

**Feb. 28, 2005**

**Read the press release and the reply to Open Letter:**

CITIZENS' COALITION of ORILLIA  
**PRESS RELEASE**

Orillia, Ontario : February 28, 2005

Re: Foundry Park Project (a.k.a. "MURF")

The Citizens' Coalition offers its conditional support to the City of Orillia in the matter of the Certificate of Prohibition which applies to the western half (7.098 hectares or approx. 17.5 acres) of the Foundry Park site. Our view is that no development is legal before September, 2018 unless the Minister of the Environment approves of a proposed change of use.

(The area subject to the Certificate was used for many years as a dumping ground for industrial waste, not ordinary household garbage. Section 46 of the Environmental Protection Act states:

"No use shall be made of land or land covered by water which has been used for the disposal of waste within a period of twenty-five years from the year in which such land ceased to be so used unless the approval of the Minister for the proposed use has been given."

(The City claims the clock started in 1986, but since it is impossible to prove when the site ceased to be used for waste disposal the 25 years must run from the date of the Certificate's registration on title, September 27, 1993. Even that assumes, perhaps unwisely, that Beaver Lumber Co./Molson's took steps to ensure that no waste disposal occurred on their land after the registration.)

The Citizens' Coalition is prepared to support the City of Orillia in an application to the Minister before 2018 for a proposed change of use to "open recreation" upon the following terms:

1. There must first be a full environmental assessment completed pursuant to the Environmental Assessment Act;
2. A site-specific risk assessment for use of the land as "open recreation" must be conducted but could be combined with the environmental assessment;
3. No application to the Minister may be made until both assessments are completed;
4. No work of any kind, except necessary environmental testing, shall be permitted on the land until both assessments are completed; and
5. The firm of Shaheen & Peaker Ltd. shall not be eligible for any contract or sub-contract to conduct an environmental assessment, a site-specific risk assessment, a risk assessment, any peer review of any of the assessments, or any risk management study.

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Background technical note:

The Site Closure Plan of Beaver Lumber shows that waste, probably foundry

sand fill, was piled to a height of 3 metres above the surface water level close to the east bank of Ben's Ditch. The Ministry of the Environment required some grading from west to east to bring the waste material to 2 metres above water level and prevent ponding on it. Testing by Shaheen & Peaker Ltd. on the whole 17.5 acres of the waste disposal site, which includes a lagoon undoubtedly created by the dumping of waste to the south of it, was superficial and inadequate. Its testing has been restricted to the 2 metres of foundry sand fill. There is no evidence of what lies beneath the foundry fill. It could be anything from clean natural peat to highly toxic peat or groundwater resulting from the sinking of heavy metals and industrial chemicals. There is anecdotal evidence that an attempt by an entrepreneur to exploit peat deposits nearby was terminated by a finding that the peat material was too toxic for garden use. Specifically, on March 13, 2002 S&P dug 12 test pits with a backhoe and took some "grab" samples. Only 5 pits went deeper than the foundry sand fill layer, by about 20 cm., and all pits were immediately filled in the same day. Six of the pits had soil with "oily sheen", "slight hydrocarbon odour", or both, but no further attention was paid to any of that, then or later. In June 2004 S&P took only 3 surficial soil samples from the area covered by the Certificate of Prohibition. Holes were dug to only ½ metre (50 cm.) and a soil sample from each was taken between -40 and -50 cm. Only two monitoring wells were put in place, and one of them was on the border with the Norweld property, i.e. more to look for possible flows of contamination to the neighbouring property than to know what was in the groundwater on site. For further information call Jim Tolnai at 327-5717 or Allan Millard at 326-0433.

## Open Letter Submitted by Mayor

In Fridays Packet an open letter was submitted by Ron Stevens??? Now I always am suspicious when wording does not seem to make sense in anything the city puts out. In reading the letter it occurred to me that most of the document I was reading did not seem to bear the mayors style. Of course with the mayor not taking credit for writing it but making the effort to state he **submitted** it makes one wonder just who did write it??

The letter states that taxpayers of Orillia can be confident that the city and staff are taking every precaution that the site will be safe, but fails to address these precautions. So just what are the precautions??? Seems there will be no cleanup just a cover up. Yet the mayor and everyone else involved has used the words "**cleanup**". Now the letter claims "From the outset of this project the West St. site was known to be a brownfield site. The City of Orillia is using a risk assessment approach to manage the soil and groundwater impacts because this process will achieve the same goal as **Remediation**, assuring that the health and safety of anyone who works at, plays or visits the MURF site will be protected at all times and for the **lifetime of the facility**". This is a 180 degree turn on the "Clean up" statements isn't it??? Now how can cleaning the site properly ever be compared to just sweeping the toxins under the rug??? Wasn't it the mayor who

said on Rogers cable that "future councils will have to deal with any problems"? And what happens at the end of the lifetime of the facility??? What is the projected life of the facility anyway???

The letter goes on about the how top notch a company Shaheen & Peaker is. OK! if this is true then why don't we talk about the lawsuits that Shaheen & Peaker are involved in??? Particularly where the clients are actually suing for inadequate testing. Or the suit where not only is the company sued but also individuals such as Cynthia Robins for negligence. Why does the city not make public all that they know about this firm good and bad??? Why will the city not allow us a copy of or even see the contract with Shaheen and Peaker???? Why were we told that before we can see the contract Shaheen and Peaker as well as Cynthia Robins would need to give their permission??? Nor would they tell us how much this contract is costing us???? Yup! they really want dialogue don't they???

The letter then goes on to identify other projects done by Shaheen and Peaker. Examples used were the redevelopment of Runnymede Hospital and the New Chester Village long term care facility. They claim these were similar to the MURF site. But wait a minute Runnymead Hospital was actually a school before becoming a hospital. Could it be that this property was as toxic as our site??? So off we go to do some investigation. We could not find any information on a Internet search that identified just how toxic this site was. In fact the MOE site has absolutely no information about the site either. Nor is there any information on the dismantling of the Gardiner Expressway. How come??? Would the city please furnish us with facts and figures so that indeed we can make a comparison. You see Dr. Ford in researching about thirty of the most notorious sites around the world did not find these sites did he??? Why??? Because they are not there. What he did find though was that of the sites he investigated Orillia is by far the worse. So we question the statement "**With this kind of track record, you can see why Orillia is putting its trust in the examination, findings, and recommendations of this consulting team**". No we can not see why because there is absolutely no evidence that you have offered us to prove your statements. The days of believing are long gone. You Mr. Mayor, council and Boss Hog can not be trusted as you have proven over and over again.

Back in Nov. on the TVO program the mayor said that he didn't know how bad the contamination was. So Mr. Mayor here it is Feb. 28, do you now know how bad it is yet??? Our answer is **NO** you don't and if you do you certainly are not telling us are you. You say that dealing with the vinyl chloride in the groundwater is not a problem and that "**The risk assessment will confirm that gas venting is the most suitable control for managing the groundwater**". So let me get this straight. The Risk Assessment has not been completed? In fact Boss Hog has claimed that it will not be completed possibly until after the building is up yet you claim that the document will confirm that venting is the way to go. How do you know????? According to Dr. Ford he has been unable to find one site in the world that has used this technology to vent vinyl chloride. Please share with us any sites you have knowledge of. Please do not tell us of sites that use it to vent methane gas as it is not the same thing. We would be talking apples to oranges

wouldn't we??? As for dust control your reassurances fall on deaf ears. We saw your dust control all along West St. during the big dig. Not one truck was washed down. Dust flew all over town and now you expect people to believe you???? Want to see some video showing how you controlled the dust???? Once you see it even you won't trust yourself on that statement. Bur hey! maybe you will?????

You then go on to say that "we would not allow any known harm to come to you and yours any more than we would to our own family". So then why did you allow the dust to fly all over town??? Why did you spread the dirt at the dump making effective testing impossible??? Why did you claim there was a confidentiality agreement with Molson's when there wasn't?? Why did you not announce the "Catastrophic" levels of trichlorethylene and vinyl chloride??? Why do you not know just how bad the contamination really is yet you insist on proceeding??? Why don't you tell us what the test results are from the new drilling earlier this month???? Why don't you tell us if the monitoring wells across the road have had tests done and what are they???? You sir and your crew can not be trusted. We look at your past performance and see nothing but a dark toxic future for us.

jim tolnai

**Feb. 25, 2005**

**I have placed this on News and Events and is a worthwhile read.**

Allan Millard

231 Westmount Drive South

Orillia ON L3V 6E5

February 25, 2005

Dear Jim:

I thought readers of Speaking Out, whether in Orillia or beyond, should know that our local government is as secretive and fearful as any you will find in a dictatorship. Strong words? Yes, but consider the following.

1. After assuring me since Nov. 25, 2004 that I had a right to obtain certain Committee Minutes (which I then asked for, in writing), and after I was told by an official on Dec. 23 that Lori Koughan was going over the collected Minutes to be certain that nothing was left out (don't laugh), the City (Clerk Laura Lee) wrote to me on February 1 that because I am involved in litigation with the City my "correspondence" had been sent to William Koughan (the lawyer and Lori's husband) "for any further action". On Nov. 25 I was no less a litigant but it was OK then.

2. After speaking to Laura Lee on Dec. 23 about possible illegal decisions by Council at its Meeting on October 27, 2003, and after learning that the City had consulted a solicitor (probably Koughan or one of his partners) before that Meeting, I put my questions to Laura Lee in a letter dated January 6. After an oral assurance that she was working on it and would reply shortly, Laura Lee sent a letter on Feb. 1 which was identical to the other Feb. 1 letter. Did Koughan or a partner advise the City to act illegally or tell them how to get around s. 275 of the Municipal Act? Now that the answer depends on "any further action" by Koughan, you know the answer.

