

TOWN OF CALEDON INTEGRITY COMMISSIONER, DAVID G. BOGHOSIAN

Citation: Complaint re: David Sheen Staff Comments (Hyde Complaint)
– DGB-CaledonICI-2025-01

Date: July 15, 2025

REPORT ON COMPLAINT

Introduction

[1] On May 30, 2025, I received a compliant from Caledon CAO Nathan Hyde filed on behalf of all staff of the Town of Caledon regarding statements made by Councillor David Sheen referencing Town staff during a Council meeting held on May 20, 2025.

Complaint

[2] The Complaint alleged that Cllr. Sheen made the following statements in the course of a debate over a motion related to the issuance of a Fill Permit for 0 Shaw's Creek Road starting at approximately the 6:12 hrs mark of the video of the May 20th Council meeting during the public session:

- *"If staff run into difficulties, it'll be easy they can come back to Council - it isn't in the motion. That's a problem for me particularly in a strong mayor power environment where there is an enormous pressure on staff to give the mayor what she wants";*
- After the Mayor raised a point of order regarding the foregoing comments, Cllr. Sheen went on to say: *"Fair enough, I don't retract them. We are working, staff and all of us, in a strong mayor environment and we can't ignore that. That is a factor at play here";*
- Cllr. Sheen then added: *"what if there is all kinds of pressure not to bring it back [to Council]...?"*

[3] The Complaint alleged that these comments violate the following provisions of the Code of Conduct:

- Section 5.4 - Members shall refrain from publicly criticizing employees in a way that casts aspersions on their professional competence and credibility. It is alleged that in making these comments, you called into question the credibility and objectivity of staff by implying they would not act professionally or provide objective advice – but rather that they would succumb to “enormous pressure” and simply acquiesce to all the Mayor's requests;

- Section 5.2 - Members shall acknowledge and respect the fact that employees work for the Town as a corporate body and are responsible for making recommendations ... without undue influence from any Member at any point in the policy making process. It is alleged that your comments suggest that staff do not abide by this statement in the Code;
- The Policy Statement in the Code states that Members should demonstrate an understanding of the obligations of their elected position. It is alleged that by making comments that cast aspersions on the objectivity and professionalism of Town staff within the context of “strong Mayor powers”, Cllr. Sheen demonstrated a failure to comprehend the fundamental and basic inner workings of a municipal government.

Responses from Cllr. Sheen

Original Response

[4] Cllr. Sheen’s original response was as follows:

Thank you for the opportunity to respond to the recent complaint regarding my comments at the May 20th Council meeting.

I wish to clarify, first and foremost, that my remarks were not intended as criticism of any individual staff member or their professionalism. Rather, my comments reflected sector-wide concerns about the systemic impacts of strong mayor powers on municipal staff and governance. This is a matter of public policy debate and not a reflection on the competence or objectivity of Town employees.

The context for my comments was the debate on a Notice of Motion from the Mayor, which directed staff to enter into a grading agreement for 0 Shaw’s Creek Road to permit the importation of fill for site rehabilitation. Notably, this motion was brought forward by the Mayor and was not based on an application from the landowner, a procedural detail that several members of Council and the public found unusual. This, combined with the evolving nature of leadership and staff roles within the municipality since the introduction of strong mayor powers, informed my remarks.

My concerns are supported by leading authorities in the municipal sector. The Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) has stated:

“Our research has found that strong mayor powers blur political-administrative authority, particularly between the mayor and CAO, threatening the neutrality of public service and politicizing local government leadership. When mayors retain powers over staff, this negatively impacts municipal leadership causing disruption of municipal timelines, procedures and resources.”

Additionally, the Canadian Association of Municipal Administrators (CAMA) has emphasized:

“Strong mayor powers risk compromising administrative neutrality. Measures that erode professionalism or undermine a non-partisan, merit-based senior municipal staff organization are always areas of legitimate concern and advocacy for organizations such as CAMA, their members and all those concerned about municipal good-governance and accountability.”

My intention in raising these issues was to ensure that both Council and the public remain mindful of the broader governance context in which we are operating, and to encourage transparency and accountability, especially when Council is being asked to direct staff in ways that depart from standard procedures. I also believe it is important for the public to be aware of the often unseen impacts that strong mayor powers can have on municipal staff and the organization as a whole. As a Councillor, I have a responsibility to accurately represent and communicate the concerns I hear from residents, many of whom have raised questions about these changes and their implications.

To reiterate, my comments were not directed at any individual staff member, nor did I intend to question their professionalism or objectivity. Instead, I was expressing concern about the potential systemic impacts of legislative changes, consistent with concerns raised by AMCTO, CAMA, and other sector authorities.

I trust this clarifies the intent and context of my remarks. As always, I remain committed to respectful engagement with staff and to upholding the principles of the Town’s Code of Conduct.

Supplementary Response Dated June 2, 2025

[5] Cllr. Sheen sent me the following, unsolicited, supplementary Response:

Following up on my previous response on Friday, I wish to provide further context regarding the municipal sector-wide concerns I referenced.

On June 1, 2025, the Toronto Star [published an article](#) highlighting the impact of strong mayor powers on municipal staff. The article quotes David Arbuckle, Executive Director of the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), who states:

“It’s changed the dynamic where (a city staffer) now has to be mindful of the fact that they could be hired or fired by the mayor at any point in time. The advice they’re bringing forward may not be as neutral as possible because ultimately they are now responding to one individual.”

This directly reflects the broader concerns I raised at the May 20 Council meeting. My remarks were not intended as criticism of any individual staff

member, but rather to highlight the well-documented risks that strong mayor powers can pose to administrative neutrality and the delivery of objective, evidence-based advice to Council.

Additionally, for clarity and additional context, the May 20 discussion regarding the Mayor's motion occurred at three separate points in the meeting: when the motion was added to the agenda, during the public question period, and during the formal debate. There was also related discussion at the May 13 Planning and Development Committee meeting.

Second Supplementary Response dated June 16, 2025

[6] On June 2nd, I posed the following question to Cllr. Sheen:

Do you have any evidence that any Town employee, including Mr. Lucic and Ms. Zia, were subjected to influence from the Mayor on either the 0 Shaw's Creek Road Fill Permit or any other matter, and whether any employee, including those two, have succumbed to such pressure in terms of altering their reports, recommendations or decisions within their area of responsibility? If you do, I would like you to provide me with full particulars of what you know including names of employees you have spoken to. Rest assured I will maintain confidentiality over any employee name you provide.

[7] In response to my questions set out in para. [6] above, Cllr. Sheen sent me a lengthy Response by email on June 16, 2025. It also contained his Response to Complaint 25-002. Due to its length, I have not reproduced it in the body of this Report; instead, it is set out in Appendix "A" to this Report.

[8] I note that I was required to redact two paragraphs from Cllr. Sheen's June 16th Response (Appendix "A") because it revealed confidential information that cannot be publicly disclosed and was also largely, if not wholly, irrelevant to the Complaint.

