

MINUTES  
NEWBURY MUNICIPAL COUNCIL  
Monday, September 13, 2021  
6:00 p.m.

Royal Canadian Legion Br.583, 22 Durham Street



MEMBERS PRESENT: Reeve Diane Brewer, Councillor Ron Challis, Councillor Mike Noe, and Councillor Russ Patton

REGRETS: Councillor Stacey Goldrick

STAFF PRESENT: Cathy Case, Clerk-Treasurer  
Fire Chief Chad Trethewey (for part of meeting)

**CALL TO ORDER**

Reeve Diane Brewer called the meeting to order at 6:00 pm. Reeve Brewer noted that the change in location for the meeting was to comply with current Covid-19 protocols.

**1. 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.

Councillor Noe declared a pecuniary interest in agenda item 8-Accounts, specifically #8.48.7.

Councillor Patton declared a pecuniary interest in agenda item 2.1.3 Water Connections Outside Village of Newbury and item 8-Accounts, specifically #8.45 and #8.48.6.

**2. DELEGATIONS & TIMED EVENTS:**

**6:00 pm Mitchell Geerts, MPW Chartered Professional Accountants**  
RE: Presentation of the 2020 Financial Statements for the Village of Newbury and Newbury Community Services.

Moved by: Councillor Patton

Seconded by: Councillor Noe

"THAT the Council of the Village of Newbury receive and accept the 2020 Consolidated Financial Statements as presented." – Carried.

Moved by: Councillor Challis

Seconded by: Councillor Noe

"THAT the Council of the Village of Newbury appoint MPW Chartered Accountants LLP as Auditor for 2021 under Section 296(1) of the Municipal Act." – Carried.

**6:30 pm Ed and Kim Markham, 9 Durham Street**  
RE: Flooding and drainage

Ed Markham advised Council of storm water flooding experiences at 9 Durham Street. Mr. Markham expressed concern that much of the water is run off diverted from Hagerty Road. There is a private drain in the area behind his residence, but it does not appear to be properly functioning and is likely quite old. Councillor Noe advised that Council does not get involved with private drainage. Council advised Mr. Markham that an option is to petition for a municipal drain.

**6:45 pm Vance Blackmore, Amber and Jeff Wernham**  
RE: Water and Sewer Extension on Coltsfoot Drive

Vance Blackmore along with Amber and Jeff Wernham attended the meeting requesting Council reconsider requiring a proposed new residence on Coltsfoot Drive to connect to Village water line and sewer system. Mr. Blackmore advised that the new residence is over 650 metres from connections and of the challenges due to natural features and existing infrastructure. He noted that Entegrus and Hydro One have come to an agreement for hydro services. Council requested that staff prepare a report on the extension of services for consideration at the next meeting.

**7:00 pm Carol Small, Ken Beecroft and Mary Vanderwal, Committee to Establish a Middlesex County Archives**  
RE: Establishing central archive for Middlesex County

Carol Small addressed Council on the need to establish a central archive repository for all of Middlesex County, similar to those established in other Counties. The delegation is presenting to County Council on September 28, 2021.

## **2.1 WATER:**

### 1. Water Financial Report

Moved by: Councillor Noe

Seconded by: Councillor Patton

“THAT the water financial report for period ending August 31, 2021 be accepted as presented.”

– Carried.

### 2. DWQMS – Water Administrator Betty Gordon Update

Moved by: Councillor Noe

Seconded by: Councillor Patton

“THAT Council accept the report dated September 9, 2021 as submitted by Water Administrator Betty Gordon.” – Carried.

### 3. Water Connections Outside Village of Newbury

Water Administrator Betty Gordon circulated an email requesting confirmation on the process for outside Village water connections and approval of an updated list of contractors.

Moved by: Councillor Noe

Seconded by: Councillor Challis

“THAT the Council approve the process of Village staff making arrangements for connections to the Newbury water line at properties outside of the Village and that all costs for individual water connections, such as, but not limited to the contractor, water connection products including a water meter and water superintendent rates, over and above the initial connection fee be the responsibility of the property owner.” – Carried.

Moved by: Councillor Challis

Seconded by: Councillor Noe

“THAT Council approve amending the list of approved contractors by removing River Valley and adding Patton Grading and Excavating Ltd.; and that Mike Golding be included as an approved contractor for water tap purposes.” – Carried.

## 2.2 SEWER:

### 1. Sewer Financial Report

Moved by: Councillor Patton

Seconded by: Councillor Challis

“THAT the sewer financial report for period ending August 31, 2021 be accepted as presented.” – Carried.

### 2. Sco-Terra Call Out Report

(a) Sewage pump-out at Four Counties Hospital

(b) Battery back-up failure – replacement unit has been purchased

3. Approval of purchase of a portable Dissolved Oxygen (DO) Meter and probe for use at the Newbury Wastewater Treatment Plant. Sco-Terra is recommending purchase from Hach Canada at a quoted price of \$2,824.00 plus taxes.