3. On February 24 I went to the City's Treasury Department to look at the 2003 capital budget because it is not on the City's website even though Council Minutes make specific references to some items in it. I was shown the document - no problem - but when I asked about the meaning of a line putting about \$1.5 million into a MURF reserve fund, the hitherto helpful employee went away and came back with the answer that she could not say and that I would have to put my question in writing and submit it to the Clerk's office (who would then, presumably, refer it to Koughan for any further action). Treasurer Ripley walked by at that moment and I suggested that the employee ask him, but she declined, saying that it would not make any difference because he would give the same answer. How did she know even without asking?

In case anyone thinks this is trivial I should tell you that we are talking about a cover-up for probable illegal acts by Council and those who advised them to do what they did on October 27, 2003. What they did was approve putting the MURF on the Molson swamp, developing the rest into ballfields, etc., and authorizing architects to proceed with design and drawing. Between the close of nominations and the election there is a \$50,000 limit on what expenditures or liabilities a council can incur unless it was in the most recent previous budget. (For the record, the capital budget for the MURF was not passed until July 12, 2004.) Even more interesting is that on 27/10/03 Council purported to be affirming a previous Council decision which, if true, might get the Council off the s. 275 hook. But it is not true. Not only can a previous decision not be found, but Lori Koughan states in an affidavit filed in our litigation that the decisions were taken on 27/10/03.

To keep things in perspective I think we should remember that politicians and government officials usually get into more trouble for covering up what they did than for what they did. In my opinion the incompetence, deception, and MURF mismanagement of our local politicians and officials is not as corrosive as the effort to hide those faults.

I would be interested in hearing from your readers what they think about the Family Compact running Orillia and what we might collectively do about it. The situation is so intolerable and rotten that I do not think we can afford to wait until the next municipal election.

Allan Millard

Yours sincerely,

Allan Millard

Tel. 705-326-0433

Fax. 705-326-0599

**Feb. 24, 2005**

## **It Is A Plume**

As promised yesterday we are going to share some new information that we have gotten a hold of. As you know both the MOE, city management and councillors claimed that there was no Plume of Toxic chemicals. In their expert opinion there was nothing more than Hot Spots. Even though we have seen the

results of only three test holes they showed "Catastrophic" levels of Vinyl Chloride and Trichlorethylene right under where council and the experts want to build the MURF. So it was a wonderful surprise when we had Ralph Cipolla admit that indeed the Hot Spots were actually a Plume. Now we have a drawing of what they think the Plume looks like. You see they have still not done proper testing so this drawing is only an **Assumption** by the experts. But never the less it is black and white proof that these people have been trying to mislead us while all the time knowing the truth. Why would anyone knowingly build on top of such a toxic plume???

You can clearly see the circle on the right hand side of the drawing which represents the Plume of VOC's. It is almost the same size as the building which will sit directly on top of it.

The drawing was taken from the Pre Risk Assessment report that was given to the MOE recently. So it seems the MOE now knows it is a plume and not hotspots. Apparently it is the MOE who has ordered that four new test wells be drilled. Cipolla tried to make us believe that the test wells were the cities idea but truth is the MOE ordered them drilled. But why only four? A prudent expert would make sure that the entire Plume was mapped. Experts are not supposed to **Assume** but need to know for sure.

Seems the Packet and Orillia Today is not too anxious about informing you regarding the new developments. The Packet has done little in reporting the new info and Orillia Today has written nothing even though they attended the press conference last Friday. Seems odd don't you think??

On the legal front the city lawyers have agreed to the paying of \$4000 in legal costs for the leave to appeal loss. Very impressed how quickly they agreed to pay the full amount asked for. Next step is to go back to court for a hearing to have the city do an Environmental Assessment. We have asked them to just go ahead and do the right thing but so far only silence. I guess they have money (yours) to burn on legal bills???. Hope is that sane heads will eventually prevail and we can get this over with a.s.a.p. A little bird has also let us know that certain city officials will be served court papers soon. Seems they will be personally sued?? Stay tuned as this **Scandal** heats up even more. Can't say what it is about as yet but I promise it will be interesting so come back often to read all about it, and of course have a look at the drawing below.

**Feb. 23, 2005**

## **Buffer Zone????**

So it now looks like Boss Hog has become the spokesperson for the MURF. In yesterdays Packet there was no comment from the Mayor, or any city councillor in regards to the new development that 17.4 acres of the 35 is prohibited from use. Surprisingly (or maybe not) the real power (Boss Hog) has stepped into the limelight. Over the last few years Boss has kept a low profile only coming out when his underlings weren't up to the job. Seems this maybe

one of those times. Funny how last week Lori Koughan was saying that the mayor should answer questions and not staff. So it seems strange that Mr. Brown has become the cities spokesperson this week doesn't it???

Boss Hog says "so we've known it all along". Who has known it all along??? Has council known about the Prohibition??? According to Cipolla they were in the dark. How come??? Yet the Boss uses the word "we've". Just who is "we've". It's not hard to see who runs this place is it??

As for the Buffer angle that is a load of bunk. The only place on the survey that actually took a buffer into consideration was on the south east. When the new boundaries were made part one had to jut out about 10 meters. The rest of the property is an industrial dump and includes the Lagoon that Farhamet dumped their liquid waste into. If you look at the map this lagoon which has not been tested by the city and is a large part of the waste dump was supposed to be a picnic area. Now isn't that wonderful, a picnic area on a liquid waste lagoon???? Sort of makes me feel all fuzzy and warm knowing how Boss Hog and the gang are looking after our well being???? The Boss goes on to say that the Molson Transfer Agreement posted on the city's website, refers to the ministry's order on the land. "If I had been asked, we've always talked about it as the west half of the site". Really??? So councillors you supposedly not knowing is your fault, (you bad old councillors) haven't you learned yet that just because Boss Hog doesn't inform, you must still know to ask????

Then the Boss says "city officials were under the **ASSUMPTION**, until this month that a site specific risk assessment would address the prohibition". There is that word **Assume** again (not very professional is it). Who are the city officials he is referring to?? Would it be the Mayor??? Did the mayor go ahead and order the killing of all the turtles, frogs and fish based on an **Assumption**. We can only hope the mayor comes out from his hiding place and tells us what he knew and of course when he knew it.

Then we have the silence on the \$250,000 the Transfer Document shows. Funny how the Packet didn't write about that isn't it?? We were under the **Assumption (there is that word again)** that Molson gave us the land, weren't we??? Now why on earth would the Packet not touch on this subject with Boss Hog???? Seems that council turned down added police and fire protection because we can not afford it but don't want to comment on this 1/4 million dollars??? How come?

Last but not least MOE spokesperson Mark Rabbior says "as far as the ministry is concerned, the affected area is still 3.1 hectares". Yet the order very clearly describes the affected area as:  
Part of Lot 10, Concession 4, in the City of Orillia (formerly Township of Orillia, Southern division) County of Simcoe, designated as Part 1 on Reference Plan 51R-23265. Not hard to follow even for a non expert is it?? Part 1 is clearly identified by the heavy outline (their's not ours). You can see the Toxic Lagoon in the upper right hand corner. Such a lovely picnic area for the little kiddies isn't it??? And of course to the right of this Prohibited area is where we have found a large underground plume of Toxic VOC's. I guess if your willing to allow kids to picnic on a Toxic Lagoon why not build a Recreation/Health center on a Toxic

Plume of VOC's??? Hey is there a pattern forming here or what??

Very interesting just how this scandal is developing isn't it?? Do come back tomorrow as we now have some more new documents to share with you that maybe of interest. Oh! what the heck we are sure you will be interested so do come back. Also don't forget to go to the **We Get Letters** page and read Allan Millards' critique of the Monique Beach series of articles, it is fascinating. And of course you are welcome to write your own comments or letters to share with our readers. We had 6790 visits to our web-site yesterday alone so obviously there is a readership that is interested in this story.

jim tolnai

**Feb. 22, 2005**

## **Silence**

The Citizens Coalition had a press conference last Friday in order to introduce new documents and surveys regarding the MURF site. You may remember how Boss Hog and council were going to develop the back half of the site. But through some good investigation we acquired documents that stated there was a Prohibition Order. To this the MOE office said the order was for about eight acres. The city then said staff had known about the order but council did not?? We were then surprised when a package came from MOE Toronto office containing surveys which showed a completely different scenario. You see the survey showed the entire western half of the property to be under Order. We then dispatched Allan Millard to the Land Registry office in Barrie to find "The Order". Sure enough the documentation he returned with is undisputable. The 17.4 acres is under a Prohibition Order.

Yesterday I was contacted by Monique Beach to ask about the Order. According to Monique the MOE is still saying that the Order only applies to eight acres. Now I don't want to seem belligerent but where do these people get the nerve???? The documents are clear. They are duly registered. Yet these people try to keep the "Charade" going. The documents are very clear and leave no wiggle room. You see this is the problem with the MOE and in particular the MOE Barrie office. These people can not be trusted for one second. It is obvious that our best interest is not their prime mandate.

If you go to the We Get Letters page of this web-site there is a copy of a letter I sent to Alvin Curling Speaker of the legislator. The letter is a formal complaint against the Minister of the Environment Leona Dombrowski for misleading the legislature and the people of Ontario. Go and read the letter it is abundantly clear that if what Lori Koughan told us is true and the city never told the MOE they would keep the soil at the dump in windrows then the Minister lied to us. If in fact the city did state they would keep the dirt in windrows and misled the Minister and Ministry then we should be told and the Minister should take action against the city and it's management. You see we asked Chris Hyde from the Barrie office and he stated that indeed the city did send them a protocol on keeping the soil in windrows but refuses to furnish us with a copy. Our request to the Minister

for a copy has fallen on deaf ears. We are left with no other choice but to assume that the Minister is misleading us. All that is needed is for the MOE to release the document which states that soil would be kept in windrows end of story. It is interesting though that on Nov. 19 Michael Miller the cities solicitor rose before Justice Stong and stated that the soil was being kept in windrows at the dump. Now I wonder where he got that from?????

