

Québec, le 4 décembre 2017

PAR COURRIEL

Monsieur,

Je donne suite à votre demande d'accès reçue ce jour par courriel afin d'obtenir tous les documents contenant les discussions avec les témoins dans les dossiers en éthique et déontologie portant les numéros CMQ-66026, CMQ-66027, CMQ-66028, CMQ-66029, CMQ-66030 et CMQ-66031 (Ville de Baie-D'Urfé).

Conformément à l'article 51 de la Loi sur l'accès aux documents des organismes publics et sur la protection des renseignements personnels, nous vous informons que vous pouvez demander la révision de cette décision auprès de la Commission d'accès à l'information, suivant la note explicative jointe.

Veillez recevoir, Monsieur, l'expression de nos sentiments les meilleurs.

La responsable de l'accès aux documents,

ORIGINAL SIGNÉ

Céline Lahaie, notaire

DISCUSSION AVEC TÉMOINS

CMQ-	66026 à 66031
ÉLUS VISÉ	
MUNICIPALITÉ	Ville de BAIE D'URFÉ

TÉMOIN

NOM DU TÉMOIN	Chuck Colombe
FONCTION OU EMPLOI	conseiller

OBJECTIFS	
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DATE :	2017 / 10 / 31
DE VISU	
DISCUSSIONS :	
	- I was a councillor from 1986 to the present time, except for the merger period.
	- I had had no knowledge, in October 2017, of section 304 LERD.

DISCUSSION AVEC TÉMOINS

- ~~I~~ I did not know, & in October 2012, that Mr. Belvedere was still the owner of Landcare.
- Mr. Belvedere told ~~of~~ me, a few weeks ~~of~~ before the council meeting of October 2012, that he was in the process of selling his shares to his son and that it was a matter of days.
- I never saw Mr. Belvedere's Statements of pecuniary interests.
- When I voted on October 9, 2012, I was not feeling I was giving an advantage to ~~the~~ Mr. Belvedere, but rather to the town who could benefit from a contract at a good price.
- When I voted on October 9, 2012, I acted on the recommendation of the town's administration.

Chas Clark

DISCUSSION AVEC TÉMOINS

CMQ-	66027
ÉLU VISÉE	Janet Ryan
MUNICIPALITÉ	Ville de BAIE D'URFÉ

TÉMOIN

NOM DU TÉMOIN	
FONCTION OU EMPLOI	Conseillère

OBJECTIFS	
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DATE : 31 / OCTOBRE / 2017
DE VISU
DISCUSSIONS :
I became a Councillor in October 2005.
On October 9, 2012 I did not believe that Wayne Belvedere was a shareholder in Landcare Inc. Mr. Belvedere had informed me and his other colleagues in approx 2006 that he had sold the company to his son Greg Belvedere.

DISCUSSION AVEC TÉMOINS

I am not familiar with Section 304 of the LERM.

On October 9 2012 I had no reason to believe that there was any problem with the renewal of the Landcare contract.

I did not see the declarations of pecuniary interest filed by Mr. Belvedere or my other colleagues at any time.

On October 9 2012 I did not believe that I was providing an advantage to Mr. Belvedere by voting for the renewal of the Landcare contract.

On that date I was not pressured by any party to vote for or against the renewal.

After 2006 the question of the ownership of Landcare was not much discussed. It was accepted as fact by all of Council that the company no longer belonged to Mr. Belvedere.

DISCUSSION AVEC TÉMOINS

I was not involved at any time in a discussion with outside legal counsel about the ownership of Landcare or about a conflict of interest.

I was not pressured in my testimony today.

Janet Ryan

October 31, 2017

DISCUSSION AVEC TÉMOINS

CMQ-	66026 à 66031
ÉLU VISÉ	
MUNICIPALITÉ	Ville de BAIE D'URFÉ

TÉMOIN

NOM DU TÉMOIN	Luc Laberge
FONCTION OU EMPLOI	

OBJECTIFS	
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DATE : 2017-10-03

DE VISU

DISCUSSIONS :

Relativement à la séance du 03-10-2017 de la ville de Baie d'Urfe, à ma connaissance Nathalie Hadida greffière a présenté et fait lecture des résolutions au conseil aux membres présents.

