

MINUTES  
NEWBURY MUNICIPAL COUNCIL  
Monday, May 10<sup>th</sup>, 2021  
6:00 p.m.



MEMBERS PRESENT: Reeve Diane Brewer, Councillors, Ron Challis, Mike Noe, Russ Patton, and Stacey Goldrick

MEMBERS ABSENT: None

OTHERS PRESENT: None

STAFF PRESENT: Betty D. Gordon, Clerk-Treasurer  
Cathy Case, Newbury Employee

STAFF ABSENT: Chad Trethewey, Fire Chief

Council met electronically by Zoom.

**CALL TO ORDER**

Reeve Diane Brewer called the meeting to order at 6:07 p.m.

**1. DECLARATION OF PECUNIARY INTEREST:**

Councillor Noe declared a pecuniary interest in item #8.34.6.

Councillor Patton declared a pecuniary interest in item #8 specifically, additions to accounts to be approved.

**2. DELEGATIONS:**

None.

**2.1 WATER:**

1. Water Financial Statements: (cc. Council – blue)  
Clerk-Treasurer Gordon advised that the report reflects the 2020 budget as the 2021 budget has not been approved.

Moved By: Ron Challis

Seconded By: Stacey Goldrick

“THAT the water financial statements be accepted as presented.”

Carried

2. Draft Trunk Water Lines maps for the Tri-County Water Board are available for review. (cc. Council)

Moved By: Mike Noe

Seconded By: Ron Challis

“THAT the Tri-County Water Board be requested to revise the Tri-County Trunk Water Lines mapping to indicate that the Village of Newbury owns that portion of the trunk line within the Village limits and that digital copies of the final version of the mapping be provided to the municipality.”

Carried.

## 2.2 SEWER:

1. Sewer Financial Statements: (cc. Council – green)  
Clerk-Treasurer Gordon advised that the report reflects the 2020 budget as the 2021 budget has not been approved.

Moved By: Stacey Goldrick

Seconded By: Russ Patton

“THAT the sewer financial statements be accepted as presented.”

Carried

2. Clerk-Treasurer Gordon reviewed the Reject Pump 2 Failure Inspection report from Sco-Terra. The failure occurred April 2<sup>nd</sup> and repairs have been completed. The cost of repairs is included in the 2021 sewer budget.

## 2.3 DRAINAGE:

Russ Patton reported that the drain on Pine Road appears to be operational. He does not think any additional work is necessary at this time.

## 2.4 FIRE:

The Fire Chief was unable to attend the meeting.

1. Training update.
2. Blue Card training update. Chad is about half way through the training while Mark is about 75% finished. Tim LaCroix and Tim Kinsmen have not started yet. Chad finished with a 90%.
3. The Fire Safety Grant Program funding of \$4,700.00 from the Office of the Fire Marshal for training opportunities has been approved and funds received. The funds must be spent by August 1<sup>st</sup>, 2021 with report to OFM due by September 1<sup>st</sup>, 2021.
4. Council discussed changing the Burning Policy. The policy allows backyard burning of small amounts of grass clippings, tree limbs and branches, cardboard and paper, as well as for outdoor cooking purposes. Burning of styrofoam, plastic, cans and hazardous materials is prohibited. The current hours of burning are:

Summer (April 1<sup>st</sup> to October 31<sup>st</sup>) – after 7:00 pm  
Winter (November 1<sup>st</sup> to March 31<sup>st</sup>) – after 4:00 pm  
Fire Chief had provided comment which by email. (cc. Council – blue)  
No decision on changing the policy was made pending further input from the Fire Chief.

## 2.5 BY-LAW ENFORCEMENT:

Garett McCloud By-law Enforcement Report. (cc. Council – purple)

Moved By: Mike Noe

Seconded By: Ron Challis

“THAT Council accept the report of the By-law Enforcement Office as provided.”  
Carried

## 2.6 CHIEF BUILDING OFFICIAL:

CBO did not provide a report for April.

### Closed Session

Moved By: Ron Challis

Seconded By: Russ Patton

“THAT Council, the Clerk-Treasurer and the Newbury Employee go in camera under Section 239(2)(b) personal matters about an identifiable individual including municipal or local board employees at 6:27 p.m.”

Carried

The recording of the meeting was turned off for the duration of the closed session.

Moved By: Stacey Goldrick

Seconded By: Russ Patton

“THAT Council rise from the in-camera session at 6:45 pm and resume regular session and that staff proceed as directed.”

Carried

Moved By: Mike Noe

Seconded By: Ron Challis

“THAT the security deposit for new building construction be raised to \$1,500.00 effective on any new building permit applications received.”