I am amazed how much silence there has been since last Friday. No news articles, nothing on the radio, a CBC radio interview for yesterday morning cancelled due to no one from the city wishing to speak and tentatively rescheduled for this morning but as of this writing no word. Seems we have hit another nerve. We can only hope that the MOE will now take their responsibility seriously and order the city to do proper and independent testing of the site. The Barrie MOE office needs to be **investigated** for their role. The City of Orillia needs to have a **Judicial inquiry and a Forensic Audit**. It is painfully clear that we have been lied to and that must stop. Our environment and health should take precedence over any and all political considerations.  
jim tolnai

**Feb. 18, 2005**

## **Cover Up Uncovered**

After months of effort we have finally got a copy of the Closure Maps of the Otaco property. We have filed FOI's after FOI's and have been thwarted by the MOE office in Barrie and city hall. Finally they could not justify the with holding of this map without answering to a judge so we now have it. Not surprising why they tried to keep this information out of our hands. You see instead of 8 acres being under EPA 46 which prohibits any development it is actually 17 plus acres which is under a Certificate of Prohibition. The map clearly shows that half of the 35 acres is off limits to development until 2018 as EPA is a 25 year prohibition. The Barrie MOE office knew this and were aware of the cities plans to develop illegally. In spite of these facts Chris Hyde and the Barrie Moe office publicly supported the city contrary to their duty to protect the public and enforce their own order on the property. Why would Chris Hyde do this???? What would make a public official cover up and indeed be part of the cover up to break the law which he is charged with enforcing????

## **Council & MOE Has Blood on Their Hands**

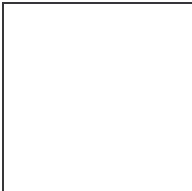
Council, city management & MOE had these maps and clearly knew all along that filling in the swamp was absolutely unnecessary. Every turtle, frog and fish that was buried alive has stained the hands of these people. Have these people no conscience. I suppose not or how could they sleep at night and look themselves in the mirror???? Remember the mayor on TVO claiming there was nothing to do but fill the swamp because their plans could not be changed???? Why he even claimed to feel sorry all along knowing full well that the land was under EPA46 order from 1993 and could not be developed legally until at least 2018 so there was no need to fill in the healthy ecosystem???? What a

disgusting act burying these creatures **ALIVE**. How can we trust them to do right by our children????????????

**Heavy outlined area is the 17 acres prohibited area.  
City paid \$250,000 for this according to Land Registry**

## Interesting New Development

How much do you think the MURF land cost the city to buy???? Are you like all the rest of us who thinks that Molson in their generosity gave the entire property to us for a dollar???? Well think again. In our searching for answers to the many questions about this odd deal that Boss Hog and the gang of 9 are involved in we came across a very interesting document. It seems that the city has paid a pretty penny not just a dollar. If you recall the land was conveyed to the city in two parts. Parcel one consisted of parts 4, 9 and 11 and was given to the city for the tidy sum of one dollar. Great deal right???? Part two we were told was also given to the city for a charitable contribution receipt. Well folks it seems according to the land registry records this was actually transfered to us for **\$250,000**. That's right you read it correctly. If you want to see the document just open the pdf file below and see the last two entries on the Land registry page. Do you think this land which has a 25 year prohibition of development and polluted is worth \$25 never mind **\$250,000**????? Plus it seems a charitable receipt for over \$400,000 was also issued.



Now here is some other interesting news. In researching this information Allan Millard found a document that involved the closing of a road right of way across the MURF property. You see Andrew St's. right of way actually went down through the property. In order for Molson to be able to develop this land the right of way had to be closed. So in 1992 Molson's/ Beaver Lumber hired Doug Christie to represent them. Doug is the lawyer of record on this closure. Eleven years later the cities solicitor (Doug Christie) was supposed to be the lawyer who drew up the Transfer Agreement between Molson and the city?????? When we requested from the city the legal opinion that this was a good deal the answer to us was that indeed Doug Christie was the cities solicitor and created the document with the help of Molson's lawyer????? Oddly enough no record of this opinion was in writing and therefore unavailable????? Now the question is simple. If Molson's was a client of Doug Chrities' and the city is a client who was being represented?????

So Mayor, council and Boss Hog please explain?????  
jim tolmai

**Jan. 17, 2005**

## Civil Servants Not So Civil

City management seems to be confused as to their role in the political life of Orillia. In a democratic society there are different levels of public service. On the political front we elect people based on a number of factors. The important thing is that we choose these people by a majority vote. Just as we are able to vote these people in (except Carl Garland) we can turf them a few years later. On the political front the people rule most of the time.

Then we have the Civil Servants. These people are supposed to serve the entire population and are not subject to election results. In theory at least I should be treated no different than the mayor by a city employee. Aren't theories wonderful. In Orillia it is evident that city management have lost their impartiality and have carved out a political position. Take the memo circulated to city employees warning that no information on the MURF should be given to the public and especially to Allan Millard, Jim Tolnai or Doug Peddle. It's bad enough to mention the public but when city management dares to target individuals they have crossed the line and can never again be trusted to be impartial and a servant of the people. They have taken a political stand that will certainly be a subject of debate in the next election. If these people expect to have a long term career then they must not only be politically neutral but seen as such. Orillia city management are neither.

Take the position of Laura Lee that Allan Millard no longer has the same rights to "**PUBLIC**" documents as everyone else. This is a political decision and has no basis in law. So who ordered Laura to tell Allan this??? If it was the gang of 9 then she should have refused as obviously it is a political order. If it was Boss Hog she should have refused as this is an unlawful order. You can not have it both ways. A civil servant once taking political sides can never again be trusted to have the public interest at heart and makes themselves vulnerable to political whims. In our system this is wrong, wrong and wrong.

An example of political interference is the Doug Downey sign debacle. You may remember during the last council Doug Downey called a special council meeting to exempt himself and the Kiwanis club from the sign bylaw. The gang of the day voted to make this exemption for one of their own. What they had to know at the time was that Downey was named and personally served the ticket they were fixing. I took exception to this behavior and took Downey to court on conflict of interest. At the time Laura Lee attempted to cover up the fact that Downey was named on the ticket. Her claim was that I could not see the entire document because there was a third party involved, so what I was shown was Downey's name physically covered by Laura's hand. Does this behavior three years ago seem familiar???? See yesterdays article. Gayle Jackson did not give a report to the gang of the day about how the \$75 dollar fee should not be forgiven as the by law officer had tried to get Doug to obey the law on numerous occasions but to no avail. The ticket was fixed and the rest is history.

So why do I tell you all this??? Well we now have PV Investments who unlike Downey co-operated with the city in cleaning up the problem with their property.

PV Investments not being a council member is not given an exemption for this \$75 charge even though they co-operated. Gayle Jackson made a report advising that the charge should be paid by PV unlike being silent on Downey's behalf. A few months before Downey's faux pas Glen Wagner under the sign bylaw was forced to pay the same charge Downey was forgiven. Do you get the point???? Our civil servants are anything but civil to us the powerless. But have someone in power get caught they bend to breaking point to protect that individual. What is ironic is that Downey voted to keep the charge in place against PV. I suppose Doug's theory is that too many have gotten away with this sort of behavior and we must send a message to the public that bylaws are to be obeyed???

jim tolnai

**Feb. 16, 2005**

## **City Hides Contract & More**

Boss Hog and the gang of 9 continue their attempt to keep all aspects of the MURF scandal hidden. It seems that a contract with Shaheen & Peaker is being withheld from you and I based on Section 10 Third Party Information and Section 14 Personal Privacy of the FOI. Can you believe this??? A contract for possibly hundreds of thousands of dollars is being held hostage because there is personal information and a third party is involved. It seems that the third party according to Kathy Cotton FOI officer is Shaheen & Peaker with whom the contract was made???? That's right the party who the contract benefits is considered the third party???? According to Kathy the Privacy issue is based on Cynthia Robins professional credentials. That's right some how Cynthia's credentials has become part of the contract for services and the city does not want these credentials released. Seems Cynthia and the city maybe ashamed of it???? So we the public it seems can not look at any contracts regardless unless the city, Shaheen & Peaker and Cynthia Robins wants to release it. Does this make any sense????

At the city dump there are supposed to be records kept that under the terms of the operating license must be made available to the public. Now this access can not be denied without violating the terms of the operating license. Yesterday Doug Peddle was refused access to these records. You see the city has been allowing loads of who knows what to be dumped at the landfill that is entered into the logs as **UNKNOWN???** That's right you read it right. So instead of explaining or sharing this information with the public Boss Hog and the gang of 9 have decided to withhold and cover up. Hey sounds like what they are doing at the MURF site doesn't it????

