

Why Smiths Falls Needs New Administrative Leadership

A Documentary Review of Environmental Oversight and Accountability

Prepared by Nate Morris
Candidate for Mayor of Smiths Falls

INTRODUCTION

What the Records Show

Clean test results go into the normal Town system. But when testing shows serious contamination, the results can be diverted into a separate legal channel that keeps Town staff and the public from accessing them.

The records examined in this document support that conclusion.

In December 2024, soil testing found serious contamination, including lead and petroleum hydrocarbons at more than twice the applicable groundwater standard.

Instead of going to the Town staff who would normally receive environmental test results, the report went directly from the laboratory to the Town Solicitor and was treated as solicitor-client privileged.

Later testing that found no exceedances followed the normal process. Those results went directly to Public Works and were released through Freedom of Information. The Town does not need a separate reporting system to get legal advice. All test results can go to the appropriate Town staff first. If legal advice is needed, the Town can then send the results to its solicitor.

Sending the report directly from the laboratory to the Town Solicitor does something very different: it keeps the report from ever entering the normal Town system. That is exactly what happened here. The Director of Public Works later confirmed that he did not have the contamination report because it was being treated as solicitor-client privileged.

The consequences went further. The Ministry of the Environment did not receive the report for more than five months. When the Health Unit later asked about testing in the area, it received the later results showing no exceedances, but not the earlier contamination report. The contamination report was also withheld from the public through Freedom of Information.

The more fundamental issue is the system itself.

This separate route allows test results showing serious contamination to effectively disappear from the normal municipal record and then be hidden behind legal privilege.

The existence of this report became known only through Ministry records showing that additional testing had been ordered. That external paper trail ultimately revealed a report whose existence had not been clearly disclosed to the public.

Without the Ministry records, the public would have had no obvious way of knowing the contamination report existed.

That raises a larger concern.

This report came to light because records from another level of government pointed to its existence. Based on the Town's records alone, it is not possible to determine whether any other records may have been handled through a similar process.

The Director of Public Works is one of the Town's most senior officials. A system that keeps a contamination report from him cannot operate without senior authority. In this case, the report went through the Town Solicitor's office.

In my view, allowing such a system to develop or continue to operate at all is a fundamental violation of public trust.

The CAO is ultimately responsible for the administration of the municipality, including the systems used to handle information affecting public health and drinking-water safety.

If this is how the Town handles records showing serious contamination, I do not believe the same administrative leadership can continue to be trusted to oversee our water system. This is not simply a disagreement over one document or one decision. It is a question of whether residents can trust the people responsible for protecting them to deal openly and responsibly with evidence of contamination.

For me, the answer is no. The existence of this system is disqualifying, and it is why I believe Smiths Falls needs new administrative leadership.

TIMELINE OF KEY EVENTS

Key events summarized below. Supporting documents and further details are provided in the sections that follow.



NOVEMBER 14, 2024

MECP notified the Town of reported construction and demolition waste at the compost site and asked it to identify the contamination source and assess possible impacts.



NOVEMBER 18, 2024

An internal Town email stated that the construction and demolition waste had been removed from the second field.



NOVEMBER 21, 2024

The Town told the MECP it would investigate the elevated metals and provide the soil-testing results once received.



DECEMBER 30, 2024

Soil testing found serious contamination, including lead and petroleum hydrocarbons at more than twice the applicable groundwater standard, along with several PAHs. The report was addressed directly to the Town Solicitor.



APRIL 2025

Surface-water testing found no exceedances and was provided directly to the Director of Public Works.



MAY 2025

The Town asserted solicitor-client privilege over the December soil report identifying exceedances, while releasing the later surface-water results showing no exceedances.



JUNE 2025

The Director of Public Works stated that he did not have the December soil report because it was being treated as solicitor-client privileged. According to the MECP, it received the report on June 13, more than five months after the Town received it.



AUGUST 2025

The Health Unit asked about water sampling in the area of the compost site and was provided with the later surface-water results showing no exceedances. The earlier December soil report identifying exceedances was not provided at that time.

