

Mar. 31, 2005

## Kingston Loses Supreme Court Bid To Appeal

Late last year I wrote about a small Citizens Group who through Janet Fletcher began a private prosecution of the City of Kingston for allowing leachate to flow into the Cataraqui River. The city was found guilty and fined \$30,000. They appealed all the way up to the Supreme Court who now has refused to hear their case and sided with the lower courts. Kingston lost and has spent hundreds of thousands of dollars in legal fees. The whole case began not unlike our own MURF case "as a request to the City of Kingston to do something about the orange-hued toxic leachate that was bubbling, trickling and eventually flowing out of an old landfill site-cosmetically dressed up as a public park and golf course-into the Cataraqui River". The peoples concerns was ignored by city management and council. A request was made to the provincial government (sound familiar yet?). This request also fell on deaf ears and the group had no choice but to start prosecution under the Canada Fisheries Act. The case has gone on since 1997 and unnecessarily cost the taxpayers of Kingston in excess of \$500,000 in legal expense. They kept losing and kept appealing. Now even though they can not overturn the guilty verdict these irresponsible people are going to appeal the size of the fine and continue to keep their lawyers in the style they have become accustomed to. Not unlike our own city council and management.

This decision has a huge implication for our environmental protection in Canada. Not unlike our own efforts to protect the environment for Orillia and area the Kingston Citizens Group kept up the fight. The Sierra Club said the following **"We would like to salute the concerned citizens for beginning and continuing the fight to protect their local environment, a fight that went all the way from municipal hall to the Supreme Court of Canada"**. Not unlike our situation right here in Orillia unless council and city management do the right thing. Any chance of that happening????

<http://www.e-b-i.net/ebi/index.cfm?DSP=titles&SubID=377>

<http://www.nextcity.com/ebi/Kingston/Articles/Bppress2.htm>

## More Good News

There is a new Bill to be passed by the provincial government. Bill 133 will impose fines of \$20,000 per day for individuals and \$100,000 per day for corporations who pollute on a large scale. This is good news as people like city management and councillors will be made personally responsible for their irresponsible actions. The movement of Hazardous soil to the landfill is a prime example where these people must be held personally liable. The rigged testing of mixed soil samples contrary to the rules was and is illegal and was done on purpose to get this hazardous soil into the landfill. This is pollution on a huge scale and these people will be prosecuted whether by the government or by we the citizens. They also must be made personally responsible for the Toxic Plume which has now been pushed off the MURF site to contaminate the area by their action of dewatering. Justice will prevail and as the facts come out our hope is that mayor, councillors and city managers will have to answer personally under

this new Bill. Public officials will no longer be immune to the "I didn't know, no one told me factor". They do the crime and will have to do the time. Hip! Hip! Hooray!!!  
jim tolnai

**Speaking Out Web-site had 68,504 hits in Feb.**

**Mar. 27, 2005**

## **Glen Conner Still Just Doesn't Get It??**

I was going to continue my analysis of the MOE critique today but having read the story by Monique Beach on Glen Connor telling us "Project on brownfield site must go ahead" I really must make the facts known one more time. Now I don't know Glen and to my knowledge have never met him outside of seeing him at the MURF meeting held at Swanmore Hall about a year ago. I have no doubt that he is committed to the Minor Hockey League and is very anxious to have more ice facilities built. I also don't believe he wants to knowingly harm the users or the community at large by building on the West St. site. Having said that, I believe he, in fact would accomplish just that if we build without cleaning up the site. It seems that to Glen the **end justifies the means**, which it does not. You see nowhere in the story does Glen say anything about cleanup, although he does admit that the property has been identified as a brownfield site "so let's deal with it".

Fact is that this site whether Glen likes it or not is not just a brownfield site but a **Blackfield**. Why can't locals look at all the evidence and admit that all figures and testing have shown that this is one of the world's worst contaminated sites and in Glen's words "Let's deal with it" but properly. Only problem is that people like mayor and council have no intention of cleaning it up. They want to cover it up leaving a not too distant council to deal with the fallout. Glen seems to be convinced by these people that they actually are looking after our interest and can make the site safe by putting three feet of fill on top of the contamination. No matter how many times we prove that these people have been lying to us, fixing test results by mixing samples, hiding or with holding public documents, dumping hazardous dirt on the shore of Lake Simcoe illegally Glen just can not be convinced of the truth. Why?? Well Glen seems to believe that we as individuals and as a group (Citizens Coalition) just do not want a MURF built. Doesn't matter how many times we say we are for the MURF but are against building it without cleaning the site properly, he doesn't want to believe it. I personally couldn't care less where the MURF is built or how much it costs. What I do care about is the safety, long and short term. I care that children will be taken to this place and be exposed. I care that as the plume moves further and further off site people's property and health is put at risk. I also care that if the Aquifer is compromised

thousands if not tens of thousands of people on wells in the surrounding municipalities will be harmed not only health wise but financially as well. So to me it is plain and simple, "**the end does not justify the means**" period.

It has been falsely said that the MOE has been behind the mayor and council along with Shaheen & Peaker as to how they were dealing with this **Blackfield**. We have said all along this is not true. There were a few local MOE officials like Chris Hyde who helped coverup the facts and used what I call **Weasel Words** so they could try and wiggle out of them later but, the MOE laws have always been clear (we have asked for an investigation of the Barrie MOE office and their involvement in the coverup). For anyone who takes the time to read the legislation it is clear that mixing samples and aerating the soil to get false results is not allowed and in fact is illegal. Now the MOE has come out and said so. But in the meantime we have 40,000 tons of hazardous soil at the dump which now must be dealt with. Because of the way these people dealt with this soil by mixing Hazardous with Non Hazardous it is now all potentially Hazardous. Cost to remove could be up to \$15,000,000 plus. Why is Glen Connor not concerned about that?? No, only thing that matters is Ice Time??? Glen and any supporters of this White Elephant have lost their common sense and ability to look at the evidence objectively.

