

Site F drilling is illegal, says group's lawyer

The following letter was sent to Halton region chairman Ric Morrow.

Dear Sir: As you are aware, I act for the Tremaine-Britannia

Citizen's Group and individual residents of the Region who are opposed to the use or prime

agricultural lands located on "Site F" for the purpose of a Regional waste disposal site. As you are also aware, on April 19th, 1977, the Supreme Court of Ontario quashed By-Law No. 29-77, which confirmed your purported

previous authorization of the acquisition of lands at Site F for the purposes of the waste disposal site and all other actions necessary to put the site to use, including an application to the Environmental Assessment Board for a

Certificate of Approval. I have reviewed the contents of Mr. Martin's memorandum to the Committee of the Whole, dated April 20th, 1977. I should like to advise you that consistent with the decision of the Supreme Court of Ontario that your previous actions in this matter are illegal, any attempt or action to acquire lands by option, purchase or otherwise and any type of application, whether tentative, preliminary or otherwise to the Environmental Assessment Board for a Certificate of Approval taken by or on behalf of the Region, whether by resolution, letter, verbal application or otherwise, will be and are illegal pending the Region obtaining, if possible, the approval of the Town of Milton or subsequently, the approval of the Ontario Municipal Board to redesignate the lands in

volvement from "Agricultural" to such designation as may permit a waste disposal operation on the lands contemplated. My clients have instructed me that in the Region or its officials or any persons on its behalf attempt to undertake any of these measures indicated above, an immediate application will be made to the Supreme Court of Ontario for an injunction restraining such activities and persons from so doing.

Further, consistent with the decision of the Supreme Court of April 19th, it is apparent that any continued drilling on the site pursuant to "Stage 3 Hydrogeological Investigations", is invalid in light of the quashing of the By-Law 29-77. I wish your assurance that no further drilling will take place unless a new by-law authorizing such drilling is passed.

provide waste disposal facilities for its citizens' garbage; however, that responsibility is no different than that of any other municipality. All municipalities are required to obey the provisions of The Planning Act and the Environmental Protection Act. There is a patent inconsistency to say that on the one hand your sites will be filled up by August 1978, and on the other hand to have your consultants tell you that even without court action the approval process for Site F would take two years or more. It is obvious that the only responsible course is for Council to begin immediately to look at alternatives. No public official at the provincial level, nor any court will easily be persuaded that an "emergency" exists a year from now if the Region has failed to really explore viable alternatives in the face of what it knows to be at the present time considerable opposition to the use of Site F and cogent reasons why such opposition is being put forward.

Further, my clients are of the view that the Region should, so as to not take unfair advantage of persons holding options on Site F lands or who are negotiating with the Region to enter into such

options, indicate that such options that are offered are illegal in light of the April 19th decision of the Supreme Court of Ontario and that no options or offers to take options will be valid until and unless a by-law is passed to that effect, which by-law cannot be passed until the Official Plan is redesigned. I also write at this time because of another matter of grave concern. That is, the statements made by the Chairman to the effect that no alternative will be considered for Site F, even in light of the illegality of the present site for such purposes. Mr. Morrow's public comments have indicated that rather than look for alternatives he is more concerned to build a case that there will be an emergency in a period of time and that because of the hysteria created by the emergency, pressures will be such that all proper planning techniques and laws to protect persons and property from environmental harm will be overridden.

The Regional Municipality of Halton may have a duty to

DAVID ESTRIN

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On Thursday, June 9, Elect

GEORGE GRAY

A man pledged to work with fervour and impartiality for the constituents of Halton-Burlington



- is actively supporting the Tremaine Britannia Citizen's Group opposing the use of Site "F" as a dump.
- initiated and helped to finalize an industrial development office in the Region of Halton in order to bring industry & jobs to our area.
- organized the Halton Hills Industrial Commission for the same reason
- assisted in finalization of plans to build new senior citizen homes this year in both Acton and Georgetown areas of Halton Hills
- is actively promoting "GO" rail service to Milton, and increases in the number and frequency of "GO" trains to Georgetown
- is spearheading a drive to obtain a 100 bed nursing license for the Georgetown Hospital
- is advocating new schools to serve newly developed areas of Burlington and Milton
- is actively supporting the Federation of Agriculture in their drive for equalized & better tariffs on farm produce.
- met with Education Minister Tom Wells and other Senior Cabinet Ministers on Thursday May 19th concerning provision of further school facilities in the town of Milton - discussions are continuing as well with the Halton Board of Education
- is currently negotiating with 5 new industries interested in locating in Halton-Burlington. Conclusion of these negotiations will mean more jobs in Halton plus lower property taxes because of the industrial-residential tax base

