

MINUTES  
VILLAGE OF NEWBURY COUNCIL MEETING  
WEDNESDAY, MAY 17, 2023  
6:00 pm  
Council Chambers



Council Present: Reeve Diane Brewer  
Councillor Kevin Derbyshire  
Councillor Clyde Harris  
Councillor Russell Patton

Regrets: Councillor Randy Smith

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

1. **CALL TO ORDER**

Reeve Brewer called the meeting to order at 6:00 pm.

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.

None declared.

3. **DELEGATIONS & TIMED EVENTS**

**6:05 PM**

**3.1 Four Counties Health Services Foundation  
Four Counties Health Services  
Tom Jeffery, FCHS Foundation Chair  
Steph Ouellet, MHA VP Strategic Partnerships  
Jackie Van Eerd Beatty, Fundraising Coordinator  
RE: Patient Medical Equipment Appeal**

Council received a presentation from the representatives of Four Counties Health Services on the hospital services and the 2023 fundraising campaign.

**6:30 PM**

- 3.2 Middlesex Federation of Agriculture**  
**Crispin Colvin, Director**  
**Karen McLean, Director**  
**RE: Update from the MFA**

Council received a presentation on agriculture in Middlesex County and Ontario. Mr. Colvin urged Council to consider the impacts of Bill 97 on the farming industry.

**6:45 PM**

- 3.3 Heather Jacobs and Nikki Clark**  
**RE: Appin Community Victory Gardens Project**

Council received a presentation on their endeavour to establish a community garden in Appin.

**7:15 PM**

- 3.4 Helena Janik**  
**RE: Noise Complaint**

Helena Janik spoke to Council about the ongoing issue of noise on Durham Street. She advised that police have been called on several occasions. Ms. Janik requested that Council consider implementing a noise by-law.

#### **4. COUNCIL MINUTES**

- 4.1 Minutes of the regular Council meeting held on April 11, 2023.

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT the minutes from the regular Council meeting held on April 11, 2023 be approved as circulated.” – Carried.

#### **5. BUSINESS ARISING FROM THE MINUTES**

- 5.1 Site Plan Control By-law (no update)  
5.2 Entrance/Welcome Sign Repair (to be addressed in budget)  
5.3 911 Signs on Concession – will be relocated in spring as needed

#### **6. CORRESPONDENCE**

##### **NON-ACTION CORRESPONDENCE**

- 6.1 Municipal World – May 2023

- 6.2 Town of Ashfield-Colborne-Wawanosh – Municipal Night at Kingsbridge Centre, Friday, June 2, 2203
- 6.3 Canadian Heritage – Notice of approval of \$4,000.00 Newbury Celebrates Canada Day Grant
- 6.4 County of Middlesex – Middlesex County Council Meeting Highlights-April 11, 2023 and May 9, 2023
- 6.5 County of Middlesex – Land Use Planning 101, Wednesday, June 28, 2023
- 6.6 County of Middlesex – Invitation to the Middlesex County Warden’s Charity Golf Tournament, The Fox Golf Club, Thursday, June 22, 2023
- 6.7 Minister of Natural Resources and Forestry – Spongy Moth Information
- 6.8 Emergency Management Ontario – compliance with EMCPA requirements has been achieved for 2022
- 6.9 Glencoe District High School – Invitation to present Village of Newbury Award at Commencement Awards Night on Thursday, October 5, 2023

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council receive and file correspondence items 6.1 to 6.9.” – Carried.

#### **ACTION REQUIRED CORRESPONDENCE**

- 6.10 Town of Plympton-Wyoming & Town of Coburg and Municipality of Tweed – support for resolution from the Municipality of Chatham-Kent regarding reducing municipal insurance costs

Moved By: Councillor Harris

Seconded By: Councillor Patton

“RESOLVED THAT the Council of the Village of Newbury support the resolutions calling for reduction in municipal insurance costs.” – Carried.

- 6.11 City of Stratford – requesting support for resolution – use of long-term care funding to support community care services

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council receive and file correspondence item 6.11 from the City of Stratford.” – Carried.

- 6.12 Town of Plympton-Wyoming & Town of Coburg – support for the reinstatement of legislation permitting a municipality to retain surplus proceeds from tax sales

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council support the reinstatement of legislation to permit a municipality to retain surplus proceeds from tax sales.” – Carried.

6.13 Town of Fort Erie – requesting support for change to the municipal oath of office

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council receive and file correspondence item 6.13 from the Town of Fort Erie.” – Carried.

6.14 National Chronic Pain Society – requesting a resolution to the Government of Ontario to maintain OHIP coverage for chronic pain treatments and continue to provide much-needed care for the people of Ontario

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council receive and file correspondence item 6.14 from the National Chronic Pain Society.” – Carried.