Selon mes souvenirs Madame Hadida avait un pouvoir d'influence sur la mairesse et le conseil, et si elle a mentionné que tant

DISCUSSION AVEC TÉMOINS

était correct avec les résolutions déposées
le conseil l'aurait cru.

J'avais peu de contrôle sur Madame Hadida
puisque celle dernière relevait directement de
Madame Tutino

Tout au caucus qu'à la réunion
je ne me souviens pas que les membres
du conseil aient discuté du conflit
d'intérêt ou d'infractions à la loi

Pour la prise de décision les conseillers
ont tenu compte de la note de service d'Andrew
Duffield et ils avaient une grande confiance
à M. Duffield, dans laquelle note il recommandait
le renouvellement de contrat.

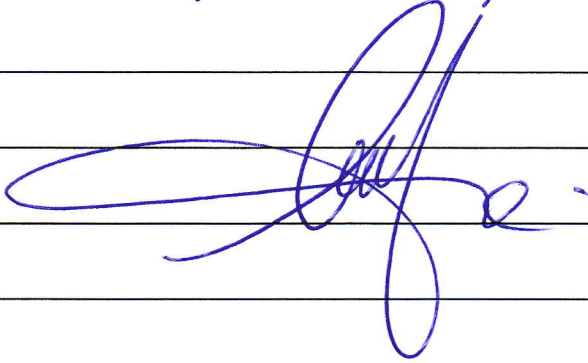
Madame Hadida devait vérifier les liens
et l'explicitation légale de la résolution et du
contrat.

En ce qui me concerne il se peut que monsieur
Belvedere m'ait mentionné dans son dossier
que la compagnie appartenait à son fils.

Mais selon les informations administratives qu'on
me présentait, soit la note de Monsieur Duffield et

DISCUSSION AVEC TÉMOINS

la vérification de Madame Hadida et m'apprenant
que tout était correct,



DISCUSSION AVEC TÉMOINS

CMQ-	66026
ÉLU VISÉE	Lynda Phelps
MUNICIPALITÉ	Ville de BAIE D'URFÉ

TÉMOIN

NOM DU TÉMOIN	
FONCTION OU EMPLOI	Conseillère

OBJECTIFS	
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DATE : 2017/10/31
DE VISU
DISCUSSIONS :
I have been a councillor since 2004.
In 2012 Article 304 I was not aware
of the content of this, & I understood this
section in 2014.
I've known Mr. Belvedere since about 2002
as my husband and Mr. Belvedere were
both volunteer firefighters in Baie-D'Urfe!

DISCUSSION AVEC TÉMOINS

On Oct. 9, 2012 I did not know that Mr. Belvedere was an owner of Landcare. I was made aware that this was not the situation when the decision came from the Municipal Commission ²⁰¹⁴. I was very disturbed. It clearly put our town in a bad situation. It was not right. It took me by surprise because Mr. Belvedere had always insisted that he had "taken care" of the township, he was no longer an owner. If this was not true, then according to Article 304 he was not able to exercise the function of councillor.

I have never seen the statement of pecuniary interest of Mr. Belvedere. Neither the administration ^{and no} other councillors, or administration questioned the eligibility of Mr. Belvedere.

~~Now~~ If I had to, to-day make the same decision in 2013, with the same information ^{I had in 2013}, I would have voted the same way. To-day, if elected, I would put in a process that the town clerk must verify

DISCUSSION AVEC TÉMOINS

all council members' pecuniary interests to ensure the correctness, and if any conflict may arise from that information. I ~~was~~ ^{why BE} more aware of the interests of council members.

In the previous mandates, the Town Clerk has ~~was~~ Never discussed any pecuniary interest of a council member.

No pressure was made to me during the vote of Oct. 9, 2012.

This vote of Oct 9, 2012 was done in the interest of the town. It was the lowest bid, (according to the the Administration) and also, we had good service from Mr. Debedone. not many complaints from citizens

Syada Sheps, Oct. 31, 2017.

