

Richvale residents sue town for damage from 1974 storms



TORONTO — It's been more than two years since four Weldrick Road families in Richmond Hill found themselves victims of severe flooding in the basements of their homes.

Although they've been spared that kind of agony since, they still get apprehensive every time it rains. That's what Peter Falconi, 32, of 46 Weldrick Rd., told a Supreme Court of Ontario hearing before Mr. Justice Frank Weatherston in Toronto last week.

Falconi, his wife, Beverley, plus three other families, are suing the Town of Richmond Hill and Marshall Macklin Ltd. engineers of Toronto, for a total of \$15,300 in damages. The residents are alleging negligence in constructing and maintaining an outlet leading to a storm drain sewer from a creek running by their property.

It was also alleged that raising the street on Weldrick had caused it to act like a dam in a rainstorm.

The other families involved are Silvestro and Milea Velardo, 42 Weldrick; Thomas and Jocelyn Holmes, 48, Weldrick; and Martin and Vilma Bertelson, 44 Weldrick.

Murray Davison appears for the plaintiffs; D.H. Rogers for the town; and Donald Arthurs for Marshall Macklin.

1974 storms

The case centred around the nights of March 4 and April 4, 1974, in which all four places suffered heavy flood damage, with the Falconi home being hardest hit.

The witness told the court there was 45 inches of water in his basement after the storm and it was also waist deep in his driveway.

The flood waters cut off the power and heat in his home, overturned his freezer, chesterfield, work bench and power tools and sent them floating around the room, he said.

No flood earlier

Falconi said he lived in his present dwelling since Sept. 1969, and never experienced any flooding prior to March 1974, except one time when the creek went over the road during the height of a rainstorm.

However, no homes were flooded at that time.

Witness said that the "drop off" from his house to the creek bed was six to eight feet.

He described the creek as a natural watercourse, which ran under the road through a culvert when it met Weldrick Rd.

The creek maintained an average depth of 2½ feet all year round, unless there was a heavy rain, "and then it increased in size dramatically."

When that happened, it flooded over onto the road, Falconi said.

Sewer installed

He said that, in the fall of 1973, a 60-inch diameter storm sewer was installed to catch the flow from the creek.

The road was also built up two-and-

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a-half-foot higher than his own driveway for a distance of 400 feet to accommodate the underground pipe. His garage floor was now lower than the crest of the road.

When asked how the creek water flowed into the pipe, Falconi said a cement structure, covered by a three-inch grating of hollow alumu

When asked how the creek water flowed into the pipe, Falconi said a cement structure, covered by a three-inch grating of hollow aluminum tubing, had been installed in the bank.

The grating was put on to keep children out. But Falconi said he complained it might clog up and prevent the water from "going anyplace."

He received assurances from the town it would be alright, he said.

First flood

Describing the night of the first flooding, March 4, 1974, Falconi said that he had been at home with the children; his wife was out.

He said he could see the creek from his house and, at 8:30 he noticed the creek starting to rise.

He kept an eye on it until 9 p.m. when he went out and saw the water was over the grate, he said.

He then called the town works department. But an answering service informed him that there was only a standby crew on duty and it was out on a call.

Witness said he called again at 9:30, but still was unable to get any help.

Continuous rain

The rain, although not heavy, was continuous, he said. By 10 p.m., there was water on the Bertelson property and it had started to reach the basement windows of his own home, Falconi said.

He said he then went downstairs and started moving "ever

He said he then went downstairs and started moving "everything to a higher level."

Road blocked

By 10:20, there was so much water on the road he called police to block it off, so that drivers wouldn't be in danger of going off the road into the water-filled ditches, he said.

The water was now pouring in 90 per cent of the basement windows, witness said, and was up to about one-and-a-half feet in his basement.

The fire department had arrived by then and Falconi called the town once more, without success.

The water had now reached the 45-inch mark at the first landing, he said, and the furnace had gone out.

When the works department arrived at 1 a.m., the water was waist deep in the driveway and he and his wife, who had come home earlier, had to vacate the house with their children and stay with neighbors.

Hopelessly plugged

Falconi said the town eventually had to use a backhoe to clear the debris from around the grate, which was "hopelessly plugged up."

They couldn't open it, so had to smash it and the water receded.

They couldn't open it, so had to smash it and the water then receded.

Witness said the works department later pumped out his basement, except for six inches of water, which they were unable to get at with their equipment.

The following day the town sent over a crew of eight to help clean up the house.

"Murky water had penetrated everything — freezer goods, glass, chain saws, preserves — all were carted away to the dump by the town," Falconi said.

He said they disinfected "the whole place," and also cleaned the freezer, which had been on its back with the door open.

Insulation in the freezer was saturated.

Photographs showing some of the damage done to both the homes and the grate in the culvert, were shown on the second day of the hearing.