6.15 Township of Bonfield & Town of Plympton-Wyoming – support for resolution to have the street name, number and postal code for donors to municipal election campaigns protected by removing same from publicly available forms

Moved By: Councillor Harris

Seconded By: Councillor Patton

“RESOLVED THAT Council receive and file correspondence item 6.15 from the Township of Bonfield and Town of Plympton-Wyoming.” – Carried.

6.16 Municipality of Tweed – requesting support for resolution calling on Province to facilitate, coordinate and regulate pole deployment in Ontario

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council receive and file correspondence item 6.14 from the National Chronic Pain Society.” – Carried.

6.17 Ken Willis – Ban Non-government and Special Interest Group Flags

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council support the ban of non-government and special interest group flags on Village of Newbury flag poles.” – Carried.

6.18 Ministry of Seniors and Accessibility – 2023 Ontario Senior Achievement

## 7. STAFF REPORTS

### 7.1 Fire

Fire Chief Chad Trethewey attended the meeting at 7:35 pm.

- i) Training Update – no update
- ii) Firefighter Recruitment

Chief Trethewey reported that one application has been received. He also has a potential recruit from Wardsville. The Chief has challenged all firefighters to bring in the name of a potential recruit.

- iii) Fire Inspection Services

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT Council approve the engagement of Chris Rennie as fire inspector/investigator as recommended by the Fire Chief.” – Carried.

Chief Trethewey advised that all inspections are current. The Four Counties Villa is compliant but has requested that an emergency drill be held to test their emergency plan. This will be scheduled with the inspector and trainer.

Chief Trethewey discussed 2023 budget completion. He will work on obtaining estimated costs. He advised that the defibrillator will need to be replaced. The unit is 15 years old.

Fire Chief Trethewey left the meeting at 8:00 pm.

### 7.2 Building Services

There were no building permits issued in April 2023.

The Clerk-Treasurer advised that the Cloudpermit building permit application program is in implementation phase.

### 7.3 By-law Enforcement

By-law Enforcement Report for April 2023 was reviewed.

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council accept the By-law Enforcement Report for April 2023 as submitted by By-law Enforcement Officer Garrett Cloud.” – Carried.

### 7.4 Drainage

## 7.5 Water

### i) Quotes – Water Maintenance Supplies & Water Meters

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT Council authorize the Clerk-Treasurer to purchase water maintenance supplies from HM Pipe Products as per quote.” – Carried.

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council authorize the Clerk-Treasurer to work with Sco-Terra Operations Group to determine a location for a water sampling station and that the Clerk-Treasurer obtain a quote for installation of the station.” – Carried.

### ii) DWQMS

#### a) ELEMENT 7 – RISK ASSESSMENT

#### b) ELEMENT 8 – RISK ASSESSMENT OUTCOMES

Council reviewed Element 8-Risk Assessment Outcomes in conjunction with Element 7-Risk Assessment.

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council confirm Element 8-Risk Assessment Outcomes as presented.” – Carried.

### iii) Water Meter Repairs & Installation – confirm October 2020 resolution

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT CPE Services be retained to retrofit, repair and/or inspect all existing water meters under Village jurisdiction; and that water meters installed for new residential construction may be installed by the plumber of contractor choice with inspection to be completed by Newbury’s Building Inspector with water being turned on once the Building Inspector has approved installation.” – Carried.

### iv) Water Budget to Actual Reports

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council accept the water financial report for the period ended March 31, 2023 as presented.” – Carried.

## 7.6 Sewer

### i) Operator Call-ins Report – Newbury WWTP – April 2023

## ii) Sewer Budget to Actual Reports

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council accept the sewer financial report for the period ended March 31, 2023 as presented.” – Carried.

## 7.7 Administration

## i) Photocopier Replacement – agreement with Ricoh Canada

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council authorize the Reeve and/or Clerk-Treasurer to sign the Non-OPS Entity Buyer Master Agreement with Ricoh Canada for the rental of an IMC 4500 for a 60 month term.”—Carried.

## ii) Appointment of Community Activity Committee member

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT Council appoint Cindy Harris to the Village of Newbury Community Activity Committee.” – Carried.