Reply From Complainant

[9] Mr. Hyde provided me with the following remarks after I forwarded Cllr. Sheen's original Response to him for comment:¹

First - Whilst I understand Councillor Sheen has an issue with strong Mayor powers - he nevertheless very clearly stated that staff are under pressure by the Mayor - full stop. This is not a broad statement about the application of strong mayor powers in Ontario - but rather it was targeted and directed at Mayor Groves and town staff and these comments have had a negative impact on my team - whether Councillor Sheen chooses to acknowledge that fact or not. His comments are simply

¹ I provided Cllr. Sheen's Response to the Complainant and requested his Reply in accordance with s. 14.1 b) of the Code of Conduct. I did not provide any of Cllr. Sheen's Supplementary Responses to the Complainant because I did not feel they added anything material to the position he had set out in his original Response that required feedback from Mr. Hyde.

inaccurate and calls into question the objectivity of town staff in providing professional advice to Council ... and if we really wanted to get technical - it could ultimately risk their professional designations.

Attempts to “justify” his comments under the guise of generalizations, or industry comments do not insulate him from what he actually stated publicly “staff are under enormous pressure from the mayor to give her what she wants”. Again - not a "strong mayor powers in Ontario are bad", but a direct accusation about the Mayor and those staff with decision making authority in Caledon".

Secondly - Councillor Sheen is well aware that Mayor Groves delegated the hiring and firing of Town staff to the CAO. Sheen’s comments imply that staff - out of fear for their jobs - are under pressure to blindly obey the Mayor. This assertion does not have its basis in any actual facts.

I do understand Councillor Sheen’s desire to try and mask his comments and avoid accountability regarding what he actually said - however the question becomes 'to what degree or extent can someone make false statements that hurt town staff and be permitted to consistently make excuses for their actions'? The public and my staff deserve better.

[10] Mr. Hyde’s response continued to assert a so-called pattern of behavior on the part of Cllr. Sheen in relation to inappropriate dealings with staff, citing four examples. I decline to consider these in any manner relative to the Complaint as they lacked sufficient particulars and considering these collateral issues would prejudice a fair consideration of the subject-matter of the Complaint, being the statements made by Cllr. Sheen at the May 20th Council meeting.

Investigation

Review of Video of May 20, 2025 Council Meeting

[11] I reviewed the entire discussion of the motion in the course of which Cllr. Sheen made the impugned comments. I make the following observations regarding the context in which Cllr. Sheen’s statements were made that I feel are relevant to the subject Complaint:

- The motion related to the granting of a Fill Permit and the terms and conditions of a Grading Agreement in respect of lands known municipally as 0 Shaw’s Creek Road (“the Lands”);
- The motion was moved by the Mayor;
- It was considered at the May 13, 2025 meeting of the Planning and Development Committee (item 15.3 on the Committee agenda), where it passed by a 5:3 vote;
- The Lands were a former aggregates pit. It was now partially filled with water (various figures were given as to the relative extent of the water-covered portion, including 30% and 80%);

- Part of the reason for wanting a place to dump fill was to provide a location for fill to be deposited that would be removed from residential development sites in the Town;
- There were 7 delegations on this agenda item. All were opposed to the issuance of the Fill Permit. Reasons given for their objections included: water contamination; increased truck traffic; destruction of aquatic life in the water in the pit; contaminants in the fill; lack of proper zoning to permit a filling operation as it was zoned MX:Extraction, and filling was only permitted in Agricultural zones [staff pointed out that an OPA currently with the Ministry of Municipal Affairs for approval would revise the zoning of the Lands to Agricultural]; granting the Permit before the appropriate studies were carried out; inappropriate delegation of approval to staff; and dust.
- An additional two residents asked questions of Council during the Public Question Period that also conveyed opposition to the Motion;
- Earlier in the debate, Cllr. Russo suggested that staff would gather information from scientific studies and evaluate, and if they had any concerns or ran into any problems, he was confident they would come back to Council and report them;
- In an earlier segment where he spoke to the Motion, Cllr. Sheen expressed his view that it would be a dereliction of Council's duty to delegate approvals following receipt of the needed studies to staff in light of the extensive public concern expressed about the issuance of the Permit;
- Starting at the 6:12:26 hr. mark of the meeting (approximately 9:10 pm), Cllr. Sheen made the statement recited at the first bullet of para. [2] above. I note that Cllr. Sheen placed considerable emphasis on the word "enormous" in his articulation in describing the pressure staff were under to please the Mayor in his view;
- Immediately following the making of the first impugned statement, Mayor Groves raised a point of order in which she denied that staff felt under pressure to give her what she wanted and that she only had one vote on Council. That was followed by the impugned statement set out in the second bullet of para. [2] above;
- After reiterating that nothing in the proposed Motion required staff to bring the matter back to Council if they encountered any problems, he noted that staff may try to bring the matter back *"but what if there is all kinds of pressure [on them] not to bring it back [to Council]...?"*;
- Ultimately, an amendment to the Motion proposed by Cllr. Maskell eliminating the delegation of authority of approval of the Permit conditions

to staff, requiring a staff report to be made to Council after all the required studies were completed and giving Council the authority to accept or reject staff's recommendations was approved by a 5:4 vote. Despite the amendment appearing to address all of Cllr. Sheen's concerns, he voted against the amended Motion.

Interviews with Eric Lucic and Solmaz Zia

[12] I conducted interviews with Mr. Lucic and Ms. Zia as they were the two members of Town staff who were extensively involved in the discussion of a Fill Permit for 0 Shaw's Creek Road during the May 20th Council meeting and were thus the most likely to be associated with Cllr. Sheen's comments.

Eric Lucic

[13] I interviewed Mr. Lucic by telephone on June 3, 2025. He is the Town's Commissioner of Planning and Development/Chief Planning Officer. He has held that position since April 1, 2024. He previously served as the Chief Regional Planner for the Halifax Regional Municipality for approximately 6 years and prior to that held progressively more senior planning positions with the Cities of Mississauga and Brampton. With respect to the subject comments of Cllr. Sheen, he stated:

- He felt the comments were "definitely offside" and went further than was necessary in impugning staff but he felt worse for the Mayor as Cllr. Sheen's comments were a direct attack on her ethics and credibility;
- In his various senior planning positions, he is used to public criticism so he has developed a thick skin but he could see how others might be very offended and/or hurt by having their integrity publicly challenged;
- He is used to "nudges" from members of Council with respect to planning applications in all of his planning roles, past and present, including from all members of the current Council, including the Mayor. "It is no different here than anywhere else I have been;"
- Ultimately he is a professional and "calls it as he sees it" regardless of attempts to influence his judgment by members of Council. He does not let himself be influenced by pressure applied by any member of Council;
- Mayor Groves has strong positions and thoughts on planning issues and will express them, but no more than other members of Council, including Cllr. Sheen. He has never felt pressured or pushed by the Mayor or her staff to take a position he did not professionally agree with;
- His experience is that the Mayor's concerns about planning matters are usually one or both of: 1) timing: how fast can we get this on the Committee agenda; and 2) does the development advance the strategic goals of the Town?

- He is aware the Mayor has the power to unilaterally fire him but he has never had any concern that he would be fired if he did not go along with her views or wishes; there has not been even the slightest hint from her or her staff that any such thing could happen and there have been occasions where his professional planning position has been contrary to the Mayor's wishes.

