

THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BY-LAW NUMBER 2009-08

BEING A BY-LAW TO APPOINT THE ONTARIO CLEAN WATER AGENCY (OCWA) AS THE PROJECT MANAGERS FOR OUR BUILDING CANADA FUND (BCF) / NORTHERN ONTARIO HERITAGE FUND CORPORATION (NOHFC) WATER UTILITY PROJECT UPGRADES.

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 the Township of Matachewan has submitted an Application to OMAFRA to request funding from the BCF and said application was successful;

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 appointment of OCWA as Project Managers, duly executed by such authorized official, pertaining to the capital upgrades to the water utility for the purposes of the BCF Initiative and NOHFC (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 and/or Project Manager is necessary; and
 - (d) 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).

2. OCWA is required to abide by all laws, statutes and regulations of Canada and Ontario and all municipal by-laws of the Township of Matachewan in the performance of their duties.
3. The following is hereby attached to and forms part of this by-law: The OCWA proposal for the project management services, their fee breakdown, confirmation of pricing correspondence (email), the Project Manager Agreement and the BCF-CC Contribution Agreement including all schedules, regulations and requirements.

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 21st DAY OF APRIL, A. D. 2009. SIGNED, SEALED AND NUMBERED 2009-08.

Beverley Hine
Reeve

Andrew Van Oosten
CAO-Clerk-Treasurer