

**THE CORPORATION OF THE
TOWN OF MATTAWA**

AGENDA

**REGULAR MEETING OF COUNCIL
MONDAY, DECEMBER 10TH, 2018
7:00 P.M.**

**MUNICIPAL COUNCIL CHAMBERS
160 WATER STREET
MATTAWA, ONTARIO**

THE CORPORATION OF THE TOWN OF MATTAWA
A G E N D A
MUNICIPAL COUNCIL CHAMBERS
160 WATER STREET
MATTAWA, ONTARIO
MONDAY, DECEMBER 10TH, 2018 @ 7:00 P.M.

- 1. Call to Order**
- 2. Disclosure of Pecuniary Interest and Nature Thereof**
- 3. Petitions & Delegations**
- 4. Correspondence**
 - 4.1 Municipality of Northern Bruce Peninsula – Re: Municipal Voters’ List Resolution
General Government Committee – Clerk
 - 4.2 Judy Bechard, City of North Bay – Re: new Council Orientation Session January 5, 2019
General Government Committee – Clerk
 - 4.3 Ministry of Government & Consumer Services – Re: New Minister Bill Walker
General Government Committee – Clerk
 - 4.4 MBEDC – Re: November 2018 Newsletter
Recreation, Tourism & Special Projects Committee – Recreation Facilities & Services
Manager
 - 4.5 William McMullen, OPP – Re: Message From New Acting Detachment Commander
Protection to Persons & Property Committee – Clerk
 - 4.6 Lieutenant Governor – Re: Invitation to 2019 New Year’s Levee
General Government Committee – Clerk
 - 4.7 Union Gas – Re: Congratulations to Mayor and Council
Electricity, Gas & Telephone Committee – Clerk
 - 4.8 Township of Chisholm – Re: Representative on FONOM Board Resolution
General Government Committee – Clerk
 - 4.9 Ministry of Finance – Re: Ontario Cannabis Legalization Implementation Fund
Finance Committee – Clerk
 - 4.10 Cassellholme – Re: Board Meeting Package, Agenda and Minutes
General Government Committee – Clerk
 - 4.11 DNSSAB – Re: Passing of Board Member
Social & Family Services Committee – Clerk

Monday, December 10, 2018

Correspondence – Cont'd

- 4.12 NBPSDHU – Re: Board of Health Agenda & Finance & Property Committee Agenda
Health Services Committee – Clerk
- 4.13 AMO – Re: 2019 ROMA AGM & Annual Conference
General Government Committee – Clerk
- 4.14 AMO – Re: New Social Assistance Reform Plan
General Government Committee – Clerk
- 4.15 Marc Chenier, AFMO – Re: Request for Resolution of Support for French Language Rights
of Francophones
General Government Committee – Clerk
- 4.16 MNRF – Re: Wood Bridge Construction Project
Building Department Committee – Chief Building Official
- 4.17 FedNor – Re: Mike Rodden Arena & Community Centre Dressing Room Redesign Payment
Finance Committee – Clerk
- 4.18 ROMA – Re: 2019 – 2023 ROMA Board of Directors Call for Nominations
General Government Committee – Clerk

5. Questions/Comments (public & Council) about the Content of the Agenda

6. Municipal Report Number 793

- Minutes of Previous Meeting (s)
- Presentation of By-laws/Resolutions
- Adoption of Report

7. Committee Reports

8. Questions from the Floor

9. New/Old Business

10. 2/3 (Special Resolutions – not previously circulated)

11. In Camera (Closed)

12. Return to Regular Session

13. Adjournment

Monday, December 10th, 2018

Members of Council,

Attached please find Municipal Report Number 793 for consideration by Council.

Respectfully submitted

Francine Desormeau
Clerk

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THE CORPORATION TOWN OF MATTAWA

COMMITTEE: GENERAL GOVERNMENT

CHAIRPERSON: MAYOR D. BACKER

DEPT. HEAD: RAYMOND BELANGER, CAO/TREASURER

TITLE: STANDING COMMITTEE APPOINTMENT OF GENERAL GOVERNMENT CHAIRPERSON

 Draft By-Law

 X Item

 Policy Recommendation

Members of Council:

The first order of business to the first meeting of a new Council term is to appoint members of Council to Chair the Standing Committees of Council.

The Standing Committees of Council of the Corporation of the Town of Mattawa were first established in 1984 by By-law 84-05 and updated in 1995 (By-law 95-20). The Standing Committees By-law establishes all of Council's committees, identifies their functional activities and defines the duties of the appointed Committee Chairpersons.

Councillor Dexture Sarrazin is being appointed to Chair the General Government Committee for this term of Council and will under a separate recommendation formally appoint Council members to all other Standing Committees of Council.