Glen seems to think that if the city now begins to consult with the public we will believe that they have nothing to hide? Glen read the report where the MOE says they are not receiving adequate information. Not only are they hiding the truth from us but the MOE is not being kept in the loop. As the truth gets out the less chance there will be for any kind of MURF. Open your eyes Glen the PLUME has left the Property due to the incompetent actions of mayor, council and their experts. Cleanup now is not a simple \$25,000,000 problem. It is now potentially into \$50 maybe \$75 million. Where will the money come from to build a MURF now??? How much money do you think that properties around the site would be worth if the plume got under them??? Who will pay for these properties?? It is clear from the report that the **Plume** has left the site so it is only a matter of time before GL&V maybe affected, Home Building Center, the business on Norweld Dr. or the houses on Barrie Rd. It is possible depending on the direction of flow only some would be affected immediately but long term all of them maybe contaminated if this property is not cleaned up. What about the Aquifer Glen. I happen to live in Atherly and I am on a well. As the crow fly's I am not very far from the site. We have a few hundred families out here. If our wells become contaminated what will the cost be to us?? Do you know or even care?? Figure on at least \$2,500 per house. Not to mention the devaluation of our property because of the stigma and the stresses placed on people. No Glen the "**end does not justify the means**" and the Project on this **Blackfield** site must

**Not** go ahead unless it is made safe and cleaned up say everyone else except those who want more ice time. Glen what started out as a pretty good idea was rammed through by people who don't seem to care how we the people will be effected as long as they get a MURF. What should have happened was that all these tests should have been done before any work was started. Then a proper evaluation of the property could have been done. Cleanup should have happened and then build what the city can afford. Instead you people decided to spend all your money and more on the building and take your chances on not getting caught environmentally. Well you have been caught. Now let's get on with **cleaning** up and if there is any money left then build your MURF. You now have no choice but to cleanup. The **PLUME** has left the site.  
jim tolnai

**Mar. 26, 2005**

## **MOE Comments On MURF Pre-Submission**

The Ministry of the Environment has finally completed it's review of Orillia's Pre-Submission on the MURF and as we have been warning for the last year mayor, council, city management and Shaheen & Peaker have been misleading at best and out and out lying while putting all of us at huge risk. So please read the report and see for yourself how these people can not be trusted nor should they have been trusted all along. The potential damage done by their actions to date has yet to be fully seen. Unfortunately by the time we discover all of the damage the cost for cleaning up and the cost to our health could be into the hundreds of millions if the **Aquifer** has been compromised. Because there is so much information I will deal with only one area in each article over the next few days. It is imperative that everyone understand just how serious this situation is on our short and longterm health as well as our wallets. Because the Aquifer is now believed to be at risk I urge everyone in the surrounding municipalities to contact their respective councils and urge them to get involved with protecting our water supply. I also urge you to contact the MOE and the federal and provincial representatives to act and act immediately. It is time to take control away from these incompetent people who have shown no regard to costs or health.

On page 3 item 1 the Ministry states "Due to the proximity of Ben's Ditch the site satisfies the requirement for "environmentally sensitive" designation. As Gomer Pyle says "Surprise, Surprise, Surprise". Mayor, Boss Hog and all involved have stated numerous times that the site is not environmentally sensitive. The mayor also stated that the wetland they filled in was not significant. Yet now we have the MOE saying that indeed the area is environmentally significant. The Citizens Coalition has warned all along that disturbing this site

will lead to huge damage and that Ben's Ditch must be protected as it leads to Lake Simcoe. Remember how these people claimed we were spreading false information? Now we know the truth.

Under Site Characterization on pg. 3 the MOE says "Insufficient detail has been provided". We have been saying this for almost two years. Our questions have gone unanswered and we have been forced to apply under FOI for everything. Their hope was that we would become frustrated and eventually go away as every question had to have a five dollar bill attached to it plus other trumped up costs. Well we have not gone away nor will we until Orillia and Area is protected from these peoples actions. So remember when the mayor stated that they have tried to co-operate with us but we could not be satisfied, now even the MOE claims they are with holding information from them, I suppose in order to cover up their scheme.

The experts which the mayor claims to be relying on have failed to support technically hydrogeological and contaminants pathways. In short it looks like they have no idea nor a plan to deal with the problems on site except to cover it up not unlike **Love Canal**. They have not addressed contaminants going into Ben's Ditch nor have a plan of dealing with contaminants leaving the site. They also have no plan to deal with contaminated ground or surface water which relates to off site impacts.

It seems the MOE has not received a "Summary description of soil, water, waste sampling and even chemical analytical methods/ protocols" as they are asking that these be provided. They then say "The methods need to be properly referenced". My God these people have dug up 40,000 tons of hazardous soil, moved it to the shore of Lake Simcoe exposing all of us to who knows what and now the MOE tells us that they have no information whether these people conformed to regulations. "Conformance or nonconformance with the Ministry regulations/guidance regarding soil also should be indicated". Fella's the soil is gone, don't you think you might be a tad late. Where the hell was the MOE when we (Citizens Coalition" was warning, begging and demanding that they do their job)??

The last item I will review in this article is really the most damning for both the city and the MOE. In order for the city to justify the disposal of the Hazardous soil at the dump the city and their experts along with the Barrie office of the MOE justified their findings of Non Hazardous on false testing. WE (Citizens Coalition) made this public way back last Nov. before the soil was moved. You were told by these people that we had no idea what we were talking about and that everything the city was doing was endorsed by the MOE. We disagreed then and still do and now so does the MOE. You see the mayor, council, Boss Hog and their experts mixed five samples of soil together some as old as 5 months in order first to

