

MINUTES
VILLAGE OF NEWBURY COUNCIL MEETING
TUESDAY, APRIL 9, 2024
6:00 pm
Council Chambers



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

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

Councillor Patton declared a pecuniary interest in agenda item 7.8 (i) Accounts Listing, specifically #40 of the March Accounts.

3. **TIMED EVENTS**

6:00 PM

3.1 County of Middlesex – Local Council Update

Warden Aina DeViet and CAO Bill Rayburn provided Council with an update on County of Middlesex services and activities. It was noted that there is an increase in the County budget of 2.93% for 2024. The County is investigating development charges. The new County headquarters will be built next to the Middlesex London Paramedic Service on Adelaide Street in London.

6:30 PM

3.2 Draft Plan of Subdivision – Conditions of Approval

Planner Marion Cabral reviewed the conditions being recommended for Plan of Subdivision approval for 13 Wellington Street. Property owner Theresa Rankin and Taylor Wilson of Zelinka Priamo were also present. Planner Cabral advised that she is waiting for comments from CN and St. Clair Region Conservation Authority. It was noted that some of the reports being requested are already completed but may require review by third party review on behalf of the Village. The County has received and approved a draft site plan; the lot sizes were not affected by the Zoning By-law Amendment as approved. She will prepare and provide a staff report on the conditions of approval for the site subdivision for the next regular meeting.

4. COUNCIL MINUTES

4.1 Minutes of the regular Council meeting held on February 13, 2024 and the record of the March 12, 2024 meeting

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT the minutes from the regular Council meeting held on February 13, 2024 and the record of March 12, 2024 meeting be approved as circulated.” – Carried.

5. BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

6. CORRESPONDENCE

NON-ACTION CORRESPONDENCE

6.1 Municipal World – March 2024

6.2 County of Middlesex – Middlesex County Council Meeting Highlights-
February 13, 2024

6.3 Emergency Management Ontario – News and Updates

6.4 St. Clair Region Conservation Authority – 2023 Annual Report

6.5 Middlesex County – Invitation to Warden’s Charity Golf Tournament,
Tuesday, June 18, 2024

6.6 Humane Society London & Middlesex – No Empty Bowls Pet Food Bank

- 6.7 Municipality of North Middlesex – Notice of the Passing of Municipal-Wide Development Charges By-law
- 6.8 Hydro One – Longwood to Lakeshore Project-Notice of Commencement of Class EA and Route Alternatives
- 6.9 McNaughton Family – Thank you for donation
- 6.14 Municipal World – April 2024
- 6.15 Your Wardsville/Denise Corneil – Little Kin Park Community Open House
- 6.16 Middlesex County – County Council Meeting Highlights-March 12, 2024 and March 26, 2024
- 6.17 Middlesex County – Middlesex Municipal Day-Tuesday, May 7, 2024, Lucan Community Memorial Centre, RSVP by Friday, April 19, 2024
- 6.18 Middlesex County – Middlesex County Loan Program
- 6.19 Middlesex County – Ontario Renovates Program
- 6.20 Ministry for Seniors and Accessibility – Ontario Senior of the Year Award nominations open until April 30, 2024
- 6.21 Ministry of Transportation Transit Division – Municipality of West Elgin to receive \$31,172 in Gas Tax Program Funding in support of the Four Counties Transportation Service
- 6.22 Ministry of Finance – Municipal Taxation Announcements made in 2024 Ontario Budget
- 6.23 CN – CN Right-of-Way Vegetation Management Program

Moved By: Councillor Harris

Seconded By: Councillor Smith

“RESOLVED THAT Council receive and file correspondence items 6.1 to 6.9 and items 6.14 to 6.23.” – Carried.

ACTION REQUIRED CORRESPONDENCE

- 6.10 County of Renfrew – Rural and Small Urban Municipalities-Affordability of Water and Wastewater Systems

Moved By: Councillor Harris

Seconded By: Councillor Smith

RESOLVED THAT Council support the resolution from the County of Renfrew regarding the affordability of water and wastewater systems in rural and small urban municipalities.” – Carried.

