Strathroy-Caradoc Council Watch

Independent municipal research by John Farrugia

Who Watches the Watchers?

The town's contract for its Integrity Commissioner, Closed Meeting Investigator, Ombudsman and whistleblower contact

Publication details

Report: Who Watches the Watchers? - the contract for the Integrity Commissioner, Closed Meeting Investigator, municipal Ombudsman and whistleblower contact that ends December 31, 2026, how the town chose and used its watchdogs since 2019, and what the new Council must decide

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About this review

This is a resident-led, independent review of public records. It was not commissioned or endorsed by the Municipality of Strathroy-Caradoc or any other body, it is not an audit and gives no audit assurance, and it is not based on complete access to internal records.

Sources: Council minutes, agendas, staff reports and by-laws on eScribe; meeting video; the cheque listings attached to Council agendas; the town's budget and web pages; the province's official salary disclosure files; Ontario statutes; the Ontario Ombudsman's publications; and reports from neighbouring municipalities.

Video quotes come from machine transcripts: two independent sets that agree where both exist, and a single caption set for the Feb 22, 2022 changeover discussion and the Sep 15, 2025 Customer Service item. The Feb 7, 2022 attendance remarks and Councillor Hipple's Feb 22 remark were also run through a second, independent machine transcript, which agrees with the captions. None was checked by ear. Document creation dates come from the PDF files' own properties, not an official publication record. Payment totals were added up from the cheque listings, by payee name for the law-firm totals; the listings give a short description, not what each payment bought. Ontario Land Tribunal decisions name lawyers but not their firms, so firm links come from the firms' own websites.

Questions were sent to the Clerk on November 1, 2026; answers will be added to this report as dated updates. It also uses the town's 2022 emails to Queen Street residents, copies of which a resident supplied. Formal access requests sent to the town on October 25, 2026 are still pending. Where only the town can answer, the report says so.

Research and drafting were done with the help of an AI tool (Claude, by Anthropic), working from the sources listed. I chose the topics, reviewed the text, and am responsible for the published content.

This is a summary of public records, not legal advice or an audit. Section 2 lists questions the record leaves open. None is shown to break any rule, and each comes with a possible innocent explanation. Council Watch doesn't know which explanation is true. How each member voted is given only where the minutes record it. Findings reflect information available through October 31, 2026 (Council minutes posted to October 5, 2026; agendas to November 5, 2026; payment listings to September 24, 2026). If you find an error, please send the source and it will be corrected; changes are listed under 'Updates and corrections' at the end.

In short

- Strathroy-Caradoc pays one Toronto law firm, Aird & Berlis LLP, to act as four of its watchdogs: Integrity Commissioner, Closed Meeting Investigator, municipal Ombudsman and whistleblower contact. The contract ends December 31, 2026, about six weeks after the new Council takes office. In 2025 staff said a call for bids 'will be proposed for the new term of Council'. By October 31, 2026 none had been posted, and no Council agenda up to November 5 mentions one. The new Council has only one regular meeting scheduled before the contract ends, on December 7. [1, 2, 3, 4]
- The law requires only one of the four roles: the Integrity Commissioner. If the town names no Closed Meeting Investigator or Ombudsman, the Ontario Ombudsman does that work for free. [5, 6, 7]
- On September 15, 2025, Councillor Derbyshire asked whether the Ontario Ombudsman could take two of the roles, instead of one firm doing all four. The Clerk said she would look into it. No answer has come back to Council in the public record. [8, 9]
- The firm charges by the hour ($425 to $920 an hour in 2025). From January 2024 to September 2026 the town paid it $70,672.95 in 16 payments. Only $7,018.32 of that is labelled Integrity Commissioner work; the rest is labelled legal or professional services. That is less than 6% of the $1.25 million the town spent on lawyers in the same period. Most of the town's legal work goes to other firms and to the Middlesex County Solicitor's office. [3, 10]
- The firm has also done other work for the town. It rewrote the Code of Conduct in 2023 and reviewed the Procedure By-law in 2025. Separately, since 2024 two of its planning lawyers have acted for a developer who is appealing the town's new Official Plan; the firm's standard terms allow this. The Ontario Ombudsman advises that an Integrity Commissioner should not also be the town's lawyer. No law forbids it, and the firm says it checks for conflicts. But nothing in the public record shows how the firm keeps its watchdog work separate from its other work for the town. Section 1 sets out the questions and what the record answers. [3, 11, 12, 13, 14]
- A companion Council Watch report, 'Three CAOs, One Term' (the town's senior staff changes), will be published on November 4, 2026, and a note on consultants is in progress.

Words used in this report

Term	What it means here
Integrity Commissioner	Looks into complaints that a council member broke the Code of Conduct, and gives members private advice on ethics and conflicts of interest.
Closed Meeting Investigator	Looks into complaints that Council met in private when the law didn't allow it.
Municipal Ombudsman	Looks into complaints about how the town's staff and services treated someone.
Ontario Ombudsman	The province's independent watchdog. It does closed meeting and ombudsman work for free for any town that doesn't name its own.
Whistleblower contact	An outside place where town staff can report wrongdoing.
Code of Conduct	The town's rules for how council members must behave.
Procedure By-law	The town's rules for how Council meetings are run.
CAO	Chief Administrative Officer, the town's top employee.
By-law and resolution	A by-law is a formal town law. A resolution is a decision Council makes by vote.
Retainer	The letter setting out the firm's fees and terms of work.
Tender, or Request for Proposals	A public call for companies to bid for a contract.
Ontario Land Tribunal	The provincial body that hears appeals of planning decisions.
Payment listings	The lists of town payments attached to Council agendas.
Machine captions	Text made automatically by computer from meeting video. They can contain errors and were not checked by ear.
Possible innocent explanation	A reasonable, harmless reason that could explain something that looks odd. This report gives one for every open question. It is not a finding: Council Watch doesn't know whether it is the true reason. It is there so a gap in the record isn't read as proof of wrongdoing.