DISCUSSION AVEC TÉMOINS

CMQ-	66026 à 66031
ÉLUS VISÉS	
MUNICIPALITÉ	Ville de BAIE D'URFÉ

TÉMOIN

NOM DU TÉMOIN	Natalie Hadida
FONCTION OU EMPLOI	Ex Greffière , ville de BAIE D'URFÉ

OBJECTIFS	
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DATE : 2 octobre 2017.
DE VISU
DISCUSSIONS :
J'ai occupé le poste de greffière de août 2007 à avril 2013 et de directrice générale de mai 2013 à décembre 2015.
Selon ce qu'on m'a expliqué, au moment des élections en janvier 2006, les conseillers municipaux avaient été informés de leurs devoirs quant aux déclarations d'intérêt.
M. Belvédère était propriétaire de Landco au moment des élections et avait été conseillé de se départir de son.

DISCUSSION AVEC TÉMOINS

entreprise s'il voulait que Londres continue à soumissionner pour des contrats de logement avec la ville de Beaudivise. À la conclusion des conseils en poste, les démarches avaient été entreprises pour qu'il transfère l'entreprise à son fils.

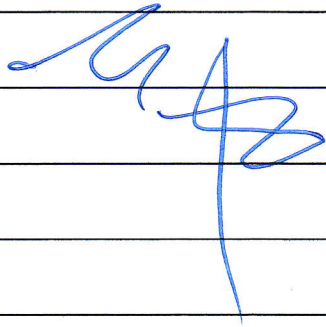
La responsabilité incombe à chaque conseiller de soumettre une déclaration d'intérêt personnelle conforme à chaque année et de signer le greffier de tout changement à sa situation en cours d'année. Le rôle des conseillers et de l'Administration n'est pas de mener des enquêtes sur la validité des déclarations faites.

Selon moi et les conseillers au moment du vote du 9 octobre 2012 pour le renouvellement du contrat de logement, l'entreprise Londres appartenait au fils de M. Belvedere et non plus au conseiller absent au moment du vote.

Selon nos conseillers juridiques, la responsabilité de la véracité des déclarations incombait au conseiller en question. Les fonctionnaires de la ville n'ont pas un devoir d'enquête face aux déclarations d'intérêt qui sont faites.

DISCUSSION AVEC TÉMOINS

Compte tenu du fait que Boni-O'vik est une petite ville, il est évident que les conseillers se connaissent bien et se fréquentent. Je n'ai toutefois jamais eu connaissance de situations où le processus ~~de~~ d'appels d'offres public n'a pas été respecté afin de favoriser un entrepreneur plutôt qu'un autre.



DISCUSSION AVEC TÉMOINS

CMQ-	66026 à 66031
ÉLUS VISÉS	
MUNICIPALITÉ	Ville de BAIE D'URFÉ

TÉMOIN

NOM DU TÉMOIN	Pierre Yves Morin
FONCTION OU EMPLOI	Directeur TP.

OBJECTIFS	
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DATE: 02 octobre 2017
DE VISU
DISCUSSIONS: J'ai été en charge du Dept TP de Baie-D'Urfe en partie de 2002 à 2005. En totalité de 2006 à 2012 (fin). J'ai de 2006 à 2012 (fin) fait le même travail avec différents titres... Celui de directeur, à ma dernière année me fut donné en 2010. J'ai quitté mes fonctions le 15 juin 2012.

DISCUSSION AVEC TÉMOINS

Appel d'offres :

À partir d'une base de données existante (template tender-gabarit), j'ai procédé en 2008 à un appel d'offres développement pour 2 ans + 2 ans d'option :
Donc 2008-2009 2009-2010 2010-2011 + 2011-2012 et 2012-2013

À ma connaissance, aucune contrainte (influence, discussions etc) dans mes fonctions en lien avec l'octroi, la préparation et la production du document.

Dur le plan politique, ce volet était géré en entière partie par le dir. général (M. P. White)
On m'a reproché d'être plus blanc que neige et je n'ai jamais participé à une réunion de conseil à l'exception du budget annuel.