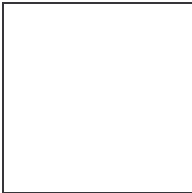
I don't know whether councillors are stupid, acting stupid or just think we are stupid. On Monday night before the council meeting Tim Lauer and Carl Garland were guests of the pre council show. Garland made a statement about the MURF which he either knowingly lied about or showed without a doubt that he just doesn't know what is going on. This guy had the nerve to say that the work done at the site cost the tendered price of \$1,700,000. Yes he made this claim and Lauer sat there without correcting him. I guess neither one of them were awake

for Lori Koughans report last week about the \$290,000 (17%) extra cost for the FF factor (fill and freezing). Then he goes on to say that they had budgeted \$3,600,000 for the work so in effect they saved money. Boy is Beamish able to do work at less than half price????? But wait a minute, Ralph Cipolla told us that they had budgeted \$2,400,000 dollars for the same work???? So who is telling the truth??? Regardless of which figure is correct I sure would like to know who prepared the budget for this project. It's hard to believe that Beamish could do work for so much less than the cities budget isn't it (remember the hospital under estimate)???? Hey! maybe the gang of 9 and Boss Hog will make the contracts and relevant documents public so we can get the truth??? You think that may happen???? Can pigs fly??? Probably if our high paid expert had of been an aeronautical engineer???

jim tolnai

### **Feb. 15, 2005**

The Citizens Coalition of Orillia and Area have just received word that Judge Weekes of the Superior Court has dismissed the City of Orillia's leave to appeal the Injunction. In November Justice Stong granted an injunction to the Citizens Coalition in regards to the Orillia MURF. The cities attempt to appeal has now been dismissed. The Coalition has two Justices who agree that our attempts to have proper testing of the MURF site done is legitimate and as Judge Stong said find no fault with this action. Justice Weekes also awarded costs to the Coalition. The Coalition hopes that council and city management will now save taxpayers huge legal costs and agree to do an Enviromental Assessment of the site that should have been done two years ago which will require proper testing of the site. It's now time for the city to do the right thing.



## **Parents Could Learn From The Kids**

Monique Beach's final installment of her MURF series shows what the real users know this project to be. Young people today are no fools. If you give them the information they can and do think for themselves. So it was a pleasure to get past the headline (Users behind sports complex) to read what these young people really think. Fifteen year old Hilary Selman says "They say this will be good and this will be fine and trust the government's decision. Well, the government's not always right and the mayor's not always right. Things do go wrong, you can't be so confident". Clearly this young lady is not satisfied with the status quo of "We know best sit down and shut up". Her friend Melissa LeBarr says she will have no problem using the facility. When asked if she feels the

property is safe she answers "Oh! I do. I think it's OK as long as they get rid of the soil (cleanup not cover up)". When her friend Hilary explains they are not doing that Melissa's confidence quickly turns to questions. Melissa instantly sees that covering up will only contaminate the new stuff as she puts it. The important lesson from this is very simple. Hillary who is a bit more informed had decided that what council wants to do does not make any sense and won't work. Her friend Melissa having had the wrong information was all for the project but upon learning the truth she immediately questioned councils wisdom. Looks to me like the future of our city will be in good hands if our young people are reflected in these two girls.

On the other hand the parents seem less informed than the kids. Take Shely Brown a mother who says she's "tired of a group of Orillians dedicated to stopping the complex from being built". I can only wonder where this woman has been as this fight goes on. No one in the Coalition wants to stop the building of the MURF. In fact we are all for the project. Like the two young ladies we want the land cleaned before it is built on or move it to a different site. We are definitely against poisoning our kids or environment and **for** building a safe MURF. Shelly goes on to say "I'm really positive the city would not be going ahead if there was going to be some sort of danger to the people at all". That is the point isn't it. Our experts who have nothing to gain say that no one in their right mind would build anything on top of a "**Catastrophic**" plume of toxins. Yet this council and city management who Shely trusts actually are doing just that. The only conclusion that I can come to is Shely is ill informed of the facts. Like Melissa had bought in to the great lie so has Shely. Of course when the 14 year old learns the facts she immediately questions and wants more answers no longer blindly trusting the city unlike Shely who continues to believe. Seems convenience of drinking coffee in a heated arena is more important to some than the long term safety of their children's health.

I call this attitude the "**babysitter syndrome**". When our kids were little both my wife and I hated to leave them with anyone. Sure grandmothers were reliable but were getting on in age and they (the kids) were a handful. We made a conscious effort to get out one night a week and started shopping for a babysitter. Asking friends and neighbors for advice and recommendations I was astounded how important the cost of babysitting was to most people. That's right most people based their first priority on who to choose to care for their children on how little they had to pay. Now I am as cheap as anyone and according to some more than most, but buying a can of soup that is a no name brand is different than leaving my child with the lowest bidder. This lesson then can be used to explain what mayor and council want to do to our kids. They are shopping for the cheapest solution which is actually a "NO SOLUTION". They like parents who hire the least expensive babysitter are willing to put the children at risk. That is what **risk management** is all about. Here is what dictionary.com says about the word risk ( **To expose to a chance of loss or damage; hazard. See Synonyms at endanger**).

We know some children will be harmed but are willing to risk this in order to save money???. Does this make sense to any of you???? It makes no sense to me.

Needless to say we chose the babysitter that was the most responsible not the lowest price. If our sitter choice was not available for our night out we did **not** compromise and stayed home.

jim tolnai

**Feb. 14, 2005**

## **Allan Millard Loses Rights**

Well Allan Millard has become a non person in the city of Orillia. In the past 2 months or so Allan has been seeking public documents from City Hall to no avail. Laura Lee has been avoiding him but finally the poop hit the fan and they have now told him he is not entitled to any information???? According to Laura Lee any public documents that Allan wants must be requested by his lawyer from the cities solicitors. Can you believe this hogwash???? Boss Hog and the Liars Glee Club have decided that because Allan is challenging the city over their attempt to cover-up instead of cleanup the MURF site he no longer has any rights to any information regardless. Like Doug Peddle and myself Allan has been made the subject of a Stone Wall campaign.

We have been informed of a memo circulated to city staff which reads "**not to discuss the MURF situation with the public, and in particular Jim Tolnai, Allan Millard, and Doug Peddle**". In our discussion with Ralph Cipolla I asked him point blank about this. I received no denial and he attempted to move the conversation on. I again asked with no denial. Then last week Allan is informed that no matter what information he is looking for the city or their employees can not deal with him. We also receive an e-mail which states that any information sought by the Coalition or it's members no matter what it is must now go through the cities FOI staff member. I suppose if we asked the time of day at city hall we would need to fill out an FOI form and pay our five dollars.

So what! some of you say???? Yep! so what???? Well in a democracy and rule of law we are governed because we allow it. As long as our government seems to be working on our behalf instead of against our welfare they enjoy power. When the people discover that they are being had it may take awhile to wake up to the fact but once disturbed the public will revolt. In the history of all societies people in power all react the same way when their ultimate power is threatened. First they deny everything. Then they claim that the dissenters are just trouble makers. Next the dissenters are just jealous that they did not get elected and enjoy power. Then the claim that the dissenters just don't have any expertise and everything they say is mis-information. When all these methods fail (which it has) then they try to make access to information expensive and of course now Allan is denied information all together. Everytime we have persisted that we have rights and intend to exercise them these would be dictators take us to a new level. The mayor, council and city management have painted themselves into a corner. Through their lies and deceit they must now continue or risk the loss of their coveted power. No matter that they are wrong and will harm people and property. It is now a matter of brute strength. To these people their rallying cry is "The lie lives, long live the lie". So folks if you think this does

not affect you think again. If individuals dare ask questions they are marginalized. If they form a legitimate group and ask questions they are stonewalled and FOI'd to death. then their basic rights are arbitrarily denied. What's next jailing and possible execution of the leaders and active members???? The message to all of you out there is really simple. Don't mess with the "POWER". Don't believe me??? Just look at the archaic taxi bylaw. If fifty years ago you were falsely accused of assault and were convicted despite evidence to the contrary (are people ever unjustly convicted for horsing around as a teenager) then it will be dragged up to try and get you when you displease the "POWER". Wake up Orillia!!!!!!  
jim tolnai

**Feb. 13, 2005**

## **Some Just Don't Get It**

My oh! my the MURF site certainly has received lots of press this week hasn't it?? Every day the Packet has written one, two or even three articles. Imagine, some of these articles were actually balanced . The Packet has had an awful time in the past writing about the actual state of the site. They have also had a hard time reporting the facts which did not favour the site or as in Toby Gormans article total bunk. In Saturdays "Past stains MURF site" article they say "This week, The Packet reported the dumping ground, closed in 1986, is considered an industrial waste site. Now when I read this there was a feeling of annoyance. You see it sounds to me like the Packet is trying to take credit for breaking this story. In fact Speaking Out broke the story and the Packet then picked it up seeing that it was public and hot. People may not know but since the beginning of Speaking Out 29 months ago we have approached the Packet with dozens of stories. In most cases our information fell on deaf ears and in some cases information was reported inaccurately. You see my intention of publishing Speaking Out was not a career move but of getting the facts out that the Packet would not print. We have made a concerted effort to supply our findings to them and Orillia Today in the hopes of them doing a job with it. I must say they have disappointed us virtually everytime. Why even this hot story of the EPA 46 was sent to Dave Dawson a couple of weeks before we made it public in the hopes they would do the right thing. Why did they not take the hint and go with it??? Don't know but their action on this story is consistent with past actions. So please Packet give some credit where credit is due.

Orillians have been starving for information and they are coming to [www.speakingout.biz](http://www.speakingout.biz) in record numbers. In December we had just under 45,000 visits to our web-site in 31 days. The first 11 days of February we have had over 22,000 visits already. Pages are being downloaded in record numbers and our phone and e-mail is busier than ever. Our hope is still that the Packet or Orillia Today will take over from us and inform the public fully and accurately so that we may return to our lives. If not we will continue our campaign to inform and expose.

Anyway in Saturdays paper I was happy to see that the Packet took the time

to interview Tom Egan. Tom shared his story with us about a month ago and I wrote his story of systematic dumping of hazardous chemicals on the West St. property. I am pleased that the Packet has also reported these facts. I was also interested in reading what Paul Orser had to say. Now I have known Paul for 30 years and have spent many a night working with him repairing equipment when I looked after production at Campbell Films and later at my own company Diverse Blending. Although I never had social contact with Paul I considered him a friend and a very intelligent man. I agree with Paul that people in industry did not want to harm the environment knowingly and what they did at least to the late sixties early seventies was standard practice. But I do take exception when Paul says that "My backyard could have levels of contaminants almost equal to what we are seeing over there" trying to minimize the severity of the West St. site. Now I don't know where Paul lives but if his backyard is contaminated even 10% of what is found on the MURF site I suggest you pack up and get the hell out of there. On your way do your neighbours a favour and let them know so they too can get out. Then let the authorities know so they can check the whole neighbourhood. Hope you are just renting Paul and don't own because the value of this property just dropped to zero.