Recommendation:

Be it resolved that Councillor Dexture Sarrazin be appointed as Chairperson to the General Government Committee which is a Standing Committee of Council as defined by By-law 95-20.

Respectfully submitted,

Mayor D. Backer

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: GENERAL GOVERNMENT

CHAIRPERSON: COUNCILLOR D. SARRAZIN

DEPT. HEAD: RAYMOND BELANGER, CAO/TREASURER

TITLE: APPOINTMENTS TO STANDING COMMITTEES OF COUNCIL

 Draft By-Law

 X Item

 Policy Recommendation

Mayor D. Backer and Members of Council:

The next order of business at the first meeting of a new Council term is to appoint members to Chair the Standing Committees of Council for the term of Council or until such time as Council deems otherwise.

A report will be brought to Council in the new year to repeal By-law 95-20 and introduce a new Standing Committees By-law with terms and reference to each committee which will reference any new applicable legislation.

Recommendation:

Be it resolved that as per By-law 95-20 members of Council are hereby appointed to Chair the Standing Committees of Council as follows:

Councillor Corey Lacelle

*Finance Committee
Personnel Committee*

Councillor Dexture Sarrazin

Planning & Development Services Committee

Councillor Garry Larose

*Transportation Services Committee
Fire Department Committee
Library Committee*

Councillor Garry Thibert

*Protection to Persons & Property-
By-Law/Building Department Committee
Environmental Services Committee*

Councillor Loren Mick

*Health Services Committee
Social & Family Services Committee
Conservation Authority Committee*

Councillor Laura Ross

Recreation, Tourism & Special Projects Committee

Respectfully submitted,
Councillor D. Sarrazin

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: GENERAL GOVERNMENT

CHAIRPERSON: COUNCILLOR D. SARRAZIN

DEPT. HEAD: FRANCINE DESORMEAU, CLERK/DEPUTY-TREASURER

TITLE: ADOPTION OF THE MINUTES

Draft By-Law

Item

Policy Recommendation

Mayor D. Backer and Members of Council:

It is respectfully recommended to Council that the minutes of the Regular Meeting of Monday, November 26th, 2018 and the Closed Meeting of Monday, November 26th, 2018 be adopted as circulated.

Councillor D. Sarrazin

THE CORPORATION OF THE TOWN OF MATTAWA

The minutes of the regular meeting of Council held Monday, November 26th, 2018 at 7:00 p.m. in the Municipal Council Chambers.

Council Present: Mayor D. Backer
Councillor C. Lacelle
Councillor G. Thibert
Councillor G. Larose
Councillor L. Mick
Councillor C. Bastien, Jr.
Councillor D. Sarrazin

Council Absent: None

Staff Present: Raymond Belanger, CAO/Treasurer
Francine Desormeau, Clerk/Deputy Treasurer
Lucie Desrochers, Recreation & Facilities Services Manager
Terry Bangs, Public Works Supervisor
Wayne Chaput, Chief Building Official/By-Law Officer
Dan Finnigan, Process & Compliance Technician

Staff Absent: Chad Belanger, Fire Chief

*When a recorded vote is requested and the minutes indicate the recorded vote was "Unanimous" it means all Councillors present and noted above voted in favour unless otherwise indicated.

1. Meeting Called to Order at 7:00 p.m.
2. No Disclosure of Pecuniary Interest and Nature Thereof
3. Petitions & Delegations
 - 3.1 Students of É. S. C. Élisabeth-Bruyère made a presentation to Council to request assistance on the re-lighting of the tree of lights on the corner of 3rd & Bissett Street/former hospital property.
4. Correspondence
5. No Questions/Comments about the Content of the Agenda
6. Municipal Report Number 792

Page No. 179

It is respectfully recommended to Council that the minutes of the Regular Meeting of Monday, November 12th, 2018 be adopted as circulated.

Carried

Page No. 180

That the Town of Mattawa approves By-Law 18-24 which authorizes the signing of a transfer payment agreement with the Minister of Community Safety and Correctional Services for the R.I.D.E. Grant Program for 2018-2019 in the amount of \$6,630.00.

Carried

Page No. 181

That Mayor and Council of the Corporation of the Town of Mattawa approves the write-off of property taxes and interest penalty fees in the amount of \$17,465.52 resulting from the expropriation of the lands described as Lots 64, 65, 66 and 67, Plan 2, Mattawan; Mattawa, District of Nipissing, bearing PIN 49101-0042 as per the provisions under Section 354 of the Municipal Act, 2001 S. O. 2001, C.25 as they are deemed uncollectible.

Carried

Page No. 182

That the Mayor and Council of the Corporation of the Town of Mattawa, due to the Christmas holidays, cancel the Regular Meeting of Council scheduled for December 24th, 2018.