Seule exception sur le plan idéologique politique si je puis m'exprimer ainsi... j'ai une fois participé au questionni à l'effet de... si la ville était à l'acte ou était au courant qu'il pourrait y avoir peut-être une problématique à l'effet

DISCUSSION AVEC TÉMOINS

des conseils et de son accompagnement au sens large.
(M. White et M. Tutton)

On m'a répondu que la question avait été soulevée
avec les conseils de la ville.

Pour ce qui est du renouveau de la santé en octobre,
je n'étais plus en fonction depuis juin.

2 oct 2017.

DISCUSSION AVEC TÉMOINS

CMQ-	66029
ÉLU VISÉE	Kim Millette
MUNICIPALITÉ	Ville de BAIE D'URFÉ

TÉMOIN

NOM DU TÉMOIN	
FONCTION OU EMPLOI	conseillère

OBJECTIFS	
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DATE: *Nov 9, 2011*

DE VISU

DISCUSSIONS:

*I was a town councillor from 2005 - 2013
I knew Mr. Belvedere around the year 2000.
I knew Mr. Belvedere owned Landcare Inc.
I was aware that Mr. Belvedere would in conflict of
interest if he continued to own Landcare Inc.
We were told ~~us that~~ ^{by} Mr. Belvedere that he had sold
his company.*

DISCUSSION AVEC TÉMOINS

There was a discussion in Caucus early on that Mr. Belvedere would be in conflict of interest and must divest himself of his company or quit council.

Mr. Belvedere made the decision to sell his company. This was done early in my first mandate. Mr. Belvedere told us he sold his company. To my knowledge Mr. Belvedere was no longer the owner of Landcare Inc.

On Oct 9, 2012. when I voted for the renewal of the snow removal contract with Landcare Inc. to my knowledge Mr. Belvedere had no links to Landcare Inc. That Mr. Belvedere was no longer the owner of Landcare Inc.

When I voted for Landcare it was not to favour Mr. Belvedere or his family.

I never saw anybody's statement of ^{pecuniary} ~~personal~~ interests at any time.

DISCUSSION AVEC TÉMOINS

In Sept 2011 I attended the course of en éthique et déontologie pour les élus municipaux.

~~I knew that being an owner of a company that did business with the town was illegal.~~

I knew that being a councillor and owner of a company that did business with the town was illegal.

On Oct 9, 2012 when renewing the contract for snow removal with Landcare Inc I was not aware of any conflict of Interest because Mr Belvedere had told me he had sold his company.

Kimi Mellette

DISCUSSION AVEC TÉMOINS

CMQ-	66028
ÉLU VISÉE	Maria Tutino
MUNICIPALITÉ	Ville de BAIE D'URFÉ

TÉMOIN

NOM DU TÉMOIN	
FONCTION OU EMPLOI	Mairesse

OBJECTIFS	
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DATE :	November 9, 2017
DE VISU	
DISCUSSIONS :	
	I have been mayor of the Town of Baie-D'Urfe since October 18, 2005, when I was acclaimed.
	I was also acclaimed in 2009. and have just won my fourth mandate on Nov 5, 2017.
	Prior to being mayor of Baie-D'Urfe, I was the citizens' anti-merger & demerger leader.

DISCUSSION AVEC TÉMOINS

Prior to 2005, I had never been in politics. The citizens asked me to run for mayor as I had successfully led the demerger movement from Montreal on June 20, 2004, and asked me to prove that we would be better off outside the megacity than within. We have successfully proved that + the citizens believe it as they have given me my 4th mandate as mayor.

I met Mr. Belvedere around the anti-merger / demerger times, about 15-17 yrs ago. He was one of the citizens, among hundreds, that helped the town demerge.

In 2005, myself + 6 ~~to~~ demergerites came forward to run for Council. We were all acclaimed as were the 7 who ran in 2009.

In 2005 after the election, a possible conflict of interest was identified for Mr. Belvedere. The Town Admin + Council was informed that legal counsel had been obtained + he also had

DISCUSSION AVEC TÉMOINS

spoken to the Town Lawyer; that necessary corrective actions had been taken.

