

Approved for Posting via Email October 14, 2011

**YORK CATHOLIC DISTRICT SCHOOL BOARD**

**MINUTES**

**of the Joint Board Election Compliance Audit Committee (JBECAC) Meeting**

*(External Statutory Committee)*

to consider an application for an election finances compliance audit  
held on Wednesday, July 6, 2011 at the  
Catholic Education Centre, 320 Bloomington Road West, Aurora, Ontario

**PRESENT:**

Members: Kelly Gravelle, Olga Luftig, James Robinson

YCDSB Administration: Susan LaRosa, Director of Education

Other Bruce McMinn, Basil Nicastrì, Cathy Ferlisi, Fr. Mario Salvadori

**Presiding:** K. Gravelle, Committee Chair, for the majority of the meeting.  
O. Luftig, Committee Member, while K. Gravelle asked questions of the  
Candidate/Candidates representatives.

**Recording Officer:** Frances Smith

**Min. #**

**2011:12 CALL TO ORDER**

Committee Chair, K. Gravelle opened the meeting of the Joint Board Election Compliance Audit Committee at 7:00 p.m., and introduced the Committee members and Board personnel attending the meeting.

**2011:13 APPROVAL OF THE AGENDA**

Prior to approval of the agenda, K. Gravelle noted that the agenda has been revised slightly to more accurately reflect the format for the evening's meeting. Copies of the revised agenda were made available at the meeting.

**Motion: Luftig/Robinson**

**THAT** the revised agenda be approved as presented.

**- MOTION CARRIED -**

**2011:14 APPROVAL OF THE MINUTES OF PREVIOUS MEETING(S):**

**a) Joint Board Election Compliance Audit Committee Meeting of June 24, 2011**

K. Gravelle, noted that the Committee had a Training Session on June 24, 2011, to review the Committees' Rules of Procedure, elect a Chair, and tour the meeting

venue. The minutes of the June 24, 2011, meeting were then presented for approval.

**Motion: Luftig/Robinson**

**THAT** the Minutes of the Joint Board Election Compliance Audit Committee Meeting held on Friday, June 24, 2011, be approved as presented.

**- MOTION CARRIED -**

**2011:15**

**BUSINESS ARISING FROM THE MINUTES:**

K. Gravelle called for any business arising from the Minutes of the June 24, 2011, Training Session, and there being none moved on in the agenda.

**2011:16**

**DECLARATION OF CONFLICT OF INTEREST:**

K. Gravelle called for declarations of conflict of interest from Committee members, and there being none moved on in the agenda.

**2011:17**

**CONSIDERATION OF APPLICATION(S):**

**a) SUMMARY OF APPLICATION BY CHAIR:**

K. Gravelle explained that tonight the Committee would be considering an Application for an Election Compliance Audit received by the York Catholic District School Board from Victor Schiralli on June 14, 2011, regarding the Financial Statement filed by Cathy Ferlisi for the 2010 Municipal Elections. K. Gravelle further explained, in detail, the complete proceedings for the evening, and indicated the Committee's desire that the meeting proceed with decorum and civility.

**b) STATEMENT BY APPLICANT OR APPLICANT'S AGENT:**

K. Gravelle invited the Applicant, Victor Schiralli, or Victor Schiralli's agent, to step forward to provide a statement. Neither Victor Schiralli nor an agent for Victor Schiralli identified themselves to the Committee. K. Gravelle noted that, in the absence of Victor Schiralli, or his agent, the application would stand as submitted and the Committee would consider it.

**c) STATEMENT BY CANDIDATE OR CANDIDATE'S AGENT:**

K. Gravelle invited the Candidate's agent to step forward to provide a statement. Bruce McMinn, Barrister & Solicitor, identified himself to the Committee as the counsel/agent for the Respondent, Cathy Ferlisi, and also introduced Basil Nicastri, Chartered Accountant and Certified Public Accountant, who was the auditor for Ms. Ferlisi's financial statement filed with the City of Vaughan.