Carried

Resolution Number 18-41

Moved by Councillor C. Lacelle

Seconded by Councillor G. Larose

That the Municipal Report Number 792 be adopted.

Carried

7. Committee Reports

7.1 Francine Desormeau, Clerk/Deputy Treasurer – Re: 2019 OPP Annual Billing Statement Information

Department Activity Reports

Recreation Committee Report – Recreation & Facilities Services Manager, Lucie Desrochers

Read by Councillor D. Sarrazin

By-Law/Building Committee Report (November 12th & November 26th) – Chief Building Official, Wayne Chaput

Public Works Report – Public Works Supervisor, Terry Bangs

Read by Councillor G. Thibert

8. Questions from the Floor – None
9. New/Old Business – None
10. 2/3 (Special Resolutions – not previously circulated) – None
11. In Camera (Closed) Session

11.1 Labour Relations and Personnel Matter

Resolution Number 18-42

Moved by Councillor C. Lacelle

Seconded by Councillor G. Larose

That this Committee proceed in Camera in order to address a matter pertaining to personal matters about an identifiable individual, including municipal or local board employees; and labour relations or employee negotiations.

Carried

Resolution Number 18-43

Moved by Councillor C. Lacelle

Seconded by Councillor G. Larose

That the In Camera session reconvene at 7:39 p.m.

Carried

Mayor Backer stated the In Camera session was to discuss a personnel matter and a labour relations matter.

12. Return to Regular Session
13. Adjournment

The regular meeting of Council Monday, November 26th, 2018 adjourned at 7:40 p.m.

Mayor

Clerk

THE CORPORATION OF THE TOWN OF MATTAWA

The minutes of the Closed Meeting session of Council held Monday, November 26th, 2018 at 7:25 p.m. in the CAO's Office.

Council Present: Mayor D. Backer
Councillors C. Lacelle, G. Thibert, G. Larose, L. Mick,
Councillors C. Bastien, Jr., D. Sarrazin

Council Absent: None

Staff: Raymond A. Belanger, CAO/Treasurer
Francine Desormeau, Clerk/Deputy-Treasurer

The meeting was held under the Municipal Act, 2001, S.O. 2001, c.25 Section 239 (2) (b).

Topics for discussion:

1. Under Section 239 (2) (d) of the Municipal Act – b) personal matters about an identifiable individual, including municipal or local board employees; and d) labour relations or employee negotiations.
 - See Regular Meeting Resolution: 18-42 and 18-43

The closed meeting session adjourned at 7:39 p.m.

Mayor

Clerk

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: GENERAL GOVERNMENT

CHAIRPERSON: COUNCILLOR D. SARRAZIN

DEPT. HEAD: RAYMOND BELANGER, CAO/TREASURER

TITLE: COMMITTEE AND LOCAL BOARD APPOINTMENTS

 Draft By-Law X Item Policy Recommendation

Mayor D. Backer and Members of Council:

Council is empowered, authorized or invited to have representation on a wide variety of Committees and organizations. Council authorization is required before an individual can represent the Town and no municipal commitments can be made by an individual without prior authorization by Council. A number of the appointments are due and others will be forthcoming. The following is recommended:

Recommendation:

Be it resolved that Council of the Corporation of the Town of Mattawa approves the following Committee and Local Board appointments:

Councillor Corey Lacelle *Voyageur Multi-Use Trail System Board of Directors*

Councillor Dexture Sarrazin *Mattawa and Area Police Services Board*

Councillor Garry Larose *John Dixon Public Library Board*

Councillor Garry Thibert *Canadian Ecology Centre
Landfill Advisory Committee*

Councillor Loren Mick *Mattawa and Area Food Bank*

Councillor Laura Ross *Mattawa & District Museum Board*

Respectfully submitted,

Councillor D. Sarrazin

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: GENERAL GOVERNMENT

CHAIRPERSON: COUNCILLOR D. SARRAZIN

DEPT. HEAD: RAYMOND BELANGER, CAO/TREASURER

TITLE: DNSSAB MUNICIPAL AREA 3 REPRESENTATIVE

 Draft By-Law

 X Item

 Policy Recommendation

Mayor D. Backer and Members of Council:

This District of Nipissing Social Services Administration Board is responsible for providing Ontario Works, Child Care, Housing and Land Ambulance Services to the residents of the District of Nipissing. The Townships of Mattawan, Papineau-Cameron, Bonfield, Chisholm and the municipalities of Calvin and Mattawa represent Area 3 of jurisdiction. Under the DSSAB Act, one member shall be appointed jointly by the municipal councils of those municipalities to represent Area 3.