1. The oversight contract

What the four roles do

- Integrity Commissioner: looks into complaints that a council member broke the Code of Conduct, and gives members advice on ethics and conflicts of interest. Every Ontario town must have one, or use another town's (Municipal Act, s.223.3(1.1)). [5]
- Closed Meeting Investigator: looks into complaints that Council met behind closed doors when the law didn't allow it. Optional. If a town names none, the Ontario Ombudsman investigates (s.239.1(b)). [5]
- Municipal Ombudsman: looks into complaints about how the town's staff and services treated someone. Optional (s.223.13). If a town names none, the Ontario Ombudsman covers it. [5, 6]
- Whistleblower contact (called the 'Independent Delegated Authority'): an outside place for staff to report wrongdoing, under the Whistleblower Policy Council adopted on August 5, 2025. [15, 16]

How the town got here

Date	What happened	Source
Sep 3, 2019	Paul Martin named Municipal Integrity Commissioner	[17]
Feb 22, 2022	Independent Resolutions Inc. (Mark McDonald) appointed Integrity Commissioner, Closed Meeting Investigator and Ombudsman (By-law 11-22), at $150 an hour. The same vote ended Paul Martin's appointment. The CAO told Council he had tried to reach Mr. Martin without success, and that until then the town had relied on the Ontario Ombudsman as its ombudsman (machine captions)	[18, 19, 20, 21]
Jun 2022	Independent Resolutions' owner gave notice that he would retire on Sep 30, 2022	[22]
Aug 18-31, 2022	The town called for bids (RFP 2022122). Three firms bid: ADR Chambers, Aird & Berlis and Boghosian + Allen	[2]
Sep 19, 2022	Aird & Berlis 'scored the highest' on five measures (price counted for 20%). Council appointed it from Oct 1, 2022, by resolution (moved Councillor Pelkman, seconded Councillor Brennan, carried)	[22, 23]
Dec 19, 2022	By-law 81-22 named the firm in all three roles to Nov 14, 2026	[24]
Sep 2024	The firm's two-year contract ran out and 'was not renegotiated'. It kept working under the by-law	[1]
Sep 15, 2025	Council appointed the firm to all four roles, adding the new whistleblower role, to Dec 31, 2026, without calling for bids (moved Deputy Mayor McGuire, seconded Councillor Brennan, carried; By-law 104-25 passed later that meeting)	[1, 25, 26]

Votes: none of these decisions was a recorded vote, so the minutes don't show how each member voted.

The 2022 scores and prices are not public. The CAO's report and the Sep 19, 2022 meeting give only the five measures, the 20% weight on price, and that Aird & Berlis 'scored the highest'. No member asked for the scores. The bid documents can only be seen by registered bidders. The public bid page shows that three firms took the documents and all three bid. It shows no results ('--') and no award. The call for bids also asked whether the proposals could be used by Middlesex Centre and Thames Centre. The CAO's report doesn't mention the free Ontario Ombudsman option, and it says the town is 'required' to fill all three roles. At the meeting the CAO said the Ontario Ombudsman handles complaints where a town names no ombudsman of its own. No member asked about using it instead (machine captions). [2, 22, 23, 27]

The 2022 changeover and the first requests it received

The switch to Independent Resolutions happened while residents of Queen Street in Mount Brydges were asking for a closed meeting investigation. Their main concern was the $17,500 sewer connection charge, which Council chose on Dec 20, 2021 and passed on Feb 7, 2022. The town's emails to those residents, supplied to this review, and the public record show the following. [28, 29, 30]

- Feb 15, 2022: the CAO/Clerk confirmed the town had received the requests. He said the town's investigator, Paul Martin, was 'currently unavailable', and that a new investigator would be appointed on Feb 22. After that, he said, the residents would hear from 'Local Area Services/Aird & Berlis LLP'. (Local Authority Services, or LAS, is the business arm of the Association of Municipalities of Ontario. It runs a closed meeting investigator program for towns that join, and

Aird & Berlis has been its investigator since 2020. No public record shows Strathroy-Caradoc ever joined. Old copies of the Ontario Ombudsman's directory list the town's investigator as John Mackey (copies up to January 2020), Paul Martin (June 2020 to January 2022), then Independent Resolutions and Aird & Berlis, and never LAS.) A week later Council appointed Independent Resolutions instead. The CAO's report recommending it (CAO-2022-07) was created on Feb 16, 2022, the day after that email, according to the file's own properties. Its only reason is that 'On February 14, 2022, staff attempted unsuccessfully to reach' Mr. Martin and that 'contact with Mr. Martin had still not been made'. It doesn't mention Local Area Services, Aird & Berlis or the residents' waiting requests. In Council the CAO said Independent Resolutions was available through a Middlesex County agreement at what he called a very reasonable cost (machine captions). [18, 19, 21, 30, 31, 32]