dilute. Then they mixed these samples together until they were reasonably sure that the VOC's had evaporated. You see that is what VOC's (volatiles organic substances) do, they evaporate from these small samples. It was only then that the samples were presented to the lab for testing. It is not surprising that the lab found these samples to be Non Hazardous. Of course the dirt sent to the dump was Hazardous and these people knew it. Dumping this Hazardous dirt to me is an act of Environmental Terrorism. It is one thing to make a mistake but to do it on purpose is Terrorism plain and simple. So on page 4 the MOE now says. "As volatile contaminants of concern (COC) are identified in the PSF, the consultant (Shaheen & Peaker) is reminded that **SPECIAL** sample collection and preservation requirements apply". These requirements applied back in October and before as they do now. Obviously the regulations were broken and these people must be held accountable by the MOE. The MOE goes on to say "Risk Assessment for these COC cannot rely on the results of samples which have been composited (mixed) as the process of combining samples allows the loss of volatile constituents prior to analysis". Bingo!! seems we were right all along. Then of course they mixed the dirt trucked to the dump and spread it out over a huge area in thin layers in order to thwart the Citizen Coalition from being able to test the soil easily and at reasonable cost. They then sent pictures and protocol to the Minister of Environment stating that the dirt would be kept in "Windrows". Indeed they made 3 piles of dirt from who knows where which was photographed. The Minister then stood in the legislature and mis-lead the province using this information. By the way the same photograph was used by city solicitor Mike Miller in court to show Justice Stong how the dirt was being handled. Are lawyers allowed to mis-lead the court??? Was Mike Miller mis-lead???? Who is responsible for this???? It is now time for the MOE to test the soil at the dump properly with the active participation of the Citizens Coalition at the personal cost of mayor, councillors, Boss Hog, Lori Koughan, Peter Dance etc., Shaheen & Peaker and MOE employees from the Barrie office who failed to do their jobs and possibly the city solicitors if they were aware of the scheme. But most importantly for the sake of Lake Simcoe, testing must be done immediately and contaminated hazardous soil must be removed to a safe and secure site. Please read the information and get involved and spread the word. You do not have to be a victim of Environmental Terrorism. The Citizens Coalition still needs your financial help as this war is far from over so please get your donations to us so that we can continue the fight to protect our community and water supply.



# Yes I want to Help

My cheque is included (please do not send cash through the mail)

Name \_\_\_\_\_  
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Add. \_\_\_\_\_  
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Tel.: \_\_\_\_\_  
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Visa or Mastercard

Name \_\_\_\_\_ Card# \_\_\_\_\_ Exp \_\_\_\_\_

Please note credit card will be processed by City Klickers

You can also make a direct deposit at TD Canada Trust Peter St. Orillia to Citizens Coalition of Orillia acct. # 0596 5210352

Signature \_\_\_\_\_  
\_\_\_\_\_

Please make cheques payable to Citizens Coalition of Orillia and mail your donation to 13 Creighton St. Orillia, Ont. L3V 1A9

**Mar. 24, 2005**

## **Love Canal Angers Mayor???** **MURF Angers Citizens!!**

Ron Stevens says "I take great exception to him (Frank deJong) even alluding to Love Canal and the MURF site in the same breath". So Ron just what do you know about the Love Canal??? We already know you pretend not to be aware of anything about the MURF site as you still insist you have not seen anything that has caused you to second-guess the choice of the former industrial property for the MURF. Ron either you have your eyes closed while you look or you are pranking us. So it is time to educate you and the rest of council about Love Canal and the MURF site using your very own reports and numbers which are nowhere thorough enough yet shows "Catastrophic" levels of contamination compared to public records on the Love Canal disaster.

	<b>Love Canal</b>	<b>MURF Site</b>
Dump Size	16 acres	20 acres

#Contaminants	36	30
\$ Paid for land	\$1	\$1 ???
Purchaser Warned	Yes	Yes
Buried Barrels	Yes	Yes
Trichlorethylene	10,650	292,000
Vinyl Chloride	0	14,300
Heavey Metals	0	Lots
Asbestos/Silica	0	(over) 600,000 lbs.
Cover Site (Instead Clean)	Yes	Want to
Disposal Pits	Yes	Yes

So Ron are you able to see some similarities yet? Of course not Ron your eyes are still closed aren't they???? Then here is some more eye opener info. Back in 1952 the Niagara Board of Education approached Hooker Chemicals to acquire the Love Canal. Even though Hooker registered on title that the property was contaminated and in fact forced the Education Board to inspect the site and actually dug test pits to show them what they were getting the Board voted to buy the property for \$1. Sound familiar Ron? The Board then decided to put a thick cover over the property to isolate the contaminants. Out of site out of mind right Ron??? They built a beautiful new school and in fact 4,000 tons of dirt had to be removed which was shipped to a second school construction site and used as fill. Then another 3,000 tons was removed and used as fill at another school. Not unlike you moving 40,000 tons of dirt to the shore of Lake Simcoe. By the way all three schools became unusable due to contamination. Sound familiar yet Ron??? Of course not, your eyes are still closed aren't they??? Another similarity Ron is location to water ways. On one side the Niagara River is about a 1/4 mile away (some what like Lake Simcoe) and on the other side a creek not unlike Ben's ditch. Eyes open yet Ron??? Hey what about the **Aquifer**? Yes the Love Canal people decided to check if contaminants had reached the water supply not unlike your new testing has proposed to do. Then we get to your dream of re-developing the area without cleaning it up because it will cost too much. What a short sighted man you are. It seems the Love Canal people figured they could Cover-up too. Only thing is, had they cleaned up to begin with, it could have been done for \$25,000,000. But like you they were short-sighted and the cost ended up at over \$2 Billion along with many people harmed, some fatally and it is not finished yet (30 years later). Of course all this activity on the site started the Plume moving and hundreds of homes became contaminated and unusable (not unlike will happen in Orillia). Your reluctance to release test results from monitoring wells and assuring us that all is well sure sounds like what the Love Canal people told their victims. Don't worry we have experts everything is fine. Well everything was not fine nor is it fine with our site as your new testing shows.

Your reluctance to see and hide from facts does not bode well for Orillia or area. The Packet writes "Recognizing the environment constraints of a brownfield site, the city is dealing with issues as they come forward, said the mayor". Now wait a minute. We were told no more testing was needed way back a year ago because all information was already available. Your experts said all was well, yet everytime new testing was done (forced by the Citizens Coalition) the results come out at "Catastrophic" levels. You said we were giving false information about buried drums but yet you found some when forced to look. You claimed we are giving false information about there being a plume yet now you admit there is a plume and it was known all along. You claim we gave false information on the dirt being hazardous that went to the dump but you spread it and mixed it to make testing almost impossible (doesn't make it any less hazardous only harder and more expensive to find). So Ronnie I hope your eyes have been opened. But if not yours then at least the people of Orillia and Area now can see what you are indeed trying to do to them. Foregive us for being a bit testy about being poisoned.

Ronnie check out the following links where our information can be corroborated unlike the bile you spew. In fact everyone is invited to check out our facts.

