

MINUTES
NEWBURY MUNICIPAL COUNCIL
Monday, April 12th, 2021
6:00 p.m.



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

MEMBERS ABSENT:

OTHERS PRESENT: Fire Chief Chad Trethewey

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

STAFF ABSENT:

Council met electronically by Zoom with Councillor Challis participating by telephone.

CALL TO ORDER

Reeve Diane Brewer called the meeting to order at 6:08 p.m.

1. DECLARATION OF PECUNIARY INTEREST:

No pecuniary interests were declared.

2. DELEGATIONS:

2.1 WATER:

1. Water Financial Statements: (cc. Council – blue)
Clerk-Treasurer Gordon advised that adjustments for 2020 expenses and revenue have not yet been completed in the financial reports presented.

Moved By: Mike Noe

Seconded By: Stacey Goldrick

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

Carried

2. DWQMS – Review SAI Global audit – March 23, 2021

Moved By: Ron Challis

Seconded By: Stacey Goldrick

“THAT Council accept the SAI Global audit report as presented.”

Carried

3. Newbury Distribution System Inspection Report from the Ministry of the Environment's inspection conducted December 17th, 2020. The inspection received a 100%. Council commended Clerk-Treasurer Gordon on her proficiency.

2.2 SEWER:

1. Sewer Financial Statements: (cc. Council – green)
Clerk-Treasurer Gordon advised that adjustments for 2020 expenses and revenue have not yet been completed in the financial reports presented.

Moved By: Mike Noe

Seconded By: Russ Patton

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

Carried

2. Update and report on the grinder pump repair at 17 York St. (cc. Council – pink)
Clerk-Treasurer Gordon advised that flushing on an annual basis will assist in keeping the line open as there is currently very little flow from the residence. The homeowner has been advised as to acceptable disposal habits.

2.3 DRAINAGE:

2.4 FIRE:

Council revisited the Fire report at 6:45 pm when Fire Chief Chad Trethewey joined the meeting.

1. Monthly training records. The department has been trained on how the engine works. Training is moving forward but has reverted to squads with a different troop every Tuesday due to the current covid restrictions.
2. Blue Card training. 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 Office of the Fire Marshal is asking that Council pass a resolution to sign the Transfer Payment Agreement which will provide \$4,700 to the fire department for training opportunities.

Moved By: Stacey Goldrick

Seconded By: Ron Challis

“THAT Council approves the proposal for spending the funds and executes the Transfer Payment Agreement.”

Carried

4. Chris Carrier of Fire Marque replied to Newbury's question regarding submitting wages when Newbury's department does not receive an hourly wage to attend fires, and suggested that Newbury could use its training cost in the budget divided by the number of hours of training to determine an hourly rate. Clerk-Treasurer Gordon will review the allocation for training in the budget and work with the Fire Chief to determine an average for hours spent on training.

The Fire Chief left the meeting at 6:55 pm.

2.5 **BY-LAW ENFORCEMENT:**

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

Report was emailed to Council for approval on March 2nd.
Clerk-Treasurer Gordon advised that By-Law Enforcement Officer has been asked to follow up on a new complaint. Council requests that the By-Law Enforcement Officer provide additional details in the monthly report.

2.6 **CHIEF BUILDING OFFICIAL:**

CBO did not provide a report for March.

3. **COUNCIL MINUTES:**

Council minutes of the regular Council meeting held on March 8th, 2021.

Moved By: Mike Noe

Seconded By: Russ Patton

“THAT the minutes from the regular Council meeting held on March 8th, 2021, be accepted as presented.”

Carried

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

1. Trees will be picked up on Friday, April 16th and planted the same day. If all the trees cannot be planted on the 16th then they will be planted on the 17th. A Notice was circulated asking for volunteers.
Clerk-Treasurer Gordon advised that the trees would be arriving around 11:00 am and that a few volunteers have come forward.
2. Due to the current COVID restrictions, Newbury's Park and Rec Committee did a drive-by to hand out chocolate bunnies and then the rest were delivered by mail to those who did not attend.
3. Cathy Case was offered and accepted the position of Clerk-Treasurer to replace Betty when she retires on June 30th.

4. A Survey was circulated asking who owned a dog and who would use a dog park weekly or daily and if they thought the tax payers should pay for the park. 72 surveys indicated they would not use a dog park and 14 said they would. A petition was also submitted from 10 property owners along Wellington St. who are opposed to the proposed dog park location.
Council discussed the results of the survey and the petition.