- Feb 23, 2022, the day after the appointment: the reply came from the CAO/Clerk, written 'at the direction of' the new investigator, who was copied. It said the requests were 'incomplete' because they named no closed meeting. (A closed meeting investigation only covers meetings the public is shut out of.) The CAO/Clerk then answered the residents' eight concerns himself. Among other things, he said the sewer matter 'has not been discussed during any Closed Meeting'. [30]
- The town's procedure then on its website (By-law 86-07) set out these steps: the Clerk forwards each sealed request to the investigator; the investigator confirms receipt in writing within ten days; and if a request is incomplete, the investigator returns it with the reasons and 'specific instructions' for completing it. The person then has at least 30 days to send it again. The emails supplied show the confirmation and the decision coming from the CAO/Clerk, not the investigator, with no instructions for sending it again. [30, 33]
- The agreement with Independent Resolutions, which Council approved the same night, set its own process. Every closed meeting request 'shall ... Be directed to the Independent Investigator'. If anyone else at the town receives one, the CAO or Clerk 'shall provide the requesting party with the contact information of the Independent Investigator so that the requesting party may make the request directly'. The investigator is to act 'impartially and independently of the Municipality'. When a complaint has no merit, the investigator is to 'prepare a report confirming the non-meritorious nature' of it, and these reports 'shall be part of the public record'. No report from the investigator on the residents' requests appears in Council minutes or agendas. The agreement and By-law 86-07 also describe different routes (straight to the investigator, or through the Clerk), and the new by-law (11-22) did not cancel the old one (86-07). [20, 33, 34, 35]
- One of the residents' concerns was that agendas went up too late. The CAO/Clerk replied that since he became Clerk in August 2018 the agenda 'has consistently been posted in accord with the Council Procedure By-law'. But the town's records show one sewer report that was not posted with an agenda at all. The first Queen Street sewer report (EPW 19-022) was 'added to the agenda' at the Oct 7, 2019 meeting, when he was Clerk. The town's meeting page for that night, as saved in December 2019, lists the agenda, every other report and the minutes, but not that report. The staff report he approved on Feb 22, 2022 said all the sewer reports had been 'on the Council Agenda and posted to the website five days before', and gave that meeting's date as Oct 17, 2019. Possible innocent explanation: the Procedure By-law allows items to be added after an agenda is published, including 'As directed by the CAO, Clerk or the Mayor', and that 2019 report put off the connection charge rather than setting it. [30, 36, 37, 38, 39]
- The approved minutes of Feb 7, 2022, when Council passed the $17,500 charge, list all nine members as present and no one as absent. The meeting video shows otherwise. The Mayor

opened by saying 'we have two Councillors that are absent with notice, Councillor Baker and Councillor Hipple'. Later she chaired the Community Services section herself, saying Councillor Baker 'is the chair, but I will chair it'. At the next meeting, on Feb 22, Councillor Hipple said 'I apologize as I wasn't here for our last meeting'. Neither is recorded as moving or seconding anything on Feb 7. The Feb 22 minutes, in the same format, do have an 'Absent with Notice' list, and they approved the Feb 7 minutes 'as written'. The minutes are the official record, but on attendance they are contradicted by the Mayor's own words and by Councillor Hipple. Possible innocent explanation: a clerical slip, such as a standard attendance list that wasn't updated. It doesn't change any result: every motion that night carried, and seven members is well above the number needed to hold a meeting. [18, 21, 29, 40]

- The residents were also in touch with the Ontario Ombudsman's office. Its automatic reply shows a complaint was received on Feb 8, 2022; the reply doesn't say what the complaint was about. On Mar 16, 2022 the office offered to contact the town once it had their unanswered letters to the CAO/Clerk. The emails supplied end on Mar 17 and don't show what happened next. Council held a public input session on the sewer charge on Mar 21, 2022, where more than a dozen residents spoke. [30, 41]

Possible innocent explanation: the legal point in the Feb 23 reply is sound. The residents' concerns were about how open meetings were run (agendas, Zoom access, the chance to speak), which a closed meeting investigator doesn't review. Sending the new investigator's decision through the Clerk may simply have been the quickest way to answer. Still, the people complaining about the town's meeting practices got the investigator's decision, and the answers to their complaints, from the official in charge of those practices.

What the firm has done for the town

Its public reports to Council:

- As Ombudsman, 2023: dismissed a complaint about sewer connection charges (report to Council Sep 5, 2023). [42]
- As Closed Meeting Investigator, 2024: found no breach at a March 11, 2024 special meeting (report 2024-01, to Council Aug 12, 2024). [43]
- As Integrity Commissioner, 2025: found Councillor Willsie did not break the Code of Conduct (complaint 2024-02, report Jan 28, 2025); no penalty. [44]
- Private advice to members, which is normal for an Integrity Commissioner: at the Oct 15, 2024 Finance Committee the Mayor said that, 'through the advice of the integrity commissioner', he would declare a conflict whenever firefighter pay came up. On Apr 28, 2025 a member passed on 'a written opinion from the integrity commissioner' about board members' financial interests (machine captions). Neither opinion is public. [45, 46]
- A training session that isn't shown to have happened: on Jul 17, 2023 Council voted to 'arrange a refresher session with John Mascarin, Aird & Berlis LLP on pecuniary interest' (that is, members' own financial interests). It was moved by Councillor Derbyshire, seconded by Deputy Mayor McGuire, and carried. The July 2025 list of unfinished Council motions showed it as 'Incomplete'. On Jul 7, 2025 Council took it off the list (moved Councillor Derbyshire, seconded Councillor Pelkman, carried). Nothing in the record shows the session was held. Possible innocent explanation: members may have used individual advice instead, and that night Council cleared several old items from the list. [47, 48, 49]

- No activity reports. The town's web page says the Integrity Commissioner will 'Provide reports to Council, summarizing activities'. But no yearly or activity report from any of the three offices appears in Council minutes or agendas from 2020 to September 2026. Neither the Code nor the 2025 retainer requires one. Where a complaint is not upheld, the Commissioner 'is not obligated to report to Council', but may include it 'as part of an annual or other periodic report'. Thames Centre's contract with the same firm included yearly reports. So the public can't tell how many complaints or requests the town's offices received and turned down. [3, 9, 50, 51, 52]
- The Ontario Ombudsman's yearly reports list a few cases (complaints and questions) about Strathroy-Caradoc in each of the four years since the town named its own ombudsman: 4, 3, 2 and 4 in the years to March 2023, 2024, 2025 and 2026. [53, 54]

What it costs

- The 2025 retainer: no monthly fee for being on call; hourly rates from $425 to $920 (the lead partner's rate), plus expenses. Staff said fees are charged only when the firm has to act in one of its roles, as the 2022 report also said: 'Fees are not incurred unless it is necessary for Aird and Berlis to engage in one of the three areas associated with this appointment.' The retainer says invoice totals 'may be publicly disclosed'. [1, 3, 22]

Year	Paid to Aird & Berlis	Of which labelled Integrity Commissioner
2024	$22,241.80	$4,594.58 (Sep 12, 2024)
2025	$39,716.59	$2,423.74 (Jan 9, 2025)
2026 (to Sep 24)	$8,714.56	-
Total, 16 payments	$70,672.95	$7,018.32

The other payments are labelled legal or professional services, so they can't be matched to the watchdog roles. The two largest, $13,987.15 (Mar 20, 2025, 'Legal Expense') and $14,249.87 (Nov 27, 2025, 'Professional Services'), don't say what they were for. [10]

- Before 2024. The town published no payment listings until Council asked for them on Jun 10, 2024, and the first one starts on Jan 2, 2024. So no public record shows what the firm was paid from October 2022 to December 2023. The only figures are from the budget account: $1,840 spent in 2022 (budget $4,000) and $26,414 in 2023 (budget $6,000). That account doesn't match what the firm was actually paid in later years (in 2024 the account shows $15,237, but the firm was paid $22,241.80), so it can't stand in for the payments. Possible innocent explanation: other legal work is charged to a different account (Legal Fees), and budget accounts record when work was done, not when cheques went out. [10, 55, 56, 57]
- All legal spending, January 2024 to September 24, 2026: $1,250,499.47 to law firms and to Middlesex County for legal services. Aird & Berlis's $70,672.95 is 5.7% of that, sixth of 16. The largest were Lerners LLP ($347,215.30), Gowling WLG ($281,269.41), Middlesex County ($172,812.02) and Siskinds LLP ($139,354.01). [10]
- The budget account for these roles, 'Legislative Services - Integrity Commissioner': budget $25,750 in 2024 (spent $15,237), $26,523 in 2025 ($5,169 spent to September) and $27,318 for 2026. The account is not split by role, and no public document gives the cost of each role. [58]
- For comparison: Thames Centre, which hired the same firm in 2022, reported spending $9,758.12 over its whole contract. That covered its Integrity Commissioner and closed meeting investigator

only, including training, one unfounded complaint, Council questions and yearly reports. Costs published elsewhere: Whitby's 2024 closed meeting investigation, through the LAS program, cost $13,276.37, and Whitby's staff noted that the Ontario Ombudsman costs nothing. In Niagara-on-the-Lake, two Code of Conduct complaints that went all the way through in 2019-20 cost an average of $12,580 each. [52, 59, 60]

The question Council asked, and the answer it hasn't had

On September 15, 2025, Councillor Derbyshire asked: 'does the province not have an Ontario Ombudsman and a close meeting investigator that we can use as opposed to the same people for all four of these things?' He said he had heard that if the town has its own, the province won't provide the service, and that it meant 'all our eggs in one basket'. He suggested putting off the decision. The Clerk said: 'I can definitely look into that further and find out more info for you.' His suggestion was not put to a vote, and the motion carried. [8, 26]

Later that night, as the by-laws were read, Councillor Willsie said 'we can't pass 104-25. That's about the ombudsman, and we're gonna look into provincial options for that'. The Clerk replied that the motion had already been approved, and the by-laws passed. The speaker isn't named in the transcript or seen on camera; Council Watch identified Councillor Willsie by comparing the voice with recordings of each member from this and three other meetings, using speaker-recognition software. The Clerk's reply was identified by listening; it is too short for a reliable computer match. [8, 61]

What the councillor heard is mostly right. Where a town has its own ombudsman, the Ontario Ombudsman generally steps in only after the local one has finished with or refused a matter, though it can always investigate on its own (Ombudsman Act s.14(4.3)-(4.5)). Where a town names its own closed meeting investigator, closed meeting complaints go to that investigator, not the province. [6]

No report back to Council on the provincial option appears in the minutes, agendas or meeting captions from September 16, 2025 to October 2026. [9]

What other Middlesex County municipalities do

- The Ontario Ombudsman is the closed meeting investigator for Southwest Middlesex, Lucan Biddulph and Newbury. It does this job for 282 of Ontario's 444 municipalities, at no charge. [7, 53, 62]
- Aird & Berlis is the Integrity Commissioner for Middlesex County and for six of its seven other member municipalities (Newbury's could not be confirmed). Middlesex County is the only neighbour that names its own municipal ombudsman. [63, 64]

One firm in every role: the independence question

Aird & Berlis is the town's Integrity Commissioner, Closed Meeting Investigator, Ombudsman and whistleblower contact, and it has done some other legal work for the town too. Readers have asked whether one firm should hold all of these jobs. Here is what the rules say.

- The law. The Municipal Act says each of these officers must work 'in an independent manner', and tells Council to consider the officer's 'independence and impartiality' (ss.223.3(1), 223.13(5), 239.2(5)). It doesn't stop the officer from doing other paid work for the town. [5]
- A limit on the Ombudsman. The law says a municipal Ombudsman can't investigate anything done by 'any person acting as legal adviser to the municipality' (Municipal Act s.223.13(7)(b)). The

Ontario Ombudsman has the same limit (Ombudsman Act s.14(4)(b)), so this limit would apply whoever held the job. What is different here is that Aird & Berlis is the town's Ombudsman and has also been, at times, its legal adviser. Suppose someone complains about something the town did on the firm's advice. As Ombudsman, the firm can look at what staff and Council did, but not at the advice behind it, and that advice is its own. The firm also decides for itself where that line falls, and no one else checks it. This is a question of how independent the role looks. It has not come up in any public record. The firm's only Ombudsman report, in 2023, was about the $17,500 sewer charge; no public record shows the firm advised on that charge, and the report said the office 'cannot provide a legal opinion on the legality of the fee'. [5, 6, 42]

- What the Ontario Ombudsman advises. Its guide for municipalities says an integrity commissioner 'should be prevented from taking on other roles or responsibilities for the municipality', including 'acting as legal counsel', and that combining roles 'should be avoided'. Put simply (Council Watch's summary, not the guide's words), the concerns are that a commissioner who advised the town on a rule may later have to judge a complaint about it; a lawyer works for the client, while a commissioner must be neutral, including toward the people it advises; a firm that earns other fees from the town may seem unwilling to rule against the people who hand out that work; and the public may trust the system less. In January 2025 the Ombudsman told four Ontario towns that one official moving between legal adviser to Council and integrity commissioner 'decreases the public's confidence'. [11, 65]
- What the province did. The Ontario Ombudsman asked the Legislature to bar anyone who has recently done legal work for a town from being its integrity commissioner. The Municipal Accountability Act, 2026 (passed June 2, 2026) did not add that ban. Instead, a town will be able to ask a new provincial Integrity Commissioner for advice on whether a candidate is independent, 'including whether the person has a conflict of interest'. So the Ombudsman's advice is good practice, not law. [66, 67]
- Lawyers' rules and the courts. The Law Society's rules require lawyers to avoid conflicts and let a firm keep its lawyers apart from one another on different files, but they are written to protect clients. None speaks directly to a firm investigating its own client. No court decision on this kind of arrangement was found. One court has said an integrity commissioner's job is 'investigative, not adjudicative' (it investigates rather than judges), and that the test is whether the investigator 'maintained an open mind'. That is hard to disprove. [68, 69]
- It is common. Aird & Berlis is Integrity Commissioner for Middlesex County and six of its seven other member municipalities. In Eastern Ontario one lawyer is both town lawyer and integrity commissioner for about 20 towns; a reeve there called it 'not an uncommon arrangement at all'. [63, 70]

How much other legal work the firm does for the town:

- Not much, on the record. The town has no lawyer on staff. Its Director of Legal and Legislative Services is also the Clerk, and the 2025 job posting asks for public-administration education and Clerk experience, not a law degree. The town's legal work goes to outside lawyers. The Middlesex County Solicitor's office is the most visible: since 2021 Council has had it represent the town at the Ontario Land Tribunal, and its lawyer signed a 2023 opinion as 'Strathroy-Caradoc legal counsel'. Lawsuits go to other firms. For example, a Lerners LLP partner attended the closed session on the Adelaide Metcalfe dispute in January 2024, and acted for the town at the Court of Appeal in 2025. The firm's other work on the record is about the town's own rules (the Code of Conduct in 2023

and the Procedure By-law in 2025). No Aird & Berlis lawyer is listed as present at any Council meeting from 2022 to 2026. The firm received less than 6% of the town's legal spending (see 'What it costs'). [9, 10, 12, 13, 71, 72, 73, 74, 75]

Four questions, and what the record answers:

- Is the firm's watchdog work kept separate from its other work for the town? Partly answered. Before each investigation the firm 'conducts a thorough legal conflict search'. Its 2025 retainer says that if a matter comes up 'in which our firm has been or is involved in' and it must investigate, 'we will recuse ourselves' (step aside). The same letter names one partner as the main contact for all four roles, and adds: 'In all respects, I remain the main contact for any legal services for the Municipality.' Its seven lawyers are listed together, not by type of work. No public document describes a wall between the watchdog team and the lawyers who advise the town. Unanswered: whether such a wall exists. [3, 43]
- Has the firm judged something it had advised on? One overlap is on the record. In 2023 the CAO had the town's Integrity Commissioner review the Code of Conduct. The staff report says 'It was John Mascarin, Partner at Aird & Berlis who reviewed the current Code of Conduct', and the CAO told Council that Mr. Mascarin 'basically rewrote' it (machine captions). Council also had the Middlesex County Solicitor review the draft, and adopted it as By-law 58-23 on Oct 3, 2023. In January 2025 the firm, as Integrity Commissioner, applied that Code to complaint 2024-02 and found no breach. Its report doesn't mention the firm's part in writing the Code. In 2025 the firm also reviewed the new Procedure By-law, which a closed meeting investigator applies; no investigation under it has been reported. No public sign was found that the firm advised the town on the subjects of its 2023 Ombudsman report or its 2024 closed meeting report. Possible innocent explanation: staff described the Code review as Integrity Commissioner work, many commissioners review the codes they enforce, and writing a rule is not the same as advising on the facts of a complaint. [12, 13, 42, 43, 44, 73, 76, 77]
- Does the firm act for anyone against the town? Yes, in one case found. Since at least April 2024, two lawyers in the firm's planning group, Peter Van Loan and Matthew Helfand (both now partners; Mr. Helfand since 2025), have acted for Sifton Properties Limited. Sifton is appealing the town's new Official Plan (OPA 14) at the Ontario Land Tribunal. Middlesex County's lawyers act for the town and the County, and the case is still open. The Tribunal's decisions name the lawyers but not their firm; the firm's website lists both in its Municipal, Land Use Planning & Development Group. The appeal was under way when Council reappointed the firm in September 2025, and the staff report recommending that doesn't mention it. The firm's standard terms, attached to the 2025 retainer, allow it to act against the town 'so long as we have not been engaged by you on the specific matter', and add: 'Where we are permitted to do so, we will advise you of such issues when they arise.' The record doesn't show whether the town was told, or whether the planning lawyers are kept apart from the watchdog team. No other case was found where the firm acted for anyone in a Strathroy-Caradoc matter before Council, the Tribunal or the courts. Possible innocent explanation: large firms often act against towns they serve in other ways; a planning appeal is not part of the watchdog roles; the terms were part of the retainer Council approved; and the two sides have narrowed the appeal by agreement. [1, 3, 9, 14, 78, 79, 80, 81, 82, 83]
- Will the next call for bids separate the roles? Unanswered. The 2025 staff report says only that a call for bids 'will be proposed for the new term of Council'. When Council set up the whistleblower role in February 2025, members discussed 'selecting a third-party investigator other than the

current firm which already provides the Municipality its Integrity Commissioner and Closed Meeting Investigator services'. In September 2025 the firm was given that role too. Councillor Derbyshire's question about the Ontario Ombudsman, the same month, has had no answer in the public record. [1, 8, 9, 26, 84]

Readers can weigh this for themselves. On one side, no rule is shown to be broken: the law allows the arrangement, it is common, the firm says it checks for conflicts, and its other work for the town is small and occasional. On the other side, the province's Ombudsman says an integrity commissioner should not also be the town's lawyer; the firm helped write a Code it later enforced; two of its lawyers are acting against the town in a planning appeal; and the safeguards that would show its independence aren't public. The new Council could settle much of this by asking the firm to describe how it keeps its teams apart and whether it told the town about the appeal; by publishing invoice totals for each role (the retainer says totals 'may be publicly disclosed'); and by answering the 2025 question about the Ontario Ombudsman.

2. Questions the record leaves open

These are points where the public record doesn't match a rule or leaves a gap. None is shown to break a rule. Each comes with a possible innocent explanation: Council Watch doesn't know whether it is the true one. It is there because a gap in the record is not proof that anyone did wrong.

1. Appointed by resolution, not by-law, Oct 1 - Dec 19, 2022

The Municipal Act says a town's powers 'shall be exercised by by-law' (s.5(3)). Aird & Berlis was appointed by resolution on Sep 19, 2022, and first named in a by-law on Dec 19, 2022. No by-law confirming that meeting's decisions was passed either. In fact the minutes show no such confirming by-law at any Council meeting from 2020 until June 19, 2023, although the Procedure By-law then said every meeting 'shall be confirmed by by-law'. Possible innocent explanation: Council's intent was clear from its resolution, the by-law followed within three months, and nothing the firm handled in those weeks was found. (By-law 11-22, which named the previous firm, stayed in force until 2025, but it did not name Aird & Berlis.) [5, 23, 24, 85]

2. The town's web page overstates the law

It says the Municipal Act 'requires' a closed meeting investigator. The Act only allows one. The 2022 staff report said the same. By-laws 11-22 and 104-25 use the correct word ('authorizes'). Possible innocent explanation: loose wording; the town has in fact appointed one, so nothing turns on it. [5, 22, 25, 34, 50]

3. The yearly report on closed-session items released to the public

The Procedure By-law says the Clerk 'shall prepare an Annual Report of all Closed Session items approved for public release' and post it on the town website. None was found on the town website, in old saved copies of its web pages, or in eScribe. On November 3, 2025, Councillor Willsie asked about it. The Clerk replied that it is 'not something that I have ever seen in practice since I've been here', and that the Clerk would look into it (machine captions; the speaker was identified by voice comparison). No follow-up was found. Possible innocent explanation: no closed item was ever approved for release, so there was nothing to report, and the by-law doesn't say an empty report must be posted. [85, 86, 87]

3. What happens next

- The watchdog contract ends Dec 31, 2026. The new Council (from Nov 15, 2026) will need to renew it (the retainer has a two-year renewal option), extend it, or call for bids as staff said it would. That decision is the moment to ask whether the Ontario Ombudsman should take the Closed Meeting Investigator and Ombudsman roles, and whether the watchdog roles should go to a firm that does no other legal work for the town. [1, 3, 11]
- Time is short. As of October 31, no call for bids had been posted, and no Council agenda up to November 5 mentions the contract. The new Council's first meeting is November 16, and its only regular meeting before December 31 is December 7. Council made the appointment in By-law 104-25, which ends December 31, 2026 and says nothing about renewal; the two-year option is only in the firm's retainer letter. Councillor Derbyshire, who asked the 2025 question, ran for Mayor and won't be on the new Council. [2, 3, 4, 25, 88]
- If nothing is in place on January 1, 2027: the Act requires the town to arrange to use another town's Integrity Commissioner (s.223.3(1.1)). Closed meeting complaints would go to the Ontario Ombudsman, which would also handle complaints about the town's staff and services. The Whistleblower Policy names the firm and has no backup. [5, 6, 16]
- Another common option is closing too. LAS, whose closed meeting investigator program uses Aird & Berlis, is ending that program on December 31, 2026. Kingston, one of its members, has chosen the Ontario Ombudsman instead. [31, 89]
- Council Watch sent its questions to the Clerk on November 1, 2026. Answers will be added as dated updates, and the report will be updated as these decisions are made.

References - clickable links

Each number in the text jumps to its reference below; 'back to text' links return to each place the source is cited (in order of appearance). Titles link to the source itself; a link checks where a source is, not that it supports the claim.

1. Staff report LLS-2025-12, Integrity Commissioner, Closed Meeting Investigator and Ombudsman, Council Sep 15, 2025 back to text: 1 2 3 4 5 6 7

2. Bids and Tenders, RFP 2022122: bidders, plan takers and description (and searches of all 305 town bids, Oct 30 and 31, 2026) back to text: 1 2 3 4

3. Aird & Berlis LLP retainer letter, Sep 2, 2025 (attachment to LLS-2025-12) back to text: 1 2 3 4 5 6 7 8 9

4. Council and Special Council agendas and minutes posted Sep 8 - Nov 5, 2026, and the meeting schedule (Special Council agenda Oct 23, 2026, item 6) back to text: 1 2

5. Municipal Act, 2001, ss.5(3), 23.3, 223.3, 223.13, 239.1, 239.2 back to text: 1 2 3 4 5 6 7 8 9

6. Ombudsman Act, s.14 back to text: 1 2 3 4 5

7. Ontario Ombudsman, Open Meetings Guide for Municipalities (2024) back to text: 1 2

8. Council meeting video, Sep 15, 2025, about 00:52:06-00:54:57 and 03:49:31-03:50:12 (machine transcripts that agree; not checked against playback) back to text: 1 2 3 4

9. Council Watch search of council minutes, agendas and meeting captions, Sep 16, 2025 - Oct 2026 *(public record; no stable direct link)* back to text: 1 2 3 4 5 6

10. Municipality of Strathroy-Caradoc cheque listings attached to Council agendas, January 2024 - September 24, 2026 (20 listings; latest shown) back to text: 1 2 3 4 5

11. Ontario Ombudsman, Codes of Conduct and Integrity Commissioners: Guide for Municipalities, 'Avoid conflicts of interest' back to text: 1 2 3

12. Report CAO-2023-07, Code of Conduct and Council-Staff Relations Policy, Sep 18, 2023, pp.2-3 back to text: 1 2 3

13. Report LLS-2025-03, Procedure By-law review (consultation: 'Legal Counsel - Aird & Berlis'), Feb 2025 back to text: 1 2 3

14. Ontario Land Tribunal, OLT-24-000069, Sifton Properties Limited v. Strathroy-Caradoc (Municipality), memorandum of oral decision issued Apr 22, 2024, p.1 (appearances) back to text: 1 2

15. Council minutes Aug 5, 2025: Whistleblower Policy back to text: 1

16. Whistleblower Policy (attachment, Aug 5, 2025) back to text: 1 2

17. Council minutes Sep 3, 2019 (adopted Sep 16, 2019): Municipal Integrity Commissioner appointment *(public record; no stable direct link)* back to text: 1

18. Council minutes Feb 22, 2022: Independent Resolutions Inc., By-law 11-22 back to text: 1 2 3

19. Report CAO-2022-07, Feb 22, 2022 (PDF file properties: created Feb 16, 2022, 11:47) back to text: 1 2

20. Independent Resolutions Inc. agreement, effective Feb 22, 2022, ss.3.1, 3.3.4, 3.3.10, 3.5 (process) and 4.2 (fees) back to text: 1 2

21. Council meeting video, Feb 22, 2022, about 00:31:23 (two machine transcripts, which agree) and 01:11:32-01:13:12 (machine captions; not checked against playback) back to text: 1 2 3

22. Report CAO-2022-15, appointment of an Integrity Commissioner, Closed Meeting Investigator and Ombudsman, Sep 19, 2022 back to text: 1 2 3 4 5

23. Council minutes Sep 19, 2022: appointment of Aird & Berlis LLP by resolution back to text: 1 2 3

24. By-law 81-22, Dec 19, 2022 back to text: 1 2

25. By-law 104-25, appointment of Aird & Berlis LLP to Dec 31, 2026 back to text: 1 2 3

26. Council minutes Sep 15, 2025: LLS-2025-12 and By-law 104-25 back to text: 1 2 3

27. Council meeting video, Sep 19, 2022, about 00:33:09-00:38:35 (machine captions; not checked against playback) back to text: 1

28. Council minutes Dec 20, 2021: Mandatory Sanitary Sewer Connection Charges, Option #3 ($17,500 per connection) back to text: 1

29. Council minutes Feb 7, 2022: $17,500 mandatory connection charge approved, payments from Sep 1, 2022 back to text: 1 2

30. Emails from the CAO/Clerk to Queen Street residents (Feb 15 and Feb 23, 2022) and between residents and the Ontario Ombudsman's office (Feb 8 - Mar 17, 2022); copies supplied to this review, not public *(not publicly accessible - readers cannot inspect it online)* back to text: 1 2 3 4 5 6

31. Local Authority Services (LAS), Closed Meeting Investigator program page (checked Oct 31, 2026) back to text: 1 2

32. Ontario Ombudsman, municipal closed meetings directory, archived copies Feb 2018 - Jul 2023, Strathroy-Caradoc entry (copy shown: Jan 20, 2022) back to text: 1

33. By-law 86-07, Closed Meeting Investigation Policy/Procedure (town website copy archived Mar 8, 2022) back to text: 1 2

34. By-law 11-22, Feb 22, 2022 back to text: 1 2

35. Council Watch search of 2022 Council minutes for reports from Independent Resolutions Inc. *(public record; no stable direct link)* back to text: 1

36. Council minutes Oct 7, 2019 (adopted Oct 21, 2019): EPW 19-022 added to the agenda; sewer extension authorized, mandatory connections deferred (town's former meeting calendar; no stable link) *(public record; no stable direct link)* back to text: 1

37. Town meeting page for Oct 7, 2019, as archived Dec 14, 2019 (documents listed) back to text: 1

38. Staff report BBP-2022-21, 'Queen Street Letter, Mt. Brydges', Feb 22, 2022 back to text: 1

39. Procedure By-law 97-18 (consolidated), ss.15-16 back to text: 1

40. Council meeting video, Feb 7, 2022, about 00:05:01 and 00:46:23 (two machine transcripts, which agree) back to text: 1

41. Council minutes Mar 21, 2022: public input on the sanitary sewer fee back to text: 1

42. Ombudsman report on sewer connection charges (Aug 16, 2023), Council Sep 5, 2023 back to text: 1 2 3

43. Council minutes Aug 12, 2024: Closed Meeting Investigation Report 2024-01 back to text: 1 2 3

44. Integrity Commissioner report, complaint 2024-02 (Jan 28, 2025) back to text: 1 2

45. Finance Committee meeting video, Oct 15, 2024, about 00:02:57-00:03:14 (machine captions; not checked against playback); minutes item 2 back to text: 1

46. Special Council meeting video, Apr 28, 2025, about 00:09:03-00:09:45 (machine captions; not checked against playback) back to text: 1

47. Council minutes Jul 17, 2023, item 9.2: refresher session on pecuniary interest back to text: 1

48. Outstanding Motions list, Council Jul 7, 2025 back to text: 1

49. Council minutes Jul 7, 2025, item 9.7.2 (LLS-2025-10): outstanding motions removed back to text: 1

50. Town web page, Integrity Commissioner and Closed Meeting Investigator back to text: 1 2

51. Code of Conduct, By-law 58-23 (town copy), Appendix B Complaint Protocol, s.15(5) *(public record; no stable direct link)* back to text: 1

52. Municipality of Thames Centre, report LS-005-26 (Mar 23, 2026) back to text: 1 2

53. Ontario Ombudsman, Annual Report 2025-2026 back to text: 1 2

54. Ontario Ombudsman, annual reports 2016-2017 to 2025-2026, tables of cases received about municipalities back to text: 1

55. Special Council minutes Jun 10, 2024: FIN 2024-14, payment listings to come to Council back to text: 1

56. 2024 Budget Detailed (Finance Committee Feb 20, 2024), p.5: Legislative Services - Integrity Commissioner, 2022 and 2023 budget and actual back to text: 1

57. 2026 Proposed Operating Budget - Detail, p.4: Legislative Services - Integrity Commissioner and Legal Fees back to text: 1

58. 2026 Operating Budget detail, account 'Legislative Services - Integrity Commissioner' back to text: 1

59. Town of Whitby, report CLK 05-25 (May 12, 2025) back to text: 1

60. Town of Niagara-on-the-Lake, Integrity Commissioner annual report, Aug 10, 2020 back to text: 1

61. Council Watch voice comparison, Oct 31, 2026: the remark at about 03:49:41-03:49:48 of the Sep 15, 2025 video compared with named members' speech from this meeting and from Nov 3, 2025, Mar 2, 2026 and Sep 21, 2026 (SpeechBrain ECAPA speaker model); closest match Councillor Willsie (0.70 using only the other meetings; next closest 0.38; the same person usually scores 0.45-0.75 and different people under 0.2) *(public record; no stable direct link)* back to text: 1

62. Ontario Ombudsman, municipal directory back to text: 1

63. Integrity Commissioner pages of Middlesex County, Adelaide Metcalfe, Southwest Middlesex, Middlesex Centre, North Middlesex, Lucan Biddulph and Thames Centre, checked Oct 30, 2026 *(public record; no stable direct link)* back to text: 1 2

64. Middlesex County, municipal ombudsman back to text: 1

65. Ontario Ombudsman, Annual Report 2024-2025, municipal accountability officers (letters of Jan 27, 2025) back to text: 1

66. Ontario Ombudsman, submission on Bill 9, Municipal Accountability Act, Aug 2025, Proposal 6 (and Feb 2025 submission, Proposal 22) back to text: 1

67. Bill 9, Municipal Accountability Act, 2026 (Royal Assent June 2, 2026), new Municipal Act s.223.3.1(1) back to text: 1

68. Law Society of Ontario, Rules of Professional Conduct, Rule 3.4 (conflicts) and commentary back to text: 1

69. Chiarelli v. Ottawa (City), 2021 ONSC 8256 (Div. Ct.), paras 74-76 back to text: 1

70. CBC News, 'This Ontario town hired its own lawyer as integrity watchdog', Nov 22, 2024 back to text: 1

71. Job posting, Director of Legal and Legislative Services / Clerk, Municipality of Strathroy-Caradoc, 2025 (aggregator copy) back to text: 1

72. Council minutes Sep 7, 2021: BBP-2021-57, Middlesex County Solicitor to represent the town at the Ontario Land Tribunal back to text: 1

73. Memo from Wayne P. Meagher, 'Strathroy-Caradoc legal counsel', Sep 12, 2023, on the draft Code of Conduct and Council-Staff Relations Policy (Sep 18, 2023 agenda), p.1 back to text: 1 2

74. Special Council minutes Jan 9, 2024: closed session, 'Legal Matter - Adelaide Metcalfe' (Lerners LLP partner present) back to text: 1

75. Adelaide Metcalfe (Township) v. Strathroy-Caradoc (Municipality), 2025 ONCA 180 (counsel listed) back to text: 1

76. Council meeting video, Sep 18, 2023, about 01:29:28-01:29:45 (machine captions; not checked against playback) back to text: 1

77. Council minutes Oct 3, 2023: By-law 58-23, revised Code of Conduct back to text: 1

78. Ontario Land Tribunal, OLT-24-000069, decision issued Dec 29, 2025 (heard Dec 4, 2025), p.1 (appearances) and paras 2-4 back to text: 1

79. Ontario Land Tribunal e-status, case OLT-24-000069, 'Appealing OPA 14' (checked Oct 31, 2026) back to text: 1

80. Special Council minutes Aug 6, 2024: closed-session direction to counsel on the OPA-14 appeal (Middlesex County Barrister & Solicitor present) back to text: 1

81. Aird & Berlis LLP, lawyer profile, Matthew Helfand (checked Oct 31, 2026) back to text: 1

82. Aird & Berlis LLP, lawyer profile, Hon. Peter Van Loan (checked Oct 31, 2026) back to text: 1

83. Law360 Canada, '7 new partners for Aird & Berlis', Jan 29, 2025 back to text: 1

84. Special Council minutes Feb 10, 2025: Whistleblower Policy, HR-2025-02 back to text: 1

85. Procedure By-law 20-25 (consolidated), s.7.10; earlier Procedure By-law 97-18, ss.21(g)(i) and 36(e) back to text: 1 2

86. Council meeting video, Nov 3, 2025, about 02:00:57-02:02:11, Announcements and Inquiries (automatic captions; not checked against playback) back to text: 1

87. Council Watch voice comparison, Oct 31, 2026: the reply at about 02:01:38-02:02:13 of the Nov 3, 2025 video compared with named speakers' recordings from four meetings (SpeechBrain ECAPA speaker model); Clerk Jennifer Pereira 0.72 and 0.77 (next closest 0.25). Council Watch counts 0.65 or higher as a match *(public record; no stable direct link)* back to text: 1

88. Municipality of Strathroy-Caradoc, 2026 Certified Election Results, Oct 27, 2026 back to text: 1

89. Frequency News, 'City Decides on Ombudsman as New Closed Meeting Investigator', Aug 19, 2026 (Kingston; LAS program ending Dec 31, 2026) back to text: 1

Updates and corrections

Update = new information or later developments. Correction = something previously inaccurate or misleading. Oldest entry first.

Date	Type	Section	What changed	Reason and source	Changes a finding?
November 2, 2026	Original publication	-	First published version. Questions were sent to the Clerk on November 1, 2026; answers will be added here as dated updates.	-	-