

Town's ombudsman rules on complaint filed by Cobourg Taxpayers Association

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COBOURG — Cobourg Community Centre. January 14 2013 - Peter Redman

COBOURG — The Town of Cobourg's ombudsman has ruled in favour of the [Cobourg Taxpayers Association](#) (CTA) in a report that was discussed by council at a special meeting on Nov. 26.

A complaint filed in early May by the CTA alleged the parks and recreation advisory committee acting as a steering committee failed to follow three of the town's policies and procedures.

According to the complaint, on May 4, 2018, four CTA executives attempted to attend a parks and recreation advisory steering committee meeting and were ejected by Dean Hustwick, the town's director of community services, "without cause or authority."

The municipal clerk was immediately contacted, the CTA said, adding that both he and Mayor Gil Brocanier insisted the meeting was not open to the public.

In his investigation, the ombudsman, M. John Ewart of Ewart O'Dwyer Barristers and Solicitors of Peterborough, addressed these concerns and found in favour of the CTA that the:

- Agendas, minutes and times, dates or locations of parks and recreation advisory steering committee meetings are to be available to any member of the public when requested;
- Meetings of the parks and recreation advisory steering committee are public meetings open to any member of the public.

Although the ombudsman found there was no breach of the Town of Cobourg's public comment and complaint policy, he recommended that the town reaffirm its commitment to that policy.

"This is a positive finding in favour of public engagement," CTA secretary Dennis Nabieszko said, praising the ombudsman for his thorough investigation and findings. "We applaud the office of the ombudsman for promoting fairness, accountability and transparency in the public sector."

[During a special meeting of council on Nov. 26](#), Hustwick said it appears the focus of the report "rests on the understanding that council instructed the steering committee to engage the public as a whole."

"I think the motion was fairly clear," he said, noting that the advisory committee was asked to be a steering committee to provide input and advice to him, with him then engaging the public and all local stakeholders. "I was being tasked by council to conduct an engagement process."

The meetings of the steering committee were not open to the public, Hustwick said.

"I am not sure why the ombudsman would interpret that resolution differently," he said.

Cobourg Councillor Brian Darling said the steering committee did do a wonderful job in providing advice to the director and the consultants.

"What is most important is that the waterfront user needs assessment did involve an extensive and transparent engagement with the public," he said, adding that it led to an approved waterfront plan that can be used in the future.

But Darling said he had a couple of concerns with the ombudsman's report.

His first concern was that the ombudsman should have interviewed all parties involved, but to his knowledge "none of our staff was interviewed for this report which I find a little hard to understand."

He also questioned why the town was not allowed to respond to the complaints, in light of the ombudsman issuing an "adverse report."

"When he tells us that we should have put minutes on the agenda, that is an adverse report," Darling added. "I find it hard to believe that he didn't come to us first and let us explain that."