The current Area 3 representative is Mayor Leo Jobin of the Township of Chisholm and as per DNSSAB's letter of November 12th (Correspondence Item 4.1 November 26th Agenda) Mayor Jobin is interested in returning to the Board for another term.

Mayor Backer has also expressed interest in representing Area 3 for the 2019 to 2022 term of Council and is seeking the majority of the support of Area 3 municipalities. Mayor Backer represented Area 3 municipalities for the 2003 to 2006 and the 2011 to 2014 terms of Council therefore his extensive experience on the Board will assist to guide newly elected Board members as this election resulted in a considerable turnover of Board members.

Recommendation:

That the Town of Mattawa endorses Mayor Dean Backer's appointment to the District of Nipissing Social Services Administration Board of Directors as the Area 3 representative for the 2019 to 2022 term of Council and requests the support of the other five municipalities.

Respectfully submitted,

Councillor D. Sarrazin

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: GENERAL GOVERNMENT

CHAIRPERSON: COUNCILLOR D. SARRAZIN

DEPT. HEAD: RAYMOND BELANGER, CAO/TREASURER

TITLE: BOARD OF HEALTH APPOINTMENT

Draft By-Law Item Policy Recommendation

Mayor D. Backer and Members of Council:

The Townships of Papineau-Cameron, Bonfield and Chisholm and the Municipalities of Mattawan, Calvin, East Ferris and the Town of Mattawa appoint one representative to the Board of Health for Nipissing District/East. According to the established rotation system it is the Town of Mattawa's turn to appoint a representative to the Board of Health. The Town of Mattawa has not had a representative on the Board of Health since 1997.

Mayor Backer has expressed interest to be the Nipissing District/East Representative for the 2019-2022 term of Council therefore the following is recommended:

Recommendation:

That the Corporation of the Town of Mattawa appoints Mayor Dean Backer to the Board of Health for the Nipissing Parry Sound District Health Unit as the Nipissing District/East Municipal Representative for the 2019-2022 term of Council.

Respectfully submitted,

Councillor D. Sarrazin

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: GENERAL GOVERNMENT

CHAIRPERSON: COUNCILLOR D. SARRAZIN

DEPT. HEAD: FRANCINE DESORMEAU, CLERK/DEPUTY-TREASURER

TITLE: FONOM BOARD OF DIRECTORS REPRESENTATIVE

 Draft By-Law

 X Item

 Policy Recommendation

Mayor D. Backer and Members of Council:

The municipality of East Ferris is seeking support for the re-appointment of Councillor Terry Kelly to the Board of Directors of FONOM for the next Board term (2019/2020) to represent the Town of Mattawa, the municipalities of Calvin, Temagami, West Nipissing and East Ferris as well as the Townships of Bonfield, Chisholm, Mattawan, Papineau-Cameron and South Algonquin.

Recommendation:

Be it resolved that the Council of the Corporation of the Town of Mattawa supports a resolution put forward by the Municipality of East Ferris for the re-appointment of Councillor Terry Kelly to the Board of Directors for FONOM for the next Board Term being 2019-2020 to represent the Town of Mattawa and the municipalities of Calvin, Temagami, West Nipissing and East Ferris as well as the Townships of Bonfield, Chisholm, Mattawan, Papineau-Cameron and South Algonquin in the District of Nipissing.

Respectfully submitted,

Councillor D. Sarrazin

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: PERSONNEL

CHAIRPERSON: COUNCILLOR C. LACELLE

DEPT. HEAD: RAYMOND BELANGER, CAO/TREASURER

TITLE: COLLECTIVE AGREEMENT – LOCAL 1465-01

18-25 Draft By-Law ___ Item ___ Policy Recommendation

Mayor D. Backer and Members of Council:

Council of the Corporation of the Town of Mattawa adopted Page 76 of Resolution Number 18-24 which stated:

“That the Mayor and Council approve the May 4th, 2018 Memorandum of Settlement between the Corporation of the Town of Mattawa and CUPE Local 1465-01 and that the appropriate By-Law be prepared incorporating the agreed to changes in the Collective Agreement which will be in effect from January 1, 2017 to December 31, 2019.”

Since passing the above resolution, the Collective Agreement which was prepared by Local 1465, reviewed by the municipality for completeness, is now recommended for formal adoption.

Recommendation:

That By-Law Number 18-25 be approved which authorizes the signing of the Collective Agreement between the municipality and CUPE Local 1465-01 for the years 2017, 2018 and 2019.

Respectfully submitted,

Councillor C. Lacelle

CORPORATION OF THE TOWN OF MATTAWA

BY-LAW NUMBER 18-25

WHEREAS The Corporation of the Town of Mattawa appointed a Collective Bargaining Negotiating Committee to meet with representatives of CUPE 1465-01 for the purpose of negotiating a Collective Agreement.

