



Reed is startled

Hydro's bible

Solandt's report full of holes

The best entertainment in Halton Hills last Wednesday was the Expropriation hearings of necessity in Acton legion hall, with lawyer Leon Paroian, grilling representatives of Ontario Hydro and Hydro lawyer Tom Marshall countering with arguments of his own.

There was complete silence in the hall when hearing officer Donald Meyrick QC told the hearing that evidence regarding alternate routes for the corridor could not be led. Primary reason he gave for his decision was that several studies have been made and a route selected and he felt it would not be the proper consideration of the hearing.

He said he would continue to hear evidence of alternate routes but it would have no bearing on his report. He said his ruling should not be narrowly construed. Parties may attack the objectives or the expropriation authority as related to their immediate property in their immediate vicinity.

MPP Julian Reed, in the audience, told this newspaper the hearing chairman was "loading the dice," since he had already accepted Hydro's evidence. At this juncture Leon Paroian told the hearing he could not waste his client's money. He might as well go home and leave the matter to the courts.

A recess was called during which Mr. Reed's interview by this newspaper, said his interpretation of the intention of the expropriation hearings was entirely different from the chairman's. His decision has "closed the door on justice," he said. "Hearings of Necessity were introduced to administer justice. What the ruling says as I interpret it: 'Sorry, folks, but the Hearings of Necessity are a sham. We've been had.'"

Hydro lawyer Tom Marshall, obviously tired of being portrayed as the villain of the piece, told this newspaper that prior to the expropriation act there were no rights to the public. The Act was introduced to allow the public limited participation.

Mr. Marshall said Ontario Hydro is often blamed for their choice of routes when often they are political decisions. Inquiry officers make reports and then the Minister reads the report and makes the decision.

Following the recess, Mr. Paroian, Mr. Howitt and Ms. Susan Tanner, representing clients opposing the line, agreed to continue with their case despite the ruling of the chairman. However, Mr. Paroian suggested the officer's interpretation of the Act was narrow and felt his guidelines had been exceeded by other hearing officers, such as at the recent hearings in Durham.

The chairman reiterated he had said he would not narrowly construe evidence. However, he was not disposed to consider a route in some distant part of the province because it was not appropriate or fully within his jurisdiction.

At this juncture the strategy of lawyers representing land owners changed. Art Mosher, of Ontario Hydro, was called to the stand and Mr. Paroian waved a deed in front of the hearing showing Dr. Solandt owned property in Albion township within sight of one of the proposed hydro corridors between Nanticoke and Pickering. If the one man commission headed and staffed by Dr. Solandt had picked the so-called middle route only one crossing of the escarpment would have been necessary and it would have eliminated any need for the Bradley to Georgetown alternative. Mr. Paroian noted the deed was registered in 1971 prior to the Order in Council appointing Dr. Solandt in June, of 1972.

In efforts to further discredit Ontario Hydro's reliance on the Solandt Report, considered Hydro's bible for answering questions about the Bradley to Georgetown corri-

When MPP Julian Reed asked a question at Queen's Park Friday about revelations at Ontario Hydro hearings of necessity in Acton, he aroused an aggressive Attorney General who accused the Halton-Burlington MPP of using innuendo and conflict of interest allegations to create a cloud of suspicion.

Reed asked the Attorney-General Roy McMurtry in Friday's morning session of the House; that since the Bradley-Georgetown corridor hearings were called off at noon yesterday to obtain a judicial ruling on admissibility of evidence, would the Attorney-General avail himself of the time between now and next April when the hearings resumes, to study the revelations made there in the last few days—namely the evidence that Dr. Solandt owned property close to one of the corridor options in the study, an option that was dropped, and two, that the lawyers representing Hydro is on loan from the office of the Attorney-General, as is the hearing

chairman. And no such loan of personnel was offered to the farmers and land owners. And would the Attorney-General satisfy himself and this House that these revelations do not constitute any conflict of interest?

The questions brought the Attorney-General to his feet angry and shouting. Opposition members jeered; as McMurtry hollered, "I am not aware of the details related to these two hearings of the past two days. I assume the member is making an allegation of conflict of interest... by his father, you know, in typical third party fashion, creating a cloud of suspicion and innuendo about people who are serving the public to the best of their ability."

A shocked Mr. Reed and other opposition members asked Mr. McMurtry to withdraw his statements, but he refused saying he had nothing to withdraw.

The speaker of the House, Russell Rowe, said the dignity of the Legislature was being lowered by the debate, but later

Mr. McMurtry agreed to come up with answers.

