

Newmarket Era

Dispute must be dealt with to avoid recurrence: mayor

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When politicians don't get along, there's a significant cost for the municipality, according to Newmarket Mayor Tony Van Bynen.

In an effort to resolve the dispute between the Newmarket library board and Ward 6 Councillor Maddie Di Muccio, you are already footing the bill for two lawyers - one for council and another for the library board.

Although council will have a better picture next week when its lawyer reports back with options on how to proceed, money has already been spent. Those costs will be included in a detailed report at Monday night's council meeting.

"It's hard to tell," Mr. Van Bynen replied when asked how much is too much to spend on this fight. "To me, this is just a symptom of something that needs to be dealt with so it doesn't re-occur because it can be costly."

He hopes this process will create a standard that will spell out how people are expected to behave when working on the business of the municipality in any capacity.

The library board needs its own lawyer to represent its volunteer members, Mr. Van Bynen said.

Ms Di Muccio is paying the bill for her own lawyer, but, as an elected official, if the matter comes down to litigation, the town is obligated to cover her legal expenses.

"I'm trying to avoid litigation. When I retained legal counsel, I didn't intend to pursue the matter," Ms Di Muccio said, noting she's not seeking compensation.

The library board contends Ms Di Muccio breached several aspects of its code of conduct when she posted what it claims was misinformation in her blog.

While all three parties are seeking to resolve the matter, Regional Councillor John Taylor wants it done quickly so the town can move on with more pressing issues.

There is so much going on right now that is more vital, such as the budget, VIVA and CUSP lands, he said. "In other municipalities, we have seen these types of issues become a major distraction and costly to the taxpayer."

He admits it is a tough situation council members face as there are three parties involved and lawyers tend to make things more complicated and force

people to act more cautiously.

However, the ultimate decision to terminate Ms Di Muccio's position as a director on the library board or to allow her to continue serving is up to council, he added.

"I'm extremely disappointed with the situation and would go as far as to say it's saddening because this is not what I hoped for for this town," he said.

"But I hope we can nip it in the bud and get on with business. The key is sticking to the facts and being respectful."

Mr. Taylor hopes personal issues can be set aside and the focus be placed back onto the best interests of taxpayers. He fears a fishing expedition for the truth is a costly endeavour no matter the route taken.

There is also the question of whether or not Ms Di Muccio resigned and if the library board followed proper procedures outlined in its governance documents when dealing with the allegation.

"Whether she resigned or not is a moot point. We just have to find a way to move ahead," he said. "I think bringing the lawyers in was a step in the wrong direction and I have great hope that we can find a more simple way to sort this out."

Following the address to council by both solicitors, **George Rust-D'Eye**, third party legal council for the town on the matter, laid out the situation.

"The only evidence I have is hearsay that Ms Di Muccio resigned from the board," Mr. **Rust-D'Eye** said. "So, as far as I'm concerned, she remains a member of the board until council decides otherwise."

He suggested the town could resolve the situation by hiring an integrity officer to conduct a review. It would be a fact-finding mission that would be presented to council as a recommendation. The process could cost \$20,000 to \$30,000, he estimated.

He will return to next week's council meeting to present council members with a report outlining three paths the town can pursue and associated costs.

Ms Di Muccio has recused herself immediately from all further library board activity until the matter is sorted out and will ask the board to pass a resolution allowing her to breach the code of conduct and miss more than three consecutive meetings.

She made it clear she has the right to revoke the
recusal if the resolution is not accepted by the board.

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