

THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BY-LAW NUMBER 2009-07

BEING A BY-LAW TO AUTHORIZE THE SUBMISSION OF AN APPLICATION TO THE BUILDING CANADA FUND (BCF) AND MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS (OMAFRA) FOR FUNDING FOR CAPITAL ASSISTANCE WITH THE WATER UTILITY OF THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN (THE "MUNICIPALITY"), TO DESIGNATE THE SIGNING OFFICERS, AUTHORIZING THE EXECUTION OF THE CONTRIBUTION AGREEMENT BETWEEN THE TOWNSHIP AND THE BCF-CC JOINT SECRETARIAT (OMAFRA) AND TO APPROVE THE EXPENDITURE OF FUNDS ON SAID ELIGIBLE PROJECTS;

WHEREAS the *Municipal Act, 2001* (Ontario), as amended, (the "Act") provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS the Government of Canada and the Province of Ontario announced an investment of funding for capital and assistance as a grant for public drinking water systems to eligible municipalities;

AND WHEREAS OMAFRA will be administering the BCF Initiative to eligible Ontario municipalities for the purposes of eligible projects;

AND WHEREAS it is now deemed to be expedient to authorize for the municipal purposes of the Municipality expenditures over the next two years;

AND WHEREAS OMAFRA has invited eligible Ontario municipalities desirous of obtaining funding pursuant to the BCF Initiative in order to meet capital expenditures in connection with the maintenance, upgrade and expansion of the Municipality's water utility to make application to BCF for such funding by completing and submitting an application on the form provided (the "**Application**");

AND WHEREAS the Township of Matachewan has submitted an Application to OMAFRA to request funding from the BCF;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN ENACTS AS FOLLOWS:

1. The Council of the Municipality hereby confirms, ratifies and approves the completion by the CAO-Clerk-Treasurer of an Application and the submission by such authorized official of an Application, duly executed by such authorized official, to OMAFRA for the funding of the water utility for the purposes of the BCF Initiative (the "Funding").
  - (a) Capital costs in the amount of the respective estimated Authorized Expenditure is hereby approved and authorized;
  - (b) Any one or more of the Reeve and the CAO-Clerk-Treasurer are hereby authorized to conclude contracts on behalf of the Municipality for the projects in accordance with the Municipality's usual protocol;
  - (c) Where applicable, the Engineer and/or Project Manager of the Municipality will forthwith make such plans, profiles and specifications and furnish such information as in the opinion of the Engineer is necessary; and
  - (d) Where applicable, all capital projects shall be carried on and executed under the superintendence and according to the direction and orders of the Ontario Clean Water Agency (OCWA).

The Council of the Municipality hereby confirms that the Funding will be applied and shall be used exclusively for financing those projects eligible under the BCF Initiative and for no other purposes.

This By-law takes effect on the day of passing.

READ A FIRST, SECOND, AND THIRD TIME AND FINALLY ENACTED AND PASSED IN OPEN COUNCIL THIS 21<sup>st</sup> DAY OF APRIL, A. D. 2009. SIGNED, SEALED AND NUMBERED 2009-07.

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Beverley Hine  
Reeve

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Andrew Van Oosten  
CAO-Clerk-Treasurer