Solmaz Zia

[14] I interviewed Ms. Zia via Teams on June 4, 2025. She is the Town's Director of Engineering. She is a fairly recent appointment, having assumed the position on April 7, 2025. She was previously with the Region of Peel for 17 years, her last position there being Manager, Design and Construction, Major Capital Projects. She noted that many of her projects over the years were within the Town of Caledon such that she was experienced in dealing with its residents and politicians with respect to projects she was overseeing. She is a P. Eng., designated as such by the Professional Engineers – Ontario. With respect to the subject statements made by Cllr. Sheen at the May 20th meeting, she provided the following information and comments:

- In her brief time with the Town, she has never experienced any attempts to influence her professional opinions, reports or recommendations from either the Mayor or her staff, either with respect to the 0 Shaw's Creek Road Fill Permit issue or any other matter;
- She was unaware that the Mayor might have the power to unilaterally fire her pursuant to the Strong Mayor Powers provisions in the *Municipal Act, 2001*, so was never influenced by fear of termination to alter her opinions, reports or recommendations on that account, although she reiterated that she had never been pressured or influenced to alter any professional opinion she had formulated by the Mayor or anyone on her behalf so that was not really relevant;
- During the May 20th Council meeting, she maintained her professional composure in responding to questions but she felt her credibility was being unfairly undermined by Cllr. Sheen (and Cllr. Kiernan) in the eyes of other Town staff and the public. For example, when Cllr. Sheen asked her if she knew how many truckloads of fill would be needed to fill the pit at 0 Shaw's Creek Road and then mocked her when she said she did not know, she felt this was entirely unfair as that was one of the very questions that would be answered in the experts' reports required as conditions to determining whether to issue the Fill Permit. She emphasized that the Motion before Council was not to green light the filling of the pit; rather, it was to initiate a process of expert studies (all at the owner's expense) to determine whether the issuance of the Permit was acceptable having regard to public health and safety. This, in her view, was twisted by those who were opposing the motion to make it seem that passage of the Motion would automatically lead to the filling of the pit, which was untrue;

- In her various roles with municipalities over the years, she became used to aggressive developers and contractors attempting to pressure her and has always resisted such pressure and stuck to her engineering values;
- She felt her professional credibility was undermined by Cllr. Sheen's comments suggesting that she would sacrifice public health and safety, and in doing so, her P. Eng. designation, just to appease the Mayor. She scoffed at the notion that she would sacrifice her career and reputation on account of political pressure;
- She is concerned that Cllr. Sheen apparently thinks staff are unprofessional and are subject to bowing to political pressure, which is untrue, and that he conveyed this publicly. She felt it was "unethical" for him to have done this at the May 20th meeting. She believes it damaged trust between staff and Council;
- Cllr. Sheen's statements cast doubt on the credibility of engineering recommendations from staff and the quality and reliability of staff competency generally in the minds of the public.

Caledon Citizen Article, "You don't need an assessment to understand that' Local voices push back against fill plan," May 22, 2025, (Riley Murphy, Reporter)

[15] In this article addressing the discussions of the Motion regarding the 0 Shaw's Creek Road Fill Permit, Cllr. Sheen is quoted as follows:²

"As a member of Council, I am concerned that, under the current Strong Mayor system, residents' voices about the Mayor's motion concerning the Shaw's Creek fill proposal are not being heard or fully appreciated, and that decision-making may be rushed or influenced by political priorities. The proposed timelines for producing the required professional reports on hauling and dumping thousands of truckloads of fill seem unrealistic, and I question whether Town staff will have the capacity to properly review these reports, even if they are produced on such short notice. And even if the Mayor's motion is approved and the fill operation proceeds, I remain skeptical that the Town has the enforcement resources to adequately monitor the quality of the fill or the conditions surrounding the operation, given the Town's enforcement staff's current workload. I urge Council to prioritize transparency and ensure that community interests and safeguards are not compromised."

Relevant Code of Conduct Provisions

[16] The relevant provisions of the Caledon Code of Conduct for Members of Council and Local Boards are as follows:

² In his Reply contained in Appendix "A" to this Report, pp. 27-28, he confirmed that this statement was an accurate reflection of what he had told this news outlet.

5. Relations with Employees

- 5.1 Members of Council are elected legislators for the municipality. Employees are accountable only to the Chief Administrative Officer or his/her designate and are responsible for implementing the decisions of Council, ensuring the efficient and effective operation of municipal services.
- 5.2 Members shall acknowledge and respect the fact that employees work for the Town as a corporate body and are responsible for making recommendations that reflect their professional expertise and corporate objectives, without undue influence from any Members at any point in the policy making process.
- 5.3 Members shall acknowledge and respect the fact that Town employees carry out directions of Council as a whole and administer the policies of the Town. At all times carrying out the work of the Town, Members shall refrain from using their position to improperly influence employees in their duties or functions to gain an advantage for themselves or others.
- 5.4 Members shall refrain from publicly criticizing employees, in a way that casts aspersions on their professional competence and credibility

Findings

Meaning of the Impugned Statements

[17] I find that the the inferential meaning or impression left by the impugned statements of Cllr. Sheen was that Town staff generally, and the two specific, senior staff persons having responsibility for dealing with the Fill Permit for the Lands in particular, could not be trusted to act professionally and objectively. Specifically, his comments conveyed the impression that in the event they encountered problems with fulfilment of the conditions in the Fill Permit, these officials might well bend to the “enormous pressure” from the Mayor to waive the conditions nevertheless and not let Council know about those problems. This clearly suggests that they would forego their professional obligations in order to “kowtow” to the Mayor’s wishes even if it meant putting the health and safety of the public at risk, which is a serious casting of aspersions on their professional reputations and credibility.

[18] I find that Cllr. Sheen’s statements prima facie breached s. 5.4 of the Code of Conduct in that they “cast aspersions on the professional competency and credibility” of Town employees. Despite Cllr. Sheen’s claim that he had not intended to impugn the professional reputations of staff, he ought to have known that the natural interpretation of the words he used would convey that message.

[19] Councillor Sheen’s statements also run contrary to the following tenets in the Code which members of council are required to acknowledge and respect:

- S. 5.1 - Employees are accountable only to the Chief Administrative Officer or his/her designate and are responsible for implementing the decisions of Council;
- S. 5.2 - Members shall acknowledge and respect the fact that employees work for the Town as a corporate body and are responsible for making recommendations that reflect their professional expertise and corporate objectives, without undue influence from any Members at any point in the policy making process;
- S. 5.3 - Members shall acknowledge and respect the fact that Town employees carry out directions of Council as a whole and administer the policies of the Town.

[20] Cllr. Sheen's statements indicate that he does not believe that Town employees are only accountable to the CAO; does not believe they work for the Town as a corporate body and will make recommendations reflecting their professional expertise and integrity; and does not believe that they will carry out directions of Council as a whole but will instead take informal direction from the Mayor. I therefore find that he prima facie breached ss. 5.1, 5.2 and 5.3 of the Code of Conduct.

Balancing Code Values with Freedom of Political Speech

[21] As I have said before, including with respect to a previous complaint against Cllr. Sheen, the Code should not be interpreted in a manner that unduly interferes with his fundamental right to engage in bona fide political speech, including with respect to his very obvious discontent with the Strong Mayor Powers regime introduced by the Ford Government;³ however, that right to engage in political speech is not absolute and must be tempered by respect for important tenets of the Code of Conduct, including those dealing with how members of Council treat staff. It is noted that the architects of the Code of Conduct/Integrity Commissioner regime in Ontario placed such importance on regulating how councillors interact with, and communicate about, staff that they made regulation of respectful conduct toward staff one of four mandatory tenets of every municipal Code of Conduct in Ontario.⁴

³ Complaint re: Councillor David Sheen (Media Statements) – DGB-CaledonICI-2024-03) (hereinafter, “the Previous Complaint”). See also Complaint re: Cllr. Danko X Post re Cllr. Kroetsch – DGB-HamiltonICI-25-001 at para 18.