Carried

## 3. COUNCIL MINUTES:

Council minutes of the regular Council meeting held on April 12<sup>th</sup>, 2021.

Moved By: Mike Noe

Seconded By: Stacey Goldrick

“THAT the minutes from the regular Council meeting held on April 12<sup>th</sup>, 2021, be accepted as circulated.”

Carried



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

1. Trees have been planted and mulch has been placed around the trees. Watering is being done regularly. Thank you to Ron Challis for helping with the mulch.
2. Flagpoles have been ordered.
3. The Ombudsman's office has advised that they have closed the complaint investigation regarding sidewalk snow removal.
4. A notice was placed on facebook advising that construction of a dog park is not proceeding. No feedback has been received.
5. Mike Noe advised that the Robinson Drain obstruction has been substantially removed. There are steel posts to be taken out. The property owner is complying. Mike Noe will follow up to ensure that the posts are taken out.
6. There has been no update from the property owner on Coltsfoot Drive regarding the proposed residence.

Moved By: Ron Challis

Seconded By: Stacey Goldrick

“THAT Council require the residence proposed for Coltsfoot Drive to be connected to both the water and sewer systems.”

Carried

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

1. A copy of the County of Middlesex 2021 Budget was circulated by email. The Projected Reserves and Reserve Funds is attached for information purposes. (cc. Council – green)
2. Detachment Commander Dean Croker, OPP Middlesex County-West Region circulated a Thank You to all Fire Departments in recognition of National Volunteer Week. (cc. Council – grey)
3. The Town of Fort Erie has provided a copy of its resolution supporting Road Management Action on Invasive Phragmites from the Township of Archipelago.
4. Middlesex County Planning Department has provided comment on the ‘Restricted Farming’ Designation in the Village of Newbury Official Plan. (cc. Council – blue)
5. The Middlesex County Planning Department has drafted one-page guides to help inform residents about the planning process and the different application types. The guides will be available at the Municipal Office and on the website. (cc. Council – white)

6. The Newbury 2020 Planning Summary Report prepared by the County Planning Department has been received. (cc. Council – pink)
7. Joint update from the Ministry of the Attorney General and Ministry of Municipal Affairs highlighting some recent liquor licensing measures implemented to modernize the regulation of alcohol consumption.
8. The Municipality of Leamington advising of resolution of Advocacy for Reform of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) Legislation.
9. An Investigator with the Information and Privacy Commissioner of Ontario has been in contact with the Village regarding Complaint MI18-1. Clerk-Treasurer Gordon will provide a response within the timeframe provided. (cc. Council – yellow)
10. The Town of South Bruce Peninsula has requested that the Ministry of the Attorney General provide assistance in implementing an additional level of licensing which would permit small organizations to hold fundraisers.
11. Town of Perth has requested that the province be financially responsible for the replacement costs associated with all major capital equipment in hospitals.

6. **ACTION REQUIRED ITEMS:**

1. Town of Fort Erie asking for Council's support in requesting that the Ministry of Environment, Conservation and Parks consider legislative changes that would permit the expansion of source water protection to aquifers and private services. (cc. Council – green)

Moved By: Mike Noe

Seconded By: Ron Challis

“THAT the Council of the Village of Newbury supports the resolution from the Town of Fort Erie in requesting the Ministry of Environment, Conservation and Parks consider legislative changes that would permit the expansion of source water protection to aquifers and private services and that a letter of support be circulated to the Premier, the Minister of Environment, Conservation and Parks, our MPP and St. Clair Region Conservation Authority.”

Carried

2. The Commencement Committee of Glencoe District High School has requested Council consideration in donating the Village of Newbury Award of \$200 for 2021. There is no information of a potential candidate for the award yet.

Moved By: Stacey Goldrick

Seconded By: Russ Patton

“THAT Council include an amount of \$200 in the 2021 budget for the Village of Newbury Award for a student currently living in or who is child of a taxpayer of Newbury who is graduating from Glencoe District High School and who will be furthering education in a post-secondary capacity and that Council requests that a list of qualified candidates be provided to the Village for consideration prior to issuance of the donation.”

Carried.

3. Direction required on the project(s) to be funded under the Ontario Community Infrastructure Fund (OCIF) Formula Component funding. The Village received \$50,000 under this program. (cc. Council – purple)  
Clerk-Treasurer Gordon reported a list of projects for Council to consider.

Moved By: Ron Challis

Seconded By: Russ Patton

“THAT Council direct the Clerk-Treasurer to apply the OCIF Formula Component funding to the installation of two water sampling stations and a new water meter pit and that options to fund the balance of costs be investigated.”