1. DIFFERENT REPORTING PATHS FOR CONTAMINATED VS. CLEAN RESULTS

Records show that environmental test results from the same municipal site followed two very different paths.

In December 2024, soil testing found serious contamination, including lead and petroleum hydrocarbons at more than twice the applicable groundwater standard. That report was addressed directly to the Town Solicitor. (Appendix 1)

In April 2025, later surface-water testing found no exceedances. That report was provided directly to the Director of Public Works. (Appendix 2)

The difference is important.

The report showing serious contamination went through the Town Solicitor and was treated as solicitor-client privileged. The later report showing no exceedances went through the normal Town process and was released through Freedom of Information.

As a result, the clean results were available to Town staff and the public, while the earlier contamination report was not.

The contamination report was not discovered through the Town's normal records. Its existence became apparent only after MECP records showed that additional testing had been ordered. When the results were then requested from the Town, the Town said the soil report was subject to solicitor-client privilege and would not be released. (Appendices 8–9) This is the central concern.

The Town had a separate reporting path that allowed test results showing serious contamination to bypass the normal municipal system and become hidden behind legal privilege.

Without the MECP records pointing to the missing test results, there would have been no clear public indication that the contamination report existed at all.

2. DIRECTOR OF PUBLIC WORKS DID NOT HAVE ACCESS TO THE CONTAMINATION REPORT

The Director of Public Works did not have access to the December 2024 report showing serious contamination.

In an email to St. Lawrence Testing and Inspection, he wrote:

“I don’t have that one as it’s under Solicitor Client privilege with Tony’s office.”

(Appendix 3)

The Director of Public Works is one of the Town’s most senior operational officials and is responsible for Public Works and the municipal drinking-water system.

Yet he did not have access to an environmental report showing contamination in an area connected to drinking-water protection.

That is a serious problem.

A system that keeps a contamination report from the senior official responsible for the water system is not functioning as it should.

It also shows that the report had been moved outside the normal operational process. The Director of Public Works could not access it because it was being treated as solicitor-client privileged.

The available records do not identify exactly who made that decision or who approved it. But they do show that the decision operated above or outside the authority of the Director of Public Works.

That means the mechanism could not operate without senior administrative and legal authority.

As the Town’s most senior administrative official, the CAO is ultimately responsible for ensuring that senior staff have the information they need to carry out their responsibilities.

3. DELAYED DISCLOSURE TO THE MECP

The Town committed in writing to provide the soil-testing results to the Ministry of the Environment, Conservation and Parks once they were received.

On November 21, 2024, the Town wrote:

“Once we are in receipt of the soil test results, I will provide them to you.”
(Appendix 4)

The Town received the report showing contamination on December 30, 2024. According to the MECP, it did not receive that report until June 13, 2025, more than five months later.

That delay is significant because the Ministry can only assess environmental risk using the information it has.

The available records do not explain why the report was not provided promptly, who was responsible for fulfilling the Town’s commitment, or when senior administrative leadership became aware that the Ministry had not received it.

A contamination report should not remain undisclosed to the environmental regulator for more than five months after the Town has promised to provide it.

4. INCOMPLETE ENVIRONMENTAL RECORD PROVIDED TO PUBLIC-HEALTH OFFICIALS

The Health Unit contacted the CAO directly and asked about water sampling in the area of the compost site.

In response, it was given the later surface-water testing showing no exceedances. The earlier soil report showing serious contamination was not provided.

That meant the Health Unit was assessing a potential environmental-health concern without having the complete testing record.

Because the request went directly to the CAO, this raises a clear question about administrative responsibility.

The available records do not explain whether the CAO knew about the contaminated-soil report when responding, why it was not provided, or whether the Health Unit understood that it was assessing the issue without the complete record.

Public-health officials should receive the full relevant testing record when they are assessing a potential risk. That did not happen here.