[http://ublib.buffalo.edu/libraries/projects/lovecanal/science\\_gif/records/hart1.html](http://ublib.buffalo.edu/libraries/projects/lovecanal/science_gif/records/hart1.html)

[http://ublib.buffalo.edu/libraries/projects/lovecanal/documents\\_online.html](http://ublib.buffalo.edu/libraries/projects/lovecanal/documents_online.html)

<http://reason.com/8102/fe.ez.the.shtml>

jim tolnai

**Mar. 22, 2005**

## **Oink! Oink! Oink!**

### **Does anyone doubt the pen needs a cleaning???**

Last night we attended Council Committee. Kelly Clune and Jeanine Baker displayed a trough stuffed with money bags as a symbol to the seven council members who have voted to give themselves a whopping 40% pay hike. Kelly and Jeanine hope that these people will have a change of heart and their mind on this ill conceived venture. Kelly's intention is to display the Trough throughout the community between now and the next election so voters will be reminded of these peoples greed. Good for Kelly and Jeanine a couple of gutsy ladies working for the public good and interest.

Last nights meeting also saw a 20 minute debate over putting anti littering signs in fast food restaurants. Lots of questions and debate about a simple issue that a 5 year old would understand. Yet when it came to spending another \$95,000 on testing at the MURF site which is sorely needed there were only two

questions and the issue was voted on within 5 minutes. Cipolla asked "Will this testing form part of the SSRA?". Downey asked other than not wanting to spend the money is there anything else about this testing we should know. This folks is the extent of councils interest in this spending of over \$95,000. Blew me away that they were not interested in the Barrels found along with the Asbestos and of course my real concern for the **aquifer**. They obviously are not concerned and seem to want to remain ignorant of the implications this document presents to the cities environmental liability. No discussion, no information is their attitude and it was shown last night in spades. Not one question about the report stating that "anomalies" were found. Aren't they curios what "anomalies" are??? Guess not. Later outside the council chamber Lori Koughan was interviewed and she used the term "Barrels" found. How come councillors weren't interested in finding this out?? Ah! ignorance is bliss, isn't it???? I was also pleased to hear Lori refer to our group as "concerned citizens". This is a first for city staff and even if it was a mis-speak it felt good. You see we have been accused of mis-information and being nothing more than Naysayers. Now that the truth is coming out (all be it slowly) there is a certain pleasure in being vindicated by those who maligned us.

Today the Citizens Coalition will again make a request for test results from monitoring wells and other activity on the site. We have asked over the last several months only to be ignored or be told our question is "irrelevant". Our hope is, now that we are "concerned citizens" information will be more readily available and be made public.

Questions:

1. Has the city done testing of groundwater from the monitoring wells since January and if so please furnish these results via your web-site as promised? (if not why not)
2. In February there were four new holes drilled on the footprint of the MURF. What were the results of these tests? Will the city place these results on the city web-site as promised?
3. Will the city post the Geophysical Scan results and corresponding pictures on the cities web-site and if yes then when? If not why not?
4. Will the city release the proposal by Shaheen & Peaker dated Mar. 9,2005 which outlines the detail and scope of work to be performed for the \$95,830? I would like to remind council and mayor that they have indicated a desire for dialogue. A great place to start is with accurate and timely information. We ask that as of today the city dispense with FOI fees as our requests are in the public interest. Our preference would be for the city to post all these reports and test results on the city web-site for all to see. This would entail no extra costs to the city and citizens would be informed as is the indicated wish of council.
5. On Mar. 9, 2005 drilling activity was observed on the North/West part of the

MURF site (see story and picture Mar 9 article below). Does the city have these results and will the city post them on their web-site? If so when and if not why not? The city has stated it takes 5 days for result of tests to be returned. It has now been 13 days since the observed drilling.

The Citizens Coalition would like to thank city staff and council for your co-operation in having these important public interest questions answered honestly and in a timely fashion.

jim tolnai

Citizens Coalition of Orillia & Area

13 Creighton St.

327-5717

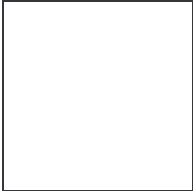
**Mar. 21, 2005**

## **Proven Right Again**

Back in October, 2004 we presented facts of Asbestos and barrels of paints and other toxins having been buried on the MURF site. Our concerns were dismissed and ignored. Cynthia Robins who is supposed to be an expert made light of the information when she said " we can't test for asbestos it's a rock". Well folks it now seems that as a result of the untiring efforts of the Citizens Coalition the city was ordered to do a Geophysical Survey. So it seems that this survey has found anomalies identifying the presence of buried deposits of concern. Had the Coalition not pushed, these deposits would have been left to wreak havoc on our environment for years to come.

We all of a sudden have Shaheen & Peaker advising the city that this work should proceed immediately to the tune of \$95,830. I have made a pdf file of the letter to Council Committee advising of the costs and scope of work necessary. Problem with this is that we should not be giving this contract to Shaheen & Peaker. This company has proven they can not be trusted. Remember it was Shaheen and Peaker who has failed to do adequate testing in the first place. It was this company even now who is not recommending to find just how large the plume of vinyl chloride really is. Instead they tested for depth and still have not championed finding the length and breadth. There is no way possible to know what is being dealt with unless we know the size of the plume. It was Cynthia Robins who claimed asbestos was not testable. Yet this firm now stands to earn \$95,000 from testing for asbestos??? All of a sudden they now will test for migration of toxins. This proves that until now they had no idea of the extent of migration of these toxins nor did they want to know. But what really bothers me more than all else is their recommendation to "assess the potential of impacts to the bedrock **aquifer**". Seems the last round of drilling which was forced on these people by the Coalition found the vinyl chloride and trichlorethelene to be much deeper than they **ASSUMED**. Folks if these toxins are now in the **aquifer** we are

in a whole lot of trouble. Through the **aquifer** the toxins can travel for miles and miles. Every well in the area for miles around could be at risk. Oro/Medonte, Severn and Ramara Township councils had better start getting involved. The water supply of your citizens could be at risk. You see we have said all along this is not an Orillia City problem only. Now we have been proven right by their own document. Please read the pdf document and decide for yourself. We need a reputable independent company to take this investigation over who take their orders from the Ministry of the Environment with input from the citizens of Orillia. Council and city management **can not be trusted** to be involved with this in anyway. In fact the surrounding Townships should also be involved in making sure this site is cleaned and secured properly now that the **aquifer** is involved. Then we need a Forensic Audit of all contracts and city financial records supervised by the Ministry of Municipal Affairs.



