
❖ Speaking Out ❖

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The Truth is Mighty and Will Prevail

MURF Crap Hits The Fan

by: Jim Tolnai

I spent April 26 attending the MURF Crap Fest at Swanmore Hall. You know the one where the public was not invited. I was not surprised to see the room setup so that there was no room for the public to speak of. And yes no questions were allowed even by the Speaking Out, Packet and Orillia Today reporters. People who did show up left angry and disappointed in this very expensive Sham.

The meeting began with a film presentation trying to sell the Poison Contaminated Site. Of course in the presentation there was no mention of any toxins or what harm they cause. Only cheery Orillians telling us how the MURF at this site will be a life changing experience for all of us. Why looking at this load of BS one is led to believe that Orillia has NO recreational facilities at all. Yes folks the people in the film implied that there was absolutely nothing to do in Orillia. What a load of crap. If it wasn't so sad it would be funny.

Next up was Cynthia Robins from Shaheen & Peaker. She is purported to be an expert but I have my doubts about her sincerity in leveling with us. Now it turns out that Cynthia actually did the Environmental report for Molson's which she refuses to make public. She then proceeds to tell us that all the poisons on this property have already leached onto adjoining property. Now remember the Property Assessment which used HER report stated that no leeching had occurred. But never the less all these poisons except 40,000 tons can be contained. So what happened to the 76,000 tons that had to be moved. Well with a stroke Ms. Robins decides without further testing that the 36,000 tons can stay. How does she propose to contain this Poison which by her own admission has already leached away? Why let's dig down a few feet lay down a blanket fill it back with clean fill and live happily ever after. Now this remedy to me is like

having a family member die and Johnny Mundell comes to the house throws a blanket over the body charges a ton of money and leaves town.

Ms. Robins spent about 20 minutes on her presentation. The presentation basically consisted of skipping over the contaminants and making light of them. Her chart showed that every contaminant on the property far exceeded provincial guide lines. PCB's were 50% higher , Heavy Oil with 1,000 parts allowed actually contained 87,000 parts (eighty-seven thousand parts). And yes the ground water is contaminated. Gosh in the assessment nothing was said about ground water contamination. Only thing said was that ground water was being monitored. So here we have the assessment telling us that a \$250,000 further study was needed to assess the environmental risks and Ian Brown saying there was nothing to be gained by re testing the soil as the property is like a pin cushion already. So if that is the case why has the document not been made public? Why even councillors have not seen or been able to get a copy. Yet Mr. Brown and Ms. Robins expects these people to go ahead with this site and trust them. Seems Brown and Robins should



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trust councillors will do the right thing if given the information.

During the question period all councillors even the Mayor were adamant that they were expecting an Independent second opinion report containing details that are crucial to good decision making. But alas that was not to be. In fact councillor Smith was belittled for his courage to ask some basic questions. Seems Czar Peter was right that questions were not welcome. Well, questions that matter that is. Lots of crap about bricks vs. glass and not competing with gyms already in the city, room for teen groups etc. Unfortunately the real issue and only issue is the safety of Orillians with only a thin blanket between them and very toxic substances.

So where do we go now? Council should immediately put a moratorium on the site. Haul Ian Brown, the city solicitor, and all city management up on the carpet. Demand that all documents be delivered to them immediately. Hire an independent consultant and an outside law firm to review these documents. Authorize a Forensic Audit of the cities financial affairs and let the chips fall where they may. We now have three councillors with the gonads to do the right thing. All we need is two more. Councillors take back city hall you are the ones elected not Ian Brown. How dare these public servants hijack city business from our elected representatives? How dare these public servants go against the wish's of council for an independent environmental assessment and literally make fools of councillors in this public forum?

Councillors Gardy, Morano, and Smith Congratulations for your efforts. Now get tough demand a Forensic Audit.



Media Access

by: Doug Peddle

I'm a great fan of the Bayside restaurant and go for lunch several times a week. Of course I always carry copies of Speaking Out with me just in case some one is interested in reading it. So my normal behavior is to drop a few copies on the counter where News Papers ,Percolator etc. are stacked. Lo and behold as I get seated along comes Kelly our waitress with the copies just dropped off handing them to me. It seems that a Ms. Ward from City Hall had been in the previous day and ordered all copies of Speaking Out not only to be denied access to patrons but actually tore them in half while telling the waitress "and this is what has to be done to this trash" and throwing them in the garbage. Apparently it wasn't even into the recycle bin but the garbage.