⁴ O. Reg. 55/18 promulgated under the authority of s. 223.2 of the *Municipal Act, 2001*, S.O. 2001, c. 25 provides as follows:

1. For the purposes of section 223.2 of the Act, the following are the prescribed subject matters that a municipality is required to include in the codes of conduct for members of the council of the municipality and of its local boards:

1. Gifts, benefits and hospitality.

2. **Respectful conduct, including conduct toward officers and employees of the municipality or the local board, as the case may be.**

3. Confidential information.

[22] In a Report I issued with respect to the Previous Complaint, which concerned comments Cllr. Sheen made maligning the CAO, I made the following observations regarding the applicable legal principles that are also of relevance to the present Complaint:⁵

[46] Cllr. Sheen makes the following statement in his Response:

As an elected official, I believe it's my duty and my right to express opinions on how strong mayor powers are affecting our municipal council and constituents. I believe the public has a right to know these things are happening in their municipality and how it affects them. This topic of strong mayor powers remains of significant interest and debate across Ontario, as evidenced by these media articles and also in the discussions at the recent AMO Conference in Ottawa.

[47] I agree with this statement, subject to this. There is ultimately a balance to be struck in ensuring that free and uninhibited debate take place on issues of importance to residents, such as the use of Strong Mayor Powers, on the one hand, and the protection of the reputational interests of staff and the need for Members of Council to provide legally and factually accurate information.

Analysis

[23] In my Report on the Previous Complaint, I came to the following conclusion:⁶

[48] Although I find that Cllr. Sheen's comments impugned Mr. Hyde's reputation and contained a number of legal and factual inaccuracies, I am not convinced that these transgressions were so egregious as to justify a finding of a Code of Conduct violation in light of the overriding primacy of freedom of political speech given the subject-matter of Cllr. Sheen's statements that are the subject of this Complaint. I therefore find that Cllr. Sheen's statements did not contravene s. 5.4 of Caledon's Code of Conduct.

[24] In my opinion, the present Complaint is distinguishable from the Previous Complaint for the following reasons:

- Whereas in the Previous Complaint, Cllr. Sheen was commenting on the CAO, someone the Mayor appointed using Strong Mayor Powers, such that there can be seen to be a close association between his actions and the Mayor, thus perhaps justifying criticism of his decision-making and questioning whether his decisions were directed by the Mayor, Cllr. Sheen's comments in this case were

4. Use of property of the municipality or of the local board, as the case may be.

[emphasis added]

⁵ Complaint re: Councillor David Sheen (Media Statements) – DGB-CaledonICI-2024-03).

⁶ *Ibid.*

about staff generally and would largely be interpreted to be about two staff members in particular, neither of whom were appointed by the Mayor and who did not deserve to be caught up in the negative rhetoric about Strong Mayor Powers;

- The comments would have been reasonably interpreted as impugning the professionalism and ethics of not only Town employees generally but two specific employees, Ms. Zia and Mr. Lucic, in particular, given their extensive involvement in the discussion of the Fill Permit motion at the May 20th Council Meeting. Unlike the CAO, these individuals are not in the same position to protect their reputations publicly as I found Mr. Hyde was in the Previous Complaint;
- In the Previous Complaint, the very subject-matter of the news articles in which Cllr. Sheen was quoted related to Strong Mayor Powers; by contrast, Strong Mayor Powers were not the subject of the debate in which he made the comments and the comments had no actual relevance to the debate at hand. The Mayor has no more right than any other Member of Council – that is to say, no right – to attempt, surreptitiously, behind the scenes, sway the professional judgment of Town staff on any issues, let alone one raising important community health and safety concerns.⁷ To do so would itself constitute a Code of Conduct violation.⁸ Simply put, there was no basis for insinuating that Strong Mayor Powers were in play and the debate about the Fill Permit simply served as a convenient forum for making statements insulting the Mayor and staff;
- The comments in this case were baseless conjecture. Cllr. Sheen offered no evidence to support his claimed lack of trust in staff to act professionally and objectively in the face of pressure from the Mayor or anyone else. In his June 16th Response, he candidly admitted that “I do not have any direct evidence that any Town of Caledon staff member has been improperly influenced or pressured by the Mayor” and “I have no evidence that the Mayor has directed staff to act inappropriately;”⁹

⁷ Under Strong Mayor Powers, a Mayor can only direct staff to undertake research and provide advice to them and the municipality on policies and programs of the municipality or of the head of council as they relate to the powers and duties under this Part and to carry out duties related to the exercise of the power or performance of the duty, including implementing any decisions made by the head of council under this Part: see s. 284.3 of the Act. None of these circumstances exists with respect to the issuance of the subject Fill Permit. Even if this was a situation where the Mayor could direct staff, she would need to put that direction in writing and make it public, so any instructions would be a matter of public record: see S. 284.4 of the Act. See also paragraphs [25] and [26] of the companion Report on Complaint re: David Sheen Staff Comments (Groves Complaint) – DGB-CaledonICI-2025-02 for a more detailed analysis of this point.

⁸ See ss. 5.2 and 5.3 of the Code of Conduct, quoted in para. [19] above.

⁹ Pp. 23 and 28, Appendix “A” to this Report.

- Cllr. Sheen’s observation earlier in the debate that it would be a dereliction of Council’s duty to delegate approvals following receipt of the needed studies to staff in light of the extensive public concern expressed about the issuance of the Permit was a very valid point; however, there was no need to press the issue further by questioning the professionalism and integrity of staff;
- Cllr. Sheen’s theoretical points about Strong Mayor Powers may be valid but it was unnecessary to sully the reputations of staff in order to make that point, especially since there was no relevance of Strong Mayor Powers to the issuance of the subject Fill Permit.

[25] I agree with Mr. Hyde that attempts by Cllr. Sheen to “justify” his comments under the guise of generalizations, hearsay statements and comments by individuals unsupported by empirical data do not insulate him from what he actually stated publicly - that staff are, in fact, under enormous pressure from the Mayor to give her what she wants, and the clear implication that they may well succumb to that pressure. Again - not a "strong mayor powers in Ontario are bad", but a direct accusation about the Mayor and those specific staff with decision making authority in Caledon. Furthermore, his comments were admittedly made without any proof that staff were under any such pressure to please the Mayor or that they would be swayed by such pressure and, according to the evidence of the two employees most directly associated with the comments, whose evidence I accept, are untrue.

[26] In his June 16th Reply (Appendix “A”), Cllr. Sheen states that the concern he was attempting to highlight in making the impugned statements was the following:¹⁰

...[M]y comments were about the environment created by strong mayor powers - where, as is well documented in the municipal sector, the real or perceived ability of a mayor to unilaterally hire and fire senior staff can create a context in which staff may feel pressure, whether or not any explicit direction is given.

