

BROCK'S BANTER: Go ahead, make our day!

By Brock Weir

Does your mind ever run wild when you have a bit of found money burning a hole in your pocket?

General wisdom says found money should be spent on something flashy, something one wouldn't ordinarily buy for one's self, and sometimes the temptations can be overwhelming.

When you have a bit of unexpected cash smouldering away on your person, who isn't tempted to spend it on a whim? You might buy something, but, for some, an ingrained sense of prudence kicks in, causing you to grudgingly fold the money back into your wallet, knowing what you eventually do with it should be sensible ? fun be damned.

Sometimes the money can cause the imagination go into overdrive with the possibilities. It could inspire otherwise atrophied strategizing muscles to kick in and ponder the best path forward, how you can achieve all you want while, perhaps (and that is a big ?perhaps?) sticking to the moral fibre you have purported to have all the way along.

I wonder in which camp Prime Minister Stephen Harper sits now that he has nine empty seats to fill in the Canadian Senate, ostensibly our chamber of sober second thought.

Although he has been a vocal advocate for elected Senators, until now he doesn't seem to have had any hesitation in backtracking on that principle to fill vacancies as they became available to suit whatever end he had in mind.

For some reason, however, he appears to have reached a crossroads. With nine seats ripe for the picking ? and a tenth not far behind as Senators age out of their roles at 75 ? the vacancies no longer seem to be burning a hole in the pocket of his ill-tailored suit.

Something else has kicked in, but what that game plan is remains to be seen.

According to the CBC this past weekend, Senators within the Prime Minister's own Conservative caucus are calling for him to get into gear and fill those seats, citing a garden variety of reasons, including the balance of provincial representation in the Red Chamber being thrown out of whack, perceived Conservative vulnerabilities, and a potential ?power vacuum? creeping into the picture not far down the road.

On the other hand, at least one politician has weighed in on the possible end game. According to the CBC, Saskatchewan Premier Brad Wall is not opposed to letting the Senate ?wither on the vine.?

?Atrophy is not a bad end game as well for the Senate as far as we're concerned,? he told the national broadcaster. ?We don't think the Prime Minister should be in any particular hurry to appoint any senators. We just think this institution is not relevant [and it's] unelected. It's a long goodbye, but it is a goodbye.?

AND, NOW, HERE AT HOME?

The next question is obviously whether the Prime Minister has any obligation ? constitutional or otherwise ? to fill those vacancies to keep an integral part of the Federal government in check. (Integral as far as the Constitution goes, to any readers vehemently opposed to the Senate itself). The general consensus appears to be no, but that is not a uniform opinion.

The same cannot be said for humble Aurora where people across Town, whether seasoned politicians, aspiring politicians, and even armchair politicians, are weighing their options on whether to put their names forward for the July 29 meeting which will decide just who is going to fill the vacancy left by Newmarket-Aurora's new MPP Chris Ballard.

It has been a steady stream of registrations so far of individuals vying to make their pitch to Mayor Dawe and the remaining seven Councillors, confirming their intentions to sign up, and confirming their intentions to consider signing up.

I'm confident in predicting Council will have a healthy number of residents to choose from but, unlike the Mike Duffys of this world, just hoping their Senate ship will eventually sail in, our local candidates (potential or otherwise) can rest easy, sure in the knowledge our Council is obligated under the confines of the Municipal Act to fill that vacancy by August.

Some might not like that fact ? and many have spoken out about it, not just around the Council table, but also in these pages ? but it is a fact nonetheless. The question that has not gone fully answered, however, is although Council is bound to fill the slot under the Municipal Act, just what can the Province do if the Town decided to thumb its collective nose at the rule.

IS THAT THE BEST YOU CAN DO?

Councillor Evelyn Buck took one for the team and asked the obvious question about filling the vacancy at the last Council meeting before the summer recess. It was quite simple: ?What would be the penalty if we don't??

The answer from Town Solicitor Warren Mar was equally straightforward, but it provided as much clarity as answers offered in the Federal senate debate.

?If Council didn't fill the vacancy, presumably the Minister of Municipal Affairs could start an action to force Council to fill the vacancy,? he said. ?Alternatively, a resident may take the Town to court to force the Town to fill a vacancy by virtue of the fact it has violated the Municipal Act.?

So, the options ? or lack thereof ? are pretty straightforward, but let's also be realistic. If the Minister of Municipal Affairs could ?start an action to force Council to fill the vacancy?, or if a resident can bring forward their own lawsuit to force the Town's hand, what is the likelihood that would all be wrapped up in a neat little package by the time the October 27 municipal election rolls around?

From my vantage point in the Council Chamber Press Box, I can only see the footwear of, from left to right, Councillors Paul Pirri, Wendy Gaertner, Sandra Humfries, and Michael Thompson and, truth be told, none of the four appeared to be quaking in their boots at the possibilities.

WHAT'S THE WORST THAT COULD HAPPEN?

By the time Mr. Mar wrapped up his list of consequences Aurora could face if it didn't fulfil its obligation to keep Mr. Ballard's seat warm before October 27, I have to admit to finding the possibilities a little bit anticlimactic. As soon as Councillor Buck asked the question, I had visions along the lines of Premier Wynne being forced to step in and become involved in Aurora's affairs if we violated the Act, as she was considering when Toronto's Ford-mania neared its frenzied climax.

? or a suspension of Aurora's rights as a municipality, making us the wards of a babysitter in the form of the Province of Ontario or the Region of York.

?or handing over Aurora's authority to neighbouring Newmarket, King, Richmond Hill, or Whitchurch-Stouffville as a penance for crossing the Municipal Act.

?or sending out a Provincial bureaucrat to come in and sit in the seat.

?or, horror of horrors, forcing an amalgamation with Newmarket, our seemingly better behaved brother to the north, as far as the province might be concerned.

Unfortunately, those exciting possibilities that would jazz up my life ? and yours ? don't seem to be on the table. The best we could hope for was yet another lawsuit from two possible sides and, if we want to be honest with ourselves, that has become relatively pedestrian for Aurora.

If that's the biggest threat hanging over our collective heads, it begs the question whether this is all worth the effort.