5. SOLICITOR-CLIENT PRIVILEGE & PUBLIC DISCLOSURE

The Town treated the December 2024 soil report showing serious contamination as solicitor-client privileged and refused to release it through Freedom of Information. At the same time, the later surface-water testing showing no exceedances was released publicly.

The result was simple: the clean results were available to the public, while the contamination report was not.

The contamination report only came to light because MECP records showed that additional testing had been ordered. When those results were then requested from the Town, the Town confirmed that the soil report existed but said it was privileged and would not be released.

Without the MECP records, there would have been no clear public indication that the contamination report existed at all.

This is the larger transparency problem.

A public-records system cannot work properly if factual environmental reports can be routed through legal counsel before entering the normal municipal record and then withheld behind solicitor-client privilege.

Legal advice can be privileged. But the underlying factual test results should not simply disappear from public view because they were sent through a lawyer.

The available records do not show how often this process has been used.

They do show that it was used here.

CONCLUSION

The records documented in this brief show more than a single administrative mistake. They show a system in which test results showing serious contamination can be diverted away from the normal Town process, routed through the Town Solicitor, and treated as solicitor-client privileged.

The consequences are clear. The Director of Public Works did not have the contamination report. The Ministry of the Environment did not receive it for more than five months. The Health Unit was later given the cleaner surface-water results without the earlier contamination report. The report was also withheld from the public through Freedom of Information.

But the most serious issue is not any one of those outcomes. It is that a system capable of producing them exists at all.

We know about this report only because Ministry records showed that additional testing had been ordered. Without that outside paper trail, there would have been no clear public indication that the contamination report existed.

That means residents cannot know from the Town's records alone whether this mechanism has been used only once or whether other records have been handled in the same way. The Director of Public Works is one of the Town's most senior officials. A system that keeps a significant contamination report from him cannot operate without senior authority.

The CAO is ultimately responsible for the administration of the municipality and for the systems used to handle information affecting public health and drinking-water safety. In my view, the creation or continued operation of a system that allows records showing serious contamination to bypass senior staff, disappear from the normal municipal record, and become hidden behind legal privilege is a fundamental violation of public trust.

This document does not claim that contaminated drinking water was delivered to residents. The issue is whether residents can trust the same administrative leadership to oversee our water system when this is how records showing serious contamination are handled. I do not believe they can.

That is why I believe Smiths Falls needs new administrative leadership.



**St. Lawrence Testing
& Inspection Co. Ltd.**

P.O. Box 997, Cornwall, ON, Canada K6H 5V1
814 Second Street W., Phone (613) 938-2521
E-mail: slt@ontarioeast.net Fax (613) 938-7395

December 30, 2024

Mr. Tony Fleming
Cunningham, Swan, Carty, Little & Bonham LLP.
Smith Robinson Building
27 Princess St. #300
Kingston, ON
K7L 1A3

**RE: Smiths Falls Compost Site, Smiths Falls, ON
Environmental Soil Assessment
Report No. 24C265**

Dear Mr. Fleming:

On December 12, 2024, 10 soil samples were collected by the undersigned environmental engineer from the Smiths Falls Compost site located in Smiths Falls, Ontario. The samples were to be tested for soil contamination.

Ten individual test pits (TP 1 to TP 10) were dug at locations provided to St. Lawrence Testing in advance of the work. At each test pit a composite soil sample was collected. The soil samples were identified as S1 to S10, respectively for laboratory purposes. The depths and soil characterization within each test pit is tabulated below.

Test Pit	Sample ID	Depth (m)	Soil Characterization
TP 1	S1	1.0	Topsoil, sand with gravel
TP 2	S2	1.0	Topsoil, sand

TP 3	S3	1.0	Topsoil, sand
TP 4	S4	1.2	Topsoil, sand with gravel
TP 5	S5	1.2	Brown sand with gravel
TP 6	S6	1.0	Topsoil, sand with gravel
TP 7	S7	1.2	Brown sand with gravel
TP 8	S8	1.4	Brown sand with gravel
TP 9	S9	1.2	Brown sand with gravel
TP 10	S10	1.1	Brown sand with gravel

The locations of the test pits are indicated on the attached satellite image.