It seems the Power at city hall does not like what Speaking Out is saying and does not want anyone else reading this "Rag" as councillor Smith, Mayor Stevens and Bob Lamb called it. Wonder why they are not happy with what we write about. Is it because what we say is a lie? Is it because we speak of unimportant issues? Is it because we are not Pro Orillia?

The truth is non of the above but actually the opposite. The Power does not want you to read our "Rag" because it does report the truth. Unlike our other two newspapers who are in the business of advertising and do not seem to have the journalistic will to write about the controversial details we are not restrained by the Profit Motive. It's true we do not report on Aunt Sally's cat having six kittens or Fred Smith having blacked toes from to tight skiboot. All are very

important to the community and interesting to boot. No we have decided to honour our publications name and Speak Out about the other Important Issues. And of course we are passionately PRO Orillia. Does anyone believe that we take the abuse and spend our own money to inform you if we weren't?

So is it any wonder that Laura Lee, City Clerk stated to me "Speaking Out is not an Accredited or Credible news media and the way articles are written is a problem." Is it any wonder that there are newspapers and literature of every description at the Bayside but Speaking Out is to be destroyed on sight. Is it any wonder that even though the city furnishes the other media in town with council packages FREE of Charge even though they are Profit motivated businesses we are asked to Pay. Sure Smacks of Censorship doesn't it?

And of course Censorship does not stop with city facilities. McLeans Variety had allowed our little "Rag" a bit of shelf space until someone took issue with it's distribution there. Now I know it is the right of the store owner to ask us not to bring any more issues. I have no problem with that. What I have a problem with is the attempt to stifle the Freedom of Speech regardless of who they are or what they say as long as it is the TRUTH. And what about the YMCA. Well! Management has decided that our little "RAG" is too controversial and should not be placed as reading material. It seems the YMCA Management does not realize that their members are adult and thinking individuals who do not need others thinking for them or protecting them from our writings. Funny how newspapers, magazines and all sorts of other publications are freely available to members. Yet Speaking Out is banned. I love my mother but I certainly don't need her to wipe my nose any more nor do I need anyone else to think for me. How about you? Want a hanky?

Study Released

So what happened. After months and months of asking for the Molson Environmental Study it is now being released. We applied under the Freedom of Information and Laura Lee denied us. We then appealed but before we could win that battle the city decided to release it. Why just Last Monday April 26 Ian Brown stated that the report could not be made public as Molson owned it and would sue the city. Mr. Brown now says Molsons was asked to release it because of misinformation circulating in the city. Boy is Brown trying to make a silk purse from a sows ear or what? The only misinformation that has ever circulated on this matter is what Brown and council spread. (see lies, lies and more lies on pg. 4)

Now I find it hard to believe that Brown stated "the terms of the confidentiality agreement prohibited us from releasing the study". What confidentiality agreement is he talking about. There was nothing in the Transfer Agreement about confidentiality. In fact in a letter date Nov. 25, 2003 to the City Clerk Allan Millard posed the following question. "Para. 11 of the Transfer Agreement begins by reciting that "Each of Molson and Orillia understand and agree that it may not be possible to keep the terms and conditions of this agreement confidential and exclusive to themselves." I would like to know whether any collateral arrangements, understandings, or agreements, oral or written, were made between the parties regarding confidentiality, and also whether any assurances or promises of confidentiality were asked for by Molson or given by Orillia." Simple enough question.

Ian Brown City Manager took it upon himself to answer the questions posed to the City Clerk. In a letter dated Dec. 8, 2003 Ian Brown writes." No, there are no collateral arrangements, understandings or agreements regarding the confidentiality of the Transfer Agreement". As the Environmental Study forms part of the Transfer Agreement pg. 4 para. 8 and Allan's question specifically asks cont.pg3 cont. from pg. 2 whether any confidentiality agreements were made how come Ian Brown now states "The terms of the confidentiality

We Get Letters

I respond to the Call Center Jobs item appearing in Issue 17. While the article alludes to the Free Trade Agreement as the reason for lost jobs, it is the more divisive and ubiquitous Multi-Lateral Agreement on Investment we need to show concern.

