

*My Copy
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Canada Post to follow.*

George Collins,
Property Owner,
69 Third Ave Hornepayne, Ontario,
June 30, 2021.

Mayor and Council, Township of Hornepayne,

I recently took the time to familiarize myself with your Corporation, 2020-2023 Strategic Plan. As a property owner and taxpayer, I recognize the benefits derived from comprehensive planning and as a result, I support the concept of a strategic plan. However, I will take this opportunity to register my objection to and make complaint of your plan as it is. I will explain my reasons further in this letter.

Allow me to complement you on that portion of the plan we agree on. It is a document that has all the appearances of being thorough and articulate, a complete administrative panacea, perhaps never before paralleled on the local level. It would seem to list for correction, all the current ailments plaguing the community, expressed in present day...polite, politically correct, approved bureaucratic terminology and form, complete with a photo-op for all.

Additionally, I complement the Plan Choreographers on your declaration of "CORE VALUES". I was so impressed that I decided to enhance the character of this correspondence by including it, in its entirety.

CORE VALUES

Our Core Values are our beliefs. They are what guide our actions. Our Core Values are a statement about who we are as a municipal government. In addition, our Core Values confirm who we are as a Township Council, staff and volunteers. Our Core Values remind us of how we will administer our affairs, deal with issues or respond to the people. They will guide our day to day, as well as our long-term decision making.

The epitome of correctness, very elevated, and along with your assurance that they are also your beliefs, almost ecumenical. However, based on the record, I conclude more "Alice in Wonderland" than accurate. I must also confess that as an objective reader, I was a bit confused and still remain uncertain as to the source of these CORE VALUES, being claimed. I ASSUME it was your intention to indicate CORE VALUES derived from virtue, conducive to honesty and integrity, the hallmarks which traditionally result in a fair, responsible, transparent government representing the community at large.

Your "Strategic Plan" as presented, causes me disappointment. The source of which originates in the Plans TOTAL FAILURE to recognize or address the most pernicious matter currently facing the town. That being, CN Rails migrating pollution and the local consequences thereof, as evidenced by your Strategic Plan, the "Status Quo of Silence" remains. Need I remind you, that common sense demands an effort on

your part, to address local issues on a priority bases, determined by their detrimental potential to the community? I recognize this pollution problem to be a bona fide, documented, environmental disaster that resulted from CN's irresponsible practices. The entirety of which, could have being prevented with just a little basic common sense. Like all long-time residents and I know of no exceptions, you, the mayors, and council must at a minimum, confess to having a general knowledge of CN's local pollution problem. At the very least, that should be enough to justify an iota of concern.

Studies confirm that it spread long ago, beyond their property boundaries and as such, should have become a recognized, prioritized, municipal problem. Through documentation there is irrefutable proof that previous town administrators were aware of the extent and degree of the pollution, but, they chose to protect CN Rail and refrained from informing the community at large, concerning the facts. Beyond the confusion of the rumour mill, what little information the public received, was leaked from people involved in cleanup operations. Being unaware of the specifics, most of the community, including myself, believed it was their problem on their property and would remain the same until they cleaned it up.

The only contradiction to this generalization, which became a non-addressed complaint from people living close to the river for decades, was the sight of fuel oil going down the Jackfish River. Naive as it seems now, the average person assumed the problem was benign, confined to CN's property and that perception, alleviated public concern. The Township policy of "keeping the people in the dark by withholding information" helped CN keep the gravity of the matter, hidden. Consecutive councils for decades looked the other way and made no official complaint, subsequently, the polluter was protected from litigation and potential liability claims.

However, anyone can educate themselves by obtaining and reading the studies, and see that all the groundwater in the valley is connected and because of the enormity of the problem, that water will all become polluted. Studies also confirm that CN has polluted a large tract of private and public property, in places to a depth of five metres and that pollution is moving into the groundwater at a rate of four metres per annum. Documentation states, Hydrocarbons were present in water samples taken from the Town Wells in 2003; it had reached and was polluting the aquifer, which supplied the town with water. This one single ramification of CN's pollution, resulted in the expense and heavy burden to the taxpayers of 10.6 million dollars, associated with infrastructure costs to utilize Moonlight Lake as a new water source for the community.