Then we have Jim Foster Packet columnist who worked as personnel manager at Redlaw/Otaco. He says "A lot of the stuff was really dangerous, but not in the levels that they used". The widow of Roy Eastcott does not agree with you nor does Workers Compensation which agrees and pays benefits due to Roys illness and death being directly related to his job contamination. Nor does the former employee who had a kidney removed but would prefer to be anonymous. Give me a call Jim and I will let you know who he is. I'm sure you know him. What about Tom Egans father???? Jim your a good guy so why don't you take some time and contact your former co-workers. Ask them about what is and has happened to them. I know you will either be shocked or you may already know. I hope you are not trying to coverup the reality that was. No one has any intention of blaming people for past behavior. But we have every intention to blame people who today know better and are willing to send children to this site without a proper cleanup especially when they were responsible for the contamination in the first place and have first hand knowledge of what went on. We do blame people who dare disturb this site and possibly pushing the plume off site to contaminate other property. We will blame and hold people responsible for their lies and deceit.

I got an interesting call from an individual who lives on Shannon St. This person recently moved to the street and has started to have some problems. He is claiming that his energy level has dropped, he does not feel well and his eyes are bothering him. He has gone to see his doctor and there does not seem to be any medical reason for the way he feels. It seems he has done some research since reading Speaking Out and says that his symptoms maybe caused by gases coming into his house. He is not too far from Kitchener Park. Remember what Ralph Cipolla told us last week about the park??? He said it is far worse than anything on the MURF site. Now having looked into it we find that indeed before making it into a park the land was used as a dump and is classified as a

industrial dump site. Who knows what is under there??? Our advice was for this chap and anyone else nearby to have their air quality checked. It is possible that the toxins are leaching not only into the lake but also nearby homes. Not to alarm but it would be prudent to check this out. It would also be prudent for the city to test the soil and inform us on the results. No child should be allowed onto this property until these results are confirmed absolutely safe. What about the MOE doing some testing to see if contaminants are leaching off site???

So to end I would like to congratulate the Packet on a pretty good week of reporting. Some inaccuracies which I'm sure will be brought to your attention but compared to past reporting a good start on informing people. Keep it up we know it hurts but you can do it. A couple of weeks ago I asked Toby Gorman to tell us how much revenue the Packet gets from the city. To date I have not seen any declaration. In doing a bit of checking we have found that Orillia spends in excess of \$65,000 with the Packet annually. That is no chump change. How about it Packet is that low or high????? Remember we are denied information regularly so we were not able to get it all as yet due to city management and staff heading for the hills as soon as we show up.

jim tolnai

**Feb. 12, 2005**

## **I am Sick of the BS so Should You**

Quite frankly I am getting tired of the B S and so should you. People at city hall and at the MOE office in Barrie are scurrying around trying to justify their actions and lies in regards to the MURF project. We have caught these people in lie after lie and still they continue with the same unacceptable behavior. As an example Allan Milliard received a letter from Lori Koughan which is reprinted on our We Get Letters page along with Allan's reply to it. In Fridays Packet there are a number of articles on which light shall be shed. If this whole matter wasn't so serious it would make a good Keystone Cops movie so here goes.

In Collin McKims story "MOE says site use restriction was on record since 1993". This is misleading. The order was actually implemented in 1986 and was placed on the whole 35 acres. You see the property was being used as a Hazardous Waste Dump the same way as the Love Canal. The Ministry was aware of this fact and placed the order of prohibition on the entire site. Then in 1993 Beaver Lumber wanted to develop their property and applied to have the order removed. Our Ministry friends were in a quandary. Big corporation interest was paramount but how could they go against the safety of the locals without publicity. What they did was proclaim that really only about 8 acres was a dump site and if the developer created a new deed for the subject land then miracoulsly the other 25 acres would lose it's designation and could be developed. Magically a silk purse was made from a sows ear. In spite of overwhelming evidence that the whole property was a dump the ministry charged with protecting us without proper testing "**ASSUMED**" it was now clean and registered on title the EPA46 on the 8 acres so that it was made public but looked like they were actually protecting the public. Of course once it was found that indeed the land (25 acres)

was not suitable to build on Beaver Lumber abandoned it's development but did not notify the ministry of just what they found and the ministry quite frankly probably didn't care. The sad part of this whole mess is that in fact we now have undisputable evidence that the 25 acres is actually more polluted than the 8 acres. But because of this con job back in 1993 these people now want to proceed as if the land is really clean putting all of us in **Harms Way**. Truth is the ministry should immediately do an investigation of the facts they used to remove the prohibition from the 25 acres. If as we are confident they will find misrepresentation back in 93 reinstate the order on the entire property.

We have been saying that there has been a systematic cover up of this whole project right from day one. The deal with Molsons was conceived in secret and an attempt was made to keep it that way. The inner circle of a few councillors, mayor and the city manager kept everyone un-informed as much as possible. They would have gotten away with it if it wasn't for the efforts of Speaking Out. After much digging we got a hold of the Appraisal Document in which there was reference to contamination. There was also mention of the property being in two separate part which at the time did not make sense. Then when we finally got a hold of the Transfer Agreement the picture developed. You see instead of a 35 acre gift to the city for \$2 only 25 acres was actually involved. The rest of the property had to be assumed by the city as it was useless and Molsons did not want to be saddled with it. This is important because councillors claim they did not know of the Prohibition. But how could they not know???? They claim to have made their vote to accept this deal from facts and due diligence didn't they. If now they want to say they were not informed and did not do their due diligence then the Ministry of Municipal Affairs must order a Forensic Audit of all city business to clear the air.

Now a bit about our infamous Dump. In the Certificate of Approval it states clearly what can or can not go into the dump. Nowhere is there on that list items which are called **UNKNOWN**. But in fact there are pages and pages of log entries which says material **UNKNOWN**. The city has for years been allowing **UNKNOWN** materials to be deposited and with the sanction of the MOE I might add. Now how on earth can you give a clean bill of health to the site if the paper work says **UNKNOWN**. How can you properly investigate what indeed was placed there if it is **UNKNOWN???** Does the word **ASSUME** come back into play again???? Dictionary.com says of the word **UNKNOWN** "Not identified or ascertained:" So as at the MURF site we have the MOE turning a blind eye at the Dump. In spite of all this evidence the Packet reports that the "the regions lake guardian isn't worried the dump or 40,000 tons of dirt are being mishandled". Now if the Packet reports anything that we (Coalition or members) say it calls us "watchdogs, gadflies, environmental vigilantes etc". But a spokesman clearly never having done any investigation and justifying their position on "the agency has been told by the MOE that the city is properly handling dump operations. We've been assured that all is fine". The Lake Simcoe Region Conservation Authority without investigating **ASSUMES** that all is well with over 78 million litres of Hazardous leachate seeping into the lake every year. They **ASSUME** that the **UNKNOWN** loads going to the dump is pristine. Why would an organization like

this without investigation claim everything is Hunky Dory? Why don't they investigate??? Could it be that their future depends on funds coming from Municipalities like Orillia who are in fact the polluters and benefit from setting up this type of smoke screen for what they do????? And the Lake dies a bit more every year getting ever closer to the point of **NO Return**. Maybe the lake won't die in my lifetime but it will die within the next 30 years unless we stop flushing. I and many others have a duty to make sure it will be there for all generations in the future in a healthy state. Do I have scientific evidence of what I say??? I don't need it. Go down to the foot of West St. and count how many fish huts are out there right now. Back in the 60's and even into the 70's there were many hundreds. Drive down to Barrie and have a look at how many huts are out on Kempenfelt Bay, a couple of hundred if you are lucky. There used to be thousands. I used to smelt fish back in the 70's and 80's and within an hour I had more smelt than I could clean before dawn. Now there is no smelt fishing left to speak of. You don't need to be a scientist or expert. In fact with the way these experts act it helps if you are not. Just observe the world around you.

jim tolnai

**Feb. 11, 2005**

## **Assumed**

### **To take for granted; suppose:**

Yesterday morning CBC Radio One interviewed myself and Ralph Cipolla regarding the MOE order against part of the MURF site. When I was finished they fed the signal to my phone so that I could hear Ralph's response. I was interested in hearing Ralph use the word **ASSUMED** in his response to a question as to why it took a Citizens groups efforts to bring this information forward. You see in a Packet article the day before Lori Koughan also used the word **ASSUMED** when speaking of the same thing. Now Ralph has denied that he or, I suppose all council were aware of this order which was placed on the property in 1986 and forbids any development till 2011. Yet a few minutes after this denial Ralph says "We **ASSUMED**". To deny knowledge and then admit that "We **ASSUMED**" indicates that in the least he knew doesn't it???

Much has been said by Ralph and others on council as well as Lori Koughan on the subject of EXPERTS. Why even just the other day on the radio Ralph was saying they have experts with excellent reputations who are looking after our environmental welfare. We on the other hand don't have any expertise and really don't know anything. So the word **ASSUMED** becomes even more important in this light. Just think about this. Is a professional like Cynthia Robins allowed to **ASSUME** or is it their duty to work with facts only? On a number of occasions I and many others have been told that the site is safe even though no where enough test holes have been done. Cynthia **ASSUMES** that if you don't find anything in the less than one hole per acre they tested then the entire acre is clean???? So compare what Moncton did for test holes in the Packet article

yesterday. Using a 30 meter grid they drilled 1,000 holes. That compares to 27 holes on our site. But of course city EXPERTS ASSUME our site is safe because as Peter Dance says "The city and it's consultants knew the site's history". Are you fibbing again Peter???? But wait a minute?? Didn't Cynthia Robins state before the cameras that no site history was done?? Didn't she state that no former employees were interviewed to get an understanding of what really went on there??? Didn't they dismiss the facts that I and others shared with them about how toxins were disposed of in pits called Cribs??? Even with this information they ASSUMED otherwise??? As an engineer if one ASSUMES that a particular concept will work no actual testing or simulation is required??? I suppose Boing ASSUMES a plane will fly and just goes into production don't they. If Cynthia was an aeronautical engineer would "Pigs be able to fly"?????

