

MINUTES  
NEWBURY MUNICIPAL COUNCIL  
Monday, August 9, 2021  
6:00 p.m.



MEMBERS PRESENT: Reeve Diane Brewer, Councillors, Ron Challis, Mike Noe and 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 p.m.

**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 Patton declared a pecuniary interest in Agenda Item 9.(a) 2. – Veteran's Road Boulevard.

**2. DELEGATIONS & TIMED EVENTS:**

None.

**2.1 WATER:**

1. Water Financial Report:

Moved by: Councillor Noe  
Seconded by: Councillor Challis

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

2. DWQMS

Water Administrator Betty Gordon provided an update to Council by email.

3. Ministry of Environment, Conservation and Parks

Notification has been received of the renewal of the Municipal Drinking Water Licence and acceptance of the Operational Plan for the Newbury Distribution System. Both were circulated to Council by email

4. Tri-County Water Board

A copy of the Tri-County Water Board Financial Statements for the year ended December 31, 2020 have been received. Copies are available on request.

5. Tri-County Water Board Agreement

An updated draft version of the Tri-County Water Board Master Agreement was circulated to Council for review. Direction is requested regarding the ownership and care/responsibility of meters.

Moved by: Councillor Noe

Seconded by: Councillor Challis

“THAT Council support the transfer of ownership of the Hagerty Rd#1 meter to the Tri-County Water Board.”

Carried

**2.2 SEWER:**

1. Sewer Financial Report:

Moved by: Councillor Patton

Seconded by: Councillor Challis

“THAT the sewer financial report for period ended July 31, 2021 be accepted as presented.”

Carried

**2.3 DRAINAGE:**

1. Notice of On-Site Meeting

A Notice of On-Site Meeting for the Robinson Drain on Monday, August 30, 2021 was received. Councillor Noe will try to attend the meeting.

**2.4 FIRE:**

Fire Chief Chad Trethewey presented his report at 6:55 pm.

1. Training Update

The Fire Chief advised that training is ongoing. The funds received under the Fire Safety Grant have been used to purchase training manuals.

## 2. Blue Card Training

Chief Trethewey advised that both he and Deputy Chief Nowicki have completed and passed the Blue Card training. No other firefighters have started the training.

## 3. Update on Equipment

Fire Chief Trethewey advised that the magnetic switch for the siren will need replacing. It is a single phase magnetic starter. The last repairs were to the timer. Councillor Noe will have a look at what is required and make repairs as necessary. Pump tests are scheduled for this month. The foam line will be repaired at that time.

Fire Chief Trethewey left the meeting at 7:05 pm.

### **2.5 BY-LAW ENFORCEMENT:**

Garett McCloud By-law Enforcement Officer did not submit a report for July.

### **2.6 CHIEF BUILDING OFFICIAL:**

There was no report from the building department.

### **3. COUNCIL MINUTES:**

Moved by: Councillor Noe

Seconded by: Councillor Challis

“THAT the minutes from the regular Council meeting held on July 12, 2021, and the special meeting held on July 27, 2021 be approved as circulated.”

Carried

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

4.1 Flagpoles have been delivered. Plans are being made for installation.

4.2 Gerber Electric will install the light for the toboggan hill later this summer/fall.

4.3 The owners of 22799 Hagerty have been notified that grass needs cutting on a more routine basis.

4.4 The proposed policy to permit work and/or services in municipal road allowances is being drafted.

4.5 St. Clair Region Conservation Authority fundraiser, the St. Clair Challenge Virtual Fundraiser was recirculated from previous meeting. Council did not provide a cash donation to previous SCRCA events. No action taken on the 2021 event.

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

- 5.1 City of Toronto – Member motion-Building the Early Learning and Child Care System Toronto Needs
- 5.2 David Piccini, Minister of the Environment, Conservation and Parks – Waste-Free Wednesday Litter Cleanups. Council approved posting this information on our Facebook page and website.
- 5.3 Home and Community Care Support Services (former Local Health Integration Networks) – Announcement of Appointment of a New Board of Directors
- 5.4 Nuclear Waste Management Organization – AMO Conference attendance
- 5.5 Enbridge Gas Inc. – Natural Gas Rate Increase Notification
- 5.6 Municipal World Magazine – August 2021 edition is available at the office.
- 5.7 Federal Gas Tax Program Announcements – Newbury will receive a 2021 top-up of \$14,207.72; program has been renamed to ‘Canada Community-Building Fund’; and fire stations are now eligible for funding.

**6. ACTION REQUIRED ITEMS:**

- 6.1 City of Stratford requesting support for resolution petitioning the provincial government to immediately take steps to replace gas powered electrical generation with non-carbon-based sustainable alternatives.

Moved by: Councillor Noe

Seconded by: Councillor Challis

“THAT Council note and file correspondence from the City of Stratford.”

Carried

- 6.2 City of Toronto requesting support for resolutions on Bill 177 Stronger Fairer Ontario Act Changes to Provincial Offences Act.

Moved by: Councillor Noe

Seconded by: Councillor Challis

“THAT the Council of the Village of Newbury supports the resolution from the City of Toronto requesting:

1. the Attorney General of Ontario to halt the proclamation of the Early Resolution reforms included in Bill 177, Stronger, Fairer Ontario Act.
2. the Attorney General of Ontario to review the Early Resolution provisions of the Provincial Offences Act and take action to streamline and modernize this section with a view to making it easier for the public and prosecutors to engage in resolution discussions, and to administer early resolution proceedings in Provincial Offences Court. And
3. the Attorney General of Ontario to enact changes to the Provincial Offences Act and any related regulations, to permit the prosecutor and defendant or legal representative to

agree, at any stage of a proceeding, to a resolution in writing for proceedings commenced under Part 1 of the Provincial Offences Act and to permit the Clerk of the Court to register the court outcome immediately upon receipt of the written agreement without requiring an appearance before a Justice of the Peace.”