An aliquot of each composite soil sample was placed into individually labeled, laboratory supplied jars/methanol vials for benzene, toluene, ethylbenzene, xylenes and F₁ to F₄ petroleum hydrocarbons (collectively referred to as PHCs), metals and inorganics analyses along with polycyclic aromatic hydrocarbons (PAH).

All samples were packaged on ice within a hard sided insulated cooler and submitted to Bureau Veritas in Mississauga, Ontario under a regular turnaround time for the results.

We received and reviewed the test results on December 30, 2024. As the soil was coarse in texture and originated from a commercial property near the Town of Smiths Falls water intake location, the results were compared with Ontario Regulation 153/04, Table 2 soil standards for a commercial property with coarse soil and potable groundwater (Table 2).

Upon review of the test results, only soil samples S2, S5, S8, S9 and S10 were found to meet the Table 2 standards for PHCs, metals and inorganics along with PAHs.

The following table lists the exceedances discovered in the remaining samples.

Sample ID	Location	Compound	Concentration	Table 2 Standard
S1	TP 1	F ₄ G petroleum hydrocarbons	5,700 µg/g	3,300 µg/g
S1	TP 1	Benzo(a)pyrene	0.36 µg/g	0.30 µg/g
S3	TP 3	Benzo(a)pyrene	0.64 µg/g	0.30 µg/g
S3	TP3	Dibenzo(a,h)anthracene	0.11 µg/g	0.10 µg/g
S4	TP 4	Lead	290 µg/g	120 µg/g
S4	TP 4	Benzo(a)pyrene	0.85 µg/g	0.30 µg/g
S4	TP 4	Benzo(b/j)fluoranthene	1.1 µg/g	0.96 µg/g
S4	TP 4	Dibenzo(a,h)anthracene	0.14 µg/g	0.10 µg/g
S6	TP 6	Benzo(a)pyrene	0.42 µg/g	0.30 µg/g
S7	TP 7	Methylnaphthalene 2-(1-)	0.13 µg/g	0.05 µg/g

A copy of the test results for the individual soil samples analysis is attached to this report.

It is the opinion of St. Lawrence Testing that the soil collected at the locations of TP 1, TP 3, TP 4, TP 6 and TP 7 from the Smiths Falls Compost site contain concentrations of PHCs and/or metals and/or PAHs that exceeded the Table 2 standards.

**St. Lawrence Testing
& Inspection Co. Ltd.**

Report No. 24C265
Continued

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STANDARD LIMITATIONS

The environmental investigation was carried out to address the intent of applicable provincial guidelines. Achieving the objectives stated in the report has required us to arrive at conclusions based upon the best information presently known to us. No investigative method can completely eliminate the possibility of obtaining partially imprecise or incomplete information; it can only reduce the possibility to an acceptable level. Professional judgment was exercised in gathering and analyzing the information obtained and in the formulation of the conclusions. Like all professional persons rendering advice we do not act as absolute insurers of the conclusions we reach, but we commit ourselves to care and competence in reaching those conclusions.

Our undertaking is to perform our work within the limits prescribed by our clients, with the usual thoroughness and competence of the engineering profession. It is intended that the outcome of this investigation assists in reducing the client's risks associated with environmental impairment; our work should not be considered "risk mitigation". No other warranty expressed or implied, is included or intended in this report.

The information presented in this report is based on a limited investigation designed to provide information to support an overall assessment of the current environmental conditions in the building on the subject property. The conclusions and recommendations presented in this report reflect existing site conditions within the scope of our investigation.

**St. Lawrence Testing
& Inspection Co. Ltd.**

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This report was prepared for the exclusive use of Cunningham, Swan, Carty, Little & Bonham LLP. as per the agreement and terms of reference between Cunningham, Swan, Carty, Little & Bonham LLP. and St. Lawrence Testing & Inspection Co. Ltd. Any use and interpretation of this report by any other party is entirely at their own risk.