Mr. McMinn walked the Committee through the Respondent's submission brief, (previously distributed with the agenda) item by item, in response to the Applicant's allegations re the audit and other general statements contained in the application. The areas of focus related to the "Value of the Campaign Office Premises" and "Other Contributions", such as alleged "meet and greet Cathy Ferlisi and provided refreshments", "value of 2 pylon sign", and "value of host websites which were posted without host permission". As well, Mr. Nicastri walked the Committee

through the complete financial statement filed with the City of Vaughan, and presented original documentation/receipts for the Committee to view.

During the review of the submission brief and the financial statement, the following additional documentation was received by the Committee and noted to now be public information:

- Exhibit “1” – Basil Nicastri, B. COMM, CA – Curriculum Vitae
- Exhibit “2” – Copy of Invoice from 7700 Keele Street Limited re: Occupancy Fee for Campaign Headquarters
- Exhibit “3” – Photo Inside Campaign Headquarters
- Exhibit “3(a)” – Photo Inside Campaign Headquarters
- Exhibit “4” – Copy of Invoice from Jamnik Graphics re: Pylon Signs (4 pages)

The Committee took the opportunity to ask questions of clarification throughout the presentations. K. Gravelle stepped down as Chair while she asked clarification questions of the Candidate/Candidates representatives. O. Luftig assumed the role of Chair until K. Gravelle completed her line of questioning, at which time K. Gravelle resumed the role of Chair.

Mr. McMinn concluded the presentation, and in summary requested, based on the evidence provided, that the Committee reject the Application.

**d) STATEMENT BY DELEGATE:**

K. Gravelle invited delegations from the audience.

Fr. Mario Salvadori identified himself to the Committee, as Pastor of St. Joseph The Worker Parish, and proceeded to address the allegation in the Application relating to the conduct of the Parish. Fr. Salvadori refuted the allegation that “on more than one occasion the Parish held meet and greet Cathy Ferlisi and provided refreshments”, and declared that at no time was there anything held where Cathy was invited exclusively. Fr. Salvadori provided the following additional documentation which was received by the Committee and noted to now be public information:

- Exhibit “5” - Copy of Letter from the Archdiocese regarding Municipal Elections: Acceptable Conduct for Parishes
- Exhibit “6” – Copy of Flyer distributed to St. Joseph the Worker Parishioners
- Exhibit “7” – Copy of St. Joseph the Worker Church Bulletin

At the conclusion of Fr. Salvadori’s statement, K. Gravelle once again invited delegations from the audience, and there being none, moved on in the agenda.

**2011:18 COMMITTEE DELIBERATION/ACTION ITEM(S):**

The following motion was introduced

**Motion: Luftig/Robinson**

**THAT** the Committee vote on whether the Application from Victor Schiralli, for an election compliance audit relating to election campaign finances of Cathy Ferlisi (*Candidate*) for the October 25, 2010, Municipal Elections be granted or rejected.

**- MOTION CARRIED -**

K. Gravelle then called for Committee Members, round table, to declare their vote to grant or reject the Application, and:

**Olga Luftig – Rejected**

**James Robinson – Rejected**

**Kelly Gravelle – Rejected**

therefore,

**- UNANIMOUS DECISION TO REJECT THE APPLICATION-**

**2011:19 ADJOURNMENT: 8:25 P.M.**

K. Gravelle thanked the individuals who presented/spoke at the meeting as well as the general public for their interest in the process and for attending the meeting. Prior to adjournment of the meeting, Mr. McMinn referenced Section 17.1 of the Statutory Powers Procedure Act (SPPA), R.S.O. 1990, c.S.22, regarding the ordering of costs, and questioned the Committee's position. K. Gravelle noted that the committee is not a tribunal, is not subject to the SPPA and does not have the authority to order costs.

**On Motion: Robinson/ Luftig, and CARRIED**



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**Kelly Gravelle**  
**Committee Chair**