

■ FIRST MEETING: Heating units condemned

NORTHUMBERLAND TODAY
DEC 10/10

Alnwick/Haldimand Council to replace Centretron hall furnaces

VALERIE MACDONALD
Northumberland Today

ALNWICK/HALDIMAND — With a new mayor and four new councillors, the next couple of months will be a steep "learning curve" at council as everyone gets up to speed, says Alnwick/Haldimand Mayor Dalton McDonald.

Councillors have already had to deal with cost overruns on the library/hall refurbishment project underway in Centreton and the condemning of a pair of furnaces.

The former deputy mayor, McDonald, was sworn into his new position last Thursday, along with new incoming Ward 1 councillors John Logel, Sandra Jaynes and Joan Stover. In Ward 2, there was another neophyte councillor, James Fell, who joined incumbent Bill Holmes in representing the former Alnwick Township area.

Decades of municipal history was lost with former mayor Bill Finley's decision to retire and former councillors Art Jennings and Rosemarie



Dalton McDonald

Robins losing out in their mayoralty bids. So the first order of business is providing information about what has happened in the township in the past, McDonald said. Already the councillors are preparing for year end budgets which will soon be

tackled, he said.

Council members have already gotten their feet wet in dealing with unexpected costs when during last week's meeting they were informed that two natural gas furnaces were condemned instead of being hooked up and turned on in the Centreton hall/new library project. The facility is 97% completed, the mayor said.

The condemned furnaces were the existing units in the hall, McDonald said. The three-way government-funded \$600,000 project took longer than anticipated and has been heated by portable heaters. The tender to replace the gas furnaces is \$6,500, he said.

There are some other areas that will likely be extras too, the mayor said but it how expenditures on the project tally up with the budget won't be known for a few months. Council's next meeting is at the Alnwick Civic Centre, 7 p.m. on Dec. 15 and is open to the public.

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COURT

Court of Appeal upholds Davey murder conviction

No evidence of biased jury in Davey case in Cobourg officer's killing

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Jurors heard Mr. Davey lured the officer to Cobourg's old hospital site in the early morning hours of May 15, 2004 by falsely reporting a robbery, then attacked him with a knife.

Const. Garrett died after his throat was slashed; during the attack he managed to fire his pistol, wounding Mr. Davey.

Prior to Mr. Davey's trial, prosecutors consulted local police officers, including Cobourg police and Northumberland OPP officers, on the background of prospective jurors.

A list of jurors was marked with notations including "yes", "no" and other remarks, the Appeal Court justices were told when Mr. Davey's appeal was heard in June.

Mr. Davey's lawyer, Christopher Hicks, argued that the practice, known as jury vetting, allows the Crown to obtain information defence lawyers aren't privy to and therefore creates an unfair advantage during the process of selecting jurors.

But the Appeal Court judges found that the information gathered by the prosecution couldn't help them assemble a jury that would be biased in favour of the prosecution.

"In a smaller town, like Cobourg, the counsel, the accused and local police officers may have some information about the character or reputation of potential jurors, but little or no information that could possibly predict how a potential juror would act," the court ruled.

COBOURG — Ontario's top court has upheld the first-degree murder conviction of Troy Davey, ruling the Cobourg man's trial was not compromised by prosecutors seeking advice from police on potential jurors.