For months now we have been asking for copies of the contract with Shaheen & Peaker so that we could see their terms of reference for work being done. We also wanted to know the credentials of Cynthia Robins and others involved. You see councillors and the mayor have been claiming that they are receiving advice from experts such as Cynthia whose credentials are supposed to be excellent?? Well we finally have received information through FOI and were amused to find the following document.

As you can see this is supposed to be the credentials for Ms. Robins that the mayor and council are so proud of. Why on earth is the city blocking out Ms. Robins credentials. We kid you not this is what the city gave us which is supposed to instill our faith in Ms. Robins expertise. It would be funny if we weren't dealing with such serious matters. So you can't blame us for questioning the expertise of Shaheen & Peaker and in particular Ms. Robins.

We have also asked what guarantees the city has received from Shaheen & Peaker for their work??? Well it seems there are no guarantees. In fact it is the city who guarantees to defend Shaheen & Peaker. Here is what it reads under Warranty and Liability that the city has agreed to.

2.6

**The Client (city) agrees to defend, indemnify, and hold Shaheen & Peaker Limited harmless from any claim, liability, or defense cost in excess of the**

**limits determined above for injury or loss sustained by any party (you and I) from exposure allegedly caused by Shaheen & Peaker Limited performance of services hereunder.**

Can you believe this??? Just like with the Molson Transfer Agreement where the city accepted all environmental liability now the city accepts Shaheen and Peakers liability. Unbelievable. Does anyone still think that councillors deserve a 2 cent raise never mind 40%???

jim tolnai

**Mar. 19, 2005**

**\*\* A News Worthy Event \*\***  
**A Trough for City Councilors**

We have built the **TROUGH** for City Councilors who voted in favour of awarding themselves a **40%** increase in wages in mid-term.

The **TROUGH** will be presented at the council meeting March 21, 2005.

We are representing the "Silent Majority" who hope Council will reconsider this decision and put forth a proposed increase for the next candidates.

**Date: Monday, march 21, 2005**

**Time: 7 p.m.**

**Location: City of Orillia Council Chambers**

**For more information:**

**Jeanine Baker 326-1957**  
**Kelly Clune 327-2100**

**Mar. 17, 2005**

**BROWNFIELD REDEVELOPMENT IN CHAOS**

“Administrative anarchy is the watchword for Brownfields Redevelopment in Ontario” according to environmentalist Jim Woodford.  
“No Minister is designated to administer the Brownfields Statute Law Amendment

Act, 2001. Information on Brownfields is found on the Ministry of Municipal Affairs website, while the Ministry of the Environment is responsible for some environmental matters.”

“Registering a Brownfields property in the Brownfields Environmental Site Registry is voluntary, thus it appears that there is no mandatory requirement that a Brownfields site be declared “Environmentally Safe” before redevelopment begins. “ said Woodford

“There are provisions under Part XV.1 of the Environmental Protection Act for two Environmental Site Assessments if the site is to be registered. A Phase I ESA is conducted to ‘determine the likelihood that one or more contaminants have affected all or part of the property.’”

“A Phase II ESA is conducted to ‘determine the location and concentration of one or more contaminants in the natural environment.’”

“Detailed requirements for a Phase I and Phase II ESA are found in Ontario Regulation 153/04.”

At a media conference in Orillia. Nov. 8, 2004 five Ministry of the Environment staff declared the material at the MURF site was not hazardous. However “Hazardous material as used in the Phase I ESA Standards means material that may, on exposure, constitute an identifiable risk to human health or the natural environment” This explains why a Phase I ESA was apparently not done on the MURF site. There are many chemicals there that meet the above criteria.

“One should not be surprised that the MURF site is enveloped in the miasmal mists of controversy”, said Woodford .”The Minister of the Environment has a lot of explaining to do.”

Further information: Jim Woodford (705) 835 - 0002

**Mar. 12, 2005**

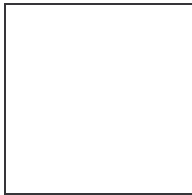
## **Packet Just Can't Get it Right**

Yesterday Mar. 11 I received a call from Monique Beach for comment on a document given to the Packet identified as "Form1-Land Transfer Tax Act which is supposed to prove that the city paid no cash for the Molson property and supposedly proving the mayors case. As I had not seen the document Monique faxed me a copy and asked that I respond either that day or on Monday. When I received the fax it was of very poor quality but good enough to make me wonder whether it was authentic and left me with questions. Upon examination I phoned Monique for comment and expected that I would be quoted or my comments reported accurately. Neither was the case. Who ever wrote the item titled "Document confirms land deal" on the front page did not report the facts accurately. They write that I question the document but failed to tell readers on what grounds, which I will share and let you decide if my reasons are valid.

First the document is of poor quality and I expressed that to Monique. Second I am concerned that the document does not contain a registration number placed on it by the Registry Office. This fact alone says that it is not a copy of an officially registered document which would go a long way to proving authenticity. I told Monique that we had not seen this document at the registry office and that in order to confirm we would have to check for it next week if in fact it does exist. Then I proceeded to tell her that I also had a problem with the signature on the document which did not identify the signatory in print. I suggested that the signature does not resemble the signature of Doug Christie who supposedly signed it. I further explained to Monique that Doug and his firm had represented my business and family many times and the signature did not ring true. Now I am not a hand writing expert but I certainly can see no resemblance to signatures on documents I have, versus the signature on this document. But hey! why don't you have a look for yourself at the two signatures. The first one is scanned from the document Monique faxed me. The second is from a letter signed by Doug sent to me. Now being careful I checked other documents we have in our files and examined a total of five of Doug's signatures. All of them were the same as the one I scanned for you to compare and I have the documents available for skeptics. The other reason I question the document is simple. Knowing the work of Doug Christie I find this document sloppy and more important the facts sworn to are false.