Respectfully submitted,
ST. LAWRENCE TESTING & INSPECTION CO. LTD.



G.G. McIntee, P. Eng.
GGM:sr
Attachments





**St. Lawrence Testing
& Inspection Co. Ltd.**

P.O. Box 997, Cornwall, ON, Canada K6H 5V1
814 Second Street W., Phone (613) 938-2521
E-mail: gib@stlawrencetesting.com Fax (613) 938-7395

April 4, 2025

Mr. Paul McMunn
Town of Smiths Falls
77 Beckwith St. N. Box 695
Smiths Falls, ON
K7A 2B8

**RE: Smiths Falls Compost Site, Smiths Falls, ON
Creek Water Assessment
Report No. 25C050**

Dear Mr. McMunn:

On March 25, 2025, four surface water samples were collected by Ms. Vanessa Bernicky and the undersigned environmental engineer from a creek actively running near the Smiths Falls Compost site located in Smiths Falls, Ontario. The water samples were to be tested to determine the current status of creek water and be used as a baseline for any further sampling that may be necessary.

The water samples were identified as S1 to S4, respectively for laboratory purposes. The location of each water sample is found below.

Sample ID	Location
S1	North of culvert inside the compost site.
S2	South of culvert inside the compost site.
S3	North of brush pile inside compost site.
S4	Hwy 43 culvert upstream of the compost site.

Each water sample was placed into individual glass jars and sealed with no air space. There were no characteristic petroleum hydrocarbons sheen or malodours found in any of the 4 water samples. The water samples were then returned to the St. Lawrence Testing laboratory and stored at 4°C.

Each water sample was added into individually labeled, laboratory supplied vials/bottles for benzene, toluene, ethylbenzene, xylenes and F₁ to F₄ petroleum hydrocarbons (collectively referred to as PHCs), dissolved metals, chromium VI, mercury along with polycyclic aromatic hydrocarbons (PAH) analyses.

All samples were packaged on ice within a hard sided insulated cooler and submitted to Bureau Veritas in Mississauga, Ontario under a regular turnaround time for the results.

Results

We received and reviewed the test results on April 4, 2025. As the water samples were collected from a creek near the Town of Smiths Falls water intake location, the results were compared with Ontario Regulation 153/04,

Table 2 groundwater standards for all types of properties with coarse soil and potable groundwater (Table 2).

Upon review of the test results, no detectable concentrations of PHCs and PAHs, mercury or chromium VI were found in any of the collected samples. In addition, the concentrations of dissolved metals were found to meet the Table 2 groundwater standards.

A copy of the test results for the individual soil samples analysis is attached to this report.

Conclusion

It is the opinion of St. Lawrence Testing that the water samples collected from the creek traveling near the Town of Smiths Falls compost site meet Ontario Regulation 153/04 Table 2 groundwater standards for properties with potable groundwater. These results may be used as a baseline if any further creek water samples are required.

Standard Limitations

The environmental investigation was carried out to address the intent of applicable provincial guidelines. Achieving the objectives stated in the report has required us to arrive at conclusions based upon the best information presently known to us. No investigative method can completely eliminate the possibility of obtaining partially imprecise or incomplete information; it can only reduce the possibility to an acceptable level. Professional judgment was exercised in gathering and analyzing the information obtained and in the formulation of the conclusions. Like all professional persons rendering advice

**St. Lawrence Testing
& Inspection Co. Ltd.**

Report No. 25C050
Continued

Page 4

we do not act as absolute insurers of the conclusions we reach, but we commit ourselves to care and competence in reaching those conclusions.

Our undertaking is to perform our work within the limits prescribed by our clients, with the usual thoroughness and competence of the engineering profession. It is intended that the outcome of this investigation assists in reducing the client's risks associated with environmental impairment; our work should not be considered "risk mitigation". No other warranty expressed or implied, is included or intended in this report.

The information presented in this report is based on a limited investigation designed to provide information to support an overall assessment of the current environmental conditions in the building on the subject property. The conclusions and recommendations presented in this report reflect existing site conditions within the scope of our investigation.