A Strong Dependable Voice for Halton-Burlington



Nursing home beds sought since at least 1973: reader

To the editor of The Herald: I read with some interest Mrs. O'Rourke's comments concerning the efforts of Mrs. Kelly to obtain additional nursing home beds in North Halton.

Many residents of the Georgetown-Acton area are well aware of Mrs. Kelly's long and sincere efforts concerning the care of the elderly. However, I was greatly dismayed at Mrs. O'Rourke's comments which implied that Georgetown's efforts to obtain Nursing Home beds are of very recent origin.

Having been quite involved

for some time, with the health care facilities in this community I can state with certainty that efforts to obtain nursing home beds for this area date back over a number of years.

I would like to quote from the minutes of a meeting held in the Georgetown Hospital held in January, 1975. The meeting was attended by Dr. Robert Walker, Area Planning Co-ordinator, Ministry of Health, Ontario. At that time I was Chairman of the Nursing Home Committee for the Hospital Board.

"Mrs. Hewson opened the

meeting and recounted to Dr. Walker the several attempts made in the Georgetown area to obtain Nursing Home beds, identifying the private proposal made in 1970, discussions with Villacaters Ltd., in 1972, discussions with Extendicare Ltd in 1973, and this Hospital's proposal in 1973. The distribution of Nursing Home beds in the Regional Municipality of Halton was discussed, with a map prepared by the Nursing Home Committee identifying the distribution of beds."

I am submitting this quotation simply to help clarify the situation and to inform the residents of this Community of the facts.

Subsequent to the meeting referred to above, a formal submission was made to the Ministry of Health on May 4, 1975, and again on February 12, 1977 and to the Halton District Health Council on May 19, 1977.

I feel there has certainly been an attempt by Georgetown to distract from Mrs. Kelly's laudable efforts and may she long continue to carry on her excellent work.

Sincerely,
Mrs. Joyce Hewson

Rights when impaired

Members of the Lions Club learned from Georgetown lawyer Jack R. Bellegem what their "civil privileges" are if picked up for impaired driving.

"The question of whether the driver was impaired isn't the issue, but whether his driving condition is impaired," Mr. Bellegem said.

If a person is picked up and refuses a breath sample, he receives the same sentence as if impaired. The sentence given may be a fine anywhere from \$50 to \$1,000, driver's licence is suspended for three months, and insurance companies will increase rates by 100 per cent.

For police to prove a person's driving condition is impaired, the breathalyzer must be taken two hours within

drinking, air must be blown directly into the machine, and the machine must be a specific make. Tests must be given at room temperature; a record of what is said at the time must be recorded.

The Supreme Court of Canada is now deciding whether an officer should take two breathalyzer tests, taken 15 minutes apart.

Although an officer may charge a person with being impaired, a judge may not. "Many people plead guilty because they feel guilty, but in the judge's eyes, the person may be innocent," he said.

The main advice Mr. Bellegem passed onto members is that if picked up, co-operate with police, blow in machine, do tests (touch hand-to-nose) and answer all questions.

Girls Pipe Band reunion

To the editor of The Herald:

This letter is an attempt to contact all former members of the Georgetown Girls Pipe Band. This year marks the 35th Anniversary of the band and it is the hope of present band members to hold a reunion dinner and dance on Sept. 24. Please consider this your invitation to attend.

For tickets or further information please phone 877-8775 or 877-6398, or write Mrs. Gail Bennett, R.R. 5 Georgetown, R.S.V.P. by July 15.

Thank you
Mrs. Gail Bennett,
Secretary,
Georgetown Girls Pipe Band
Box 14,
Georgetown.

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