You see in the document we supplied the Packet with a week ago the property which was transferred for \$250,000 was actually Part one consisting of about 27 acres. But in the document supplied to me by Monique it is sworn that the property was actually the eight acre parcel. So we have two documents stating opposite facts. Our document is registered as instrument 58643-0063 proving it is an official copy. We then have a document which is not a registered copy stating the opposite to the registered document with a signature that does not resemble any of five signatures of Doug Christies in our possession and a very sloppy unprofessional document to boot. To top all this off the document

isn't even filled out properly.



**Monique's Document Sig.**  
**My Document Sig.X5**

So if any of you are handwriting experts I would love to hear from you as to your opinion. Even if you are not an expert your opinion would be most gratefully accepted. If your a lawyer let us know what you think. More importantly let the Packet know your opinion. I did suggest to Monique that they should investigate my concerns but they wrote a story that does not hold water inspite of my warning. This has been typical of these people all along and I don't expect a change anytime soon. But you will always get the truth here with supporting facts

and evidence.

Now for my next concern. Seeing that the city is so anxious to share this questionable document could we please have the document for the second parcel? You see they failed to give the packet the other document for the 27 acres. Being very skeptical I wonder why they just didn't hand over all relevant paper work and save us the problem of asking. Is there something to hide?????  
jim tolnai

**Mar. 09, 2005**

## **New Drilling Activity**

Last week we saw new drilling activity on the MURF site but not in an area that had been announced. You see the drilling was taking place on the 17.5 acres that is Prohibited from development. So needless to say we are curious as to what is going on. You see this is also the area that we were told 45 gallon drums of paint and metal degreaser were buried in. The city has announced that they would be doing magnetic resonance testing (ordered by the MOE we are told) to try and find these drums. Question now is have they done the test and found these drums and are they still intact? Will we get the results of these drillings and when????

## **Irrelevant**

We are still waiting for an answer to our question regarding the movement of the plume off site. Lori Koughan told us that our request for information on ground water testing was irrelevant and refused our request. Now that was back on Jan. 21. We have continued to ask only to hear silence. Seems everytime there has been silence bad news was involved. So we ask again publicly. Has there been testing done of the monitoring wells? If yes then what are the results? If no why not and when will testing be done? Will the MOE order testing if the city refuses? These are not irrelevant questions and must be answered.

## **Still Waiting For an Explanation**

The mayor in a news release to the local media says he is disappointed in them on the reporting of the MURF land transfer. If you scroll down to the Mar. 02 story to refresh your memory there are some very large holes in the mayors story as to why dollar amounts were used in the transfer of this land. True to form the mayor still has not explained why they did the transfer using fictitious dollar amounts. We are still waiting for a proper accounting but certainly don't expect one unless a Forensic Audit is done.

## **40% Pay Increase??**

So council is giving themselves a raise??? How much remuneration should council and mayor be entitled to??? I believe that if nothing else they are entitled to at least an increase equivalent to inflation automatically every year. What I do have a problem with is they are giving themselves a whopping increase of 40%. Now what message are they sending to city staff and to all taxpayers? Doug Downey's PC party refused to increase the minimum wage for the time they were

in power (10yrs.). Doug supported this government and their stinginess. Now he claims that he is deserving of a 40% increase along with the rest of council. I suppose Doug and the rest of councillors who voted for this don't remember they knew how much the job paid when they were seeking the position??? If the salary was good enough then, maybe they can tell us what has changed??? This is just a typical scam of this council being pulled on us. Not unlike the appointment of our unelected councillor Carl Garland who was appointed only a month after the mandate began. Now this guy says the mayor should be paid \$80,000. So why did you not mention any of this during the election Carl? During your efforts to be appointed to council did the subject of pay raises come up??? Did you agree to support this obscene pay raise???

Again this council shows just what they think of the taxpayer. Safety takes a backseat as they turn down policing, firefighting etc. so that they can make sure the pot is left full for their personal needs. Doug Downey justifies getting the raise by saying people have said to him they wouldn't want the job at twice the pay. But then I suppose they did not run in the last election because they and Doug knew the pay scale??? As for the mayor and Tim Lauer voting against the motion. I think that if you believe in your vote then when the raise comes refuse it. That's right! demand that the payclerk not pay you the extra. Seems to me these guys will grab the cash just like the rest of them and not give it a second thought. Voting against a done deal to try and look as if they care just does not cut it unless they back it up with action and turn down the raise. If this was not a planned escapade by council I would be surprised. During budget deliberations they set aside \$50,000 for raises and now are going to use \$45,000 of it. Coincidence or good planning????

## **Council Supporter**

The mayor has made a letter of support from a Larry Morley public. Larry seems to think that people who are for Cleaning the Murf site before building on it are Urban Terrorists? He states that we are trying to hijack the project. Larry it is obvious you have not done your homework. There is no doubt about the site being one of the worse if not the worst polluted site in the world. You don't seem to understand that for years there was a systemic disposale of these toxins on the site. The business used thousands of 45 gallon barrels of these chemicals every year for decades. The empty drums were stockpiled and sold off. At one point there were as many as one thousand empty drums stockpiled. So where do you suppose the contents of these drums ended up??? Larry we are not against building a MURF. Infact we support the building of a facility. What we are against is building it on top of a plume of toxins that exceed safe levels by tens of thousands of times. If you consider preventing the poisoning of our community urban terrorism then we plead guilty. You do not have to look too far in order to prove our concerns wrong if indeed we use sensationalism and lies to frighten people. Why don't you make it your mission to prove us wrong Larry?? Unlike council we have made our information public yet the mayor and council instead of making an attempt to refute it try to cover up even harder. And yes Larry we use science to make our point. we have recieved confirmation not from one but

three experts who quite honestly can't believe what is happening here in Orillia. So keep your blinders on Larry the mayor and council need your support. As for your observation that council supporters stay silent because they are intimidated by we the aggressive activist just does not add up. Once people look at the facts they all come to the same conclusion about this site. Clean It Up. The secret is to look at the facts. That is all you need to do Larry, "Look At The Facts".

jim tolnai

**Mar. 04, 2005**

## **Ministry Meeting**

Yesterday Kelly Clune, Dr. Derek Ford, Eric Gillespi(our lawyer) and myself met with the Executive assistant to the Minister of the Environment Leona Dombrowski. Our appointment was supposed to be for a half hour and ended up to be one hour five minutes. Now that, I am told is a good sign we are being taken seriously. Dr. Ford gave a very passionate presentation which had a visible effect on the officials. Although no firm assurances were given to us on any one concern the feeling I got was that head office was ready to deal with this situation on it's seriousness not it's political implications. That is all we have ever asked for and expected. The merit of our argument stands on it's own as long as officials are willing to look at it on that basis.