Once forced by public outcry to drill some holes into the footprint we find "Catastrophic" levels of deadly chemicals they ASSUMED were not there. What do they do???? They call it good news and ASSUME it is not a plume but only Hotspots. Along comes the pesky Coalition and their Experts who do not ASSUME but actually analyze their report and seek opinions from several experts. The consensus of all three independent experts of the Coalition is "we should drill test holes on 5 meter centers to establish the size of the plume and clean it up. The cities experts continue to ASSUME it is not a plume but hotspots and proceed to dig and disturb ASSUMING everything is fine. ASSUMING is not a luxury we can afford when we are dealing with the health and welfare of the entire community. We must know for sure. Then Ralph admits that "We have always known it was a PLUME we just called it a hotspot". So now what should we "ASSUME"?????

jm tolnai

Feb. 10, 2005

## Lies Lies and more Lies

I can't believe that councillors can keep a straight face while saying they did not know about EPA 46. I also can not believe that Ian Brown (Boss Hog) thought for even a second that EPA46 might not apply because of the Risk Assessment. Councillors and the Mayor have been telling us their experts actually know what they are doing and can be trusted. Yet when the crap hits the fan they all claim stupidity. Come on guys you got caught again trying to bullshit us. How could you not know. Why, Ralph told us Friday night he had read every piece of paper on the MURF. Gardy claims he reads all documents. Would Doug Downey a lawyer who makes his living reading not bother to review important documents?? This guy is a real estate lawyer and can hardly claim he never knew about EPA46 which has been registered on the title of this piece of land. I suppose the Mayor will claim he too was in the dark the past few years too??? So who the hell is looking after business in this city??? It's obvious that council

and the mayor are not. What about the cities EXPERT Cynthia Robins? How could she not have known?? Isn't she the environmental expert and knows how to get around regulations to make a silk purse from a sows ear????

These people have been claiming that their experts know what they are doing. They claim city management are doing a good job. They claim they and council are well informed. Well now you all know what we have known for a long time. These people are rank amateurs who mislead, lie, deceive and cheat. Take what Dance is quoted saying about the MURF meeting at Swanmore Hall. This Bozo is saying only 3 people from the public showed up. Now the meeting I was at had an overflow of concerned people out the door and into the hallway. He goes on to say no one spoke up about environmental concerns. I guess he doesn't remember Mary the lady who spoke up about the cyanide and was told the public was not allowed to speak??? Mr. Dance has been doing a lot of fibbing. I suppose he has even told a few to council. It is time to hire a new city engineer. We need honest people who serve the public interest not self interest. What about Lori Koughan. Didn't she assure us that there were no extra charges for the January work done on the MURF site??? Didn't she say that the work was part of the original 1.7 million dollar contract??? But now it seems the work is costing us an extra \$100,000. Then to top this off we have to pay out an additional \$190,000 for a better quality dirt. Yes it seems our EXPERTS made a mistake on the quality of dirt that they recommended. Imagine that, experts getting their dirt wrong?? If they can't get the fill right how on earth can we trust them with dangerous hazardous chemicals???? Then there is the problem with the dirt freezing. It seems these experts didn't take into account that dirt will freeze in Orillia during winter months. Imagine council wants us to have blind faith in these experts???? I don't think so.

Take half million dollar Bob's "Error"????? Council and mayor fell all over themselves saying how good half million dollar Bob is doing his job while talking about his half million dollar "Error"??? Does that make sense??? I guess it's par for the course seeing that council seemed to think that finding more deadly chemicals on the MURF site was actually **good news**???? There isn't a council meeting where council does not sing the praises of staff. Well folks this MURF scandal is just the tip of the iceberg. The stink at city hall and on council is getting unbearable. The air needs to be cleared. The lies have to stop and a full Forensic investigation of city business must be done. We hear about corruption in the Federal, Provincial and Municipal (Toronto Computers) governments. Why is it so hard to believe that it can actually be happening right here in Orillia (remember **Doug Little**) . Just like council and city management are against proper investigating of the MURF site they are also against a proper investigation of city management. Why are they so afraid of being investigated??? What needs to be hid from us????? Why doesn't a former police chief think something maybe wrong? Wasn't Morano a cop at one time??? Were these people not trained to smell a rat???

We are also asking the Minister of the Environment to investigate the local MOE office. You see the Barrie office has been way too cozy with city management and developers. Doesn't anyone find it funny that Orillia misleads

the Minister about how the dirt at the dump is being handled who in turn misleads the legislature and Mr. Hyde from the local office tries to make excuses for the city. Mr. Hyde and four other Ministry staff had no problem taking part in the MURF open house. They were willing to support the city but now that the poop has hit the fan Chris Hyde must have all questions go through "Communication" and does not want to speak with reporters??? He had no problem talking to them before???? Remember all the drawings, maps, pictures etc. at the MURF open house which Lori Koughan referred to in the TVO show as being accurate and complete?? With five MOE officials attending and with all the controversy you would think at least one of them would have said "wait a minute, isn't there an order against that back piece of land where the ball diamonds are located"??? Funny how Lori represented the information as being accurate yet now admits she knew of EPA46 which made the information being presented inaccurate. No instead they ignored it as if it never happened. Now after months of wrangling public documents from them they have no comment unless it is through "Communications"?? Makes one want to gag.

I suppose this will be hard for you to believe but it will show you how deep this goes. When the Tudhope building collapsed we started to have a look at it from an environmental point of view. We asked and were ignored and we pushed some more. It seems council changed the zoning on this building from Industrial to Residential very quietly with little discussion. Environmental law is very stringent when an industrial site changes use to residential. Studies have to be done and testing must be done. Well folks it seems that none of that has been done to date. In fact our Mr. Hyde has stated in writing that he and the Ministry are unaware that the Tudhope building is a former Industrial site. Can you believe that??? Council and city management have issued a building permit, changed the zoning without reporting to the Barrie office of the MOE that this was an Industrial site contrary to law. Shouldn't someone be looking into this faux pas as well????? You would think that Cipolla who has been making noise about the air quality at city hall would have raised some red flags wouldn't you???? No it seems council and city management are willing to have people move into this building without knowing whether it is environmentally safe and I suppose have some future council deal with the problem???

To me the most unforgivable aspect of this whole Scandal is Chris Hyde whom we are paying to protect us calling the "Catastrophic" levels of contamination "Hot Spots". This guy has been complicit in scamming this community. We now have Cipolla who claims to have read every document saying that "**We know we have a plume and will be drilling four more holes to establish it's size**". "**We have always known it was a PLUME we just called it a hotspot**". So Mr. Hyde if Cipolla knew and obviously S&P must have known how come you didn't?????

How about it Mr. McGuinty and Ms. Dombrowski are you running this place called Ontario or is it running you??? Gas mask anyone?????

**Feb. 09, 2005**

## Here is Some More News

I hope you enjoyed yesterdays article and are starting to see just what kind of people on council and city management we are dealing with. I read with interest yesterdays stories both in the Packet and Orillia Today. Mike Dodd of Orillia Today wrote what he thinks is a touching story of how Ralph Cipolla wears his love for his city and the MURF on his sleeve which I will deal with in my article. The other stories of interest were in the Packet. Wading Through The MUCK by Monique Beach is short on facts but because she will have further articles I will leave my analysis until there is some meat on the bones of the carcass. The other article MURF Meeting Planned is interesting and will get my attention today as well. So here goes.

It's not hard to see that Mike Dodd is doting on Ralph. But hey thats OK it is his right to think what he likes of his friends and enemies. What I take exception to is his reporting of fiction not fact. First there is no doubt Cipolla wants to build a MURF like I do and just about everyone else in Orillia. Where we differ is on where to build it and what has to be done before that happens. You see Cipolla says that there is only one location (Molson Property) and that is where it must go. When told of the Catastrophic levels of dangerous contaminants he says regardless of what is there, regardless of what the Risk Assessment says the MURF will be built on that site. Wow!! Even if the Risk Assessment says no it is too dangerous it will have been built. You see if you read Ralphs report he says the MURF will be built before the risk is known???? Even with Dr. Fords expert opinion it does not matter to this guy that trouble is a coming. He has stated that the site will not be cleaned but they will manage the risk. But how on earth can you manage the risk until you know what the report says??? Ralph says this is his opportunity to help provide much needed recreation facility to the city. No doubt we can use some more recreation facilities but jeeze these guys are making it sound like it is life or death. Ralph and Mike are implying that obesity and Type 2 diabetes will be eradicated from Orillia if only a MURF is built. But of course it must be built on a Toxic and Hazardous site in order to really be effective in eradicating our ills. According to Mike, Ralph is too shy to ever mention his great accomplishments of 911, breakfast club, scoreboards and much more. I guess Mike didn't tell all in fear that he would embarrass Ralph too much. Of course Mike knows how humble Ralph is so no sense in going on any further. I suppose with all this wonderful information that Mike has shared and the embarrassment that he caused Ralph I would like to nominate Ralph Cipolla for Sainthood. Yes it is obvious to me that what Orillia lacks is a Saint. We have been waiting far too long for a saint just as we have waited far too long for a MURF. Why we deserve both don't we?? Just one question. Who told Mike of Ralphs accomplishments??? Want to bet it was the same guy who on four face to face meetings told me of Ralphs great accomplishments.