- 6.11 County of Lambton – requesting that the Province of Ontario upload from local municipalities the responsibility of and costs associated with the continued construction, operation, and maintenance of major municipally-owned highways throughout the Province of Ontario to the Ontario Ministry of Transportation, and if uploading is not the preferred option of the Province and/or local municipality, to appropriately increase the Ontario Community Infrastructure Fund to municipalities so as to fairly and equitably allocate resources to Ontario municipalities

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council support the resolution from the County of Lambton requesting that the Province of Ontario upload from local municipalities the responsibility of and costs associated with the continued construction, operation, and maintenance of major municipally-owned highways, and if uploading is not the preferred option of the Province and/or local municipality, to appropriately increase the Ontario Community Infrastructure Fund to municipalities so as to fairly and equitably allocate resources to Ontario municipalities.” – Carried.

- 6.12 Township of Perry – requesting that the Province amend Ontario Regulation 391/21: Blue Box so that producers are responsible for the end-of-life-management of recycling products from all sources

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council support the resolution from the Township of Perry requesting that the Province amend Ontario Regulation 391/21: Blue Box so that producers are responsible for the end-of-life-management of recycling products from all sources.” – Carried.

- 6.13 City of Greater Sudbury – requesting that the province amend the Occupational Health and Safety Act to clarify the definition of “employer” to exclude owners that have contracted with a constructor for a project

Moved By: Councillor Harris

Seconded By: Councillor Patton

“RESOLVED THAT Council support the resolution from the City of Greater Sudbury requesting that the Province amend the Occupational Health and Safety Act to clarify the definition of “employer” to exclude owners that have contracted with a constructor for a project.” – Carried.

- 6.24 Township of Warwick – support for securing access to natural gas for Warwick Township and Ontario

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council support the Township of Warwick in securing access to natural gas for Warwick Township and Ontario.” – Carried.

- 6.25 Township of Amaranth – requesting support in calling on the Province of Ontario to treat all municipalities fairly and provide equivalent representative operational budget funding amounts to all Ontario municipalities

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council support the Township of Amaranth in calling on the Province of Ontario to treat all municipalities fairly and provide equivalent representative operational budget funding amounts to all Ontario municipalities. – Carried.

- 6.26 Township of Amaranth – requesting that the Province of Ontario pause advancement on proposed highway 413 and redirect the approximate \$8 billion cost for highway 413 to support municipal infrastructure costs and housing construction initiatives and the at least 50% of those funds be allocated for small urban and rural Ontario with populations less than 50,000

Moved By: Councillor Harris

Seconded By: Councillor Patton

“RESOLVED THAT Council support the Township of Amaranth in requesting that the Province of Ontario pause advancement on proposed highway 413 and redirect the approximate \$8 billion cost for highway 413 to support municipal infrastructure costs and housing initiatives and that at least 50% of those funds be allocated for small and rural Ontario with populations less than 50,000.” – Carried.

7. STAFF REPORTS

7.1 Fire

Fire Chief Chad Trethewey attended the meeting.

i) Training Update

Firefighters tagged and flushed hydrants.

ii) Firefighter Recruitment – no update

iii) Firehall Overhead Door Replacement Update

-Quote from Stewart Overhead Door to install door lites

Council did not approve the installation of lites in the new overhead doors. The Fire Chief will look into improvements to the interior lighting. The Clerk-Treasurer will contact AUBI to discuss repairs to the flooring. Chief Trethewey advised that cleanup is almost completed so that cleaning can be done.

iv) Firehall Roof

Fire Chief Trethewey advised that the eavestroughs on the south side of building have come off and need to be replaced. He will contact Josh Laughton of Macksville Construction to investigate the roof and provide a quote to repair.

v) Quote for hard suction hose

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council approve the purchase of 2 sections of hard suction hose at a cost of \$907.00 per section plus shipping and taxes.” – Carried.