Derek Ford let them know in no uncertain words how as a professional he was appalled at how the cities **Experts** have handled this toxic site. You could tell that Derek's words hit their mark. Instead of trying to go into detail about the meeting at this time I will assure all of you that the feeling at the end of the meeting was to allow these officials to do their stuff, but we certainly were firm in our demands. No firm promises were made to us but no **lies** were spoke either. As for the local MOE office in Barrie who have worked very hard to make our efforts as difficult as possible we no longer will deal with them but with the London office. Our request for an investigation of the Barrie office's behavior in this matter is now kicked up to the Deputy Minister. Hope is that there will be a thorough and complete audit of how this office is dealing with peoples concerns and why???? So all in all a very interesting day which we hope will bear results.

jim tolnai

**Mar. 03, 2005**

## **Beef Industry Reeling**

Yesterday a US Federal judge ordered the border remain closed to Canadian cattle. He listened to the evidence and decided that regardless of how small the risk is to the population there indeed still is a risk and it is unacceptable. I really feel sorry for the cattle producers and their families as many will or have lost their life's work and savings. Through no fault of their own these people are victims of weak and unthinking politicians, experts and greedy corporations.

I was raised on a farm and I can tell you that what happened in the feed industry where cannibalism became the answer to so called cheap feed and

disposal of waste is a travesty. Yup! the cost of dealing with waste product was costing corporations money which affected their profits. So what to do??? Find some **Experts** who were willing to devise a method of transforming this waste to a saleable product thus increasing profit and cutting cost of disposal. Now I can assure you most farmers were skeptical and resisted but it is hard to fight economic reality. Either use the cheap feeds and compete or be driven from business. With the government, corporate and **Experts** backing most capitulated and became part of the problem instead of fighting it. Those who resisted were marginalized and labeled malcontents, **belligerent** etc. A number of scientist working for the Canadian government who tried to warn us were demoted, ordered to stop talking and finally terminated. Scientists who supported the program were honored and promoted. Now we have an industry ready to collapse and it seems no one is talking of responsibility or who is responsible.

Why do I touch on this subject??? Well this whole process is a wonderful picture of what is and has been happening in our community. We have in the middle of our city the worst toxic dump site in the world. That's right according to research done by Dr. Ford on toxic sites he has been unable to find a site that is worst. In fact none even come close. Like the cattle processing industry making a sows ear into a silk purse our leaders (dictators) decide to not pay the cost of cleaning but actually transform toxins by covering them up and force feeding the results to us not unlike the cattle were force fed. **Experts** are hired who are willing to go along with the plan and the population is comforted while information is hidden that proves otherwise. Anyone brave enough to challenge them is labeled and marginalized and labeled again. Fortunately for Orillia there are people who care and think for themselves. They fight on separate fronts and finally draw together to fight as a group. Information is pursued and warnings go out. Of course not through the local press because their interests seem to lie with the coverup but by persisting in informing the public through Speaking Out. The group gets ridiculed as wanabees, malcontents etc. Not unlike the scientists who were warning the cattle industry.

So here it is years later and the cost of cleaning up the industry waste as compared to what the industry has lost in the last two years is miniscule in comparison. Is anyone taking the blame for what they did to the industry? Where are the **Experts, politicians or bureaucrats** who are responsible. Where is the feed industry who profited from this poison that was fed to our cattle? Folks like our mayor said **future councils will have to be responsible for things gone wrong** the industry and our entire economy is paying the price. Like the cattle industry Orillians will have to pickup the pieces not if this goes wrong but when. In fact if the plume has been pushed off the site by what these people have done so far the cost of cleaning has probably tripled. Of course we don't know because city hall will not give us test results from the monitoring wells nor the results from the new drilling. Still intent on covering up. You have been warned. If you as Orillians don't care about your safety and health not to mention the financial implications to your property then talk to a beef producer. There isn't one of them that does not regret not joining or keeping up the fight.

jim tolnai

Mar. 02, 2005

## Transfer of Rights?????

Ronnie, Ronnie Ronnie me thinks you have been breathing the contaminated air at City Center for too long. You either really do not know the details of the Molson Transfer or you are trying to mislead the public on purpose. I will today give you a lesson in getting the facts right and telling the truth. You refer to pouring and naming rights representing the \$250,000 on the Registry document. Not true and you along with Boss Hog and I suppose the city solicitors and council know it.

The land was sold in two parts. Parcel one consists of the Municipal address 25 Queen St. Parcel 2 is known as Municipal address 255 West St. South. This information is contained in the first paragraph on the first page of the Transfer Agreement. Are you able to keep up so far Ronnie????

Now on page one Paragraph 3 (2) a value of \$250,000 is established for Parcel one Municipal address 25 Queen St. On page 2 (4a) pouring rights are clearly attached to Parcel 1 consisting of Municipal address 25 Queen St. which is about 8 acres. But documentation clearly shows that this parcel was transferred for the sum of \$1 (one dollar).

Now let us deal with Parcel 2 Municipal address 255 West St. S. Page 1 (3) of the Transfer agreement sets out that this Parcel has a value of \$500,000. So go down to page 2 (5). You will see that Parcel 2 is being transferred for a Charitable receipt for \$500,000

. But on the Registry document Parcel 2 is Transferred for \$250,000. Now Ronnie the documentation is very clear. The explanation you are presenting on the other hand is not. If what you say about a value having to be attached to the transfer is true then why not use the \$500,000 value that the transfer agreement sets for parcel 2??? On the other hand for Parcel 1 which has a \$250,000 value set in the Transfer Agreement why did you use a value of \$1 for the Registry???? You see Ronnie what has happened here just does not make sense even before you tried to explain it. Now that you have spoken it makes even less sense.