I now turn my attention to the "MURF meeting planned" article. It seems that Ralph Cipolla has written a report which states that a Risk Assessment for the MURF won't be completed until well after the building is up and running. Now I don't want to sound ungrateful to council but shouldn't we know what the RISK is

before we commit \$50,000,000 plus to this project??? There is also talk of an Independent Peer Review. But wait a minute, is John Nunan who was hired by Shaheen & Peaker doing the review?? If so how can it be independent when he is working for S&P???

Last Friday night Ralph stayed behind after the Coalition meeting and spoke to Allan Millard, Jack White, Anne Tolnai and myself until 2:30 am. He was quite anxious to share with us some facts. I promised that I would not write about these until Wednesday so that he had an opportunity to release the info. Well it seems he released it a day early but you know what it doesn't matter. What the Packet wrote was really not all that accurate. We started our marathon by Ralph asking "**what it would take to satisfy the Coalition**". Our answer was quite simple. Let's do an Environmental Assessment which would include proper testing. Ralph's answer was a resounding "**you will never get an Assessment**". We spoke of the Catastrophic levels of contaminants and Ralph agreed they were high but said it could be risk managed. When we pointed out that he did not know the extent of the contamination he stated "**We know we have a plume and will be drilling four more holes to establish it's size**". Wow!! we have been calling this a plume and Ralph and company have insisted it was a hotspot. When I pointed out that he had called it a "**PLUME**" for the first time he stated "**We have always known it was a PLUME we just called it a hotspot**". Hard to believe but as I said there was four of us so I do have witnesses. Ralph then went on to tell us that because of the Coalition the city was acting to do more testing (**inadequate in our opinion**) and were going to search for the buried drums contrary to what Lori Koughan told the Packet that the Coalition had no effect on the decision. By the way we also had George Morano admit that all this new activity was a direct result of the Coalitions effort. So that means no testing would have been done if we weren't on duty. Ralph also told us freely that "it doesn't matter what the results are the MURF will be built on that spot and they had no legal obligation to even do the testing that was done. Further he said that a venting system was being designed to manage the vinyl chloride gas. When we insisted that Dr. Ford has said it is not a safe way to handle this toxin the answer was they would do it anyway.

We spoke of land being acquired around the area and Ralph agreed that one of these purchasers with substantial holding was a very close friend of the Mayor. In my presentation at the meeting I had asked that maybe council and mayor ought to disclose any interest they may have themselves or through family, friends or companies they have interest in. Councillor Smith approached me and firmly stated that he or his family has no interest in the area. I must report Ralph failed to say anything. So I ask now that all councillors should make their interest or lack of known. Only makes sense to clear the air doesn't it??? We then spoke of the dumping of soil at the landfill and how we now have the Federal Fisheries Dept. doing an investigation. We spoke of the Kingston convictions. At this Ralph suggested that if the city is guilty then so is the Ministry of the Environment as they have worked with the city closely and were aware of what was happening????

Now what really bothered me was the analysis and comparison Ralph made

of other lands in relation to the MURF site. According to Cipolla if we think that what kids will be playing on at the MURF is bad then we should look at what kids have and are playing on at Kitchener Park. When I questioned this idea of how bad Kitchener Park really is he stated that the city had attempted to plant trees only to have all of them die and explained why it was so bad (**it's a former dump**). But again when I questioned in this light how come the city allowed any use of this facility Ralph realized the horse had left the barn and proceeded to try and close the door. At this point with some alarm he stated "but I don't know for sure". "I don't know for sure". So what does Ralph know for sure???? What does any councillor know for sure???? How can we trust or believe anything these guys say or do. Ralph thinks that because kids were and are already exposed to more danger at Kitchener Park that he should be called a hero because the MURF site will have a lower perceived risk but a risk never the less. What I think is that in light of these facts Kitchener Park should never have been used at all and should be closed down by the **Ministry of Brownfields**. This whole conversation with Ralph is a real insight into the the man and his thinking. I am outraged that we have been allowing children to use Kitchener Park. It must be shut down immediately and we need the city to come clean on just how bad this place is.

You know Ralph also shared with us that Orillia is Toxic from Coldwater Rd. all the way to the lake and down to Front St. and the lake front. His words "**You wouldn't believe how bad it is**". When it was suggested that maybe the city should be checking basements and informing people again Ralph tried to back peddle. So you see it is obvious that **expediency** rules. The double speak and outright lies all come out in the end. Only problem is how many people are being hurt???? I am afraid the mayor said it all "future council will have to deal with any problems" But what if future councils do what this council is doing. Time to honestly let people know the whole truth and let's get on with a Cleanup not a Coverup.

In light of the forgoing I am withdrawing my nomination of Ralph Cipolla for  
Saint  
jim tolnai

**Feb. 08, 2005**

## **City Gets Notice of EPA 46 Violation**

As everyone knows the Citizens Coalition has uncovered many aspects of this MURF development to be questionable and some down right illegal in our opinion. Hampering us is the fact that both Orillia and the MOE has made it extremely difficult to gain access to public documents. The way these people deal with us in getting these documents if not illegal should be. As taxpayers and concerned citizens we are FOI'd to death (Freedom of Information). Now that is an odd term for this particular legislation??? It is anything but Free.

In spite of their efforts we have prevailed and now finally the MOE has acted. You see back in 1986 the MOE determined that the MURF site was actually an "Industrial Dump". The determination was made because not only did Otaco dump their toxins on this site but other companies in and around Orillia also

dumped there. Now remember this public information had to be fought for tooth and nail. Anyway after many attempts we got a copy of the Site Closure plan which stated that "under EPA 46 development of the site was prohibited for 25 years unless ordered by the Minister of the Environment. A few years later owners of the day applied to develop and were told that if they separated the property then part of it could be developed but the property identified as a dump would still have the order enforced.

We have finally received word that the MOE is going to start doing it's job in enforcing the law and their order. The following information below is self explanatory.

Doug,

In my e-mail, dated January 19, 2005, I said that I would follow-up with you regarding the applicability of EPA Sec. 46 to the closed landfill site located at the **southwest** section of the Orillia MURF property.

**EPA Section 46 states:**

**"No use shall be made of land or land covered by water which has been used for the disposal of waste within a period of twenty-five years from the year in which such land ceased to be so used unless the approval of the Minister for the proposed use has been given. R.S.O. 1990, c. E.19, s. 46."**

**On February 1, 2005 the Ministry of the Environment informed the City of Orillia that EPA Sec. 46 does apply to the area of the Orillia MURF property where the foundry sand disposal site has been identified.**

Based on the ministry's files, waste disposal was discontinued on the Orillia MURF property in approximately 1986, and as such, the area in question cannot be redeveloped until **2011**. Should the City of Orillia wish to pursue development prior to 2011, they will be required to submit an application for the Minister's approval under Sec. 46 of the EPA. This requirement will apply to **any** development on the landfill before the 25 year period has expired.

**A Certificate of Prohibition** was registered on title to the former foundry property (Orillia MURF property) in 1993 to ensure that the existence of the landfill site in the West section of the Orillia MURF property was identified, and that a groundwater and surface water monitoring program be undertaken. EPA Sec. 46 only applies to the section of the property where the landfilling was undertaken, and not the entire property.

If you require any further details feel free to contact this office.

Chris Hyde

Supervisor

Barrie/Owen Sound District Office

Ministry of the Environment

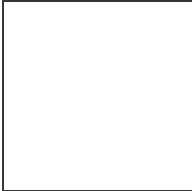
So how come the public was never informed by the MOE or council about this Prohibition???? Is council allowed to break the law in our name??? It seems that the filling in of the swamp (located in the southwest) was completely unnecessary as claimed by the mayor and council. If the south western part of the property can not be developed for another six years then how dare they use the excuse that the plans must be followed which clearly shows development. Those

plans are illegal to begin with. EPA is very specific.

**“No use shall be made of land or land covered by water which has been used for the disposal of waste within a period of twenty-five years from the year in which such land ceased to be so used unless the approval of the Minister for the proposed use has been given. R.S.O. 1990, c. E.19, s.**

Here is another example of the way Boss Hog does business in Orillia. It's obvious that their statement that the whole site needs and can be developed goes against the law (EPA46). We can now only hope that the MOE will lay charges against not only the city but each councillor individually as well as Shaheen and Peaker for knowingly violating this order. If the Ministry fails to do their job then charges may have to be laid and prosecution done by private citizens. These people must not be allowed to get away with this behavior.

On another interesting front it seems the Federal Fisheries Dept. is going to do an investigation of the polluting effect of the landfill on Lake Simcoe. They will also investigate the Hazardous soil that council has dumped on the shores of our lake. It is interesting to note that the City of Kingston has been charged and convicted for allowing leaching of toxins. In that case not only was the city found guilty but also the city employee deemed responsible. In the case of the Hazardous soil all of council is culpable. (For info on Kingston see PDF below)



We hope as you see this picture developing you will understand how badly council has handled and is handling this MURF. For reasons of their own council and management seems hell bent for leather to build this despite the law. If the authorities don't act then like in the Kingston case citizens will have to pursue charges.

To Bob Bowles and his group of caring people. We hope you will now finally see what type of people you are dealing with. Your emotion on the TVO show regarding the destruction of the wetland came through loud and clear. You and your group care and should join the fight to stop these people from inflicting even more harm on the community. Remember the mayor on the same show? "This is not a significant wet land and our plans can not be changed". Hey!! The plans were and are illegal and the mayor knew it all the time he spoke.