[27] I have difficulty accepting that this was his true intent in making the impugned statements for the following reasons:

- Cllr. Sheen did not say staff “may” feel pressure in his statements at the Council Meeting or state the issue as a hypothetical concern. He said emphatically that “there is enormous pressure on staff to give the Mayor what she wants;”
- When given the chance to retract his intemperate assertions and recast his point in more hypothetical, less personal language in response to a point of order called by the Mayor, he refused to do so;
- At Council, Cllr. Sheen did not explicitly say what it was that the Mayor “wants”. In his June 16th Reply, he says she wanted the Fill Permit to be issued. However, the motion the Mayor moved expressly conditioned the issuance of the Permit on the fulfillment of a number of conditions designed to protect the

¹⁰ P. 19, Appendix “A” to this Report. He makes the same point several additional times in that Response.

health and safety of Town residents. Implicit in his comments at Council was the assertion that the Mayor would sacrifice public health and safety to get the Fill Permit issued if necessary, and would pressure staff to overlook fulfilment of health and safety conditions in order to achieve that goal, which he was concerned they would do. He had no evidence of this implicit motive of the Mayor and he had no evidence that the senior staff involved would go along with any such pressure, at odds with their professional obligations. These imputations were simply insulting and defamatory of all concerned;

- He assumed without any factual basis that the involved staffers would feel their jobs were in jeopardy if they did not go along with the Mayor's wishes. Mr. Lucic denied feeling any such pressure and Ms. Zia was not even aware the Mayor had the power to fire her. Furthermore, the Mayor had delegated the powers of hiring and firing senior staff to the CAO so she did not in fact have the power to hire and fire them as Cllr. Sheen alleges was the source of pressure on senior staff.

[28] I therefore find that Cllr. Sheen's statements went beyond the protection that political speech provides in the context of commenting on staff both because Strong Mayor Powers were not a legitimate issue in the debate and, even if they had been, making serious, false, hurtful statements impugning the professionalism and credibility of staff in a public Council meeting exceeds the scope of fair political comment. I therefore find that the impugned comments on the part of Cllr. Sheen breached s. 5 of the Code of Conduct.

[29] I add in conclusion to this section of my Report that Cllr. Sheen's June 16th Response (Schedule "A") contains a great deal of content which can fairly be described as more "bashing" of the Town's CAO, Nathan Hyde, as well as the Mayor, under the guise of suggesting that this Complaint on behalf of the Town's employees is frivolous and vexatious.¹¹ Whether a Complaint is frivolous and vexatious turns primarily on the merits of the subject-matter of the Complaint, not the identity of the Complainant. Given that I have found the Complaint to be meritorious, I reject this argument.

Recommended Penalty

[30] Cllr. Sheen's comments were made in a highly public forum (a broadcast Council meeting, the video record of which remains available to be seen by the public indefinitely). They were made in the context of a debate that raised serious health and safety concerns amongst the public, concerns which Cllr. Sheen fueled by suggesting, without any evidence, based on mere conjecture, and which I have found to be untrue, that staff may well simply sweep health and safety risks under the rug in order to appease the Mayor.

[31] In determining the penalty, I believe it is also necessary to consider the impact of Cllr. Sheen's statements on staff generally and the two staffers most directly caught in the cross-hairs – Mr. Lucic and Ms. Zia. As can be seen from what they told me during their interviews, they felt professionally insulted, disrespected and undermined by his comments; that the comments

¹¹ I say more bashing in relation to his comments about the CAO that were the subject of the Previous Complaint, as well as other statements of Cllr. Sheen about the CAO reported in the media.

damaged their credibility and that of staff generally in the eyes of the public; and that the comments have damaged trust between staff and Council. While Cllr. Sheen offered what could be interpreted as an apology in his Response (“I regret any unintended negative impact or discomfort my remarks may have caused”), he has not apologized to Mr. Lucic and Ms. Zia directly.

[32] Cllr. Sheen was given an opportunity following the Mayor’s point of order to retract the statements but he refused to do so. Had he done so, the Complaint, my investigation and this Report would have all been unnecessary.

[33] On the mitigating side, the impugned remarks were made in the course of a heated debate on an issue of great importance to the residents of Caledon, such that the emotions of the moment may have adversely influenced his choice of wording (although he was given a chance to give the matter a second thought following the point of order but declined to retract his statements).

[34] In all of the circumstances, it is my recommendation that Council impose the following penalties on Cllr. Sheen in relation to the Code violations I have found regarding this Complaint:

- 15 day suspension of pay;
- That Cllr. Sheen publicly apologize to Mr. Lucic and Ms. Zia for impugning their professional reputations and credibility.

[35] This concludes my investigation.

Respectfully Submitted,



David G. Boghosian,
Integrity Commissioner,
Town of Caledon

APPENDIX “A” TO IC REPORT RE: COMPLAINT 25-001**COUNCILLOR SHEEN’S RESPONSE DELIVERED JUNE 16, 2025**

Salient Portions of the Complaint

The complaint alleges that my comments at the May 20, 2025 Council meeting violated the Code of Conduct, specifically Sections 5.2 and 5.4, and the Policy Statement. The complaint cites the following statements:

"If staff run into difficulties, it'll be easy they can come back to Council - it isn't in the motion. That's a problem for me particularly in a strong mayor power environment where there is an enormous pressure on staff to give the mayor what she wants."

"Fair enough, I don't retract them. We are working, staff and all of us, in a strong mayor environment and we can't ignore that. That is a factor at play here."

[That] staff may feel "pressure not to bring it back [to Council]."

The complaint further alleges that these comments "cast aspersions on the professional competence and credibility of staff" and suggest staff "would not act professionally or objectively, but would succumb to enormous pressure and give the mayor what she wants."

Clarification of What Was Actually Said at the May 20, 2025 Council Meeting

It is important to clarify precisely what I said during the May 20, 2025 Council meeting and to distinguish this from how my comments have been characterized in the complaint and subsequent correspondence.

During the debate regarding the Mayor’s motion on the fill permit, I stated:

"...and that's a problem for me particularly in a strong mayor power environment where there is an enormous pressure on staff to give the mayor what she wants."

The Mayor immediately raised a point of order and a point of privilege, objecting to my comment as "completely inappropriate." She stated that she did not believe any staff were feeling under pressure to give the mayor what she wants, reiterated that she had only one vote, and maintained that my comments were out of order.

In response, I stood by my point and replied:

"Fair enough, I don't retract them. We are working, staff and all of us, in a strong mayor environment and we can't ignore that. That is a factor at play here."

A few moments later, I acknowledged that staff could try to bring issues back to Council but added:

"What if there is all kinds of pressure not to bring it back?"

As I have mentioned earlier, my comments were about the environment created by strong mayor powers - where, as is well documented in the municipal sector, the real or perceived ability of a mayor to unilaterally hire and fire senior staff can create a context in which staff may feel pressure, whether or not any explicit direction is given. My remarks were not directed at any individual staff member's professionalism or conduct, nor did I state that any specific staff member in Caledon was acting under such pressure. Rather, I was referring to the systemic risks and the changed governance environment that now exists in Caledon and every other strong mayor municipality in Ontario.

I note that the your summary of the complaint paraphrased my comments as saying staff "may feel pressure," but in fact, my actual words did not include "may." I described the strong mayor environment as one "where there is an enormous pressure on staff to give the mayor what she wants." This was intended to highlight the systemic risk and the perception that can arise in such a governance model, not to allege any actual misconduct or lack of professionalism by staff.

