

THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN

BY-LAW NUMBER 2014-14

A BY-LAW TO AUTHORIZE THE SUBMISSION OF AN APPLICATION TO THE MINISTRY OF AGRICULTURE, FOOD AND RURAL AFFAIRS (OMAFRA) FOR FUNDING FROM THE MUNICIPAL INFRASTRUCTURE INVESTMENT INITIATIVE (MIII) FOR CAPITAL ASSISTANCE WITH THE UPGRADE AND REPAIR OF THE ROAD AND DRAINAGE INFRASTRUCTURE OF THE CORPORATION OF THE TOWNSHIP OF MATACHEWAN (THE "MUNICIPALITY"); TO APPROVE THE EXPENDITURE OF FUNDS ON SAID ELIGIBLE PROJECTS AND TO DELEGATE AUTHORITY TO THE REEVE AND CAO;

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 Province of Ontario announced an investment of nearly \$100 million in funding for capital projects to eligible Ontario municipalities;

AND WHEREAS on behalf of the Province of Ontario, OMAFRA will be administering the MIII 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 in the amount of approximately \$6 million in funding;

AND WHEREAS OMAFRA has invited eligible Ontario municipalities desirous of obtaining funding pursuant to the MIII Initiative in order to meet capital expenditures to make application to MIII for such funding by completing and submitting an application on the form provided (the "**Application**");

AND WHEREAS the Township of Matachewan is submitting an Expression of Interest and an application to OMAFRA to request funding from the MIII;

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 repair and upgrade of road and drainage infrastructure for the purposes of the MIII Initiative in the maximum aggregate principal amount of \$2,000,000.00 (the "Funding").

- (a) Capital costs in the amount of the respective estimated Authorized Expenditure of approximately \$4,000,000.00 are 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 of the Municipality (AECOM) 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 of the Ontario Clean Water Agency (OCWA) and according to the direction and orders of the Ministry of Environment (MOE.)

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 MIII Initiative and for no other purposes.

Furthermore, Council hereby declares and certifies that to the best of our knowledge and ability, the information to be submitted in the Expression of Interest is factually accurate; and the municipality is committed to, and has a comprehensive asset management plan that includes all of the information and analysis described in *Building Together: Guide for Municipal Asset Management Plans*.

- 2. That all previous by-laws and/or motions, or parts thereof, in conflict with or contrary hereto or inconsistent herewith, be and the same are hereby repealed.
- 3. That this by-law shall come into force and effect upon its passage and remain in force and effect until such time as it is repealed by the Council of the Corporation of the Township of Matachewan.

READ A FIRST, SECOND, AND THIRD TIME AND FINALLY ENACTED AND PASSED IN OPEN COUNCIL THIS 25th DAY OF August, 2014. SIGNED, SEALED AND NUMBERED 2014-14.


Beverley Hine
Reeve


Andrew Van Oosten
CAO-Clerk-Treasurer