AND WHEREAS a Memorandum of Settlement was arrived at by Conciliation.

AND WHEREAS Page 76 of Resolution Number 18-24 was adopted May 4, 2018 to approve the Collective Bargaining Negotiation Committee's recommendation of a three year contract effective January 1, 2017 to December 31, 2019 by Memorandum of Settlement.

NOW THEREFORE the Council of the Corporation of the Town of Mattawa enacts as follows:

1. **THAT** the CUPE Local 1465-01 Collective Agreement for the term of January 1, 2017 to December 31, 2019 forms part of this By-law and is known hereto as Appendix "A".
2. **THAT** the Mayor and Clerk are authorized to sign this By-law authorizing the signing of the CUPE Local 1465-01 Collective Agreement for the years 2017, 2018 and 2019.
3. **THAT** the CAO/Treasurer, Personnel Committee Chair and General Government Committee Chair whom formed the Collective Bargaining Negotiating Committee are authorized to execute the CUPE Local 1465-01 Collective Agreement, Appendix "A" on behalf of the Corporation of the Town of Mattawa.

READ A FIRST and SECOND time this 10th day of December, 2018.

READ A THIRD time and FINALLY PASSED this 10th day of December, 2018.

Mayor

Clerk

THE CORPORATION OF THE TOWN OF MATTAWA

COMMITTEE: PERSONNEL

CHAIRPERSON: COUNCILLOR C. LACELLE

DEPT. HEAD: RAYMOND BELANGER, CAO/TREASURER

TITLE: CLEANING CONTRACTOR

 Draft By-Law

 X Item

 Policy Recommendation

Mayor D. Backer and Members of Council:

It is customary for the Town of Mattawa to contract out custodial cleaning services for the Municipal Office, the last contract has expired on November 30, 2018 and the present contractor has agreed to extend their services to December 31, 2018. As per the Hiring Policy, this employment opportunity was advertised in both the October 21st and 28th, 2018 issues of the Mattawa Recorder and also posted on the Municipal Website.

Complete details were available at the Municipal Office and applications had to be received by Friday, November 2nd, 2018. A total of 5 applications were received however one of the applicants withdrew their application. A consensus for recommendation to Council has been reached following screening of candidates with the CAO/Treasurer, interview process and staff verification of the provided references.

Recommendation:

It is therefore recommended that the Corporation of the Town of Mattawa offer the custodial cleaning contract for the Mattawa Municipal Office to Mrs. Judy Grogan. This contract is for a two year period from January 1, 2019 to December 31, 2020 at the rate of \$400.00 per month, payable at the end of each month.

Respectfully submitted,

Councillor C. Lacelle

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: FINANCE

CHAIRPERSON: COUNCILLOR C. LACELLE

DEPT. HEAD: RAYMOND BELANGER, CAO/TREASURER

TITLE: FINANCIAL REPORT FOR THE MONTH OF NOVEMBER

Draft By-Law

Item

Policy Recommendation

Mayor D. Backer and Members of Council:

That the disbursements for the month of November 2018 in the amount of \$525,742.69 be adopted as submitted.

Respectfully submitted,

Councillor C. Lacelle

THE CORPORATION TOWN OF MATTAWA

COMMITTEE: FINANCE

CHAIRPERSON: COUNCILLOR C. LACELLE

DEPT. HEAD: RAYMOND BELANGER, CAO/TREASURER

TITLE: BY-LAW TO AUTHORIZE OILC DEBENTURE

X Draft By-Law Item Policy Recommendation

Mayor D. Backer and Members of Council:

Council approved a financing agreement with the Ontario Infrastructure and Lands Corporation (OILC) by By-law 18-23 at the Special Meeting of October 29th to debenture \$300,000.00 for Capital Works Projects as per the following:

<u>Description of Capital Works Projects</u>	<u>Estimated Project Costs</u>	<u>Amount Financed</u>
Purchase of 2017R Trackless RMT5 Sidewalk Tractor	\$100,000.00	\$ 95,000.00
Purchase of 2018 Zamboni Ice Resurfacer	\$100,000.00	\$ 91,000.00
Mike Rodden Arena Dressing Rooms and Accessible Washrooms Project	\$333,000.00	\$114,000.00

In summary, the municipality is borrowing \$300,000 from the OILC at a loan interest rate of 2.98% to be repaid in semi-annual payments over a five-year term. Total annual payments will be \$65,026.06.

Recommendation:

That Council of the Corporation of the Town of Mattawa approves By-Law 18-26 which is a By-law authorizing the borrowing in the amount of \$300,000.00 through Ontario Infrastructure and Lands Corporation (OILC) in the form of a five-year debenture for Capital Works Projects towards the cost of the Mike Rodden Arena Renovations Project, the purchase of a 2017R Trackless RMT5 Sidewalk Tractor and the purchase of a 2018 Zamboni Ice Resurfacer.

