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Town council rejects recount

Final outcome of mayor's race will be decided by the courts

By Angela Blackburn
OAKVILLE BEAVER STAFF

Town Council won't ask for a recount of the Nov. 10 election, but instead will let a court challenge by Rob Burton, the failed mayoral candidate by 15 votes, have its day in open court next March.

Election hearing delayed to March 9

By Angela Blackburn
OAKVILLE BEAVER STAFF

The court hearing on resident Rob Burton's challenge of Oakville's election results and Ann Mulvale's victory as mayor has been postponed from Dec. 22 to March 9.

"It is in the interests of the parties and of the public that the issues in this application be decided with reasonable dispatch," admitted Ontario Superior Court Justice David Corbett.

The judge made his comments in an endorsement decision that came out of a Dec. 10 hearing held via a conference call among all parties — except the third candidate, Spanish-only speaking Richard Serra who is currently in Peru.

However, Corbett added, "That having been said, it is important that the parties have a fair and full opportunity to put their evidence and arguments before the court."

All parties agreed to the hearing being set for March 8 and 9, if need be, in the Milton courthouse.

"This is a greater delay than is ideal, but given the imminent holiday season, and the balance to be struck between a speedy fair process and the need to ensure a complete record, the delay is not undue," wrote Corbett.

A schedule of deadlines for the filing of evidence stretches from now until March 5, just days before the hearing.

Corbett indicated there's no need for

(See 'Town' page A4)

The newly elected council sworn in Dec. 1 and Mayor Ann Mulvale, have been beleaguered by accusations of alleged wrongdoing by Town staff in election vote counting since Burton filed his claim with the Ontario Superior Court of Justice on Dec. 4.

Burton is seeking a recount or a by-election, the latter which could cost approximately \$250,000.

Council had until Monday to ask for its own recount. Under the Election Act that could only be done electronically, the same way the votes were originally counted.

It's up to the court to ask for a manual recount or a by-election.

Councillors took heat Monday from half a dozen residents, who wanted Council to order its own recount to clear the air — and they wanted it to be a manual recount.

Speakers were also angry that the court hearing won't occur now until March 8 and 9, if need be.

Last week, the Town asked the court for a hearing date in mid-January to give it time to prepare its case. Originally the case was to go to court Dec. 22.

Once all parties were consulted, and the court docket accommodated, the earliest date available was March 8.

In their initial report to Council on Dec. 5, Town Clerk Cathie Best and Town Solicitor Doug Gates reported, "All questions with respect to the election procedures that were followed and alleged irregularities on Voting Day were investigated to the satisfaction of the Town Clerk prior to declaring the results official on Nov. 13...staff believe the election was conducted in accordance with the provisions and principles of the (Election) Act."

Monday, resident Cheri Bain said the gray cloud that's been hanging over the mayor's head since the election has turned to a black cloud and is becoming a thunder cloud.

Bain asked that the Town not oppose Burton's claim in court and asked, "Is this an Oakville Watergate?"

(See 'Residents' page A4)



Barrie Erskine • Oakville Beaver

FIRST SNOWFALL: A stuffed Santa tries to keep the snow off of his head in downtown Oakville while a plow clears the sidewalks for Christmas shoppers Sunday morning.

Study concludes no link between algae and West Nile virus

By Jason Misner
SPECIAL TO THE BEAVER

The green algae blobs that choke Lake Ontario's shoreline in the summer are smelly and ugly, but they aren't responsible for the transmission of the mosquito-borne West Nile virus.

A \$3,600 summer-long study conducted by the University of Toronto with the public health departments of Halton Region and the City of Hamilton — both municipalities share part of the massive shoreline — found the gross algae mats are not good breeding grounds for mosquitoes.

Results were released to the Region's health and social services committee last week.

"The results clearly say algae blooms don't promote the growth of mosquito larvae," said Peter Willmott, director of Halton's public health department. "It should provide residents

"The results clearly say algae blooms don't promote growth of mosquito larvae. It should provide residents with some reassurance."

• Peter Willmott, director of Halton's public health department.

with some reassurance."

Algae formation along south Halton's shoreline is a big problem for residents living near it, particularly due to the nasty smell it gives off in the summer months.

Halton's health department was asked by an Oakville regional councillor last spring to investigate whether the algae might be responsible for the high number of West Nile human cases, 60 in

total, that plagued the region in 2002.

Because algae is also a problem along Hamilton shores, the health department was asked by Halton to participate in a joint study to test the algae to determine if it was, in fact, producing mosquito larvae.

Three sites were sampled in Burlington, including Burlington Beach, Paletta Park and Sioux Lookout; and three in Oakville, including Birch Hill and Carrington promenades and East Street Parkette.

Only three larvae were found in a July 30 dip at Carrington Promenade.

Three sites were chosen in Hamilton with a total of 17 larvae identified.

The report concluded that the filamentous algae type found along the shoreline doesn't provide quality food for larvae to survive.

"(The algae) should not be of concern in the possible spread of West Nile (See 'West Nile' page A3)



Irene Harmgardt • Special to the Oakville Beaver
Gabrielle Brunet Poirier and Julie Harmgardt became fast friends during their tenure as Queen's Park Pages.

Pages learned lesson of friendship

By Wilma Blokhuis
BEAVER FOCUS EDITOR

Gabrielle Brunet Poirier left her home in Ottawa for an educational experience as a Queen's Park Legislative Page in Toronto and wound up with a close friend in Oakville.

Gabrielle, 13, was originally scheduled to stay with a family friend for the duration of the program, but that changed when she formed an immediate bond with fellow page, Julie Harmgardt.

Julie's mother, Irene Harmgardt, had offered to billet a page, and after learning that the two girls had "hit it off" on the first day, she invited her daughter's new-found friend to stay with them, instead.

"Now I get to spend more time with Julie," said Gabrielle of her new friendship. "Julie's coming to my house this summer."

Julie and Gabrielle are among 20 pages whose tour of duty started Nov. 24 and ends this Friday for the Ontario Legislature's Christmas break.

Gabrielle goes home on Friday. Her mom will be staying with the Harmgardts on Thursday night.

Julie is a French immersion student at Eastview School. Gabrielle attends Ecole de la Salle, a French language school in Ottawa. Both girls are bilingual.

It is an understatement to say their schedules are full.

The two girls, both in Grade 8, have put in 12-hour days, traveling to and from Queen's Park by GO Train, to work as pages delivering reports, messages, copies of Hansard and glasses of water to the 103 MPPs.

"We have to memorize where the MPPs sit, their titles and ministries for those in cabinet, and how to get around Queen's Park without getting lost," said Gabrielle.

"It's not that complicated should you get lost," added Julie, "just ask security."

When not busy, they must sit at their positions, shoulders straight, hands folded right over left on their knees, and feet flat on the floor, while waiting for their next instruction.

Both girls were amused to find themselves sitting in that position during this interview.

(See 'Busy' page A5)

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