Carried

- 6.3 Invitation to Middlesex County Warden’s Charity Golf Tournament at The Fox Golf Club on Thursday, September 16, 2021. The Clerk-Treasurer was requested to include on the next agenda.
- 6.4 Mitchell Geerts, MPW Chartered Professional Accountants has provided draft 2020 Financial Statements for the Village and Newbury Community Services. These documents are for review. Mitchell will attend the September meeting to review with Council.

7. **FINANCIAL REPORTS:**

Moved by: Councillor Noe

Seconded by: Councillor Challis

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

Carried

8. **ACCOUNTS:**

Moved by: Councillor Noe

Seconded by: Councillor Challis

“THAT the accounts in the amount of \$89,818.03 be approved as presented.”

Carried

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

9.(a).1. Cement work and benches at park – waiting for cement contractor to arrange for work to be done and for price on benches.

9.(a).2. Veteran’s Road Boulevard – proposal from Russ Patton for ditch remediation

Councillor Patton reiterated his pecuniary interest in this item.

Council discussed the plan to cut down the slope of the ditch and level area in order that regular grass cutting can take place. The trees will be removed for the duration of the remedial work and returned once completed. Armour stones will be donated and placed in spot. Additional costs will be for topsoil if required and hydro seeding.

Moved by: Councillor Noe

Seconded by: Councillor Challis

“THAT Council accept the proposal from Russ Patton in the amount of \$3,500.00 plus hst for the ditch remediation work along Veteran’s Road Boulevard.”

Carried

9.(a).3. Police Services Board – no update

9.(a).4. Input has been requested from our insurers regarding installation of basketball nets at the park, as well as clarification on the type of mulch that can be used.

9.(a).5. Ron Sharpe has provided a price of \$3,600.00 per tree for the trees located at southeast corner of Dundas and York and the southwest corner of Queen and York.

Council directed that the Clerk-Treasurer obtain an opinion on the condition of the trees and report back at the next meeting.

9.(a).6. Planning Fee – By-law 128-19 does not provide for a fee for site plan applications or subdivision/condominium applications nor for the recovery of costs from a developer. Staff recommends that Council consider setting a fee for these types of applications.

Moved by: Councillor Patton

Seconded by: Councillor Challis

“THAT Council approve an application fee of \$1,000.00 for site plan applications and subdivision/condominium applications and require a cash deposit of \$3,000.00 per application to be used towards municipal review expenses and that the applicant be responsible for all costs related to municipal review.”

Carried

Council directed that staff obtain information on the scope of municipal review of plans.

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

Each Council Member was given the opportunity to bring new business to the table.

9.(b).1. Councillor Challis submitted a notice of motion on renaming Dundas Street for consideration.

Moved by: Councillor Challis

“THAT Dundas Street be renamed because of all the negative connotations surrounding this name due to racial injustices.”

No Secunder – Motion Lost

9.(b).2. Non-Residential Water Connection at 22678 Hagerty Road. This request is a carry over from 2020.

Moved by: Councillor Noe

Seconded by: Councillor Challis

“THAT the Council of the Village of Newbury approve the application from Ryan Laporte at 22678 Hagerty Road in the Municipality of Southwest Middlesex for connection to the Newbury Distribution System; that Mike Golding be approved as contractor for this project and that Connection not be undertaken until all paperwork and fees have been submitted to the satisfaction of the Village of Newbury.”

Carried

- 9.(b).3. Flooding issues at various locations in the Village following the weekend rains were discussed.

Councillor Noe pointed out that private drainage systems are not under municipal jurisdiction. Ratepayers can petition under the Drainage Act to have an engineer review drainage concerns.

- 9.(b).4. Storm sewers were discussed.

The catch basin in front of 9 Durham Street is full of weeds, debris, grass etc. It was noted that it has been several years since catch basins had been cleaned out. Council agreed that it is best to have the drainage in the intersection of Dundas and York checked with camera before starting to dig up the intersection. Staff will investigate options for camera equipment to have a look at municipal drainage system as soon as possible.

- 9.(b).5. The Clerk-Treasurer confirmed that there have been no requests to purchase unopened road allowances.

## 10. CLOSED SESSION

There was no closed session.

## 11. BY-LAWS

- 11.1 By-law 116-21, being a by-law to confirm proceedings of the Council of the Village of Newbury.

Moved by: Councillor Noe

Seconded by: Councillor Patton

“THAT By-law 116-21, being a by-law to confirm proceedings of the Council of the Village of Newbury be given first and second readings this 9 day of August, 2021.”

Carried

Moved by: Councillor Challis

Seconded by: Councillor Patton

“THAT By-law 116-21 be given third reading, taken as read, properly signed and sealed, and numbered 116-21, this 9 day of August, 2021.”

Carried

## 10. ADJOURNMENT:

Moved by: Councillor Challis

Seconded by: Councillor Noe

“THAT the meeting be adjourned at 8:02 pm.”

Carried

  
REEVE DIANE BREWER

  
CLERK-TREASURER CATHY CASE