From 2005 when Mr Belvedere made that statement to mid to late 2013, when individuals came to Town Council to identify that Mr. Belvedere could ~~st~~ be in a conflict of interest, we were always told that Mr. Belvedere was not by Mr. Belvedere himself.

↳ He had multiple opportunities to speak to authorities to explain what "conflict of interests" could be for him

↳ He took those opportunities to inform himself

↳ He always said to the Admin + Council that he was NOT in a conflict of interest as he had done everything he needed to do in order to do so.

Finally, the Council relies on its staff to ensure that the practices we follow are "best practices"

DISCUSSION AVEC TÉMOINS

ethical & legal. The Town & I are proud of running an ethical administration.

I and the rest of Council, at the time, have to assume that the staff was not aware of Mr. Belvedere's possible conflict of interest --- because if they did -- they should & would have told us.

In conclusion, I did not know that Mr. Belvedere may have been in conflict. ~~I and the others Pointe Claire conducted ourselves, in how best, we do~~

Moreover, the minutes show that I did not even vote at the meetings where the contracts were awarded.

Based on the knowledge we had + the staff had the town gave the contract to the lowest bidder: to a supplier which was "above board" & that there was no reason, at the time to think otherwise

I was aware of article 304 (LERM) but not concerned as to my knowledge no one was in

DISCUSSION AVEC TÉMOINS

violation, particularly Mr. Belvedere, who could have been BUT we were TOLD many times he was NOT.

All votes done by Council dealing with snow-removal (as the one on October 9, 2012) were done without favoring ~~anyone~~ ⁱⁿ ~~particular~~ Mr. Belvedere or his family. IT was the right decision to make at the time given the knowledge at the time. Again, I did not vote at that meeting, only Council did.

Marian Jutis
Nov. 9, 2017.

November 23, 2017

Peter Fletcher
Councilor (2009-2017)
Ville de Baie D'Urfé

DISCUSSION AVEC TÉMOINS

I was a Councilor of the Town of Baie-D'Urfé between 2009 and 2017. I was first elected by acclamation in November 2009 and then elected for a 2nd term in November 2013.

Shortly after November 2009, I became aware that the Town's snow removal contract was with Landcare Independent since 2008. I was informed by Councilor Wayne Belvedere that there were no ethical issues with the Landcare Independent contract as it was no longer owned by him. The company was in his son's control and ownership.

I attended the ethics course for municipal councilors in Mont Royal in 2011.

At a caucus meeting in October 2011, the issue of a potential conflict of interest arose because it was questioned if Landcare Independent was in fact still owned by Councilor Wayne Belvedere. Councilor Wayne Belvedere immediately responded to all of members of Council and Town administration present at this meeting that ownership of Landcare Independent was still in the process of being transferred to his son. Furthermore, that this transfer of ownership would be completed prior to any upcoming Council vote on contract renewal in November 2011.

Immediately after this caucus October 2011 meeting, I requested in writing that members of the Town Administration keep me informed on this contract and if any ethical issues arose going forward. No response was ever received prior to the November 2011 renewal vote. The Town administration was recommending renewal. I was not involved in any further discussion by Council nor privy to any outside legal opinion on the matter. I therefore voted in favor of this 1st renewal. I believed this to be in the best interest of the Town.

After the November 2011 vote, I recall Councilor Wayne Belvedere, on numerous occasions, tell me and other Council members that he no longer had ownership of Landcare Independent or any ties. I maintained good faith that this was indeed the case.

In 2012, I had no knowledge of section 304 of the Act Respecting Elections and Referendums in Municipalities.

In October 2012, the Town administration was again recommending renewal of the Landcare Independent contract. I believed in good faith that Councilor Wayne Belvedere still had no ownership of Landcare Independent or any ties. I did not believe that I was giving any advantage to Landcare Independent or Councilor Wayne Belvedere. Voting in favor of the 2nd renewal, I believed, was in the best interest of the Town.

Furthermore, although I was aware that the members of the Town Council produced their declarations of pecuniary interests annually, these were never made available to me, including Wayne Belvedere's declarations. This information was submitted directly to the Town Clerk. At no time were any paper or electronic copies of these declarations shared with me or made available to me.

