

MINUTES  
VILLAGE OF NEWBURY COUNCIL MEETING  
TUESDAY, MAY 14, 2024  
6:00 pm  
Council Chambers



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

Staff: Cathy Case, Clerk-Treasurer  
Chad Trethewey, Fire Chief  
Marion Cabral, Planner

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.

3. **TIMED EVENTS**

**6:00 PM**

**3.1 Draft Plan of Subdivision – Conditions of Approval  
Marion Cabral, Planner**

Planner Marion Cabral reviewed the Planning Report for the Plan of Subdivision 39T-NEW2301 for 13 Wellington Street, Newbury. Taylor Whitney from Zelinka Priamo was also in attendance. Reeve Brewer asked for clarification on several conditions that County staff are recommending. Councillor Patton asked if the developer can be required to improve or install fencing around the proposed development. Planner Cabral advised that this can be included in the site plan. Planner Cabral stated that, pending Council's endorsement, the draft plan of subdivision should be before County Council for consideration by the end of May.

Moved By: Councillor Harris

Seconded By: Councillor Patton

“RESOLVED THAT the County of Middlesex be advised that the Village of Newbury recommends draft plan approval for the land known legally as Concession 2 Pt Lot 17, and know municipally as 13 Wellington Street, County File No. 39T-NEW2301, subject to the draft plan conditions appended to the staff report dated May 14, 2024 and subject to a three (3) year lapse period.” – Carried.

#### **4. COUNCIL MINUTES**

##### 4.1 Minutes of the regular Council meeting held on April 9, 2024

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT the minutes from the regular Council meeting held on April 9, 2024 be approved as circulated.” – Carried.

#### **5. BUSINESS ARISING FROM THE MINUTES**

April 9 item 7.7 v) Complaint – Garbage in roadside ditch on Coltsfoot

Councillor Harris reported that he and Councillor Patton viewed the ditch along Coltsfoot Drive. They can get the garbage cleaned out with a backhoe. The Councillors recommend that a clean out on the ditch be done to address the sediment and brush.

#### **6. CORRESPONDENCE**

##### **NON-ACTION CORRESPONDENCE**

6.1 Municipal World – May 2024

6.2 County of Middlesex – Middlesex County Council Meeting Highlights-April 9, 2024

6.3 Emergency Management Ontario – 2023 EMCPA Requirements Achieved

6.4 Office of the Warden, Middlesex County – Local Council Visit Follow Up

6.5 Middlesex County – Newbury 2023 Planning Summary Report

6.6 Blyth Festival – Municipal Night, Wednesday, July 10, 2024

6.7 Raymond Cho, Minister for Seniors and Accessibility – June is Seniors Month

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council receive and file correspondence items 6.1 to 6.7.”

-- Carried.

### **ACTION REQUIRED CORRESPONDENCE**

#### 6.8 Glencoe District High School – Village of Newbury Award

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT Council support the Village of Newbury Award in 2024 provided there is a graduate eligible to receive the award.” – Carried.

#### 6.9 Four Counties Health Services Foundation – Patient Medical Equipment Spring Appeal - \$100,700

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council refer the funding request from the Four Counties Health Services Foundation to budget consideration.” – Carried.

#### 6.10 City of Peterborough – requesting that the Minister of Municipal Affairs and Housing introduce a Bill to amend the Ombudsman Act to require the Ontario Ombudsman to provide each municipality, if requested by the municipality, sufficient particulars of each investigation, matter or case respecting the municipality that is referred to in each of the Ombudsman’s Annual Reports to permit the municipality to fully understand and address the subject matter of each such investigation

Moved By: Councillor Harris

Seconded By: Councillor Patton

“RESOLVED THAT Council receive and file correspondence item 6.10 from the City of Peterborough.” – Carried.

#### 6.11 Town of Goderich – Legislative Amendments to Improve Municipal Code of Conduct (advising of support for the call of action the Association of Municipalities of Ontario (AMO) has submitted to the Government of Ontario to introduce legislation to strengthen municipal Codes of Conduct and compliance with them)

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council receive and file correspondence item 6.11 from the Town of Goderich.” – Carried.

6.12 Town of Goderich – Review of the Ontario Works and Ontario Disability Support Program Financial Assistance Rates

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council receive and file correspondence item 6.12 from the Town of Goderich.” – Carried.

6.13 City of St. Catherines – petitioning the provincial government to implement provincial regulations to restrict the possession, breeding, and use of non-native (“exotic”) wild animals and licence zoos in order to guarantee the fair and consistent application of policy throughout Ontario for the safety of Ontario’s citizens and the non-native (“exotic”) wild animal population

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council support the resolution from the City of St. Catherines and petition the provincial government to implement provincial regulations to restrict the possession, breeding, and the use of non-native (“exotic”) wild animals and licence zoos in order to guarantee the fair and consistent application of policy throughout Ontario for the safety of Ontario’s citizens and the non-native (“exotic”) wild animal population.” – Carried.

6.14 Wounded Warriors – requesting financial support for the Canadian Military History Guide Project

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council receive and file correspondence item 6.14 from the Wounded Warriors organization.” – Carried.

6.15 Royal Canadian Legion Branch 583 Newbury – requesting financial support towards purchase of Generac for Legion

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council support the installation of a generator at the Legion and that the funding request from the RCL Br 583 be referred to budget for additional discussion and consideration.” – Carried.