The FTA, as well as NAFTA, nothing more than smokescreens, paved the way for the MAI; an agreement that would grant corporations, for the first time in history, equal legal standing with nation-states. Under the MAI, corporations would have access to Canadian courts to challenge any legislation - labor laws, copyright protection, environmental regulations, Canadian content rules - that could be seen as contrary to the interests of foreign investment. It will prevent Canadian governments from ever again favoring domestic companies and grant foreign corporations the right to sue Canadian governments for lost profits.

For example: in Chevron vs. Canada, Canada stopped Chevron from marketing and selling gasoline with fuel additives banned by the U.S. Environmental Protection Agency, banned as it was deemed harmful to the environment. Chevron cried foul, sued Canada in Canadian courts, wins the suit and is awarded a couple hundred million dollars. What?

The MAI gives corporations their own Charter of Rights and with it, will undermine the ability of countries and citizens to govern

themselves. Federal and provincial governments will carry no weight in trade and investment decisions and there will no longer be a need, or budget for those Monday night gatherings at City Hall.

With regard to any commitment to the community as mentioned, commitment to multinationals is ludicrous. Why would Tele Tech or Nextel invest in property and or buildings in Canada? Why not approach any community, negotiate a building for jobs agreement, determine if it is indeed profitable and maintain a presence till such time it is no longer profitable? When that time arrives and it would appear it has, Tele Tech will vacate the city's building and leave 600 people unemployed. With a toggle of a switch, Nextel can divert all calls to Canada to any other call center in the world with virtually no downtime. Any cost to Tele Tech or Nextel, USA to exit would be immaterial to Nextel's \$10.8 billion domestic revenue (2003) and almost 13 million subscribers.

The MAI also forces privatization of government run services such as hydro, health care and most recently the LCBO. Why would anyone sell a business that makes a billion dollars a year in profit? Privatization is government's response to pressure from big business to let "Us" take over and show you how to make two billion dollars profit. Privatization is the governments' "get out of the business" card presented to the government from multinational corporations.

Privatization knows no boundaries and one of the most alarming possibilities is the privatization of libraries. Privatized libraries will control what you read and remove anything that exposes corrupt government or corporations. Are we not brainwashed enough? Norm Sartor, Orillia

Editors Note:

Does anyone have access to the lease agreement the city made with Tele Tech? Would be interested to know what protection we have if this company decides to get out of town. Call me 327-5717

agreement prohibited us from releasing the study." Where is this agreement? Ian Brown then goes on to say that misinformation was being circulated in the community. Is he referring to Speaking Out's efforts at getting to the truth or his effort to conceal it?

Truth is that council and the citizens of Orillia have been at worst lied to or purposely misled and deceived. There is an implicit lie in half truths. It is a shame that Ian Brown chooses to put his skills and knowledge to misleading and deceiving. Council has to realize now that we need a City manager who employs his intelligence to illuminate, not obfuscate and deceive.

Again as we get answers to some questions new questions arise. Was council aware or have they seen this confidentiality agreement? Did the Mayor see or know about this confidentiality agreement? Who signed the confidentiality agreement and did council pass a bylaw authorizing it if it was done outside of the transfer agreement? If the agreement formed part of the transfer then why was it not stated as such? Will council Order Ian Brown to release this confidentiality agreement? Remember lie to me once and I believe you it's your fault lie to me twice it's mine. What about it Council?

Lies Lies and more: Lies or to be Politically Correct Contradictions

by: Jim Tolnai

Over the past year and a half Speaking Out has been bringing important issues to peoples attention. Non have been more important than the M.U.R.F. site. If you have followed our stories you will know that this whole deal stinks to high heaven. We have had to do battle for scraps of information as the true POWER at city hall does not want you or I or even council to get the truth. The POWER will stop it seems at nothing in order to get the M.U.R.F. built on this God forsaken toxic piece of property. Why????

This whole story is full of Contradictions.