Respectfully recommended,

Councillor C. Lacelle

THE CORPORATION OF THE TOWN OF MATTAWA

BY-LAW NUMBER 18-26

A BY-LAW OF THE CORPORATION OF THE TOWN OF MATTAWA TO AUTHORIZE THE BORROWING UPON AMORTIZING DEBENTURES IN THE PRINCIPAL AMOUNT OF \$300,000.00 TOWARDS THE COST OF THE MIKE RODDEN ARENA RENOVATIONS PROJECT, PURCHASE OF 2017R TRACKLESS RMT5 SIDEWALK TRACTOR, PURCHASE OF 2018 ZAMBONI AT THE MIKE RODDEN ARENA

AND WHEREAS subsection 401 (1) of the *Municipal Act, 2001*, as amended (the "Act") provides that a municipality may incur a debt for municipal purposes, whether by borrowing money or in any other way, and may issue debentures and prescribed financial instruments and enter prescribed financial agreements for or in relation to the debt;

AND WHEREAS subsection 408 (2.1) of the Act provides that a municipality may issue a debenture or other financial instrument for long-term borrowing only to provide financing for a capital work;

AND WHEREAS the Council of The Corporation of The Town of Mattawa (the "Municipality") has passed the By-law or By-laws, as applicable, enumerated in column (1) of Schedule "A" attached hereto and forming part of this By-law authorizing the capital work described in column (2) of Schedule "A" (individually a "Capital Work" and collectively the "Capital Works", as the case may be), and authorizing the entering into of a Financing Agreement dated effective as of November 05, 2018 for the provision of temporary and long term borrowing from Ontario Infrastructure and Lands Corporation ("OILC") in respect of the Capital Work(s) (the "Financing Agreement") and the Municipality desires to issue debentures for the Capital Work(s) in the amount or respective amounts, as applicable, specified in column (5) of Schedule "A";

AND WHEREAS before authorizing the Capital Work(s) and before authorizing any additional cost amount and any additional debenture authority in respect thereof the Council of the Municipality had its Treasurer calculate an updated limit in respect of its most recent annual debt and financial obligation limit received from the Ministry of Municipal Affairs and Housing in accordance with the applicable regulation and, prior to the Council of the Municipality authorizing the Capital Work(s), each such additional cost amount and each such additional debenture authority, the Treasurer determined that the estimated annual amount payable in respect of the Capital Work(s), each such additional cost amount and each such additional debenture authority, would not cause the Municipality to exceed the updated limit and that the approval of the Capital Work(s), each such additional cost amount and each such additional debenture authority, by the Ontario Municipal Board pursuant to such regulation was not required;

AND WHEREAS the Municipality has submitted an application to OILC for long term borrowing through the issue of debentures to OILC in respect of the Capital Work(s) (the "Application") and the Application has been approved;

AND WHEREAS to provide long term financing for the Capital Work(s) and to repay certain temporary advances in respect of the Capital Work(s) made by OILC pursuant to

the Financing Agreement, it is now deemed to be expedient to borrow money by the issue of amortizing debentures in the principal amount of \$300,000.00 dated December 17, 2018 and maturing on December 17, 2023, and payable in semi-annual instalments of combined principal and interest on the seventeenth day of June and on the seventeenth day of December in each of the years 2019 to 2023, both inclusive on the terms hereinafter set forth;

NOW THEREFORE THE COUNCIL OF The Corporation of The Town of Mattawa ENACTS AS FOLLOWS:

