

# Rail overpass closure has Cramahe residents calling for action

Township refuses to open bridge due to lower load capacity

DOMINIK WISNIEWSKI  
northnews@northumberlandnews.com

CRAMAHE -- While the Township of Cramahe and CN Rail negotiate load restriction liabilities at the Barnes Road CN Rail overpass, area residents are voicing frustration over a delay in opening the bridge.

Steve White, a resident who lives down the road from the bridge, told The Independent that residents have been "stuck" in this situation since the bridge closed just before the Labour Day weekend.

He says CN came in to shore up the structure and have released it to the Town about a month ago.

"But the bridge is still closed and the Town is saying they can't post the load restrictions on the bridge, because it is CN's property," Mr. White said. "CN is not doing anything so we're still stalled."

While he feels the Township has taken a passive approach to the issue, he fears residents will have to deal with the closure until the bridge is replaced sometime next year.

"I certainly don't want to be stuck here until then," Mr. White said. "As it is we have the garbage trucks coming up and turning around in someone's driveway."

Admitting that the closure has resulted in several issues for the Township, Cramahe Mayor Marc Coombs pointed out it all comes down to the bridge being owned by CN.

"A while ago they did some remedial work on it and as of today we have really only received a few details about what is actually taking place there," he said, noting CN hasn't given the Town the information it needs to proceed. "It is up to CN to open the bridge, not us. It's CN property and it would appear that they want us to open the bridge."

Mr. Coombs said he understands the frustration among neighbours, but the liability created by a new load restriction on the bridge is a concern.

"We have been going back and forth with CN regularly since two to three weeks ago," he added. "CN has committed to building a new bridge there but that's not going to happen next week. It would be nice if CN would take responsibility and sign the bridge properly."

According to Mr. Coombs, the new weight restriction is 2.5 metric tonnes, or the equivalent of an unloaded pickup truck.

"How does the Township stop a fully loaded pickup truck from going over it?" he said, noting the previous load restriction was normal for bridges in the area. "We have already purchased a blade and sander for a pickup truck, so that road has to be cleared by that. We can't send a plow down there and get it turned around."

With the new total restriction of 2.5 metric tonnes per vehicle, not per axle, Mr. Coombs is questioning the viability of crossing the bridge with a fully loaded pickup truck equipped to clear and sand Barnes Road.

"That has yet to be confirmed but I am pretty certain we



DOMINIK WISNIEWSKI / THE INDEPENDENT

CRAMAHE -- The Barnes Road bridge owned by CN Rail in Cramahe township remains closed to through traffic, following an inspection by CN in September 2012.

can't," he said. "CN will eventually take on their own responsibility and we'll work something out with them."

CN Rail media spokeswoman Lindsay Fedchyshyn confirmed the company has completed its work at the site, in addition to hiring an independent engineering firm to carry out a bridge load capacity evaluation.

"It was closed to do that and to install additional support beams," she said. "That has all been done and the bridge is ready to be reopened, under a 2.5 metric tonne load capacity limit."

Ms. Fedchyshyn pointed out that standard protocol calls for the road authority, the municipality, to put up those load signs.

"It is safe for 2.5 tonnes and if the municipality was to post those signs... from my view, once you put those signs up and they are there, it's the drivers' responsibility to obey the signs," she said. "My colleagues on our regulatory side are going to be connecting with the operations group at the Township."

While she indicated the company wants to resolve the issue, no date has been set for the bridge to reopen.

"There is an alternate (detour) route but of course we want to resolve this," Ms. Fedchyshyn said. "We have confirmed with the municipality that we will be willing to discuss (construction of a new bridge)."

She said those discussions will likely take place early in the new year.

That news comes as no comfort for Mr. White, who says it is a dangerous bridge that needed to be looked at.

"We're just stuck, we're frustrated and we're sick of it," Mr. White said. "It doesn't look like anyone is looking out for our best interest."

'We're just stuck, we're frustrated and we're sick of it.' Steve White

## ■ SUPREME COURT

### Davey appeal dismissed

COBOURG — The Supreme Court of Canada has dismissed the appeal of convicted murderer Troy Davey.

Davey was convicted of first degree murder on Feb. 22, 2007 in the death of Cobourg Police Constable Chris Garrett on May 15, 2004.

Garrett was lured to the former hospital on Chapel Street shortly after 3 a.m. when Davey, then 18 years old, posed as a victim of a robbery. While Garrett was taking notes, Davey slashed him once across the neck. Although mortally wounded, Garrett ran after his assailant firing his service weapon striking him in the leg on the last shot before succumbing to his wound.

A short time later, Davey's mother drove him to Northumberland Hills Hospital where he was arrested.

Garrett was later posthumously awarded the Star of Courage.