This report was prepared for the exclusive use of the Town of Smiths Falls as per the agreement and terms of reference between the Town of Smiths Falls and St. Lawrence Testing & Inspection Co. Ltd. Any use and interpretation of this report by any other party is entirely at their own risk.

St. Lawrence Testing
& Inspection Co. Ltd.

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Respectfully submitted,

ST. LAWRENCE TESTING & INSPECTION CO. LTD.



G.G. McIntee, P. Eng.

GGM:sr

Attachments



From: Paul McMunn
Sent: June 4, 2025 4:27 PM
To: Paul McMunn; Gib McIntee; Vanessa Bernicky
Subject: Smiths Falls Compost Site - Work Plan
When: June 5, 2025 10:30 AM-11:30 AM (UTC-05:00) Eastern Time (US & Canada).
Where: Microsoft Teams Meeting

Gib,

Please have the report available for tomorrow's meeting that was done back in December 2024 with Vanessa. I don't have that one as it's under Solicitor/Client privilege with Tony's office. I understand from Vanessa that there were an additional 10 or so more soil samples collected from different locations. Some adjacent to the laneway coming into the site from Highway 43. We will need that information to marry up with the results of Report No. 24C049R (March 19, 2024) and 25C050 (April 4, 2025) which are both attached.
See you tomorrow (virtually) at 10:30am.

Paul

November 21, 2024

SENT VIA EMAIL ONLY

Ministry of Environment, Conservation and Parks
Ottawa District Office, Eastern Region
2430 Don Reid Drive
Unit 103
Ottawa, ON
K1H 1E1

ATTENTION: GREG DAVIS

RE: TOWN OF SMITHS FALLS – COMPOST SITE – DETAILED WORK PLAN

Dear Greg,

The Town has engaged St. Lawrence Testing & Inspection Co. Ltd. (SLT) to prepare a Work Plan for conducting soil sampling and testing adjacent to the creek and around the berms closest to the wetland. I will provide that Work Plan once prepared. I anticipate sampling and testing will be completed by the end of November 2024, or early December at the latest. In the interim, the following activities are underway;

- Public Works are removing and disposing of material that has been illegally dumped adjacent to the main entrance laneway by visitors to the site. This material is comprised mainly of landscaping stone remnants, renovation materials such as wood framing pieces, and other materials such as planter pots. This operation is conducted as a matter of routine.
- New signage has been installed at the main entrance this past summer advising visitors of the hours and days of operation and what is accepted at the site. New "No Dumping" signage is being installed adjacent to the main entrance laneway.
- A new lock has been installed on the main access gate and keys have been distributed to staff in Public Works, Community Services (Parks), and myself. This will ensure that only authorized staff have access to the site.

SLT will be assisting in identifying the source of the slightly elevated metals we discovered from previous soil testing. Once we are in receipt of the soil test results, I will provide them to you, along with SLT's recommendations. The Town is committed to working with the MECP to understand the soil characteristics on the compost site property. Trusting this is acceptable for now, however if you have any questions or require clarification, please let me know.

Kind regards,

Vanessa Bernicky

Vanessa Bernicky C.E.T.
Environmental Technologist
Town of Smiths Falls

cc: Paul McMunn, Director of Public Works & Utilities
Malcolm Morris, CAO

From: Nathaniel Morris <nate@nathaniel-morris.com>
Sent: Friday, August 8, 2025 11:12 AM
To: Nguyen, Michelle M. (MECP) <Michelle.M.Nguyen@ontario.ca>
Subject: Re: MECP FOI A-2025-03588 – Record Release

CAUTION – EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.

Hi Michelle,

Thank you again for all your help with this.

As I review the materials that were shared and referenced, I believe one document may have been missed. You mentioned that you have "a December 30, 2024 report detailing soil test pits at the site. This report was not previously received by MECP."

That report falls within the timeframe covered by the FOI requests but does not appear to have been included in the document disclosure. Could you please confirm whether it was omitted, and if so, whether it can be provided?