Clarification of Context and Intent

To clarify the context of my comments at the May 20 Council meeting:

My remarks were made in direct response to an assertion from a fellow member of Council that, should staff encounter difficulties with the numerous reports requested of the land owner, they could simply bring the matter back to Council for further consideration. I pointed out that the motion before us did not, in fact, provide staff with that option. My concern was that, in the absence of such a provision - and given the highly charged debate and the clear intent of the mayor and her allies to advance the fill motion - staff might feel inhibited from bringing issues back to Council.

This concern is heightened in the current strong mayor environment, where staff may perceive subtle pressures not to act contrary to the direction or wishes of the mayor, particularly when their employment or advancement could be affected. These comments were not directed at any individual staff member's professionalism or conduct, but rather reflect the broader governance context and the well-documented risks associated with strong mayor powers.

Context: Political Environment and Sector-Wide Criticism of Strong Mayor Powers

It is also important to emphasize that my comments were made in the context of a highly political and rapidly evolving municipal environment. The recent expansion of strong mayor powers in Ontario has been met with widespread criticism and concern from municipal sector experts, local councillors, and mayors across the province.

As of May 1, 2025, an additional 169 Ontario municipalities - including Caledon - have been granted strong mayor powers, allowing mayors to unilaterally hire or fire senior staff, veto bylaws, and pass new bylaws with only one-third of council support. This shift has been described by many as undermining local democracy and the traditional balance of power on municipal councils. Numerous councils - including Stratford, Owen Sound, Essex County, Windsor, and others - have formally opposed or sought to reject these powers, citing fears of eroded majority rule, diminished council voices, and the risk of politicizing municipal administration.

Sector experts, such as the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), have warned that strong mayor powers...

"blur the political-administrative authority between the roles of head of council and chief administrative officers (CAOs), threatening the neutrality of the public service and politicizing local government leadership."

Political scientists and municipal leaders have echoed these concerns, noting that such powers "eliminate majority rule in our council" and risk "consolidating power in fewer hands," which history shows "often does not end well."

Importantly, legal scholars John Mascarin and Jennifer Bilas have written:

“A strong mayor system, by contrast, provides the head of council with a centralized executive authority to take actions and make decisions on a unilateral basis, without the concurrence or support of a majority of the members of council. Such a system creates a power imbalance on council, granting the head of council additional powers that general members of council do not have (unless delegated). ... The mayor is more than just one vote on council, and has the ability to realize their personal agenda without the need to build consensus or to seek compromise amongst council as a whole, which essentially had been the local governance model in Ontario (and throughout Canada) for some 200 years.”

(John Mascarin & Jennifer Bilas, "Strong Mayor Powers – The Erosion of Municipal Democracy," Aird & Berlis LLP, 2023.)

This legal analysis underscores that the systemic risk I raised is not hypothetical or unique to Caledon, but a recognized and well-documented consequence of the strong mayor governance model.

Council Information Package: Municipal Opposition to Strong Mayor Powers and the Meaning of “Strong Mayor” Authority

It is particularly relevant to note that my comments at the May 20 Council meeting were made with direct knowledge of the Council Information Package distributed with our meeting agenda that night. This "info pak" contained formal resolutions from eight (8) Ontario municipalities explicitly opposing the expansion of strong mayor powers, highlighting the exact governance concerns I raised during the debate.

For clarity, “strong mayor powers” refer to the legislative authority granted to mayors in Ontario to unilaterally hire and fire senior municipal staff (with the exception of certain statutory officers such as the Clerk and Treasurer, CBO and Fire Chief). This means that, unlike the traditional model where council as a whole oversees the hiring and tenure of senior staff, the mayor alone can make or rescind such appointments. As David Arbuckle, Executive Director of the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), explained in the Toronto Star on June 2, 2025:

“It’s changed the dynamic where a city staffer now has to be mindful of the fact that they could be hired or fired by the mayor at any point in time. The advice they’re bringing forward may not be as neutral as possible because ultimately they are now responding to one individual.”

This is echoed in the Town of Parry Sound’s April 22, 2025 letter (Council Information Package, p. 5), which references AMCTO’s research finding that strong mayor powers “blurred the political-administrative authority between the roles of head of council and Chief Administrative Officers (CAOs) and senior staff, threatening the neutrality of the public service and politicizing local government leadership.”

The Town of Aylmer’s April 16, 2025 resolution (Council Information Package, p. 3) further warns that the expansion of strong mayor powers “has raised significant concerns regarding the centralization of power, erosion of local democracy, reduced accountability, and the potential for the abuse of power,” and that these powers “undermine the collaborative nature of municipal governance, and diminish the role of elected municipal councillors in representing the diverse interests of the community.”

Similarly, the Town of Cobalt’s May 1, 2025 resolution (Council Information Package, p. 11) and the City of Stratford’s April 28, 2025 resolution (Council Information Package, p. 13) both state that strong mayor powers “significantly alter the balance of governance at the municipal level, undermining the role of Council in decision-making and weakening the fundamental democratic principle of majority rule.”

These formal municipal positions, which were before Council as part of our meeting materials on May 20, 2025, demonstrate that my comments were not personal opinions or criticisms directed at Town staff or the Mayor, but rather reflections of legitimate, widely-shared governance concerns being actively debated across Ontario municipalities. My intention was to draw Council’s attention to these messages at the appropriate time during the agenda, to provide context for my remarks and to ensure Council was aware of the real and perceived impacts of strong mayor powers on staff neutrality, council decision-making, and local democracy.

On the Use of Loaded Language and Semantic Arguments

I must also express my concern regarding the tone and approach Mr. Hyde has taken in his communications to you. His repeated reliance on strong, emotive adjectives and anti-harassment "buzz words" in his correspondence with me, and now in his submissions to this process, does not, in my view, contribute to a fair or constructive examination of the facts. Instead, it risks creating an atmosphere of accusation and defensiveness, rather than one of open dialogue and mutual respect.

Similarly, Mr. Hyde's focus on the technicality of delegated authority - suggesting that the Mayor's delegation of her hiring and firing powers to the CAO somehow removes the underlying pressure on staff - is, with respect, a matter of semantics rather than substance. As is well understood in governance, delegated authority can be rescinded at any time by the delegator. The ultimate power remains with the Mayor, and staff are fully aware that their employment is ultimately subject to her discretion. This reality is not changed by temporary delegation, as demonstrated when the Mayor rescinded her delegation of authority to Council regarding the Town's golf committee by way of Mayoral Decision 2025-01. I find it belittling and counterproductive to suggest otherwise, and I would hope that all parties to this process can engage with the issues at hand in a manner that respects both the intelligence and experience of Council members and the legitimate concerns raised by sector experts and municipal leaders across Ontario.

Clarification of Conditional Language and the CAO's Characterization

It is important to clarify the language I used and how it has been characterized in the complaint and subsequent correspondence. In the Integrity Commissioner's summary, my remarks were paraphrased as suggesting staff "may feel pressure," but in fact, I did not use the word "may." My actual words described the strong mayor environment as one "where there is an enormous pressure on staff to give the mayor what she wants."