Mayor and Councillors, there currently exists within the MOE records, an abundance of documentation to substantiate the aforesaid. This material also exists within your own municipal records, unless it too, was purged with the missing Ground Water Study. Further, this documentation reveals previous administrations, as being aware of this information but, remaining silent. This can be directly linked to a cover-up of the facts, concerning this matter since the mid 90's and in all likelihood that date could and should be rolled back further to the mid 70's. This matter tops the pile of dirty municipal laundry, on the "hush hush" list. Irrespective of the fact, that one of the consequences of the same, have resulted

in water rates that are exorbitant and negatively affecting the community; you, like your predecessors choose to remain silent, protecting the perpetrator.

But, let's go back a bit and not lose sight of the initial reason for this letter, which is your "Strategic Plan". I question how you can lay claim to the "Core Values" that you state, while at the same time, refusing to give due diligence to a matter of this magnitude and consequence to the community? By refusing to take action, like your predecessors, you exempt the guilty in this matter, and victimize the innocent. Its adverse effects are felt one way or another, by everyone in the community. Perhaps you espouse CORPORATE CORE VALUES, considerably different in form, from the traditionally recognised values founded upon virtue. They are cosmetic, flexible, and tend to float back and forth across the spectrum accommodating preference and self-interest, before principle,

On June 25th 2016, I sent an (FOI) request to your current CAO/Clerk, asking for information contained within the municipal records concerning this matter. She stated, in her response, dated August 4th 2016 and I quote verbatim "The Corporation has searched its records and does not have records in its care or control relating to this (FOI) request" (copy enclosed for your convenience). Subsequent to that exchange, my (FOI) requests to the MOE have resulted in thousands of documents (most contained within Studies done for the Town) concerning this matter. It also included direct exchanges between that Ministry and the Municipal Office in Hornepayne.

Assuming your CORE VALUES, are in fact based on virtue, as opposed to vice and that your CAO/clerk's response was correct (in that the Corporation of Hornepayne's copies of those letters, are in fact no longer in your records), then, does that not beg the question what happened to them? Is it not reasonable to conclude that the someone or someones who removed the GROUND WATER STUDY from the records, also removed those other documents along with it? At this point I feel compelled to ask, how many anomalies does it take to raise your concern with regard to this matter?

On April 3rd 2019, I wrote you, the new Mayor and Council, the official representatives of the town, hoping to find a renewed commitment to transparency and a return to the very virtues that you now esteem in your CORE VALUES Statement. However, your response dated May 4th, stated that you would not make inquiry into the disappearance from the Municipal Records of the Ground Water Study as I requested. You also stated that it was your position that any "future requests for documentation from me would be considered UNTIMELY". In effect, you slammed the door in my face. Your position on this matter, congruent with your predecessors, is disappointing. However, in your case, as opposed to your predecessors, blatantly, hypocritically considering the CORE VALUES you profess.

No Strategic Plan, can claim to be in the best interest of the majority of the Townspeople, or founded upon principles of Honesty and Transparency while IGNORING the circumstances, which resulted in those same people being swindled out of 10.6 million dollars.

