



**Village of Chester Commission
Public Forum Meeting
April 27, 2016**

Present: Bill Nauss, Commissioner; Ray Cambria, Commissioner; Dave Foley, Commissioner; Michael Heisler, Vice-Chair; Bill Zinck Jr, Chair; Iris Tolliver, Clerk Treasurer

Regrets:

There were 19 electors in the Public Gallery, a total of 25 people in the gallery

1.0 Call to Order

Chair Zinck called the meeting to order at 7:00 pm. Chair Zinck stated the guidelines of the meeting is that if you are an elector you are able to speak. When you speak you need to state your name and address please.

Chair Zinck asked if someone wished to begin.

(2) Conflict of Interest

Ron Meagher, 3993 North Street - stated he wished to speak on the public inquiry related to the Conflict of Interest. **Chair Zinck stated that he had to 'declare his conflict and leave the room'**. Chair Zinck left the room. The Commission was asked how they propose they will proceed with this matter, as the Attorney General's report stated there was a conflict of interest. Mr. Meagher asked the Commission how they will proceed with this matter.

Vice Chair Heisler read the following statement: **The Village Commission is an elected body and does not have power to initiate court action under the Municipal Conflict of Interest Act Section 9 (1). However, the act makes it clear that an individual elector is free to do so.**

Discussion continued.

<> Michael Mulrooney, 19 Millennium Drive – asked the Commission to discuss this further tonight and write a letter asking the Attorney General to proceed.

<> Gail Fraser, 7 King Street – put a motion on the floor – “Gail Fraser moved that the Commissioners as a whole request that the Attorney General proceed with this application”, Ron Meagher seconded, if that is an appropriate procedure.

Discussion continued.

Vice Chair read a statement on behalf of the Commission: **The Commission has been advised by our legal council that under the Municipal Conflict of Interest Act, the Municipal Government Act and the Municipal Elections Act, including the Oath of Office, that we do not have the authority to ask Commissioner Zinck to resign. We accept that the Jardine Report is preliminary findings. Only a court can make a finding of guilt. The Municipal Government Act allows the Commissioners to elect a Chair and Vice Chair at the first public meeting after the Annual General meeting. That is the only opportunity to do so. That will take place at the June 8th meeting.**

Discussion continued

<> Gail Fraser, 7 King Street – stated that the public wants good and reasonable standard for Commissioners to conduct business in the future and that the Commission follow regular rules of order. Commissioners here at this Public Meeting, are being requested by tax payers to write a letter to the Attorney General.

<> Commissioner Ray Cambria stated that the Commission was told by their Attorney and other high ranking officials of the Provincial Government, that the Attorney General will not get involved with this matter

(2) Conflict of Interest (continued)

and that the only way that this will see the light of day in a court room is if an elector makes an application for a notice of application to the court to proceed with court action.

Ron Meagher thanks Commissioner Cambria for his response on Mr. Meagher's letter to the Attorney General.

Commissioner Cambria wanted to make clear that his comments do not represent a response from the Attorney General, they are merely information that the Commission has acquired during the process of trying to deal with this matter.

<> John Carroll, Walker Road – Mr. Carroll recognizes that the Commissioners are in a difficult position in trying to deal with the legal issue and communicate with residents. Mr. Carroll said "Thank-you" for spending the time and effort on this matter.

<> Carol Nauss, 80 Main Street – stated she sees no point in continuing this issue. Ms. Nauss stated lessons have been learned and let's move forward and 'get on with business.'"

Vice Chair Heisler asked if there were any other questions.

(3) Cynthia O'Connell, 124 Victoria Street – Spoke on a letter by Robert White re the Cell Phone Tower.

There was a CIRN study that was completed, MODC has been given a copy and Ms. O'Connell asked that the Commission, being the renters of the land to Eastlink for the tower, support the report finding and ask for a new study be implemented. Ms. O'Connell asked that the current approval be rescinded and ask for a new study process be implemented.

1) asked for Commission's support on the CIRN report;

2) entertain the idea of supporting a review of the cell phone tower process

Ms. O'Connell, wanted to GO ON RECORD requesting the Commission ask for a copy of the CIRN report that was given to MODC.

Discussion was held.

Chair Zinck returned to the meeting at 7:51 pm.

The Commissioners stated that they will have to read the report before supporting it.

Discussion continued.

Chair Zinck asked if there was anything else.

<> Joy Calkin, 215 Water Street - asked if there is a contract and who has the contract. The Clerk said the Village signed a contract to lease the land.

<> Ernie Buote, 114 Prince Street – questioned the contract year terms. The Clerk will review and email Mr. Buote.

Chair Zinck asked if there was anything else.

4.0 Adjournment

Chair Zinck adjourned the meeting at 7:58 pm.

William Zinck
Commission Chair

Maxine Veinot
Administrative Assistant