

MINUTES
VILLAGE OF NEWBURY COUNCIL MEETING
MONDAY, JULY 24, 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 6:10 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 the Accounts Listing, agenda item 7.8 (i), specifically 60.8 as he is the owner of this company.

3. **DELEGATIONS & TIMED EVENTS**

There were no delegations.

4. **COUNCIL MINUTES**

4.1 Minutes of the regular Council meeting held on June 13, 2023

Moved By: Councillor Patton

Seconded By: Councillor Harris

"RESOLVED THAT the minutes from the regular Council meeting held on June 13, 2023 be approved as circulated." – Carried.

5. BUSINESS ARISING FROM THE MINUTES

None.

6. CORRESPONDENCE

NON-ACTION CORRESPONDENCE

- 6.1 Municipal World – July 2023
- 6.2 County of Middlesex – Middlesex County Council Meeting Highlights-June 20, 2023
- 6.3 County of Middlesex – Middlesex Municipal Day changes
- 6.4 St. Clair Conservation Authority – SCRCA Board Meeting Highlights-April 20, 2023

Moved By: Councillor Patton
 Seconded By: Councillor Derbyshire
 “RESOLVED THAT Council receive and file correspondence items 6.1 to 6.4.” - Carried.

ACTION REQUIRED CORRESPONDENCE

- 6.5 Municipality of Chatham-Kent – Time for Change Municipal Freedom of Information and Protection of Privacy Act

Moved By: Councillor Harris
 Seconded By: Councillor Patton
 “RESOLVED THAT Council support the resolution from the Municipality of Chatham-Kent calling for changes to the Municipal Freedom of Information and Protection of Privacy Act.” – Carried.

- 6.6 Bettina Weber, CEMC, Middlesex County – Basic Emergency Management Course (BEM, EM200) scheduled for October 2-3, 2023 in Southwest Middlesex Council Chambers

Council requested that Agenda Item 6.6 be brought back at the next meeting.

7. STAFF REPORTS

7.1 Fire

Fire Chief Trethewey presented his report to Council at 6:35 pm.

- i) Training Update

Regular training meetings continue; only 4 firefighters attended the last training session.

ii) Firefighter Recruitment

Chief Trethewey has yet to speak with the applicant. He has challenged each firefighter to bring forward a name of a future recruit. The Chief discussed approaching local businesses about the firefighter program and the potential for courses at the high school level.

iii) Firehall Overhead Door Replacement Update

The Fire Chief advised that he was becoming impatient with the project start delays and the moving of the trucks. The Clerk advised that she is working with the information provided by the general contractor.

The Fire Chief advised that there were two calls attended since the last meeting; one was for a fuel leak and the other a medical call. He has ordered 10 traffic cones. Batteries for the portable radios have been replaced. Annual truck safety inspections are due by the end of July. Chief Trethewey intends to take trucks to Hart Wrenching.

7.2 Building Services

There were no building permits issued in June 2023

7.3 By-law Enforcement

By-law Enforcement Reports for May and June 2023 were reviewed.

Moved By: Councillor Harris

Seconded By: Councillor Patton

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

7.4 Animal Control

Humane Society London & Middlesex – Q2 2023 Animal Care & Control Report

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council accept the Q2 2023 Animal Care & Control Report as submitted by the Humane Society London & Middlesex.” – Carried.

7.5 Water

i) Tri-County Water Board of Management

Agenda and Financial Statements from July 4, 2023 Tri-County Water Board of Management were reviewed. Councillor Derbyshire reported that Board is holding a special meeting to discuss the pilot project to address discoloured water issue.

Moved By: Councillor Harris

Seconded By: Councillor Patton

“RESOLVED THAT the Council of the Village of Newbury accept the Financial Statements as provided for the Tri-County Water Board of Management.” – Carried.

ii) DWQMS Review

a) ELEMENT 12 – Communications

b) ELEMENT 13 – Essential Supplies and Services

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council confirm review of Elements 12 and 13 of the DWQMS and approve revisions as proposed.” – Carried.

iii) Request for Relief – Water and Sewer Charges

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council deny a reduction in water and sewer charges for 22886 Hagerty Road unless it is confirmed that the water meter is faulty.” – Carried.

iv) Request for Installation of Second Water Meter

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council as per Water By-law deny request for installation of a second water meter at 22845 Hagerty Road.” – Carried.

v) Water Budget to Actual Reports

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

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

vi) Training Request

Clerk-Treasurer requested permission to take the ‘Introduction to Audits for Leadership Roles’ on August 10 and 11, 2023. The training is offered by the Walkerton Clean Water Centre and is being held virtually. Registration cost is \$300.00 plus HST.

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council approve the request from the Clerk-Treasurer to attend the Introduction to Audits for Leadership Roles offered by the Walkerton Clean Water Centre at a cost of \$300.00 plus hst.” – Carried.

vii) MOECP Inspection

Clerk-Treasurer Case advised that the MOECP conducted an unannounced inspection on the Newbury Distribution System on Friday, July 20, 2023.