The killer's appeal went to the Supreme Court of Canada because of "jury vetting" which was one of several similar cases before the Court.

Personal opinions of one or two local police officers of three departments were sought as to the suitability of prospective jurors by the Crown, but the opinions weren't shared with the defence.

There were general comments such as "good," "yes," "ok," or "no," or brief comments regarding relationships or roles in the community.

Two of the jurors selected had been noted by police services as "good" or "ok."

The Supreme Court stated in their ruling, "Crown counsel was not motivated by improper purposes, and was diligent in twice disclosing information that might suggest partiality against the defence. The defence also conducted its own consultation with local residents."

"The Crown's request for the police opinions and the failure to disclose those opinions were not so offensive to the community's sense of fair play and decency that the proceedings should be set aside as a miscarriage of justice. There was no appearance of unfairness that would shake the public's confidence in the administration of justice."

"The appellant had a fair trial and there was no miscarriage of justice." Davey has exhausted his appeals and can take no further action.

NORTHUMBERLAND TODAY DEC. 24/12

## Grafton man charged with trafficking cocaine in Cobourg

DEC. 24/12

COBOURG -- A joint investigation by the OPP and Cobourg police into the selling of cocaine in the Cobourg area has led to the arrest of a Grafton man.

Northumberland County OPP say on Dec. 18, officers stopped a 2012 Chevrolet Cruz on Hwy. 401, just east of Cobourg. During the traffic stop, police say, an OPP officer was assaulted and the driver was subsequently placed under arrest.

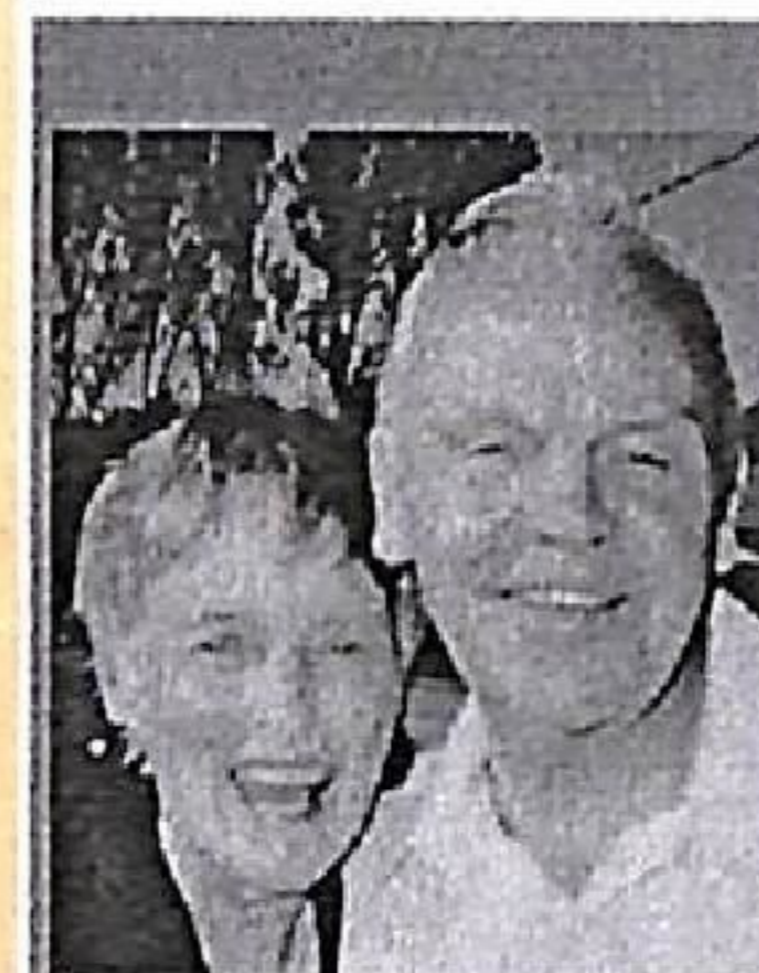
Police found 28 grams of crack cocaine and 37 grams of powder cocaine, with an estimated street value of \$6,500. Officers also found bear spray, which police believe was there for a dangerous purpose.

Jeremy James William Hall, 29, of Grafton, is charged with two counts of possession for the purpose of trafficking; possession of a weapon for a

dangerous purpose; and assault with intent to resist arrest.

Mr. Hall was held for a bail hearing on Dec. 19 in a Cobourg courtroom

## Cramahe Now - Home



### Death Notice

Suddenly at Kingston Hospital on October 10, 2012, Leonard Bruce Chapman of Napanee, in his 75th year. Husband of Judy (Bailey), son of the late Frank and Dora Chapman of Dundonald, brother of Doug (Barbara), Jean Day (John), Bob (Leslie Ann), and Phil (Shirley).

1