Dr. Solandt is reported to have said he mentioned during the Solandt hearings that he had property near one of the proposed east-west corridors from Nanticoke to Pickering. The expropriation hearing was told Wednesday that Dr. Ormond Solandt, a one man commission appointed by the Government, rejected a route favored by Hydro that would have passed within sight of his property. Instead he chose a route approximately 15 miles away which required two crossings of the Escarpment, rather than one and made the Bradley-Georgetown corridor a priority when it could have been eliminated.

Earlier in the week the hearings were started to hear both the chairman of the hearing and Hydro's lawyer, Tom Marshall came from the Attorney-General's office.

The usually mild mannered McMurtry's outburst startled the Legislature.

No surprises at proposed landfill site near Milton

Preliminary findings from drilling undertaken at the proposed regional landfill site at the Britannia-Tremaine Rd. site have not uncovered any surprises according to Wally Wells, a consulting engineer representing M. M. Dillon.

Mr. Wells said that in a couple of places the drill rig had struck what initially appeared as a rock surface about eight feet down, but more extensive drilling indicated that what had been struck was a boulder as opposed to rock covering any extensive area.

In conversation with a reporter Mr. Wells explained

that samples of the soil were being analysed now in the firm's labs.

He noted that any information resulting from the lab analysis wouldn't likely reveal any reason that would mitigate against the site as a suitable landfill site.

He said the lab process would indicate the best and most successful manner in treating leachate. Mr. Wells said the findings of the study

would be presented to council in January. He said it wouldn't be possible to collect all of the data prior to the new council taking office.

Council defeated a notice of motion calling for a halt to further proceedings on Site F until studies on sites B and D are complete. Other than the mover Jim Watson and seconder Ernie Sykes the motion attracted support from only three councillors.

dor, Paroian took Mosher over a wet Beverly Swamp which purported to show Hydro had supplied incorrect information to Dr. Solandt regarding the swamp bottom.

Mr. Paroian was asked to restrain his zeal in questioning Mr. Mosher and Mosher was asked to answer the questions directly instead of skirting the issues. Mosher admitted Hydro had not gone into the swamp to test the bottoms but had taken test drills on the perimeter, an admission Mr. Paroian found difficult to accept from an engineer. Mr. Mosher said the Hamilton Region Conservation Authority would not allow Ontario Hydro to drill test holes in the swamp.

Studies showed bedrock was only about 10 feet below the surface but work on the 15 towers has determined the depth of bedrock in the swamp to be from 10 to 50 feet below the surface and an extra \$600,000 is being spent to construct 15 towers through the swamp.

"Was this known to Dr. Solandt?" asked the chairman.

"No," replied Mosher. "Hydro testified falsely then?" queried Paroian.

"They were in error, I object to the tone and reference," said Hydro lawyer Marshall.

Paroian went on to say the matter was important because Dr. Solandt placed his reasoning for going through the swamp on the fact the bedrock was not far below the surface. Consultants hired by the Solandt Commission recommended the east-west corridor go around the swamp. "There would have been no need for a north-south corridor if the commission accepted the BHI recommendations," Paroian said. Paroian suggested Hydro could have saved \$3 1/2 million if they had taken the route through Rattlesnake Point instead of through Beverly Swamp. Mr. Mosher disputed the contention saying more expensive towers would have been required to go through Rattlesnake Point area to blend with the terrain but Paroian noted Dr. Solandt had recommended them at points near Limehouse.

At this juncture the chairman said he would only use testimony about holes in the Solandt report for historical background, a fact which incensed Mr. Paroian. "I might as well pack up my bags and go home," he said again.

The chairman again reiterated that his jurisdiction

was limited to the 14 miles of corridor and he would not expand his terms of reference. He said he was sympathetic but that was the way he saw the law.

"I am not happy with the strictures of the law," he said, "but this is not the forum to deal with them."

"We can shake the bejavers out of Dr. Solandt's report and you say it doesn't matter," complained lawyer Dick Howitt.

"The strictures of the law allow us no other conclusion,"

the officer admitted.

Asked why the Durham hearings of necessity had allowed input on alternatives and why there could be two extremes in two different hearing officers by John Schneider of the Interested Citizens, Mr. Meyrick replied that with time will come wisdom and this could even be seen in the Supreme Court.

The hearing officer admitted, however, it was difficult for citizens who prepare for one thing and then get another.



STRANGE THINGS happen when it's cold outside. It appears there is a tree growing out of the side of this Mill St. home. It is just one of the many ways the eye can deceive the mind!