## iii) Newbury Old Boys Park Report

Clerk-Treasurer Case reported:

- Jake Graham has been doing a great job getting the diamond in shape for ball season. New base anchor pegs have been purchased.
- Gerber Electric attended diamond and have replaced the breakers for the old lights both inside the booth and at the diamond. This appears to have fixed the problem with the lights going off during games.
- No word yet on the replacement of the new lights due to manufacturer defect.
- Sentry Fire has inspected fire suppression system. Overhead system passed and new fire extinguishers have been installed in the booth.
- Booth needs to be thoroughly cleaned this week in preparation for opening after the long weekend. Once cleaned, the condition of the griddle may need to be addressed.
- Refrigerator needs to be replaced. Quote from McNaughton’s was \$849.00 plus tax.

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT Council authorized the Clerk-Treasurer to proceed with replacement of refrigerator at the booth at the best price.” – Carried

- The deep fryer needs to be addressed at some time. It is hoped that the use of the deep fryer is not affecting the lights.
- Booth staffing

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council authorize the Clerk-Treasurer to proceed with hiring Tonya McCready to operate the booth for the 2023 season.” – Carried.

- Russ Patton will coordinate an investigation of the drainage at the park.
- The Tales and Trails sign installation is scheduled for May 24, 2023.

Councillor Harris is working on gate for first base side of ball field.

Councillor Patton advised that he spoke with Jake Graham about infield. The balance of red clay will be placed on the infield and Jake will work in. This will be sufficient for this season.

vi) Blue Box Transition Report

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT the Council of the Village of Newbury opt in to contract with Circular Materials for blue box transition and that Clerk-Treasurer obtain a legal review of the contract if necessary.” – Carried.

v) Noise Complaints Report

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council does not proceed with implementation of a by-law to regulate noise at this time.” – Carried.

vi) Tax Collection and Billing Policy (final draft of document not ready)

vii) Community Garden Boxes Update

Clerk-Treasurer Case advised Council that Glencoe District High School had been contacted about building raised garden boxes. GDHS is interested in assembling. Implementation of this project is expected to be in spring of 2024.

viii) Water Meter Replacement – Splashpad

The 2” water meter for the splash pad needs to be replaced due to crack. The Clerk-Treasurer is searching for a replacement meter which is immediately available.



## 7.8 Financial

### i) Accounts Listing

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council approve the accounts in the amount of \$128,693.62 as presented.” – Carried.

### ii) Financial Information Report

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council accept the Financial Information Report as presented.” – Carried.

### iii) Budget to Actual Report

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council accept the budget to actual report for the period ending March 31, 2023 as presented.” – Carried

## 8. NEW BUSINESS

### 8.1 Addendum Items

#### i) Property Standards Committee appointments – By-law 121-98 states that the Property Standards Committee is made up of three members

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT Council appoint Kevin Derbyshire, Clyde Harris and Russ Patton as the members of the Property Standards Committee; and THAT Diane Brewer and Randy Smith be appointed as alternate members to ensure quorum.” – Carried.

#### 8.2 Council Member Business – Each council member is given the opportunity to bring new business to the table.

Councillor Derbyshire asked that Council explore the ability to allow residents to keep chickens in their backyards.

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council direct staff to prepare a report on the steps required to permit the keeping of chickens in residential areas.” – Carried.

Councillor Derbyshire requested information on the testing for trihalomethane (THM) in drinking water, which was provided.

Moved By: Councillor Derbyshire

Seconded By: Reeve Brewer

“RESOLVED THAT the Council of the Village of Newbury send a letter in support of the Ontario Federation of Agriculture’s objection to the legislative changes to farm severance proposed in Bill 97.” – MOTION LOST

## 9. CLOSED SESSION

There was no closed session.

## 10. RISE AND REPORT FROM CLOSED SESSION

## 11. BY-LAWS

11.1 By-law No. 14-23, being a by-law to appoint a Property Standards Committee for the Village of Newbury

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT By-law No. 14-23, being a by-law to appoint a Property Standards Committee for the Village of Newbury be given first and second reading this 17 day of May, 2023.” – Carried.

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT By-law No. 14-23 be given third reading, taken as read, properly signed and sealed, and numbered 14-23, this 17 day of May, 2023.” – Carried.

11.2 By-law No. 15-23, being a by-law to confirm the proceedings of the Council of the Village of Newbury

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT By-law No. 15-23, being a by-law to confirm the proceedings of the Council of the Village of Newbury be given first and second reading this 17 day of May, 2023.” – Carried.

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT By-law No. 15-23 be given third reading, taken as read, properly signed and sealed, and numbered 15-23, this 17 day of May, 2023.” – Carried.

**12. ADJOURNMENT**

Moved By: Councillor Harris  
Seconded By: Councillor Patton

"RESOLVED THAT the meeting adjourn at 9:40 pm." – Carried.

  
\_\_\_\_\_  
REEVE DIANE BREWER

  
\_\_\_\_\_  
CLERK-TREASURER CATHY CASE

