

iii) Financial Report

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council accept the financial report as circulated.” – Carried.

8. NEW BUSINESS

8.1 Council Member Business (Each council member is given the opportunity to bring new business to the table.)

Councillor Patton advised that the beaver dam has been knocked down to prevent the backup of water in the drain.

8.2 Other

Clerk-Treasurer Case advised that the owners of 1838 Coltsfoot Drive are preparing to apply for a building permit for a new residence. The previous Council had an agreement prepared to allow private water and septic system due to distance from the municipal systems.

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council authorize the Reeve and Clerk-Treasurer to sign the Servicing Agreement for 1838 Coltsfoot Drive.” – Carried.

Case also provided Council with a drawing for the sewer connection for 25 York Street. The connection was designed by Sco-Terra Operations Group as the Village does not have a construction standard. The drawing will be provided to the contractor for review.

9. CLOSED SESSION

There was no closed session of Council.

10. RISE AND REPORT FROM CLOSED SESSION

11. BY-LAWS

11.1 By-law No. 17-24, being a by-law to amend the Comprehensive Zoning By-law

Moved By: Councillor Patton

Seconded By: Councillor Smith

“RESOLVED THAT By-law No. 17-24, being a by-law to amend By-law No. 692, being the Comprehensive Zoning By-law of the Village of Newbury be given first, second and third reading this 9 day of December, 2024.” – Carried.

11.2 By-law No. 18-24, being a by-law to confirm the proceedings of Council

Moved By: Councillor Harris

Seconded By: Councillor Smith

“RESOLVED THAT By-law No. 18-24, being a by-law to confirm the proceedings of the Council of the Village of Newbury be given first, second and third reading this 9 day of December, 2024.” – Carried.

12. ADJOURNMENT

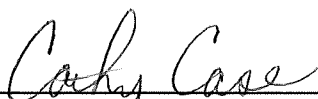
Moved By: Councillor Harris

Seconded By: Councillor Patton

“RESOLVED THAT Council adjourn at 7:30 pm.” – Carried.



REEVE DIANE BREWER



CLERK-TREASURER CATHY CASE