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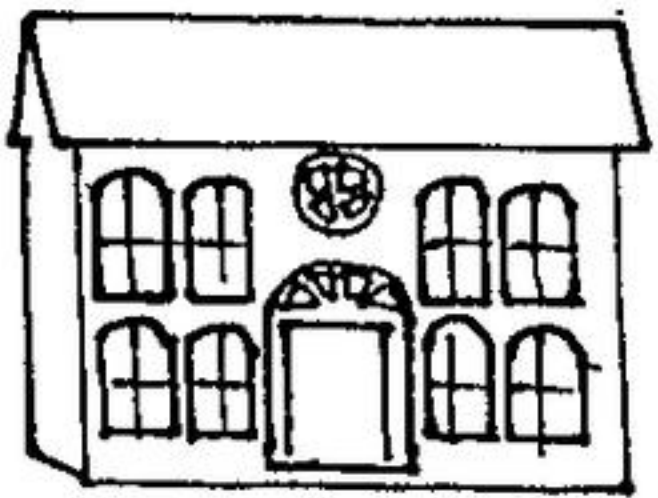
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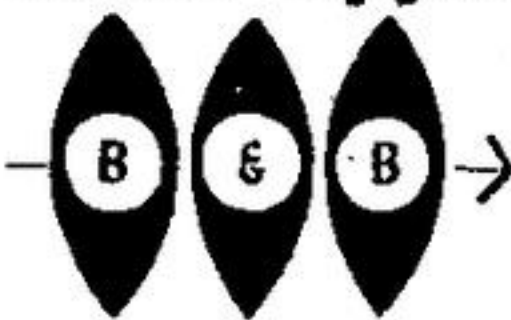


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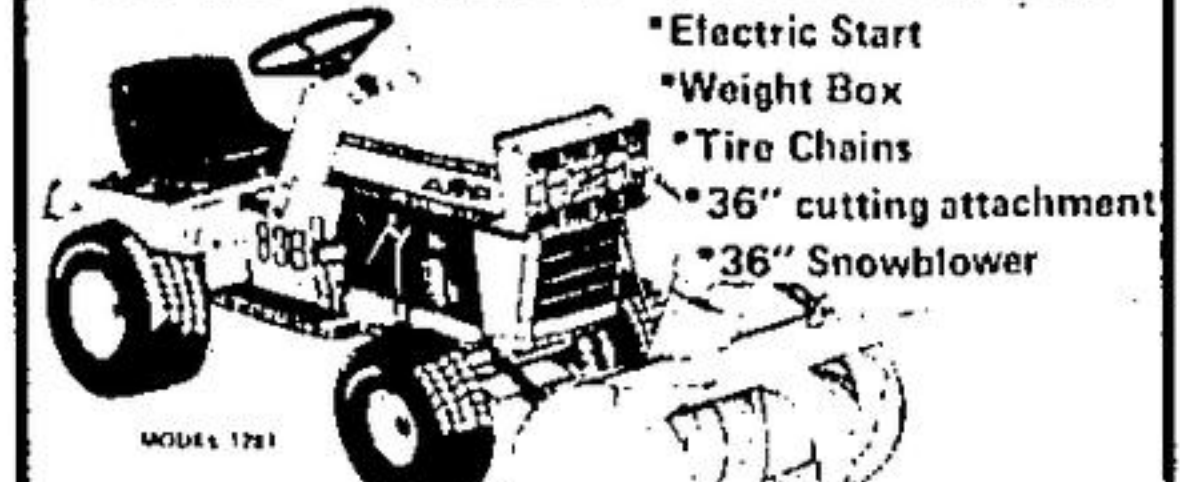
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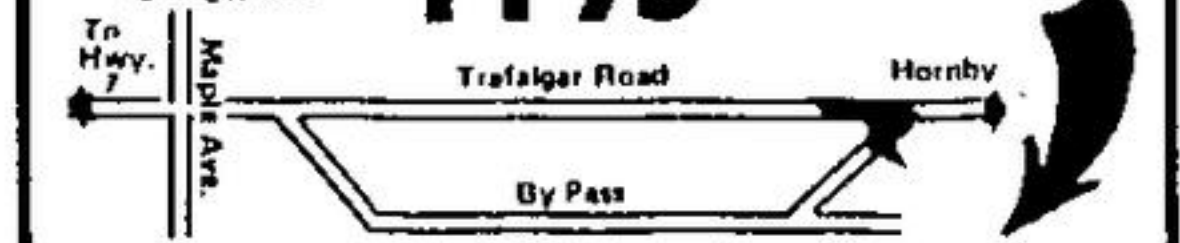
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ICG asks for hearing delays

The Interested Citizens' Group (ICG) will ask for delay of other expropriations hearings reports and also for a revision of the Expropriations Act, a spokesman said Thursday. "We're asking that the hearings on the middle portion of the line be postponed," chairman Bill Mann said after the Acton expropriations hearings were adjourned until April. We also ask that Ontario Energy Minister Dennis Timbrell delay release of F. L. Miller's expropriation report from the Durham meetings, Mr. Mann said. The ICG will also be asking the attorney general's office to revise the Expropriations Act, he said.

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