While my comment did not use conditional language, it was intended to highlight the systemic risk and the perception that can arise in any strong mayor municipality - not to assert that any specific staff member in Caledon is, in fact, succumbing to such pressure. The point I was making, and which your paraphrasing of it implicitly recognizes, is that strong mayor powers create an environment where such pressures may exist, whether real or perceived, and that this is a legitimate concern for council and the public to consider. This is consistent with sector-wide expert commentary, including AMCTO, CAMA, and legal scholars such as John Mascarini, who have all noted that the strong mayor model fundamentally alters the balance of power and **can threaten the neutrality of the public service.**

My intention was not to allege actual misconduct or lack of professionalism by any individual staff member, but to address the broader governance risk that arises from the structural change in authority under the strong mayor system. This is a matter of public policy and sector-wide debate, not a reflection on the competence or objectivity of Town employees.

Response to Code of Conduct Provisions and Request for Evidence

In direct response to the Code of Conduct provisions cited in the complaints:

- **Section 5.4:** My comments were not a violation of Section 5.4, as they did not criticize any employee's competence, credibility, or actions. At no point did I suggest that any Town staff member has acted unprofessionally or without objectivity. My remarks were directed solely at the systemic risks and governance environment created by legislative changes, not at the conduct of individual employees.
- **Section 5.2:** I have at all times acknowledged and respected the independence of Town staff and their responsibility to provide objective, professional advice. My comments were not intended to, nor do they, suggest that staff have failed in this duty or have been unduly influenced by any Member of Council.
- **Policy Statement:** The Policy Statement calls for Members to demonstrate an understanding of their obligations and to act transparently. My remarks were made in the spirit of transparency and accountability, raising legitimate, sector-recognized concerns about the impact of strong mayor powers on municipal governance. This is consistent with my duty to ensure that Council and the public are aware of the broader context in which decisions are made.

As further support, policy experts at Environmental Defence have warned:

"Under Strong Mayor powers, mayors gain unilateral control over hiring and firing key civil servants and planning experts responsible for independently evaluating development proposals... The law's proposed amendments... would wipe out many of the checks and balances that have helped to insulate small towns in Ontario from many forms of corruption."

This underscores that the potential for subtle, systemic pressures exists even in the absence of explicit direction, and that such pressures are inherently difficult to document or measure.

In direct response to the request for proof that staff have been improperly influenced or pressured:

I do not have any direct evidence that any Town of Caledon staff member has been improperly influenced or pressured by the Mayor or any other Member of Council. As is common in the municipal sector, such pressures, if they exist, are often subtle and difficult to document. Additionally, staff who leave a municipality may be bound by non-disclosure agreements or confidentiality clauses, which can prevent them from sharing their experiences. For these reasons, the absence of direct evidence should not be interpreted as proof that such pressures do not exist; rather, my comments were intended to highlight the risk and perception of pressure that may arise in any strong mayor environment, as recognized by sector experts and many Ontario municipalities.

On Impact, Respect, and the Role of Council

I recognize that, in matters of council conduct, both intent and impact are important. While my intent was to contribute to a robust policy discussion and to ensure transparency and accountability in municipal decision-making, I acknowledge that my comments may have been perceived differently by some staff or colleagues. I regret any unintended negative impact or discomfort my remarks may have caused.

I also wish to emphasize that, as I have confirmed in discussions with several current and former municipal staff, senior staff in other municipalities, and at higher orders of government, it is both expected and appropriate for councillors to ask probing and sometimes critical questions of staff, especially those in senior positions. Constructive critique and rigorous questioning are essential to good governance and are recognized as such by sector experts and experienced professionals. The questions I asked were legitimate and necessary in the context of the issues before Council.

I remain committed to respectful and constructive dialogue, and to learning from this experience to ensure that my future contributions continue to support a collegial and professional working environment.

Context Regarding the CAO's Hiring, Contract, and Related Complaints

It is also relevant to provide context regarding the Town's current CAO and my interactions with him since his appointment. The CAO was hired by the Mayor in August 2023 through the newly granted strong mayor powers. At the outset of his tenure, I met with him and expressed my disappointment with both the process used to terminate the outgoing CAO and the process by which he was hired. Shortly after his hiring, I sought access to his employment contract through several channels, including direct requests to staff, a motion to Council, and ultimately through a formal request under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). My efforts to obtain this contract were met with resistance, but I was ultimately successful. The contract contained certain benefits and terms that, in my experience and according to some in the municipal sector, are quite unusual and have attracted comment and surprise.

I recognize that these actions - taken in pursuit of transparency and accountability - may have caused frustration or embarrassment for both the CAO and the Mayor who exercised the strong mayor powers to make the appointment. I mention this not to impugn anyone's character or motives, but to provide the Integrity Commissioner with a full understanding of the governance context and recent history in Caledon, which may be relevant to the assessment of the current complaint and the dynamics at play.

Shortly after the CAO's hiring, in August 2023, I submitted a complaint to the Integrity Commissioner regarding the Mayor's conduct. While I cannot prove it, I observed that the Mayor's written response to my complaint appeared to have been prepared or heavily influenced by the newly hired CAO, whose distinctive writing style is recognizable in the document. Despite this, the response did not successfully defend the Mayor's actions. Following the

Integrity Commissioner's investigation, the Mayor was found to have breached the Code of Conduct on two counts and was penalized a month's pay.

Given this history, I am aware that some in the community will perceive the current complaint from the CAO as a possible attempt - perhaps in concert with the Mayor - to use the Integrity Commissioner's process in a retaliatory manner, in response to the earlier, substantiated complaint I brought forward. While I cannot speak to the motives of others, I believe it is important for you to be aware of this context and to consider the possibility of underlying political dynamics or the weaponization of the complaint process as part of the overall assessment.

Ongoing Professional Concerns and Related Complaints

It is also important to provide context regarding my ongoing professional relationship with the CAO. In the winter and spring of 2024, I expressed to both the CAO and the Mayor my desire to work together to improve our working relationship and clear up any misunderstandings. While the Mayor agreed to facilitate a meeting among us for this purpose, she never arranged for that meeting to take place.

My efforts to resolve these issues were prompted by the CAO's interactions with me, which were conducted primarily in writing, via email, and often used terminology that implied I was harassing him. Seeking a more constructive approach, I brought my concerns to the Mayor and requested her involvement in finding a way forward.

Despite my willingness to participate in a facilitated discussion, no such meeting occurred.
[PORTIONS REDACTED BY THE IC AS THEY CONTAIN CONFIDENTIAL INFORMATION THAT CANNOT BE PUBLICLY DISCLOSED AND WHICH ARE ALSO IRRELEVANT TO THE COMPLAINT]

Since his hiring nearly 23 months ago, I have had only one face-to-face meeting with him. I understand that other members of Council have also had quite limited direct or productive engagement with the CAO as well, which cannot be conducive to building the trust and collaborative relationships that support effective governance.

Observations Regarding Council-Staff Relations under the Current CAO

Since Mr. Hyde's appointment as CAO, I have observed that he has made little effort to engage equally with all members of Council. During breaks at Council meetings and at other municipal events, it has been evident that he is more familiar and engaged with certain members of Council - particularly those aligned with the Mayor - than with me and other councillors who often raise concerns or oppose the Mayor on contentious issues.

Additionally, unlike the previous CAO, who regularly brought her senior team together with members of Council to foster understanding and collaboration, Mr. Hyde has not initiated similar

team-building sessions or efforts to align Council and staff around shared objectives. I found those previous sessions to be very helpful in understanding staff perspectives and building a constructive working relationship.