1. Speaking Out obtained the Appraisal Documents. Yes there are two separate Appraisals as to the value of the land. Both are done by Andrew, Thompson and Associates. Both are dated February 18, 2003 and both are signed by L. Steve Thompson BA, AACI, P. App. Only problem is that one states a value of \$459,000 and the other one states it is worth \$704,000. Now excuse me but is it not against the Law to have two appraisals for the same property written the same day, signed by the same person and handed to the Law firm of Graham, Wilson and Green who accepted both as being true and certified appraisals? From these fine people the city received both copies and we acquired them from Half Million Dollar Bob Ripley who used them to justify the Tax Deductible receipt given to Molsons. Would someone explain how in an above board transaction two certified appraisals for different values are needed. If any of you remember Bill Player and the Crown Trust swindle people were charged and sent to jail for playing with Appraisals.

2. Originally it was announced that contaminants were minor and no hazardous pollution existed. Well it turns out that indeed there are Hazardous pollutants like PCB, Antimony, Benzo(a) pyrene, Cadmium, Ethyl benzene and Lead. All are Hazardous and Toxic according to MOE. But on April 26 Christine Robins who authored the environmental study relied on by the Appraiser stated that these Hazardous Pollutants can be disposed of at our landfill site as Non Hazardous???

3. In the appraisal again using Ms. Robins report states that "There is no evidence that any plume or pollutant has caused off site contamination". But again on April 26 Ms. Robins stated twice that indeed the contaminants have leached off the site. So which is it.

4. According to the appraiser in both documents the land is worth \$880,000 if it were clean and either \$704,000 or 459,000 as polluted. Now folks it will cost millions and millions of dollars to clean this land up, so should not a negative value have been appraised? You see the old Farahmet property which contains the same contaminants (probably leached on to) and is only about 5 acres versus 36 acres was sold for \$2 and the city gave the purchaser a \$900,000 development Charge Credit. That makes the Farahmet property worth a negative -\$180,000 per acre. So using the same logic for the MURF site that means that it is worth a total of neg. -\$6,480,000. What's good for the goose should be good for the gander. How come this was not reflected in the appraisal and how come we gave any receipt against taxes and how come Molson did not pay the city to take this land off their hands?

5. Originally we were told that 76,000 tons of toxic soil had to be removed from the site. This according to Ms. Robins report. Lo and behold on April 26 Ms. Robins changes her mind and now only 40,000 tons need to be removed. It was stated (by Ian Brown) that no other studies were done on the property nor was it needed but upon reflection the 36,000 tons of toxins could stay put.

6. We were told originally that remediation of the site would cost 3.8 million dollars. Then we were told it would cost \$8 million then \$8.7 million and on April 26 Ms. Robins floated \$1.4 to \$2.4 million. But in order to remove and dispose of 40,000 tons tippage, trucking and filling in the hole will cost over \$8 million dollars and that's if we send the poison to our own landfill on the shores of Lake Simcoe. If we send it to a proper disposal site in Michigan the cost will be \$14.1 million dollars. I don't understand where these people get their costs from. It is not rocket science that tippage alone is \$190 per ton. Multiply that by 40,000.

7. We were told all along that council

did not have to consult with our own Environmental Advisory Board or WMAC. Now in the last hours of decision making these people will be asked for advice but not given access to the environmental study done by Ms. Robins.

8. We were, along with council told that the Environmental Study belongs to Molsons and that it can not be made public or the city will be sued. Yes even council members can't get to see it. Yet in the Land Transfer agreement Molson's supplies the city with a copy and further states "Molson hereby consents to the municipality or other governmental agencies releasing to Orillia (the public) details" and further on pg. 6 states "Molson hereby consents to the municipality releasing to Orillia (the public) details" and agrees to execute and deliver to Orillia further authorizations in this regard". So why is Ian Brown saying that this report can't be seen by anyone, and if that is true how come he gets to see it. Won't he be sued by Molsons for looking at it? Or has he actually seen it? Has the city solicitor seen it? Does it even exist? Rubbish.

There are countless more contradictions too numerous for this space, but you get the idea. We at Speaking Out have been fighting the good fight but unfortunately the majority of council, the local media (Packet, Orillia Today, Jack FM or Rogers Cable etc.) won't take on the real POWER at city hall. It seems that there is a shortage of journalistic integrity and political will to stop this travesty. It seems the Packet and Orillia Today don't want to ruffle any feathers. With the city being a heavy advertiser the POWER could hurt their business but certainly not without councils approval. So it all comes down to 9 elected people who have abrogated their responsibility to us by being followers and not leaders and by allowing themselves to be bullied. Sad???