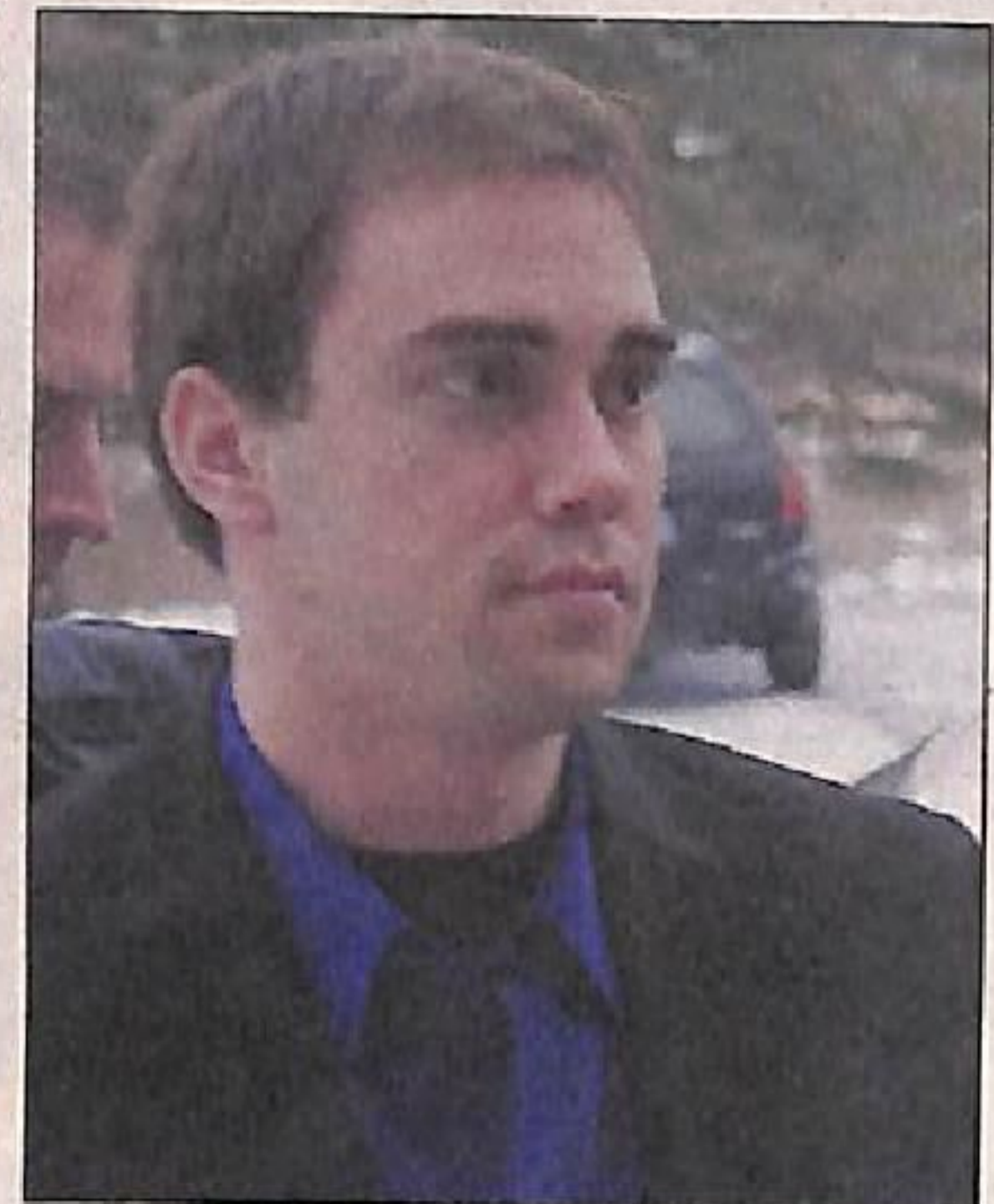
In a ruling released Friday, the Ontario Court of Appeal said the Crown's actions did not affect the integrity of the jury that convicted Mr. Davey in the 2004 killing of Cobourg Police Constable Chris Garrett.

"A reasonable and right-minded person ... would not come to the conclusion that the jury appeared biased," Justices Marc Rosenberg, Robert Blair and Russel Juriansz ruled.

The panel also rejected Mr. Davey's second avenue of appeal, finding Superior Court Justice Robert Scott did not err when he instructed jurors on expert testimony about the defendant's state of mind at the time of the killing.

Mr. Davey was 21 when a jury convicted him of the first-degree murder of Const. Garrett in February of 2007.

He was sentenced to life in prison with no parole eligibility for 25 years.



TROY DAVEY

■ COURT

Vickers sentencing set for Dec. 15

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yard of Vickers's home on May 27, 2008.

The jury began deliberating on Wednesday, Nov. 17 and delivered its verdict on Saturday, Nov. 20.

Vickers's co-accused, Cody Barnoski, now 17, was con-

victed earlier this year of first-degree murder in his mother's death.

Court heard the youth shot his mother eight times in the face and neck before she was left in the shallow grave, where she was discovered about two weeks later.

On Sept. 30 he was sentenced as an adult to life in prison and the judge lifted the ban on identifying the teen.

All three were living in Vickers' home at the time.

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■ COURT: Judge absent again

Vickers sentencing delayed again

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OSHAWA — Marc Vickers, convicted last month in the May 2008 first-degree murder of Michelle Noella Barnoski in Warkworth, will have to wait until Wednesday, Dec. 15 to find out his fate.

The case was held over from Dec. 3, when the Superior

Court Justice Bryan Shaughnessy was ill.

On Friday, Dec. 10, Shaughnessy was absent again, and the sentencing date set for Wednesday.

Vickers was charged along with the woman's then-14-year-old son after her body was found buried in the back-

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