Given that Mr. Hyde has raised multiple complaints about me, as outlined above, I believe it is relevant for the Integrity Commissioner to consider the overall approach to council-staff relations and workplace conflict resolution under his leadership. In my view, a more inclusive and team-oriented approach from the CAO could help address misunderstandings and reduce conflict, rather than escalating issues to the level of formal complaints.

Power Imbalance, Resource Constraints, and Lack of Informal Resolution

I also believe it is important to note that, as a ward councillor in the Town of Caledon, I serve in a part-time capacity and do not have access to professional staff, legal counsel, or HR resources to assist me in preparing responses to serious allegations such as these. By contrast, the CAO, as a full-time executive, has access to significant municipal resources, including legal and HR teams, should he choose to utilize them. This power and resource imbalance is a reality for many municipal councillors in Ontario, and I have done my utmost to respond thoroughly and professionally within these significant constraints.

I am increasingly concerned that the time and effort required to respond to repeated, overlapping, and highly formal complaints - particularly as a part-time councillor without staff support - risks detracting from my core responsibilities to my constituents and the broader public interest. While I cannot speak to Mr. Hyde's motives, the cumulative effect of these processes is to occupy a significant portion of my limited resources and time.

I again note that at no point did Mr. Hyde attempt to address his concerns with me informally or seek clarification about my comments before initiating this formal complaint process. This is contrary to the spirit of collegiality and best practices in municipal governance, which encourage informal resolution and direct communication wherever possible - especially given the clear power and resource imbalance between a part-time councillor and a full-time CAO.

Political Dynamics and Risk to Democratic Process

I also believe it is important to highlight the broader political environment in which these complaints are being made. Again, it is apparent that the CAO enjoys a more cordial and collaborative relationship with certain members of Council—particularly those aligned with the Mayor—while myself and a small number of colleagues who often raise concerns or oppose the Mayor's positions are treated differently. In subtle ways, the Mayor has made it clear who she would like to see return to Council next term, and I am concerned that by subjecting me to repeated, time-consuming complaint processes, she and the CAO may be seeking to deter me from running again or to diminish my effectiveness as a councillor. Whether or not this is their intent, the cumulative effect of these actions risks undermining the fairness and openness of our local democratic process. I raise this not as an accusation, but to ensure the Integrity

Commissioner is fully aware of the context and potential implications for council dynamics and public trust.

Response to Staff Interview Summaries (IC Email, June 5, 2025, 9:02 AM)

Thank you for providing the summary of your interviews with Ms. Zia and Mr. Lucic regarding the May 20 Council meeting and my comments.

Regarding Ms. Zia:

I acknowledge that I asked Ms. Zia questions during the meeting, specifically regarding the number of truckloads of fill required for the Shaw's Creek Road proposal. I wish to clarify that my questions were intended to seek clarity on an important operational detail, not to undermine her credibility or professionalism. I did express disappointment that, despite having raised this question at the May 13 meeting, no one had taken the time to provide an answer by May 20. However, I categorically deny that I "mocked" Ms. Zia's response. My intent was to ensure Council had the necessary information to make an informed decision, not to belittle or ridicule any staff member. The use of the word "mocked" is, in my view, a strong and inaccurate characterization of my conduct. I have always respected Ms. Zia's professional credentials and role, and I regret if my comments were perceived otherwise.

I also note Ms. Zia's concern that my comments suggested she or other staff would sacrifice public health and safety or their professional designations to appease political interests. I want to be clear that I made no such assertion, nor was it my intent to imply this. My remarks were directed at the systemic risks associated with the strong mayor environment, not at the integrity or professionalism of any individual staff member. I respect the expertise and objectivity that professional staff bring to their roles.

Regarding Mr. Lucic:

I do not recall directing any questions to Mr. Lucic during the May 20 meeting. His statements appear to be offered as general observations rather than as a direct participant in the exchange. While I appreciate his candor about his professional approach and experience, I would note that, as he himself acknowledged in his interview, he is aware that the Mayor has the power to unilaterally terminate his employment under strong mayor powers. This reporting relationship may reasonably affect the independence of his testimony. For the sake of fairness and to ensure a balanced investigation, I respectfully suggest that the Integrity Commissioner consider interviewing additional witnesses who are more independent of the CAO and the current staff structure.

General Comments on Staff Perceptions:

I am concerned that both staff members have interpreted my comments as personal criticisms, when my intent was to raise legitimate, sector-recognized concerns about the systemic and procedural risks associated with the strong mayor system. I did not intend to cast doubt on the professionalism or objectivity of Town staff, and I regret any perception to the contrary. I reiterate that my comments were focused on the governance environment and the need for robust procedural safeguards, not on the conduct or competence of individual staff members.

Response to IC Request for Verification of Caledon Citizen Quote (Email of June 6, 2025)

In your email dated June 6, 2025, you asked me to verify the accuracy of a quote attributed to me in the Caledon Citizen. I confirm that the quote is accurate. The statement I provided to the media is as follows:

"As a member of Council, I am concerned that, under the current Strong Mayor system, residents' voices about the Mayor's motion concerning the Shaw's Creek fill proposal are not being heard or fully appreciated, and that decision-making may be rushed or influenced by political priorities. The proposed timelines for producing the required professional reports on hauling and dumping thousands of truckloads of fill seem unrealistic, and I question whether Town staff will have the capacity to properly review these reports, even if they are produced on such short notice. And even if the Mayor's motion is approved and the fill operation proceeds, I remain skeptical that the Town has the enforcement resources to adequately monitor the quality of the fill or the conditions surrounding the operation, given the Town's enforcement staff's current workload. I urge Council to prioritize transparency and ensure that community interests and safeguards are not compromised."

This public statement is entirely consistent with the intent behind my comments at the May 20 Council meeting. My focus has always been on the systemic and procedural risks associated with the strong mayor system, the importance of transparency, and the need to ensure that community voices are heard and municipal safeguards are maintained. At no point in this quote—or in my remarks at Council—did I make personal allegations against staff or Council members. My concerns have always been directed at policy, process, and governance, not at individuals.

Response to the Mayor's Complaint

In light of the Mayor's recent complaint, I wish to again clarify that my comments at the May 20 Council meeting were not intended to accuse the Mayor of unethical conduct, nor were they meant to impugn her integrity or make disparaging remarks about her or any other Member of Council or staff. My remarks were focused on the systemic risks and governance challenges associated with the introduction of strong mayor powers, as recognized by sector experts and policy organizations. I have no evidence that the Mayor has directed staff to act inappropriately, and my intent was to highlight the importance of procedural safeguards in this new governance environment, not to allege misconduct by any individual. I remain committed to respectful debate, transparency, and upholding both the letter and spirit of the Code of Conduct.

Summary

In summary, my intent was to highlight the importance of procedural safeguards and to ensure Council remains mindful of the broader governance environment. As I have stated throughout this reply, my remarks were carefully framed to reflect the possibility of systemic pressures—not to assert or imply any actual misconduct by staff. I did not intend to cast aspersions on the objectivity or professionalism of Town staff, nor to impugn the integrity of the Mayor or any other Member of Council. Rather, I sought to articulate a legitimate concern about the systemic impacts of legislative changes on municipal governance, consistent with my obligations under the Code of Conduct and my commitment to transparency and good governance.