**Feb. 06, 2005**

## **So Much Info So Little Space & Time**

So where do I start? We had our Friday night meeting and had about 40 people show up. From phone calls and comments people were pleased with the meeting and astounded at the information about what is on the MURF site and how council is dealing with it. Then of course we have the announcement that the city will now start doing more testing. Both subjects are interesting but I feel compelled to write about the cities announcement of more tests. So in the next

couple of days I will bring you up to speed on the meeting please be patient.

The city has now announced that they are going to do more testing???? In the article by Monique Beach Lori Koughan said "It's a work-in-progress for the site specific risk assessment." We've done testing, and we will continue to test through the process". "Koughan emphasized the tests are being done NOT in response to the coalition's demand". Now wait a minute. Seems there is a big contradiction here or an attempt to mislead you and I. Here is what Gardy (Murf Communications Committee) said to the Packet back in Dec. "It's bad stuff, but there are options for **cleaning** it up" "**The tests are done**, they know what is there and the site risk assessment will tell us what we need to do to look after it". Of course all councillors claimed no more testing was required. Then along come the pesky Coalition with their world renowned expert who writes a professional opinion that the testing to date is inadequate and more must be done. Dr. Ford said "**the testing done is inadequate and that the size of the plume is unknown**".

Dr. Ford's advice to the city was to hire a reputable environmental firm for a second opinion. You see unlike the city he has consulted with two reputable firms who have grave concern over the Shaheen and Peaker reports. He stated that a prudent step would be to drill wells every 5 meters to establish the size of the plume.

So what does the city announce??? We are going to drill 4 more holes???? Can you believe it. Derek Ford says we need holes every 5 meters to find out how big the plume is in his expert opinion. Now that would be 400 holes if the plume is under the entire foot print and more if beyond. Unless there was a misprint and the 4 holes should have read 400 then why bother to spend the money??? There aren't enough holes to get a handle on what is down there. Now if these holes have always been in their plans then why would they cover the site with 15 ft. of dirt and now have to drill through it??? Everyone but everyone I have talked to except for one councillor says that is going about it backwards. No one in their right mind would test the site after digging and filling. Makes more sense to test first doesn't it? But hey! we have a mayor who says ground will be broken in the spring and doesn't consider digging up 40,000 tons of hazardous soil breaking ground and calling the soil non hazardous to boot???? Amazing????

Now let's talk about Dr. Ford's suggestion that an independent, reputable firm be hired to do this testing and review Shaheen and Peaker's work. Well it seems the city has announced that an Independent engineer, John Nunan with a background in Hydrogeology and landfills was hired. But wait, he wasn't hired by the city but by Shaheen and Peaker to do an INDEPENDENT????? review of the design??? What design is he reviewing???? What are his qualifications in Hydrogeology????? Folks here's another prime example of how council and city management do business. Misinformation, smoke and mirrors and waste money. So here is an idea. We have provided the city and everyone else with Dr. Ford's credentials. The city's experts have not responded to Dr. Ford by explaining why they think he is wrong. So why don't you people release the credentials of your hired guns so that we may establish which expert has the most credibility???? Do you think they might do that????? Don't see why not unless they are ashamed of their experts' credibility in comparison to Dr. Ford's????? I suppose if they don't release Cynthia Robins and this new guy's credentials and their argument against Dr. Ford's professional opinion it would be safe to assume that indeed Dr. Ford's analysis to be the correct one. So how about it?????

Now let's touch on the subject of the Hot Spots. This bit of misinformation literally is disgusting. Calling what has been found so far a Hot Spot is like the mayor claiming he didn't break wind and has no idea where the stink is coming from. How can these people believe that when three holes

drilled one hundred meters in 50 meter centers in a straight line north to south show the following. Hole one was 2,000 times in exceedence of MOE standards, middle hole 83,000 times and the last one 7,000 times we've got us either a river of this stuff or a pond. Now remember they didn't bother to do anymore holes going east to west therefore not knowing how big the pond is or how wide the river. And they have the gonads to call this a hot spot.

Now for the last of this incredible announcement. It seems council will now bring in some sophisticated equipment to find the barrels of toxins that were buried on the site. Remember these are the barrels we brought to their attention way back last Nov. At that time their expert and council said that it was not true. We were told that unless I could show them exactly where they were buried then they would assume it never happened. You may recall how I asked Lauer to look into that and for confirmation ask his dad who worked there for 50 years. So here is the correspondence with Tim late in January.

"Good morning Tim

Back in November you myself and Allan Millard had a conversation regarding toxins being buried on the MURF site. At that time you indicated that you did not believe the story to be true. I suggested that you should check with your father as he worked for Otaco and would have first hand knowledge. You at that time promised you would speak to him and would let us know once you had an answer either way. Well over two months have passed and we have not heard from you. Have you not spoken to your father as yet? In light of the people coming forward who did work there I would think that you would be anxious to clear the air on this matter. Tim I can assure you no one including your father will be blamed for what happened in the past. That behavior was prevalent in all industries. What people will be held responsible for is their actions today. Trying to cover up these facts of history in order to save face will indeed have repercussions on everyone involved. The Lauer family can do the right thing and add their voice to the growing number of voices who say enough is enough. We mustn't sacrifice the safety of this and future generations because of what our fathers have done and certainly not for the profit of a few individuals. It is time to admit past mistakes and not allow another to be made. We have setup a public meeting for Feb. 4. At that time information will be brought forward that maybe unwanted by you or your family. The Lauers can be seen as the problem or the solution to the problem. Your call Tim. You know how to get in touch.

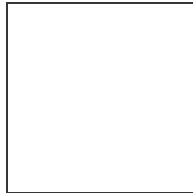
Jim Tolnai"

Tim's reply

"Morning Jim- Thanks for the note- I don't remember stating that I didn't believe the story to be true. I remember saying that we had no factual information at that time to support it. I also remember saying after a fairly lengthy conversation that I would ask the question you were posing at the time- that question being - why doesn't the City do some historical research and go looking for the barrels that according to anecdotal information were routinely dumped on the site. I asked that question shortly after our conversation and was informed that a Geophysical Survey was being proposed by the Engineers for the site and ( as I understand it) through the use

of magnetic sensors would locate any barrels that may be buried under the ground. I await further details on the method, effectiveness and cost of this Geophysical Survey.- Tim"

Now there could not be any mistake as to what was asked and Tim's answer to us. You see both Allan and I were with him. Tim is not mistaken as he says. He is out and out lying. Why?? Don't know don't care it's not the first time and won't be the last. But he is being held accountable for the lie. The end result is that the city is now going to search for something they insisted never existed and was dismissed by not only councillors but Cynthia Robins (expert). But lo and behold they have decided to search on their own initiative and not because of the Citizen Coalition's efforts???? Good for them. We now await their initiative regarding the 600,000 lbs. of Asbestos that they say is not there because as Cynthia said "we can not test for asbestos it is a rock"???????? Another expert opinion Eh!!!



jim tolnai

**Feb. 03, 2005**

## **Day in Court**

Spent the day in court yesterday being enlightened by the high paid city lawyers who have now made a number of issues very clear. What went on yesterday was a wonderful example of how to waste taxpayers money. You see the city lawyers and council are of the mind that if you throw enough money at a problem (Citizens Coalition) they will go away. Why??? Because they can not keep up financially. So these hot shot hired guns say they will take two (2) hours to address the court which would have left the Coalition enough time to state our case and the whole matter would have been resolved. But these guys decide in court after yapping for two hours that they indeed would need another hour which really became almost two more hours. Three lawyers for the city charging who knows what per word and really saying nothing. Now remember the last 1 1/2 days cost you \$108,000 in legal fees according to Cipolla. So what did yesterday cost??? Well if you use Cipolla's cost for the previous appearance then yesterday could come in at a whopping \$72,000 for the day. Will we ever know the real cost????? Probably not. The first 1 1/2 hours of the cities presentation was original even if it was not accurate and in many instances just not true. After that it was just regurgitating the same bile over and over again to the annoyance of the gallery and sometimes even the judge. For those of you who missed it too bad. But hey you will have another chance because back to court we must go once more to give our argument. What will that cost the city???? Well if past costing is correct another \$36,000 would not be out of line. To give you an example of how distorted these costs are and why you should be pissed off look

at what the Coalition's lawyer who won the injunction charged. \$7,000. Now remember our lawyer had the burden of proof so we paid for all the original research etc. The cities lawyers merely responded and used our research and argument. Is the city getting good value???? Quite frankly from what I have seen so far my answer is a resounding "NO". Too bad no one from council showed up to see just how our money is wasted. But hey! I really don't believe they give a rats ass about the cost. Their attitude is Spend It, There Is More Where That Came From.

Now to some new information that I culled from the bile. It seems that Council and their lawyers believe that they have no legal obligation to clean up the MURF site. What??? Yes the city lawyer told the judge that the City has no obligation to do a Site Specific Risk Assessment and regardless of what the SSRA shows they have no obligation to clean the site. So now it all makes sense. That is why these guys have made no move to adequately test the site for what is there. Why spend the money on testing when they don't have to clean it. And of course they never had any intention of cleaning it up anyway. Seems that all this knowledge would just get in the way and upset people even more. So it seems this is and will be their argument in future court appearances. What I took from all this is very clear to me. Council has authorized an SSRA voluntarily which will tell them what our risk of being poisoned is. Will it be 100%, 50% etc.??? Will the SSRA show expected illness and deaths from the risk???? But regardless of the risk which will not be known until long after construction on the building has been started they will not clean up the site anyway because **"they don't have to"**. Makes sense now why Stevens stated on Rogers TV that problems occurring in the future will have to be dealt with by council of the day. These guys have to know there are problems today and even bigger problems in the future. What a sad lot. I feel like I'm living in the Twilight Zone and maybe it is all just a bad dream. But no it is reality and it scares the hell out of me as it should scare you. I urge you to **WAKE** up. All the evidence is pointing to a "Catastrophe".

jim tolnai