Fire Chief Trethewey advised that station wear has arrived. Each firefighter will receive a dress shirt and pants. He will be arranging for a group photo.

Fire Chief Trethewey left the meeting following his presentation.

7.2 Building Services

There were no building permits issued in February or March 2024.

7.3 By-law Enforcement

By-law Enforcement Report for February 2024 was reviewed.

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council accept the By-law Enforcement Report for February 2024 as submitted by By-law Enforcement Officer Garrett Cloud.” – Carried.

7.4 Animal Control

7.5 Water

i) DWQMS

a) External audit by Intertek is scheduled for March 15, 2024

b) Management Review – Minutes November 27, 2023

Moved By: Councillor Derbyshire

Seconded By: Councillor Smith

“RESOLVED THAT Council accept the Minutes from the Newbury Distribution System Management Review held November 27, 2023.” – Carried.

ii) Annual Reports - Drinking Water Systems Regulation O. Reg. 170/03

a) Newbury Distribution System

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council receive and accept the O. Reg. 170/03 2023 Annual Report for the Newbury Distribution System as prepared and submitted by Sco-Terra Operations Group.” – Carried.

b) Southwest Middlesex Distribution System

Moved By: Councillor Smith

Seconded By: Councillor Patton

“RESOLVED THAT Council receive and accept the O. Reg. 170/03 2023 Annual Report for the Southwest Middlesex Distribution System as submitted by OCWA.” – Carried.

c) Tri-County Drinking Water System

Moved By: Councillor Patton

Seconded By: Councillor Smith

“RESOLVED THAT Council receive and accept the O. Reg. 170/03 2023 Annual Report and 2023 Schedule 22 Report for the Tri-County Drinking Water System as submitted by OCWA.” – Carried.

d) Newbury Distribution System – 2023 Schedule 22 Compliance Report

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council receive and accept the 2023 Schedule 22 Compliance Report for the Newbury Distribution System as prepared and submitted by Sco-Terra Operations Group.” – Carried.

iii) 2024 DWQMS Internal Audit

The proposal from BluMetric Environmental Inc. to conduct the 2024 internal audit of the Village Drinking Water Quality Management System documentation and its implementation/maintenance within the Village of Newbury Distribution System is attached. The quote is \$4,540.00 plus taxes.

Moved By: Councillor Smith

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council accept the proposal from BluMetric Environmental Inc. in the amount of \$4,540.00 plus taxes to conduct the 2024 DWQMS Internal Audit for the Village of Newbury Distribution System.” – Carried.

7.6 Sewer

i) Newbury Wastewater Treatment Plant - 2023 Annual Performance Report

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council receive and accept the 2023 Annual Performance Report for the Newbury Wastewater Treatment Plant as prepared and submitted by Sco-Terra Operations Group.” – Carried.

7.7 Administration

i) Middlesex County Police Services Board Update

The Clerk-Treasurer advised Council that recruitment process is underway for public members to the Middlesex County Police Services Board.

ii) Glencoe District Lions Club 50th Anniversary Banners

Moved By: Councillor Smith

Seconded By: Councillor Harris

“RESOLVED THAT Council approve the installation of one banner for to commemorate the Glencoe District Lions Club 50th Anniversary.” – Carried.

iii) Ball Diamond

a) 2024 Rental Fee

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT the ball diamond rental fee is \$375.00 for the 2024 season and that a key deposit of \$250.00 be collected from each team.” – Carried.

b) Roll Diamond Outfield quote

Moved By: Councillor Derbyshire

Seconded By: Councillor Smith

“RESOLVED THAT Council approve the quote from Rural Roots Landscaping in the amount of \$500.00 plus taxes for the rolling of the ball diamond outfield.” – Carried.

iv) 2024 Grass Cutting Contract – Rural Roots Landscaping

Moved By: Councillor Derbyshire

Seconded By: Councillor Smith

“RESOLVED THAT Council approve the renewal of the grass cutting contract with Rural Roots Landscaping at prices quoted.” – Carried.

