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CONFIDENTIAL

December 10, 2025

SENT BY EMAIL TO: drecoskie@petawawa.ca

Town of Petawawa
Dawn Recoskie, Director of Legislative Services/Clerk
1111 Victoria Street
Petawawa, ON
K8H 2E6

Dear Council:

RE: Code of Conduct Complaint – Final Report – Mayor Gary Serviss
Our File No. 33268-5

This public report of our investigation is being provided to Council in accordance with Section 223.6(1) of the *Municipal Act*. We note that Section 223.6(3) of the *Municipal Act* requires that Council make the report public. The Clerk should identify on the agenda for the next open session Council meeting that this report will be discussed. Staff should consider whether it is appropriate to place the full report on the agenda in advance of Council deciding how the report should otherwise be made public.

Should Council desire, the Integrity Commissioner is prepared to attend virtually at the open session meeting to present the report and answer any questions from Council.

At the meeting, Council must first receive the report for information. The only decision Council is afforded under the *Municipal Act* is to decide how the report will be made public, and whether to adopt any recommendations made by the Integrity Commissioner. Council does not have the authority to alter the findings of the report, only consider the recommendations.

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The Integrity Commissioner has included only the information in this report that is necessary to understand the findings. In making decisions about what information to include, the Integrity Commissioner is guided by the duties set out in the *Municipal Act*. Members of Council are also reminded that Council has assigned to the Integrity Commissioner the duty to conduct investigations in response to complaints under the Code of Conduct, and that the Integrity Commissioner is bound by the statutory framework to undertake a thorough process in an independent manner. The findings of this report represent the Integrity Commissioner's final decision in this matter.

Timeline of Investigation

The key dates and events during the course of this investigation are as follows:

- October 15, 2025, complaint received
- October 28, 2025, request additional information from complainant
- October 30, 2025, additional information received from complainant
- November 7, 2025, conduct preliminary review
- November 11, 2025, send complaint package to Member
- November 2025, interview witnesses
- November 28, 2025, Member's response received
- December 3, 2025, request additional information from the complainant
- December 8, 2025, received additional information from complainant

Complaint Overview

A Complaint was received on October 15, 2025. The Complaint alleged breaches of the Code of Conduct by Mayor Gary Serviss (the "Member").

The incident that prompted the complaint was a meeting held on September 16, 2025, with members of staff, 3 local businesspeople and the Member. The meeting was called at the request of the Member as a result of complaints from the businesspeople about a member of staff and certain interactions between them.

The complaint was about the negative, disparaging comments directed to the staff member by the businesspeople who attended the meeting. The complaint alleges that the Member facilitated the meeting and was responsible for allowing the businesspeople who attended the meeting to make inappropriate comments.

Code of Conduct

The following provisions of the Code of Conduct are relevant to our findings in this investigation:

4.1 Every Member has the duty and responsibility to treat members of the public, staff and each other in a respectful manner, without abuse, bullying, harassment or intimidation

5.0 Members shall conduct themselves with decorum and professionalism at all Council, Committee, Board and other meetings in accordance with the provisions of the Procedural By-law, this Code, and other applicable law.

9.2 Members shall not:

(a) Maliciously or falsely injure the professional or ethical reputation of Staff.

Investigation Process

In conducting the investigation, the Integrity Commissioner reviewed the complaint materials and requested additional information from the complainant in advance of sending the complaint package to the Member. The Integrity Commissioner interviewed relevant witnesses and reviewed the written submissions of the Member. In order to ensure that the complainant's recollection of the meeting and the Mayor's role was fully understood, the complainant was given the opportunity to provide additional supporting materials prior to completing the investigation. As no new allegations or evidence was introduced, the Member was not provided with the additional information.

Findings/Analysis

There is no dispute that the meeting of September 16, 2025, occurred, who attended or what was said. Those interviewed had similar recollections of what was said by the businesspeople in attendance about the staff member who was the subject of the meeting. The complainant's recollection of the meeting was not materially different.

The Integrity Commissioner is directed by section 223.5(1) of the *Municipal Act* to preserve the secrecy of all investigations. The Integrity Commissioner has the authority under section 223.6(2) to disclose such information as the Integrity Commissioner deems necessary for purposes of the report. In this case, the Integrity Commissioner has elected not to disclose the identity of the persons involved or the nature of the comments that are alleged to be inappropriate. Doing so could expose the staff person to added public exposure of what is a private employment matter.

More importantly, this investigation was about the conduct of the Member, not the businesspeople or staff involved in the meeting. The comments by the businesspeople involved cannot be attributed to the Member, nor is the Member responsible for their comments. As such, those comments need not be repeated here as they are not necessary for Council to understand the findings and recommendations of this report. It is sufficient for Council to know that the comments made were not complimentary of the staff person and questioned their job performance.

The key finding of fact is that the Member did not say anything inappropriate at the meeting.

Further, the simple fact that the Member called the meeting is not a breach of the Code of Conduct.

Everyone interviewed about the meeting agreed that the Member did not act inappropriately or say anything inappropriate. No staff member in attendance felt the comments made by the businesspeople were vulgar or personal such that the meeting needed to be stopped. While the comments were difficult for the staff person to hear, they did not create a circumstance where the Code of Conduct was breached by the Member.

The complaint focused on a few elements:

- (i) that the Member “orchestrated” the meeting;
- (ii) that the Member arranged the meeting with the goal of having others insult the staff person;
- (iii) that the Member invited 3 individual businesspeople, without advising staff who would attend; and
- (iv) that the Member prohibited any staff member from responding during the meeting.

These allegations are not consistent with the evidence gathered during this investigation. The Member was asked by one businessperson to convene a meeting, which did happen; this is not a breach of the Code of Conduct.

There is no evidence that the Member intended for the staff person to be insulted. It was known to everyone in attendance, including the staff member in question, that the purpose of the meeting was to hear complaints about the staff member.

The Member was aware of only one businessperson who would attend; the attendance of two additional people was not known to the Member in advance of the meeting.

While it is true that staff did not respond to the complaints during the meeting, the Member did not direct any staff person to remain silent.

It is helpful to consider the precise language of the Code of Conduct to understand the obligations of members of Council and why in these circumstances the Member did not breach the Code of Conduct.

4.1 Every Member has the duty and responsibility to treat members of the public, staff and each other in a respectful manner, without abuse, bullying, harassment or intimidation

This section places the onus on the member of Council to treat staff appropriately. In this case, the Member did not make any inappropriate comments. The Code of Conduct does

not make a member of Council responsible for the comments of others. Simply responding to a request by a member of the public who does business in the Town to have a meeting is not a form of harassment, bullying or intimidation. There is no evidence that the Member used the businesspeople as surrogates to insult the staff person.

5.0 Members shall conduct themselves with decorum and professionalism at all Council, Committee, Board and other meetings in accordance with the provisions of the Procedural By-law, this Code, and other applicable law.

There is no evidence that the Member conducted himself with anything other than decorum at this meeting.

9.2 Members shall not:

(a) Maliciously or falsely injure the professional or ethical reputation of Staff.

This section places the obligation on the member of Council to treat staff respectfully. There is no obligation to regulate other's behaviour, nor can the behaviour of others be attributed to the Member in this case.

Recommendation

The Integrity Commissioner recommends no penalty or sanction given the finding that there was no breach of the Code of Conduct.

Sincerely,

Cunningham, Swan, Carty, Little & Bonham LLP



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