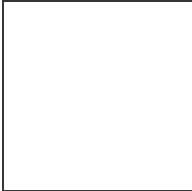
Seems to me and I hope to others that this matter needs to be looked into. You see Ronnie there is a credibility issue here. The way this whole deal has been handled from day one is suspect. The fact that 1/2 million dollar Bob made such a large error last year yet council praised him on his excellent work is suspect. Now the Registry document which just happens to be all mixed up and jumbled and using wrong amounts is suspect. Your explanation is suspect. So Ronnie tell us where the \$250,000 really went. Then tell us where the \$500,000 went that half million dollar Bob did such a good job on. Ronnie we need a **FORENSIC AUDIT** not only on this deal but all deals for the last four years. We need an Audit of City management. You see Ronnie there are other questionable transactions which need auditing isn't there???

Now if only the Packet would look through the documents we have supplied to them over the past few years maybe they too will see that an Audit is needed. If only they would become "**Belligerent**" and do their job. The Packet plays lip

service to FREEDOM of the PRESS, I would suggest that FREEDOM is available if you have the will to use it. Click on the Transfer below and check it out.

Just one more question Ronnie. Did the city solicitor not understand the Transfer Agreement that he drew up and made a "**mistake???**" or was he instructed (and if so who instructed him) to do the transfer as it is in the Registry document???

jim tolnai



Mar. 01,2005

## Packet Editorial a Load of Bunk

So the Packet thinks that a MURF peace would be a good idea do they? Is this the paper who over the last two years has been covering up facts, printing stories with very little truth in them (MURF), ridiculing the Coalition and members personally, and our combined efforts in particular. Remember the "Vigilante" label placed on the Coalition. Dictionary.com says "Vigilante" **One who takes or advocates the taking of law enforcement into one's own hands.** This was only one of the labels these guys tried to hang on us. Others were gadfly, watchdog etc. Even in this **Bunk** they write we are called "**belligerent**" (**Dictionary.com: Belligerent-Inclined or eager to fight; hostile or aggressive**) while the mayor and council are treated as victims instead of perpetrators. Some balance leading to peace, **some victims???**

The Packet would have you believe that council and I suppose the mayor knew nothing of the 17.5 acres under order EPA46. How can that be???. Council and the mayor have reassured us dozens of times that they know what they are doing. They have told us that they have read all the reports and understand their consequences. Yet when caught, they claim ignorance. And the Packet wants you to buy this "**Bunk**" wholesale. Then they go on to say that "**city bureaucracies made the Assumption that it would all be dealt with during the process and that there was no need to fret about it**" Why does the Packet not ask what else these people are assuming???. Like, are they assuming their plans of **not** cleaning up is safe or do they know???. Remember the mayor has already said **future councils will have to be responsible for things gone wrong.** We do not believe for one minute that councillors did not know about the prohibition. It is in the Transfer agreement that there is an order on the property. Anyone including the Packet and councillors could have and indeed should have asked. What about the Real Estate lawyer on council wasn't he curious about this order? And if he knew why did he not let fellow councillors know or is he claiming **ignorance** too???. Remember what Boss Hog was quoted as having said in the Packet last week **"If I had been asked, we've always talked about it as the west half of the site"**? Well Mr. Packet we have been asking first as Speaking Out and then as

the Coalition only to be rebuffed by the City, MOE and The Packet the **three stooges** of Orillia. We know who MOE is so you decide on which is Larry and which is Curly. And now you accuse us of being "**Belligerent**"??? Some nerve.

The "**Bunk**" continues when we are accused of "**finding conspiracies of evil doers**" Like we have to look far?? Remember when we told you that Boss Hog and council were hiding the Molson Environmental report. Remember when we told you there was no confidentiality agreement between the city and Molson's? Remember how you brushed us off as some sort of fringe lunatics? Remember when we held Cipolla to task for **not** telling us about the "Catastrophic" levels of toxins yet you kept spouting the company line? Not hard to see who conspired with whom to with hold and cover up information is it??? Even last week you failed to inform your readers about the city solicitor also having Molson's as a client. We gave you the information yet to this day you have conspired to cover it up. What about the fact that on the land registry abstract it says that the city paid \$250,000 for one parcel and \$1 for the other. Why have you not informed your readers how the \$250,000 was for the land that is under Prohibition (till 2018) and did not get it for free??? And of course why have you not informed your readers that this Prohibition is actually till 2018 and not 2011. The Prohibition starts from the date of registry on title not from some date that is randomly picked by who knows who. Conspiracy theory it's not. Conspiracy **fact** it is. You then go on to hold blameless city hall for these ills and accuse the MOE of being the villains for not telling you about the Prohibition. Well Mr. Packet I was at the meeting and I saw you but heard very few questions from you. Why don't you tell your readers how Boss Hog (Ian Brown) was at the same meeting and said nothing. How about Cynthia Robins and a number of Shaheen and Peaker people who also sat there and said nothing. No Mr. Packet you along with all the rest failed miserably to look after the interest of Orillians so stop trying to be so **Sanctimonious**. We are right that there was and remains a conspiracy which you are and have been a part of as proven by your writings over and over again and especially yesterdays editorial.

You then go on to say that a Brownfield Community Advisory Committee could be struck to advise council. What a "**Load of Bunk**". Who would this committee advise? This mayor and council who refuse to not only accept advise but then threaten the very existence of committees who are not rubber stamps of their wish??? Now you say "Let's talk. Let's listen". Good idea but a little late coming especially from you. We have been talking but, the city, MOE and the Packet didn't listen and of course the city has **refused** to talk to the public all along. Remember it is still full speed ahead as far as Mayor and council are concerned. Until council agrees to have a proper Environmental Assessment which indeed will include proper testing and puts their building plans for this property on hold **until** it is complete we can not let up or indeed people and the community are exposed to danger. If council can't wait for an Assessment (which should have been started two years ago) then let's pick **another site** and build it right away. Seems The Packet still doesn't get it. You are now trying to butter your bread on both sides. Reality is The Packet earns big money from the cities advertising account. Can they be trusted to look after public interest or does self

interest prevail???? I've said it before and say it again nothing will change at the Packet while Bissett and Dawson are in charge.  
jim tolnai