v) Complaint – Garbage in roadside ditch on Coltsfoot Drive

Councillor Harris will investigate and remove garbage if he is able.

vi) Provincial Day of Action on Litter – May 14, 2024

Council decided not to participate in the Day of Action on Litter.

vii) Municipal Insurance Program Renewal & Cyber Insurance

Moved By: Councillor Harris

Seconded By: Councillor Smith

“RESOLVED THAT Council accept the 2024 Municipal Insurance Program Renewal in the amount of \$35,211 plus applicable taxes as submitted by Intact Public Entities Inc. in partnership with McFarlan Rowlands Insurance Brokers Inc.” – Carried.

Council directed the Clerk-Treasurer to look into the potential risks the Village may have related to cyber-attacks and report back at the next meeting.

viii) Emergency Management

-Emergency Management Planning Committee Meeting is on Tuesday, April 16, 2024 from 12:30 pm to 2:30 pm in Council Chambers

-Community Emergency Preparedness Grant (CEPG) application for Firehall generator has been denied.

-Upcoming workshops:

Basic Emergency Management Course (BEM), May 13 & 14 in Thorndale
Reception Centre Operations May 23 in Komoka or June 3 in Dorchester

vix) AMCTO Zone Meeting

Requesting Council permission to virtually attend the Zone 1 meeting on Wednesday, May 8 from 9:00 am to 4:00 pm. Cost of registration is \$65.00

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council approve the virtual attendance of the Clerk-Treasurer at the AMCTO Zone 1 meeting on May 8 and that the registration fee of \$65.00 be paid.” – Carried.

7.8 Financial

i) Accounts Listing (March & April)

Councillor Patton reiterated his pecuniary interest.

Moved By: Councillor Derbyshire

Seconded By: Councillor Smith

“RESOLVED THAT Council approve the accounts in the amount of \$200,800.07 as presented.” – Carried.

ii) Statement of No Salaries to Disclose 2023 as per Public Sector Disclosure Act

Moved By: Councillor Derbyshire

Seconded By: Councillor Smith

“RESOLVED THAT Council receive and file the 2023 Statement of No Salaries to Disclose as presented.” – Carried.

iii) Statement of Council Remuneration 2023 as per Section 284(1) of the Municipal Act

Moved By: Councillor Derbyshire

Seconded By: Councillor Smith

“RESOLVED THAT Council receive and file the 2023 Statement of Council Remuneration as presented.” – Carried.

8. NEW BUSINESS

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

8.2 Other

There was no new business.

9. CLOSED SESSION

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council with the inclusion of the Clerk-Treasurer move to closed session under Section 239(2) of the Municipal Act (a) the security of the property of the municipality or local board; (b) personal matters about an identifiable individual, including municipal or local board employees and Section 239(3.1) for the purpose of educating or training the members of Council at 9:13 pm.” – Carried.

10. RISE AND REPORT FROM CLOSED SESSION

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council and the Clerk-Treasurer rise from closed session at 9:55 pm and resume regular session.” – Carried.

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council approve the completion of survey work at 22900 Hagerty Road as discussed in closed session.” – Carried.

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

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

11. BY-LAWS

11.1 By-law No. 5-24, being a by-law to confirm the proceedings of the Council of the Village of Newbury

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

"RESOLVED THAT By-law No. 5-24, being a by-law to confirm the proceedings of the Council of the Village of Newbury be given first and second reading this 9 day of April, 2024." – Carried.

Moved By: Councillor Patton

Seconded By: Councillor Smith

"RESOLVED THAT By-law No. 5-24 be given third reading, taken as read, properly signed and sealed, and numbered 5-24, this 9 day of April, 2024." – Carried.

12. ADJOURNMENT

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

"RESOLVED THAT Council adjourn at 9:56 pm." – Carried.


REEVE DIANE BREWER


CLERK-TREASURER CATHY CASE