Moved by: Councillor Challis

Seconded by: Councillor Patton

“THAT Council approve the purchase of a portable Dissolved Oxygen (DO) Meter and probe for use at the Newbury Wastewater Treatment Plant from Hach Canada at a price of \$2,824.00 plus taxes as recommended by Sco-Terra.” – Carried.

## 2.3 DRAINAGE:

None.

**2.4 FIRE:**

Fire Chief Chad Trethewey presented his report at 7:45 pm.

Chief Trethewey advised that training is continuing. CPR recertifications are scheduled. The annual pump test has been completed and the foam line has been replaced. There was one call out which ended up being a false alarm.

Effective September 13<sup>th</sup>, Newbury Fire Department is participating in tiered response.

The defibrillator has been checked under the Middlesex-London Emergency Services PAD program. An order is pending for bunker suits. New nozzle and flashlights have been purchased.

**2.5 BY-LAW ENFORCEMENT:**

Garett McCloud By-law Enforcement Officer did not submit a report for August. Three (3) Orders to Comply (2 grass and weeds and 1 fence repair) were issued with compliance date of September 9, 2021. Six (6) notices to have 911 signs in compliance with by-law were sent with compliance date of September 27, 2021.

Council requested that the By-law Enforcement Officer attend the next meeting.

**2.6 CHIEF BUILDING OFFICIAL:**

RSM Building Consultants have attended the office. One (1) final inspection has been completed. Construction sites were visited and backlog of permits are being addressed.

**3. COUNCIL MINUTES:**

Council minutes of the regular Council meeting held on August 9, 2021.

Moved by: Councillor Noe

Seconded By: Councillor Patton

“THAT the minutes from the regular Council meeting held on August 9, 2021 be approved as circulated.”

**4. BUSINESS ARISING FROM THE MINUTES:**

1. Flagpole installation is being planned. have been delivered.
2. Gerber Electric will install the light for the toboggan hill later this summer/fall.

**5. CORRESPONDENCE:****INFORMATION ITEM**

1. City of Brantford – commitment to being a Garden Friendly City
2. Glencoe District High School – Thank you for donation to 2021 Commencement
3. Ombudsman Ontario – Annual Report 2020/2021
4. Municipal World magazine – September 2021 edition is available at the office. Attached is listing of articles.
5. Tim L Dobbie Consulting – final report to St. Clair Region Conservation Authority Board of Directors on Development Application Process Review
6. Middlesex County Planning Department
  - (a) Acknowledgement & Acceptance Letter – Official Plan Amendment 13
  - (b) Durk Vanderwerff, Director of Planning – report to County Council Committee of Whole recommending approval of Official Plan Amendment 13
7. St. Clair Region Conservation Authority – Meeting Highlights June 24, 2021
8. Steve Clark, Minister of Municipal Affairs and Housing – Site Plan Control Guide
9. Mark Brown, Woodlands Conservation Officer/Weed Inspector, Middlesex County – report to County Council Committee of Whole on LDD Moth (European Gypsy Moth)
10. Sandy Campbell (Mudmen) – advising of availability for shows

**6. ACTION REQUIRED ITEMS:**

1. Municipality of Chatham-Kent requesting support for resolution supporting affordable internet.

Moved by: Councillor Noe

Seconded by: Councillor Patton

“THAT the Council of the Village of Newbury support the Municipality of Chatham-Kent calling on the Federal Cabinet, Prime Minister Justin Trudeau, and ISED Minister Francois-Phillippe Champagne to overrule the CRTC’s reversal and immediately implement the evidence-based 2019 Rates Order.” – Carried.

2. Perth County requesting support for provincial review of the Municipal Property Assessment Corporation (MPAC)

Moved by: Councillor Challis

Seconded by: Councillor Patton

“THAT the Council of the Village of Newbury note and file the correspondence from Perth County.” – Carried.

3. Municipality of Leamington requesting support for the recommendations from the Association of Municipalities of Ontario (AMO) to address joint and several liability and rising municipal insurance costs

Moved by: Councillor Noe

Seconded by: Councillor Challis

“THAT the Council of the Village of Newbury support the resolution from the Municipality of Leamington and support the recommendations from the Association of Municipalities of Ontario (AMO) to address joint and several liability and rising municipal insurance costs.” – Carried.

4. Municipality of Trent Lakes requesting support for province to recognize the value that access to quality eye care brings to all Ontarians and act now to protect it and to address the OHIP-insured eye care immediately

Moved by: Councillor Challis

Seconded by: Councillor Noe

“THAT the Council of the Village of Newbury support the resolution from the Municipality of Trent Lakes in requesting the Provincial Government recognize the value that access to quality eye care brings to all Ontarians and act now to protect it and that the Provincial Government address the OHIP-insured eye care immediately and enter into legally-binding negotiations with Ontario Optometrists to fund these services at least to the cost of delivery.” – Carried.

## 7. FINANCIAL REPORTS:

Moved by: Councillor Challis

Seconded by: Councillor Patton

“THAT the financial reports for the period ending August 31, 2021 be accepted as presented.” – Carried.