7.6 Sewer

i) Quote Approval – Jet Pump

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council accept the quote from Ampro Electric Ltd. in the amount of \$9,310.67 plus taxes and shipping for a new XFP100C Sulzer pump as recommended by Sco-Terra Operations Group.” – Carried.

ii) Sludge Removal Verbal Update

The Clerk-Treasurer advised that sludge was removed by vac truck from the Waste Water Treatment Plant as a temporary measure.

iii) Sewer Budget to Actual Reports

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

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

iv) Call-ins – Newbury WWTP – June 2023

7.7 Administration

i) Chickens in Residential Areas Survey

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council approve the Chickens in Residential Areas Survey as drafted; and that the survey results be presented at the September meeting.” – Carried.

ii) Site Plan Control Draft By-law

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council approve the Site Plan Control By-law as drafted.” – Carried.

iii) Appointment of Alternate Community Emergency Management Coordinator Report

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT Council appoint Melanie Postel as Alternate Community Emergency Management Coordinator as recommended.” – Carried.

iv) 2023 Budget and Tax Rates

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council approve the 2023 Municipal Budget as presented with a 5% municipal tax increase.” – Carried.

v) Request from Eastlink to conduct door to door marketing campaign

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council permit Eastlink to conduct a door to door marketing campaign with condition that advance notice is provided to the Municipal Office.” – Carried.

vi) Tales and Trails Maintenance (cc Council – orange)

The Village is responsible for the maintenance of the tales and trails markers. There is an opportunity to participate in the bulk purchase of replacement plexiglass covers at a discounted price.

Moved By: Councillor Harris

Seconded By: Councillor Patton

“RESOLVED THAT Council participate in the bulk purchase of replacement plexiglass covers for the Tales and Trails program.” – Carried.

vii) Tree Removal – 16 Tucker Street

Ron Sharpe has provided an estimate of \$3,000.00 plus hst for the removal of the tree. He will need to bring in a crane to take tree down due to the hydro lines and concrete driveway. Mike Noe has advised that the tree is on municipal property.

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council approve the quote of \$3,000.00 plus hst for the removal of tree at 16 Tucker Street pending confirmation that tree is on municipal property.” – Carried.

7.8 Financial

i) Accounts Listing (cc Council – purple)

The following accounts were submitted for approval at the meeting:

- Chad Trethewey Reimbursement for batteries \$332.15
- Flora Graham Refund Park Deposit \$75.00

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT Council approve the accounts in the amount of **\$168,043.19** as revised.” – Carried.

ii) Canada Day Financial Report

Canada Day Financial Report was not available for the meeting.

iii) Budget to Actual Report

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

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

8. NEW BUSINESS

8.1 Addendum Items

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

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT the August meeting of Council be cancelled.” – Carried.

9. CLOSED SESSION

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT Council with the inclusion of the Clerk-Treasurer move to closed session under Section 239 of the Municipal Act (b) personal matters about an identifiable individual, including municipal or local board employees and (f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose in order to discuss staff wages, a personal issue, and an agreement related to a conditionally approved consent at 8:30 pm.” – Carried.

10. RISE AND REPORT FROM CLOSED SESSION

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council move out of closed session and resume regular session at 8:45 pm.” – Carried.

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council enter into the Severance and Development Agreement with Superspace Ltd. as recommended by Middlesex County Barrister & Solicitor’s Office represented by Wayne Meagher, legal counsel.” – Carried.

11. BY-LAWS**11.1 By-law No. 17-23, being a by-law to designate the Village of Newbury as a Site Plan Control Area**

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT By-law No. 17-23, being a by-law to designate the Village of Newbury as a Site Plan Control Area be given first and second reading this 24 day of July, 2023.” – Carried.

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT By-law No. 17-23 be given third reading, taken as read, properly signed and sealed, and numbered 17-23, this 24 day of July, 2023.” – Carried.

11.2 By-law No. 18-23, being a by-law to adopt the current budget and set tax rates for 2023

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT By-law No. 18-23, being a by-law to adopt the current budget and set tax rates for 2023 for the Village of Newbury be given first and second readings this 24 day of July, 2023.” – Carried.

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT By-law No. 18-23 be given third reading, taken as read, properly signed and sealed, and numbered 18-23, this 24 day of July, 2023.” – Carried.

11.3 By-law No. 19-23, 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. 19-23, being a by-law to confirm the proceedings of the Council of the Village of Newbury be given first and second reading this 24 day of July, 2023." – Carried.

Moved By: Councillor Patton

Seconded By: Councillor Harris

"RESOLVED THAT By-law No. 19-23 be given third reading, taken as read, properly signed and sealed, and numbered 19-23, this 24 day of July, 2023." – Carried.

12. ADJOURNMENT

Moved By: Councillor Patton

Seconded By: Councillor Harris

"RESOLVED THAT Council adjourn at 8:53 pm." – Carried.



REEVE DIANE BREWER



CLERK-TREASURER CATHY CASE