Carried

4. The Village of Newbury 2021 Capital and Operational Budget, Water Budget and Sewer Budget were reviewed with Council. (cc. Council)

Moved By: Mike Noe

Seconded By: Russ Patton

“THAT the 2021 Capital and Operational Budget be approved with at 2.06% increase and that adjustments required to achieve the increase be presented to Council for approval.”

Carried

Moved By: Stacey Goldrick

Seconded By: Russ Patton

“THAT Council approve the 2021 Water Budget as revised.”

Carried

Moved By: Mike Noe

Seconded By: Russ Patton

“THAT Council direct the Clerk-Treasurer to transfer the 2020 Sewer Surplus to Reserves.”

Carried

Moved By: Ron Challis

Seconded By: Stacey Goldrick

“THAT Council approve the 2021 Sewer Budget as presented.”

Carried



7. **FINANCIAL STATEMENT:** (cc. Council – white with pink top)

Moved By: Mike Noe

Seconded By: Ron Challis

“THAT the financial statements be accepted as presented.”

Carried

8. **ACCOUNTS:** (cc. Council - purple)

Clerk-Treasurer Gordon advised of the following additional accounts for approval:

- Patton Excavating & Grading Ltd. \$7,872.15 for February winter control
- Southwest Middlesex \$4,078.62 for April Water Consumption

Councillor Patton reiterated his pecuniary interest in the additional accounts submitted for approval to be included as item #8.42 on the account listing.

Moved By: Stacey Goldrick

Seconded By: Ron Challis

“THAT the accounts that total \$165,101.83 be accepted as presented.”

Carried

9. (a) **NEW & UNFINISHED BUSINESS:**

1. Asking Jason Ayres to pour cement under both grandstands when he is pouring the cement at the front entrance of the park. Russ Patton advised that he has asked for a quote on cement work. No one has been able to confirm his availability. Mike Noe will follow up.
2. The contract with Steve Guay for fire inspection services expires on July 8, 2021. Steve is interested in renewing the contract for a 3-to-5-year term.

Moved By: Mike Noe

Seconded By: Russ Patton

“THAT Council approve renewal of the contract with Steve Guay for fire inspection services for a five-year term.”

Carried

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

1. Council Goldrick asked if there were any complaints about the grass at 22799 Hagerty. Clerk-Treasurer Gordon advised that the property owner has been contacted.
2. Clerk-Treasurer Gordon advised of the following:
  - Ron Sharpe has provided a price of \$5,000 to remove three dead trees at the park. This information had been emailed to Council previously.

Moved By: Stacey Goldrick

Seconded By: Mike Noe

“THAT Council approve the removal of three dead trees from the park by Ron Sharpe at a price of \$5,000.00.”

Carried

- Confirmation has been received that the Municipal Tax Sales process is not impacted by declarations of emergency due to covid. Letters will be going out to affected ratepayers.
  - Additional information is being obtained on the requirement to be a party to police service boards. A report will be coming to Council
  - The communications infrastructure being installed in Southwest Middlesex is part of the SWIFT project and Middlesex County.
  - The Village website is needing to be AODA compliant. The County has procured a website developer but the estimated cost is approximately \$40,000. There has been nothing including in the 2021 budget. A developer will need to be sourced out.
  - An emergency locate was needed at 7 O'Mara Street. The property owner damaged the waterline going into the residence and was unable to find the curbstop for water shut off. Staff will investigate what needs to be done to ensure that water shut offs can always be located, as well as how costs are to be distributed in situations where laneways or other improvements have taken place over top of curb stops.
3. By-law 107-21, being a by-law to confirm proceedings of the Council of the Village of Newbury.

Moved By: Mike Noe

Seconded By: Ron Challis

“THAT By-law 107-21, being a by-law to confirm proceedings of the Council of the Village of Newbury is given first and second reading this 10<sup>th</sup> day of May, 2021.”

Carried

Moved By: Stacey Goldrick

Seconded By: Russ Patton

“THAT By-law 107-21 be given third reading, taken as read, properly signed and sealed, and numbered 107-21, this 10<sup>th</sup> day of May, 2021.”

Carried

**10. ADJOURNMENT:**

Moved By: Mike Noe

Seconded By: Ron Challis

“THAT the meeting be adjourned.”

Carried

The meeting adjourned at 8:40 p.m.

**Upcoming Meetings (unless re-scheduled)**

Regular Council on Monday, June 14<sup>th</sup>, 2021

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

  
\_\_\_\_\_  
CLERK/TREASURER BETTY D. GORDON