Falconi said he wrote the Mayor, William Lazenby, a registered letter, saying he suffered damages and was going to claim for such.

Second flood

On the second occurrence April 4 of 1974, Falconi spread the alarm among his neighbors when he came home from bowling about 12:30.

He found the water coming over the road and lapping the boundaries of his property.

He then called Mayor Lazenby, who "had been sympathetic before and I thought he should see it at first hand," Falconi said.

He said Lazenby got out of bed and came down to view the scene with town engineer Bernie Toporowski and the road builder.

The water had started into his house,

civic corner

RICHMOND HILL — Wednesday Dec. 15 — 7 p.m. — Committee Room "B" bylaw, procedures, fire and personnel committee meeting.

Monday Dec. 27, and Tuesday Dec. 28, the municipal offices will be closed.

Women's liberation football

As if it isn't bad enough that the girls have invaded boys' hockey teams as players, they've now gone and taken over as coaches on their football teams. At least, that's the way Football Daze, a musical comedy by Jean and Bob Thompson, which runs from Dec. 16 to 18 at Richmond Hill High School,

would have it. The comedy tells what happens when a young woman is inadvertently hired as head football coach at a high school. Martha Dynes, on the right, plays the coach. From the left, Mark Attley, Peter Kite and Marg Shorten.

Retired executives enjoy helping small businesses

By Larry Johnston

THORNHILL — Ron C. Poulter is not the kind of person to take retirement lying down.

When he is not in the garden or working on one of his other hobbies, he may be driving off to Guelph to advise someone on how to run their business.

Poulter is a vice-president of Associated Senior Executives of Canada Ltd., a consulting team with a difference.

All members of this non-profit organization are over 65 years of age and retired.

The group includes executives who have held top management positions in accounting, engineering, insurance, marketing, publishing, purchasing and plant production.

Edited magazine

Poulter himself once edited the magazine of the Association of Professional Engineers and before that, edited a business publication on electronics.

He is a former president of Radio College of Canada and RC publications and a holder of the Sons of Martha Medal, awarded by the Association of Professional Engineers for outstanding service to the profession.

He lives in the house he built on Thornebank Road, 25 years ago.

Founded in 1963

Associated Senior Executives was founded by two engineers in 1963.

Brigadier Colin Campbell, an "eminent mining engineer" and Wilson Abernathy realised when men get to retirement age, "many are lost."

They discovered many people in small businesses, or people who would like to start businesses, have no one to talk to about their ideas.

So ASE was formed with two purposes in mind, to help small businesses and to give its members a chance to have some fun in retirement.

Twice a week, ASE representatives meet with clients in their Bay Street office.

If a trip to a plant is required, usually two men go and make a report and the client pays the mileage.

If a second visit to the office is required, a \$25 fee is paid.

The retired executives restrict their activities to about an 80-mile radius of Toronto. "none of us wants to work very hard at this kind of thing."

Their activities also get them out of their wives' hair.

Some men who have been managing factories for years, when they retire, can't resist trying to manage the house. Their wives have their own ways of doing things and don't listen the way an underling would. "It can be a real problem," says Poulter.

ASE once wrote a report for the Ontario government on how homes for the aged should be run. There have been requests for that report well beyond the boundaries of the province.

In another case, they did a study for a Japanese importer on a trade show in Canada that the importer could not get to himself.

Became profitable

Another company which ASE advice turned around from a loss to a substantial profit position, keeps sending a

retainer in case the senior executives are ever needed again.

"We can be blunt," says Poulter, "we are not getting paid so we have nothing to lose."

The advice is not foolproof, but the executives "are very careful". If they know they are going to be dealing with a sales problem, they always have an expert in sales in on the meeting, says Poulter.

While the executives deal with companies with sales of \$1 million or so, they also have many smaller clients, and in some cases it is the smaller ones that are remembered.

Two or three widows came in for investment advice.

There was one man who was convinced his boss was taking all the

money so he decided he would go into business for himself.

He was a printer but wanted to go into the cartage business because he had a small truck.

"That requires salesmanship. This guy didn't have the personality to sell anything. We told him."

"He had no knowledge of the trucking business. If anything, he should have gone into the printing business."

What kinds of questions are asked of someone who wants to start a business? "What experience do you have?" Poulter fires away. "Do you have a budget? What equipment do you need? What is the market?"

One factor the retired executives always look for is drive and enthusiasm. "It is very important."



Many lost in retirement

Many men don't know what to do with themselves when they retire and this is particularly true of executives who have been active all their lives. Ron Poulter of Thornhill does not have this problem. As

a vice-president of Senior Executives of Canada Ltd. he helps small businesses iron out their problems, just for the fun of it and the satisfaction of having helped someone.