I will also take this opportunity on behalf of the most detrimentally affected in the community, with

regard to this matter, to point out an additional fact, that collides with your professed core values. Not to determine and address health risks associated with this pollution, a known carcinogen, is more characteristic of negligence than it is of due diligence. The studies conducted have established that most of the pollution is irretrievable which makes the condition irreversible in the foreseeable future. Wouldn't common sense and regard for the welfare of those living on or near this spreading carcinogen, require the responsible party or the elected representatives of those people, to ascertain and publish the extent of the associated risk? To address another factor, I ask where the FAIRNESS is, in taxing those people living north of the CN tracks at the same rate as those living high and dry in the unpolluted portion of the town? Based on the facts, is it not fundamentally immoral to continue assessing their property at a rate, which does not recognize or take into account the devaluation of the same, resulting from the pollution and the health risks associated? Wouldn't prudence require a STRATEGIC PLAN that included a "property value reduction adjustment" to compensate for this inequity? In the future, as matters evolve, it is my opinion that the current differential between property values, determined with respect to this matter will increase as the environment in the polluted areas continue to deteriorate. I inquire, was this perspective included in your recent MPAC review, if not, why not? It should have been.

I find your Strategic Plan deficient and your actions in this matter, inconsistent with the CORE VALUES you claim, which you emphasized with the declaration that they are also your beliefs.

It is my hope, that we fundamentally strive for the same goal and a better tomorrow for the community, which can only be achieved by placing the interests of the community first on the priority list, in fact as well as in word. The long standing status quo or protectionist policy, with regard to CN in this matter, has culminated in a gross breach of trust and a 10.6 million dollar fraud. The self-serving motives and ambitions of a small minority within the community, has resulted in this fiasco which financially burdens and penalizes everyone, as such it constitutes a moral obscenity with roots that stretch back decades. I vehemently disagree with the current and past handling of this matter by the Township, which has beyond any doubt crossed several "Legal Lines".

Mayor and Councillors, this is the third time I have brought these concerns to your attention and all to no avail. However, before I proceed with the matter, I ask that you give serious consideration to your current position with regard to it.

Thank you for your Time.

George J. Collins

CC'd to the following:

Mr. Michael Gravelle, MPP Thunder Bay-Superior North.

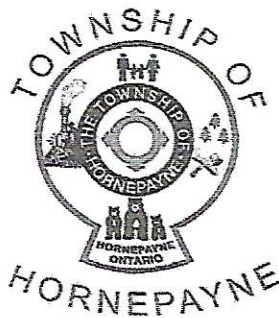
The Honourable Patty Hajdu, P.C. M.D. MP Thunder Bay- Superior North.

Ms. Maneka Kaur, Canadian Environmental Law Association (CELA).

Environment North, Thunder Bay.

Environmental Advocacy, Carmen Patey, Sudbury.

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TELEPHONE 807-868-2020
FAX No. 1-807-868-2787

August 4th, 2016

George Collins
Box 883
Nipigon, ON
P0T 2J0

RE: Municipal Freedom of Information Request

Dear Mr. Collins:

The Corporation of the Township of Hornepayne ("Corporation") has received your Freedom of Information request letter ("FOI Request") dated June 25, 2016, which was sent to the Freedom of Information and Privacy Officer ("Officer") of the Corporation.

Your FOI Request seeks records within the Corporation's care and control pertaining to the "extent and degree [of] pollution and associated health risks for persons living in close proximity to CN property."

The Corporation has searched its records and does not have records in its care and control relating to this FOI Request.

Yours truly,

A handwritten signature in cursive script, appearing to read "Gail Jeremy".

Gail Jeremy
CAO/Clerk
Township of Hornepayne
GEJ/

Encl.

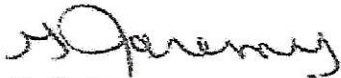
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As outlined in your response letters, the recourse for further concerns or complaints about the relevant Decisions was appealing the Decisions, pursuant to Section 39 of the Act, to the Information and Privacy Commissioner of Ontario. Please note, you had 30 days from the receipt of the Township's Decisions to appeal. The Decisions set out the necessary steps that had to be taken for an appeal.

By writing this letter, the Township is not acquiescing to an extension of time to file those appeals to the Prior Requests/Decisions.

The Township will take the position that any IPC appeals of the Prior Requests/Decisions are untimely.

Sincerely,



Gail Jeremy
CAO/Clerk
Township of Hornepayne
GEJ/

c.c.: Mayor & Council

Attach: