

**EVENT #1****False Statements and Documentation Presented in Evidence by David Anderson.****Examination for Discovery****Page 44 (Transcript #15 and 20)**

Q. Now, in respect to the road work done on the East Quarterline Windham in 1992, was there a base material supplied from a hydro right of way?

A. Yes there was. There was material we used as a back fill material that was supplied from Ontario Hydro to us **at no cost**.

**See Ontario Hydro F.O.I. Response:**

1. Letter from Township of Delhi Dated December 10<sup>th</sup>, 1991 confirming to Ontario Hydro that Delhi Township agrees to purchase Hydro Pit Run for \$24.00 per load, signed David Anderson.
2. Ontario Hydro Invoice #50 dated December 31, 1991 to the Township of Delhi for 345 loads at \$24.00 per load. Total payable \$8,859.60 with David Andersons' initials as approval for payment.

Delhi Township paid, with David Andersons' approval \$8,859.60 to Ontario Hydro for salvage Pit Run from hydro transmission tower line access roads which was stock piled at the old Windham Township Pit. Can there be any doubt as to whether or not this material was received **at no cost** when David Anderson approved both the **purchase** (letter December 10<sup>th</sup>, 1991) and the **payment** to Hydro invoice #50 of \$8,859.60. See Letters.

Southern Ontario Legal Reporting Agency, 81 Norfolk St. South, Simcoe, Ont.

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295. Q. Am I correct that at the time of this meeting with Mr. Nichols you hadn't done any specific testing of the materials on that East Quarter Line Road in Windham?

\* A. No, I don't think they had done any testing.

296. Q. Has that ever happened to date?

A. That they haven't done any testing?

297. Q. Have you done any testing of the materials supplied at East Quarter Line Road in Windham?

\* A. No we haven't done any retroactive testing on that. We've just done visual examination of what's out there and how it's performed.

298. Q. And have you made any repairs or alterations to that road to date?

A. The road, after the first winter, displayed a problem with bond...the surface treatment material bonding to the Granular "A" and it seemed to have quite a few pot holes. Those pot holes were cold patched and I think subsequent to that there has...there was a single surface treatment put on top of the initial product.

\* 299. Q. Now, with respect to the road work done on the East Quarter Line in Windham in 1992, was there a base material supplied from a hydro right-of-way?

\* A. Yes there was. There was material we used as a back fill material that was supplied from Ontario Hydro to us at no cost. Ontario Hydro indicated to us that it had originally come from Nichols' pits. NOT LIKELY. MATERIAL FROM TILSCHBURG GUANESSA SECTION

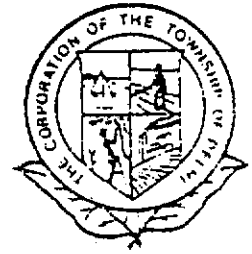
\* 300. Q. And would this material have been to a STEBBINS specific spec? Was it supposed to be a specific spec?

\* A. Well no, the material and the way we used it was as a select sub-grade material. We didn't use it as part of the road structure. Our basic standard for the design of the roads is a 300 millimetre granular base equivalent which is in essence 300 millimetres of Granular "A". So material below that

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# Township of DELHI

P.O. Box 182 • 183 Main Street • Delhi, Ontario CANADA N4B 2W9  
Tel: (519) 582-2100 Fax: (519) 582-4571



December 10, 1991

Ontario Hydro  
P.O. Box 70  
SPRINGFIELD, Ontario  
N0L 2J0

Attention: Mr. Marty Dendecker

Dear Sir:

Re: Township of Delhi Purchase of Aggregate from  
Ontario Hydro

Further to your conversation with Mr. Reg Wood of the Township offices on December 10, 1991 this letter will confirm that the Township of Delhi will agree to purchasing the aggregate used during your tower line construction at a price of \$24.00 per lead.

Should you require any further information or discussion in this regard, please contact this office. Please liaise with Mr. Reg Wood to co-ordinate field activities.

Yours very truly,

David Anderson  
Public Works Superintendent

DA:jb

cc: Reg Wood - Road Supervisor



(CONSTRUCTION)  
Springfield Construction Yard, SPRINGFIELD, Ontario N0L 2J0

December 31, 1991

Township of Delhi  
P.O. Box 182  
Delhi, Ontario  
N4B 2W9

file: 375,disc.#6

Attention: Mr. Dave Anderson

INVOICE #50

Surplus gravel from Ontario Hydro right-of-way delivered between December 11, 1991 and December 19, 1991 inclusive.

345 Loads @ \$24.00 per load	=	\$8,280.00	
7% G.S.T.	=	\$ 579.60	G.S.T.#R119382901
<b>Total Payable</b>	=	<b>\$8,859.60</b>	

Kindly make cheque payable to 'Ontario Hydro' and remit to:

Ontario Hydro  
Attention: Mr. M. Dendekker  
P.O. Box 70  
SPRINGFIELD, Ontario  
N0L 2J0

(Please quote invoice number)

1328-4052-0 \$ 8,528.40  
1001-1451-1 \$ 331.20  
042:84