1. For the Capital Work(s), the borrowing upon the credit of the Municipality at large of the principal amount of \$300,000.00 and the issue of amortizing debentures therefor to be repaid in semi-annual instalments of combined principal and interest as hereinafter set forth, are hereby authorized.
2. The Mayor and the Treasurer of the Municipality are hereby authorized to cause any number of amortizing debentures to be issued for such amounts of money as may be required for the Capital Work(s) in definitive form, not exceeding in total the said principal amount of \$300,000.00 (the "Debentures"). The Debentures shall bear the Municipality's municipal seal and the signatures of Mayor and the Treasurer of the Municipality, all in accordance with the provisions of the Act. The municipal seal of the Municipality and the signatures referred to in this section may be printed, lithographed, engraved or otherwise mechanically reproduced. The Debentures are sufficiently signed if they bear the required signatures and each person signing has the authority to do so on the date he or she signs.
3. The Debentures shall be in fully registered form as one or more certificates in the principal amount of \$300,000.00, in the name of OILC, or as OILC may otherwise direct, substantially in the form attached as Schedule "B" hereto and forming part of this By-law with provision for payment of principal and interest (other than in respect of the final payment of principal and outstanding interest on maturity upon presentation and surrender) by pre-authorized debit in respect of such principal and interest to the credit of such registered holder on such terms as to which the registered holder and the Municipality may agree.
4. In accordance with the provisions of section 25 of the *Ontario Infrastructure and Lands Corporation Act, 2011*, as amended from time to time hereafter, as security for the payment by the Municipality of the indebtedness of the Municipality to OILC under the Debentures (the "Obligations"), the Municipality is hereby authorized to agree in writing with OILC that the Minister of Finance is entitled, without notice to the Municipality, to deduct from money appropriated by the Legislative Assembly of Ontario for payment to the Municipality, amounts not exceeding the amounts that the Municipality fails to pay OILC on account of the Obligations and to pay such amounts to OILC from the Consolidated Revenue Fund.
5. The Debentures shall all be dated **December 17, 2018**, and as to both principal and interest shall be expressed and be payable in lawful money of Canada. The Debentures shall bear interest at the rate of 2.98% per annum and mature during a period of 5 year(s) from the date thereof payable semi-annually in arrears as described in this section. The Debentures shall be paid in full by December 17, 2023 and be payable in equal semi-annual instalments of combined principal and interest on the seventeenth day of June and on the seventeenth day of December in each of the years 2019 to 2023, both inclusive, save and except for the last instalment which

may vary slightly from the preceding equal instalments, as set forth in Schedule "C" attached hereto and forming part of this By-law ("Schedule "C").

6. Payments in respect of principal of and interest on the Debentures shall be made only on a day on which banking institutions in Toronto, Ontario, are not authorized or obligated by law or executive order to be closed (a "**Toronto Business Day**") and if any date for payment is not a Toronto Business Day, payment shall be made on the next following Toronto Business Day.
7. Interest shall be payable to the date of maturity of the Debentures and on default shall be payable on any overdue amounts both before and after default and judgment at a rate per annum equal to the greater of the rate specified on the Schedule as attached to and forming part of the Debentures for such amounts plus 200 basis points or Prime Rate (as defined below) plus 200 basis points, calculated on a daily basis from the date such amounts become overdue for so long as such amounts remain overdue and the Municipality shall pay to the registered holders any and all costs incurred by the registered holders as a result of the overdue payment. Any amounts payable by the Municipality as interest on overdue principal or interest and all costs incurred by the registered holders as a result of the overdue payment in respect of the Debentures shall be paid out of current revenue. Whenever it is necessary to compute any amount of interest in respect of the Debentures for a period of less than one full year, other than with respect to regular semi-annual interest payments, such interest shall be calculated on the basis of the actual number of days in the period and a year of 365 days or 366 days as appropriate.

"**Prime Rate**" means, on any day, the annual rate of interest which is the arithmetic mean of the prime rates announced from time to time by the following five major Canadian Schedule I banks, as of the issue date of this Debenture: Royal Bank of Canada; Canadian Imperial Bank of Commerce; The Bank of Nova Scotia; Bank of Montreal; and The Toronto-Dominion Bank (the "**Reference Banks**") as their reference rates in effect on such day for Canadian dollar commercial loans made in Canada. If fewer than five of the Reference Banks quote a prime rate on such days, the "Prime Rate" shall be the arithmetic mean of the rates quoted by those Reference Banks.

8. In each year in which a payment of equal semi-annual instalments of combined principal and interest becomes due in respect of the Capital Work(s) including the last 'non-equal' instalment, there shall be raised as part of the Municipality's general levy the amounts of principal and interest payable by the Municipality in each year as set out in Schedule "C" to the extent that the amounts have not been provided for by any other available source including other taxes or fees or charges imposed on persons or property by a by-law of any municipality.
9. The Debentures may contain any provision for their registration thereof authorized by any statute relating to municipal debentures in force at the time of the issue thereof.
10. The Municipality shall maintain a registry in respect of the Debentures in which shall be recorded the names and the addresses of the registered holders and particulars of the Debentures held by them respectively and in which particulars of the cancellations, exchanges, substitutions and transfers of Debentures, may be recorded and the Municipality is authorized to use electronic, magnetic or other media for records of or related to the Debentures or for copies of them.