Moved By: Ron Challis

Seconded By: Mike Noe

“THAT, in consideration of the lack of support resulting from the public survey, Council does not proceed with the development of a dog park.”

Carried

5. A letter was sent to the property owners abutting the Robinson Drain advising them that if they are the ones who constructed the dam and the sitting area in and around the Robinson Drain then they must remove it immediately.
Mike Noe advised that he was contacted on the weekend by the property owner. The property owner has advised that the dam will be removed. The property owner has requested that the stairs and sitting area be allowed to remain. Mike has advised the property owner of the right of the municipality to have the area cleared should the Robinson Drain need repair. Council discussed the implications of allowing the sitting area to remain.

Moved By: Ron Challis

Seconded By: Stacey Goldick

“That Council direct the Clerk-Treasurer to send a letter to the property owners abutting the Robinson Drain advising that the dam obstructing the flow of the Drain must be removed by April 26, 2021 and further that the sitting area and stairs may remain so long as there is no further obstruction of the Robinson Drain and with the understanding that the Municipality may have items removed for the purposes of maintenance of the Robinson Drain at the expense of the property owner.”

Carried

6. Update from the Planner, Marion Cabral, regarding a request from a landowner on Coltsfoot Drive for permission to build a new home.
Council discussed the comments from the Planner. The landowner needs to determine the feasibility of hydro service to the property prior to discussing water and sewer connections.
7. Planning meeting was held on March 29th. No visitors attended.

5. CORRESPONDENCE:

INFORMATION ITEM

1. The Government of Ontario has provided an additional \$5000 from the Ontario Cannabis Legalization Implementation Fund (OCLIF).

2. AMO has advised the office that Newbury will receive \$28,987 in Gas Tax Funds for 2021. Item to be considered during budget discussions.
3. Niagara Region is circulating their motion regarding Homelessness, Mental Health and Addiction in Niagara.
4. The City of Kitchener has provided a copy of its motion regarding the Planning Act Timelines and has asked the Ontario Minister of Municipal Affairs to review and reconsider the times before an appeal is permitted to the Local Planning Appeals Tribunal and to return to the timelines that were in effect under Bill 139.
5. The Town of Cochrane has provided a copy of its motion that requests the Province of Ontario to reverse its decision to close the youth justice facility in Cochrane, known as MeeQuam Youth Residence, as these vulnerable children need to be as close as possible to their families and communities.

Moved By: Ron Challis

Seconded By: Mike Noe

“THAT the Council of the Village of Newbury support the resolution from the Town of Cochrane in requesting the Province of Ontario to reverse its decision to close the youth justice facility in Cochrane, known as MeeQuam Youth Residence as vulnerable children need to be as close as possible to their families and communities.”

Carried

6. The Town of Kingsville is circulating its motion which opposes the adoption of any by-laws restricting the possession, storage and transportation of legally obtained handguns because a municipal ban would be difficult to enforce and easy to get around and if one municipality enacts a ban and the neighbouring municipality does not it will create a patchwork of by-laws.
7. The Municipality of Calvin is circulating their motion that endorses legislated sick leave and calls on the government for a universal paid sick days for all workers in Ontario during the pandemic and beyond.

Moved By: Ron Challis

Seconded By: Stacey Goldrick

“THAT the Council of the Village of Newbury support the resolution from the Municipality of Calvin endorsing legislated sick leave and universal paid sick days for all workers in Ontario during the pandemic and beyond.”

Carried

6. ACTION REQUIRED ITEMS:

1. Town of Caledon asking for Council’s support for its motion that supports the 988 crisis line initiative.

Moved By: Ron Challis

Seconded By: Stacey Goldrick

“THAT the Council of the Village of Newbury endorses the 988 crisis line initiative and that a letter demonstrating Newbury’s support be sent to MP Lianne Rood, MPP Monte McNaughton, the Honourable Patty Hajdu, Federal Minister of Health and the Canadian Radio-television and Telecommunications (CRTC).”

Carried

2. Katherine Root, Newbury resident, is asking Council for a light near the toboggan hill for the kids in the winter.

Moved By: Mike Noe

Seconded By: Russ Patton

“THAT Council direct staff to investigate the costs to provide lighting to the toboggan hill for consideration during budget discussions.”

