

INTEGRITY COMMISSIONER'S REPORT

Date: October 16, 2020

Item: Second Complaint from the CAO against Councillor Van Alstine

Recommendation: Be It Resolved That:

The compensation paid to Councillor Van Alstine as a member of Council be suspended in an amount equal to 60 days of such compensation, commencing with the next pay period.

Background:

My first report to Council on complaints against Councillor Van Alstine by the Mayor, Councillor Hayden and the Chief Administrative Officer was heard on June 23, 2020. I recommended, and Council approved, a sanction of the suspension of 90 days compensation paid as a Councillor, to Councillor Van Alstine. The grounds for my recommendation was her introduction of 2 malicious resolutions to open Council, one of which called for the reprimand of the CAO for a baseless reason. It was her second offence.

I wrote a second report for the information of Council heard on September 8, 2020 which dismissed 5 complaints against the Mayor from Councillor Van Alstine. These 5 complaints had no merit and were obviously in retaliation to the complaints dealt with in my June 23 report. They named the Mayor essentially because of her support of the CAO and because I have no jurisdiction to receive complaints against staff.

At a Council meeting on August 11, 2020 held in the Zoom format, a well-known municipal activist, Mr. Joe Kozlowski was seen clearly on camera with Councillor Van Alstine in the room where she was participating in the meeting. Part of that meeting was held in camera and concern was expressed whether he was present during the confidential part of the meeting. When confronted with this concern, Councillor Van Alstine wrote an E-mail advising that she was with a "tech" person and that during the in-camera session, the tech person was walking in her back yard. I asked her if she was lying about the identity of the person in the room and she replied, "what information do you need about Mr. Kozlowski's technical skills." It is suspected that many of the memos written by Councillor Van Alstine, in response to complaints, have been written by Mr. Kozlowski.

Analysis

This member of Council has been reminded by me on numerous occasions that the Code prohibits public criticism of staff by Councillors and she has repeatedly ignored my warnings. If a member of Council wishes to complain about staff, he or she can request a closed session meeting of Council and air all such grievances in such a meeting. All senior municipal staff are experienced professional people with a reputation to protect and deserve such protection.

The complaint from the CAO, which is the subject of this report, relates to the statements made by the respondent in response to my presentation of my report in the meeting on September 8, 2020, which was a public session of Council, as follows:

1. She brought up an altercation two years ago that the CAO had with a citizen which was reported to Council in camera. This was inappropriate for her to refer to this confidential matter in open session and it occurred prior to her term on Council,
2. She then referred to the CAO instituting video surveillance illegally at the front desk of the Recreation Centre when it was in compliance with a legal opinion received by Council and
3. She accused staff of not advertising positions in the Town and that nepotism exists in the Town. I researched the advertising for recent positions and found that they were very adequately advertised.

Conclusion

I have decided that it is important for me to make a clear and continuing warning to Councillor Van Alstine that she must comply with the code of Conduct and not be critical of staff publicly. I recommend now that her compensation be suspended for 60 days and that if I receive additional valid complaints about her public criticism of staff, that a further 60 days salary be suspended each time.

A handwritten signature in blue ink, appearing to be 'RS', is written over a horizontal line.

**Prepared By: Robert Swayze
Integrity Commissioner**