6.16 Vance Blackmore – property concerns along Coltsfoot Drive between Pine Road and Southwest Middlesex

Council directed staff to obtain additional information on unopened road allowances.

## 7. STAFF REPORTS

### 7.1 Fire

Fire Chief Chad Trethewey attended the meeting at 6:53 pm.

- i) Training – no update
- ii) Firefighter Recruitment

One of the new recruits has resigned. Another recruit is away at school and communicates when he can attend training.

- iii) Firehall Overhead Door Replacement Update

The Clerk-Treasurer reported that she is working with AUBI on resolution to flooring.

- iv) Firehall Roof Repair Quote

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council accept the quote from Macksville Construction Ltd. in the amount of \$1,197.00 plus hst to repair the roof at the Newbury Firehall as per the Report Recommendations provided.” – Carried.

Other:

- The suction hose and strainer have been delivered; the equipment needs to be loaded on to the fire truck and complete firefighter training on its use
- Station wear has arrived and been distributed
- The pump test is scheduled for June 21, 2024
- Firefighter graduation is June 5 in Aylmer; Chief Trethewey presents the certificates
- Two sets of bunker gear are being sent out for cleaning

Chief Trethewey left the meeting at 7:10 pm.

### 7.2 Building Services

Building Permits Issued Report for April 2024 was reviewed.

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council accept the Building Permits Issued Report for April 2024 as presented by the Clerk-Treasurer.” – Carried.

### 7.3 By-law Enforcement

By-law Enforcement Report for April 2024 was reviewed.

Moved By: Councillor Patton

Seconded By: Councillor Harris

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

#### **7.4 Animal Control**

#### **7.5 Water**

i) DWQMS

a) Internal audit by BluMetric is scheduled for May 28, 2024

ii) Budget to Actual Report

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council accept the water department budget to actual report as of March 31, 2024 as presented.” – Carried.

iii) Water and Sewer Charges

The Clerk-Treasurer updated Council on an issue with a large water read.

#### **7.6 Sewer**

i) Budget to Actual Report

Recommended Motion:

RESOLVED THAT Council accept the sewer department budget to actual report as of March 31, 2024 as presented.” – Carried.

#### **7.7 Administration**

i) Newbury Celebrates Canada Day – declare event of municipal significance  
(2024 Grant for Canada Day is \$1,920.00)

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council declares the Newbury Celebrates Canada Day an event of municipal significance and approve the serving of alcohol in the approved refreshment area operated by the Royal Canadian Legion Branch 583 on July 1, 2024.” – Carried.

## ii) Newbury Library Building Update Report

Moved By: Councillor Harris

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council accept the quote from DVT Enterprises in the amount of \$1,500.00 plus hst for duct cleaning at the Municipal Office, the Newbury Library and the Newbury Firehall.” – Carried.

## iii) Ball Park Update

The Clerk-Treasurer updated Council on 2024 season start up the ballpark.

## iv) Waste Collection Program

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council approve a second waste tote for 22900 Hagerty Road at no charge for 2024 and that full commercial rate be applicable for 2025 and beyond.” – Carried.

## v) Municipal Cyber Insurance

Council is not interested in cyber insurance for 2024.

## 7.8 Financial

## i) Accounts Listing

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT Council approve the accounts in the amount of \$108,544.29 as presented.” – Carried.

## ii) Budget to Actual Report

Moved By: Councillor Derbyshire

Seconded By: Councillor Harris

“RESOLVED THAT Council accept the budget to actual report as of March 31, 2024 as presented.” – Carried.

## iii) Financial Information Report

Moved By: Councillor Derbyshire

Seconded By: Councillor Patton

“RESOLVED THAT Council accept the financial information report 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.)

Reeve Brewer inquired into the long grass at 22907 Hagerty Road.

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT the next regular Council meeting be on Tuesday, June 4, 2024 at 6:00 pm in Council Chambers.” – Carried.

**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 8:14 pm.” – Carried.

**10. RISE AND REPORT FROM CLOSED SESSION**

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council rise from closed session at 9:10 pm and resume regular session.” – Carried.

Moved By: Councillor Patton

Seconded By: Councillor Harris

“RESOLVED THAT Council direct staff to proceed as directed in closed session related to the security of municipal property and that there is no adjustment to water and sewer charges unless a water meter is proven to be malfunctioning.” – Carried.

**11. BY-LAWS**

11.1 By-law No. 6-24, being a by-law to confirm the proceedings of the Council of the Village of Newbury

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

“RESOLVED THAT By-law No. 6-24, being a by-law to confirm the proceedings of the Council of the Village of Newbury be given first and second reading this 14 day of May, 2024.” – Carried.



Moved By: Councillor Harris

Seconded By: Councillor Patton

"RESOLVED THAT By-law No. 6-24 be given third reading, taken as read, properly signed and sealed, and numbered 6-24, this 14 day of May, 2024." – Carried.

**12. ADJOURNMENT**

Moved By: Councillor Patton

Seconded By: Councillor Derbyshire

"RESOLVED THAT Council adjourn at 9:12 pm." – Carried.

  
REEVE DIANE BREWER

  
CLERK-TREASURER CATHY CASE