Carried

3. Township of Hudson asking for Council’s support for its resolution that asks the Federal and Provincial Governments to include apparatuses, training, equipment and structures for fire departments as eligible categories in any future infrastructure programs. (cc. Council – orange)

Moved By: Ron Challis

Seconded By: Mike Noe

“THAT the Council of the Village of Newbury support the resolution from the Township of Hudson for the inclusion of apparatuses, training, equipment and structures for fire departments as eligible categories to any further infrastructure programs and that a letter of support be sent to the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Laurie Scott, Minister of Infrastructure, and MPP Monte McNaughton.”

Carried

4. Durk Vanderwerff, the County Planner, has provided a work schedule for the Village of Newbury’s Official Plan, for Council’s approval. (cc. Council blue)

Moved By: Russ Patton

Seconded By: Ron Challis

“THAT Council approves the Village of Newbury Official Plan Work Plan 2021 as proposed by Durk Vanderwerff, Director of Planning for the County of Middlesex.”

Carried

5. Niagara Region asking for Council’s support for its motion that calls upon the Government of Ontario to eliminate the development approval requirement provision from adjacent municipalities and that the “host” municipality be empowered to render final approval for landfills within their jurisdiction.

Moved By: Ron Challis

Seconded By: Stacey Goldrick

“THAT the Council of the Village of Newbury receive and file the resolution from the Niagara Region.”

Carried

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

Clerk-Treasurer Gordon advised that adjustments for 2020 expenses and revenue have not yet been completed in the financial reports presented.

Moved By: Ron Challis

Seconded By: Russ Patton

“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:

- \$205.85 payable to Wallaceburg Bookbinding & MFG. Co. Ltd. for hardcover log books for water and sewer systems
- \$22,578.15 to John Brooks Company Limited for purchase of 6 grinder pumps

Moved By: Stacey Goldrick

Seconded By: Mike Noe

“THAT the accounts that total \$106,310.52 be accepted as presented.”

Carried

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

1. Complaint received regarding the Chief Building Official’s accessibility to attend inspections. Council determined that this issue would be discussed in closed session.
2. Asking Jason Ayres to pour cement under both grandstands when he is pouring the cement at the front entrance of the park.
Russ Patton is to contact Jason Ayres for an updated quote on cement work.

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

Councillor Russ Patton asked if the Official Plan Work Plan is specific to properties and if the settlement area can be reviewed at that time. Clerk-Treasurer Gordon advised that the Official Plan review is not specific to any particular property and that the Planner has indicated that the settlement area can be considered during the review process.

Clerk-Treasurer Gordon advised of the following:

1. CIMA has completed a final walkthrough of the 2020 project with various items noted for follow up.
2. There are two flagpoles needing replacement. The recommendation is to replace each with commercial units.

Moved By: Ron Challis

Seconded By: Stacey Goldrick

“THAT the Council authorize the Clerk-Treasurer to replace the two damaged flagpoles with commercial grade poles at an aggregate estimated cost of \$3,200.00 plus taxes.”

Carried

3. Draft map showing businesses/commercial operations was reviewed.
4. The Ombudsman’s office has followed up on a complaint from a ratepayer. The issue of sidewalk snow clearing will be added to next agenda for discussion.
5. Arrangements for floating the ball diamond and vacant lot grass cutting are being made.

CLOSED SESSION:

Moved By: Mike Noe

Seconded By: Ron Challis

“THAT Council, Clerk-Treasurer and Newbury Employee go in camera under Section 239(2)(b) personal matters about an identifiable individual including municipal or local board employees to discuss the complaint received about the Chief Building Official.”

Carried

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

Moved By: Mike Noe

Seconded By: Russ Patton

“THAT Council rise from the in-camera meeting at 7:48 pm with no report.”

Carried

3. By-law 106-21, being a by-law to confirm proceedings of the Council of the Village of Newbury.

Moved By: Mike Noe

Seconded By: Russ Patton

“THAT By-law 106-21, being a by-law to confirm proceedings of the Council of the Village of Newbury is given first and second reading this 12th day of April, 2021.”

Carried

Moved By: Ron Challis

Seconded By: Stacey Goldrick

“THAT By-law 106-21 be given third reading, taken as read, properly signed and sealed, and numbered 106-21, this 12th day of April, 2021.”

Carried

10. **ADJOURNMENT:**

Moved By: Ron Challis

Seconded By: Mike Noe

“THAT the meeting be adjourned.”

Carried

The meeting adjourned at 8:15 p.m.

Upcoming Meetings (unless re-scheduled)

Regular Council on Monday, May 10th, 2021



REEVE DIANE BREWER



CLERK TREASURER BETTY D. GORDON