11. The Municipality shall not be bound to see to the execution of any trust affecting the ownership of any Debenture or be affected by notice of any equity that may be subsisting in respect thereof. The Municipality shall deem and treat registered holders of the Debentures as the absolute owners thereof for all purposes whatsoever notwithstanding any notice to the contrary and all payments to or to the order of registered holders shall be valid and effectual to discharge the liability of the Municipality on the Debentures to the extent of the amount or amounts so paid. Where a Debenture is registered in more than one name, the principal of and interest from time to time payable on such Debenture shall be paid to or to the order of all the joint registered holders thereof, failing written instructions to the contrary from all such joint registered holders, and such payment shall constitute a valid discharge to the Municipality. In the case of the death of one or more joint registered holders, despite the foregoing provisions of this section, the principal of and interest on any Debentures registered in their names may be paid to the survivor or survivors of such holders and such payment shall constitute a valid discharge to the Municipality.
12. The Debentures will be transferable or exchangeable at the office of the Treasurer of the Municipality upon presentation for such purpose accompanied by an instrument of transfer or exchange in a form approved by the Municipality and which form is in accordance with the prevailing Canadian transfer legislation and practices, executed by the registered holder thereof or such holder's duly authorized attorney or legal personal representative, whereupon and upon registration of such transfer or exchange and cancellation of the Debenture or Debentures presented, the Mayor and the Treasurer shall issue and deliver a new Debenture or Debentures of an equal aggregate principal amount in any authorized denomination or denominations as directed by the transferee, in the case of a transfer or as directed by the registered holder in the case of an exchange.
13. The Mayor and the Treasurer shall issue and deliver new Debentures in exchange or substitution for Debentures outstanding on the registry with the same maturity and of like form which have become mutilated, defaced, lost, subject to a mysterious or unexplainable disappearance, stolen or destroyed, provided that the applicant therefor shall have: (a) paid such costs as may have been incurred in connection therewith; (b) (in the case when a Debenture is mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed) furnished the Municipality with such evidence (including evidence as to the certificate number of the Debenture in question) and an indemnity in respect thereof satisfactory to the Municipality in its discretion; and (c) surrendered to the Municipality any mutilated or defaced Debentures in respect of which new Debentures are to be issued in substitution.
14. The Debentures issued upon any registration of transfer or exchange or in substitution for any Debentures or part thereof shall carry all the rights to interest if any, accrued and unpaid which were carried by such Debentures or part thereof and shall be so dated and shall bear the same maturity date and, subject to the provisions of this By-law, shall be subject to the same terms and conditions as the Debentures in respect of which the transfer, exchange or substitution is effected.
15. The cost of all transfers and exchanges, including the printing of authorized denominations of the new Debentures, shall be borne by the Municipality. When any of the Debentures are surrendered for transfer or exchange the Treasurer of the Municipality shall: (a) in the case of an exchange, cancel and destroy the Debentures surrendered for exchange; (b) in the case of an exchange, certify the cancellation and

destruction in the registry; (c) enter in the registry particulars of the new Debenture or Debentures issued in exchange; and (d) in the case of a transfer, enter in the registry particulars of the registered holder as directed by the transferor.

16. Reasonable fees for the substitution of a new Debenture or new Debentures for any of the Debentures that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed and for the replacement of any of the principal and interest cheques (if any) that are mutilated, defaced, lost, mysteriously or unexplainably missing, stolen or destroyed may be imposed by the Municipality. When new Debentures are issued in substitution in these circumstances the Municipality shall: (a) treat as cancelled and destroyed the Debentures in respect of which new Debentures will be issued in substitution; (b) certify the deemed cancellation and destruction in the registry; (c) enter in the registry particulars of the new Debentures issued in substitution; and (d) make a notation of any indemnities provided.
17. Except as otherwise expressly provided herein, any notice required to be given to a registered holder of one or more of the Debentures will be sufficiently given if a copy of such notice is mailed or otherwise delivered to the registered address of such registered holder.
18. The Mayor and the Treasurer are hereby authorized to cause the Debentures to be issued, one or more of the Clerk and Treasurer are hereby authorized to generally do all things and to execute all other documents and other papers in the name of the Municipality in order to carry out the issue of the Debentures and the Treasurer is authorized to affix the Municipality's municipal seal to any of such documents and papers.
19. The money received by the Municipality from the sale of the Debentures to OILC, including any premium, and any earnings derived from the investment of that money, after providing for the expenses related to their issue, if any, shall be apportioned and applied to the Capital Work(s) and to no other purpose except as permitted by the Act.
20. Subject to the Municipality's investment policies and goals, the applicable legislation and the terms and conditions of the Debentures, the Municipality may, if not in default under the Debentures, at any time purchase any of the Debentures in the open market or by tender or by private contract at any price and on such terms and conditions (including, without limitation, the manner by which any tender offer may be communicated or accepted and the persons to whom it may be addressed) as the Municipality may in its discretion determine.

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

By-law read a first and second time this 10th day of December, 2018

By-law read a third time and finally passed this 10th day of December, 2018

Dean Backer
Mayor

Francine Desormeau
Clerk