Thanks again for your assistance,
Nate

NM

Nguyen, Michelle M. (MECP) <Michelle.M.Nguyen@ontario.ca>

To: @Nathaniel Morris

Fri 8/8/2025 11:20 AM

You replied on Fri 8/8/2025 11:28 AM

Good afternoon Nathaniel,

As mentioned in my previous email, that report was only provided to our office on June 13, 2025 which is outside the scope of your request.

Regards,

Michelle Nguyen
Senior FOI Advisor, Access and Privacy Office
Corporate Services Branch
Ministry of the Environment, Conservation and Parks
www.ontario.ca/environment

From: McCann, Kim <Kim.McCann@healthunit.org>

Sent: August 7, 2025 7:55 AM

To: Malcolm Morris <mmorris@smithsfalls.ca>

Subject: water sampling around the compost site

Good Morning Malcolm. Earlier this spring you had mentioned that the Town was doing some water sampling in the area of the compost site. I was wondering if that did happen and if so, if you could share the results with us.

Kim McCann, BASc, CPHI (c)

Manager, Population Health - Community Health Protection Division

South East Health Unit *formerly*

Leeds, Grenville and Lanark District Health Unit

458 Laurier Blvd. Brockville, ON K6V 7A3

Phone: 613-345-5685, 1-800-660-5853

Fax: 613-345-7148

www.healthunit.org

From: Malcolm Morris <mmorris@smithsfalls.ca>
Sent: August 8, 2025 9:38 AM
To: McCann, Kim <Kim.McCann@healthunit.org>; Giselle Nayel <gnayel@smithsfalls.ca>
Cc: Paul McMunn <pmcmunn@smithsfalls.ca>
Subject: RE: water sampling around the compost site

Hi Kim – we collected and analyzed surface water samples in the Spring. I have copied Giselle to send the lab results to you next week as she is away today.

Happy Friday!

Malcolm Morris, CMO
Chief Administrative Officer
Town of Smiths Falls



SMITHS FALLS
RISE AT THE FALLS



SMITHS FALLS
RISE AT THE FALLS

May 7, 2025

Mr. Nathaniel Morris
22 Daniel Street
Smiths Falls, ON K7A 1J1

VIA EMAIL ONLY: Nate@Nathaniel-Morris.com

Dear Mr. Morris:

Re: File # 2025-FOI-008 (Soil Contamination in the Intake Protection Zone)

In response to the request for disclosure of information under the Freedom of Information Act. Please be advised that although a record exists, it is subject to solicitor client privilege and will not be disclosed.

You may request that this decision be reviewed by the Information and Privacy Commissioner, 2 Bloor Street East, Suite 1400, Toronto, Ontario, M4W 1A8. Please note that an appeal shall be made within thirty days after the notice of this decision was given by filing with the Commissioner written notice of appeal. The prescribed fee is \$25.00.

Please contact me if you have any questions.

Yours truly,

Kerry Costello
FOI Coordinator

RE: Freedom of Information Request 2025-FOI-008 Summarize this email

 Kerry Costello <kcostello@smithsfalls.ca>
To:  Nathaniel Morris

      

Thu 2025-05-22 3:36 PM

 You replied on Thu 2025-05-22 3:56 PM

[View conversation](#)

 DOC042525-0425202515555... 
979 KB

I attach a surface water report. The soils report is subject to privilege and will not be released. We do not a workplan that is responsive to your request.

Kerry Costello, Town Clerk
Town of Smiths Falls
77 Beckwith Street North
PO Box 695
Smiths Falls, Ontario K7A 2B8
Phone: (613) 283-4124 Ext. 1102
Cell: (613) 430-9034
Fax: (613) 283-4764
kcostello@smithsfalls.ca
www.smithsfalls.ca

Why Smiths Falls Needs New Administrative Leadership

A Documentary Review of Environmental
Oversight and Accountability

Prepared by Nate Morris
Candidate for Mayor of Smiths Falls