## 8. ACCOUNTS:

Clerk-Treasurer Cathy Case advised there were two additions to the accounts:

- Natasha Hodgkin-grass cutting various properties \$250.00
- Sco-Terra-Sewer-August Callouts \$3,092.70

Moved by: Councillor Patton

Seconded by: Councillor Challis

“THAT the accounts totaling \$102,868.37 be approved as presented.” – Carried.

## 9. (a) NEW & UNFINISHED BUSINESS

1. Ron Sharpe has provided a price of \$3600.00 per tree for the trees located at southeast corner of Dundas and York and the southwest corner of Queen and York. He has advised that the trees are in poor condition.

Moved by: Councillor Patton

Seconded by: Councillor Challis

“THAT Council advise the owner of the property at the corner of Queen Street and York Street of the condition of the tree and request consideration of cost-sharing with the Village for its removal.” – Carried.

2. Request from Diana Lewis of 23103 Hagerty to have garbage collection charge removed from tax bill.

Council denied the request from Diana Lewis to have the garbage collection charge removed from the property tax bill.

3. Municipal Recognition of September 30<sup>th</sup> as National Day of Truth and Reconciliation. This has been designated as a statutory holiday federally but not provincially.

Council was advised that the postal council will be closed on September 30<sup>th</sup> in observance of the statutory holiday. There will be no mail delivery that day.

4. Media release from Medical Officer of Health Strongly Recommends All Businesses Implement Mandatory Covid-19 Vaccination Policies. Staff are consulting with the County Human Resources Department and other municipalities regarding a vaccination policy. An update on the issue will be on the next agenda.
5. Village drains and other drainage issues were brought to Council’s attention at the August 9, 2021 meeting. With the assistance of Councillor Patton, we were able to have a vac truck and camera in the Village to do inspections on Thursday, August 19<sup>th</sup>. Maintenance Worker Melanie Postel attended with the truck and has provided a report on the findings. A USB with the videos was provided.
6. AMCTO 2022 Municipal Elections Training is available. I am requesting permission to register for the individual access at a cost of \$400.00 plus hst. The 2021 budget includes \$200.00 for training; part of the cost can be considered a prepaid for 2022 and included in the 2022 budget.

Moved by: Councillor Noe

Seconded by: Councillor Patton

“THAT Council approve the registration for individual access to the AMCTO 2022 Municipal Elections Training at a cost of \$400.00 plus hst.” – Carried.

7. McNaughton Home Hardware has requested that a ‘no parking’ area be designated on west side of Hagerty from the edge of the south entrance to their parking lot of at least one car length. With the location of the food truck, patrons have been parking close to the entrance. This is causing an issue with traffic entering and exiting the parking lot (especially large vehicles). Signage will be required to be posted.

Moved by: Councillor Challis

Seconded by: Councillor Patton

“THAT Council support and approve the designation of a no parking spot as requested by McNaughton Home Hardware and that staff be directed to undertake process to have completed.”—Carried.

8. The contract for waste and recycling collection with Waste Connections expires December 31, 2021.

Moved by: Councillor Noe

Seconded by: Councillor Patton

“THAT Council direct the Clerk-Treasurer to contact Waste Connections to discuss contract renewal pricing.” – Carried.

9. Director of Library Services for Middlesex County Lindsay Brock has advised that the Newbury Library Branch is tentatively scheduled to re-open after Thanksgiving. Staff will arrange for cleaning once date is confirmed.

#### 9. (b) OTHER BUSINESS:

There was no other business brought forward from Council Members.

Reeve Brewer advised of announcement of the third intake under the Municipal Modernization Program by the Minister of Municipal Affairs and Housing.

#### 10. CLOSED SESSION

Moved by: Councillor Noe

Seconded by: Councillor Challis

“THAT Council move to closed session with the inclusion of the Clerk-Treasurer under the authority of the Municipal Act, section 239(2) (b) personal matters about an identifiable individual including municipal or local board employees and (c) labour relations or employee negotiations at 8:45 pm.” – Carried.

#### 11. RISE AND REPORT

Moved by: Councillor Patton

Seconded by: Councillor Challis

“THAT Council rise from closed session at 8:55 pm and resume regular session.” – Carried.

Moved by: Councillor Noe

Seconded by: Councillor Patton

“THAT staff proceed as directed in closed session.” – Carried.

#### 12. BY-LAWS

1. By-law 117-21, being a by-law to confirm proceedings of the Council of the Village of Newbury.

Moved by: Councillor Noe

Seconded by: Councillor Challis

“THAT By-law 117-21, being a by-law to confirm proceedings of the Council of the Village of Newbury is given first and second reading this 13 day of September, 2021.” – Carried.



Moved by: Councillor Patton

Seconded by: Councillor Challis

“THAT By-law 117-21 be given third reading, taken as read, properly signed and sealed, and numbered 117-21, this 13 day of September, 2021.” – Carried.

13. ADJOURNMENT:

Moved by: Councillor Noe

Seconded by: Councillor Challis

“THAT the meeting be adjourned at 9:00 pm.” – Carried.

  
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REEVE DIANE BREWER

  
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CLERK-TREASURER CATHY CASE

