

THE CORPORATION OF THE TOWN OF LINCOLN

BY-LAW NO. 07-10

A BY-LAW TO AUTHORIZE THE SUBMISSION OF AN APPLICATION TO THE ONTARIO INFRASTRUCTURE PROJECTS CORPORATION ("OIPC") FOR FUNDING FROM THE RURAL INFRASTRUCTURE INVESTMENT INITIATIVE FOR NEW ELIGIBLE CAPITAL PROJECTS OF THE CORPORATION OF TOWN OF LINCOLN (THE "MUNICIPALITY") AND TO APPROVE THE EXPENDITURE OF FUNDS ON SAID ELIGIBLE CAPITAL PROJECTS

WHEREAS the Municipal Act, 2001, S.O. 2001, C.25, 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 on September 19, 2006 the Province of Ontario announced an investment of \$70 million dollars for rural infrastructure as a one-time grant for rural infrastructure initiatives to eligible Ontario municipalities;

AND WHEREAS on behalf of the Province of Ontario, OIPC will be administering the Rural Infrastructure Investment Initiative to eligible Ontario municipalities for the purposes of new eligible rural infrastructure initiative projects;

AND WHEREAS it is now deemed to be expedient to authorize for the municipal purposes of the Municipality the new capital projects described in column (2) of Schedule "A" (individually a "Project", collectively the "Projects") attached hereto and forming part of this By-law ("Schedule "A") in the amount of the estimated expenditure set out in column (3) of Schedule "A";

AND WHEREAS OIPC has invited eligible Ontario municipalities desirous of obtaining funding pursuant to the Rural Infrastructure Investment Initiative in order to meet capital expenditures in connection with new eligible capital projects to make application to OIPC for such funding by completing and submitting an application on the form provided by OIPC (the "Application");

AND WHEREAS the eligible Municipality has submitted an Application to OIPC to request funding for the Projects;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWN OF LINCOLN ENACTS AS FOLLOWS:

1. The Council of the Town of Lincoln hereby confirms, ratifies and approves the completion by the Treasurer of an Application and the submission by such authorized official of an Application, duly executed by such authorized official, to OIPC for the funding of the Project(s) for the purposes of the Rural Infrastructure Investment Initiative in the maximum aggregate principal amount of \$999,250.00 (the "Funding").
2. (a) Construction of each Project in the amount of the respective estimated Authorized Expenditure set out in column (3) of Schedule "A" is hereby approved and authorized;

(b) the Mayor and the Clerk are hereby authorized to conclude contracts on behalf of the Municipality for the construction of the Project(s) in accordance with the Municipality's usual protocol;

(c) where applicable, the Director of Public Works of the Municipality will forthwith make such plans, profiles and specifications and furnish such information as in the opinion of the Director of Public Works is necessary for the construction of the Project(s);

(d) where applicable, the construction of the Project(s) shall be carried on and executed under the superintendence and according to the direction and orders of such Director of Public Works; and


(e) the Director of Public Works, or such other official of the Municipality charged with the management of the Project(s) shall report semi-annually to the Council of the Municipality on the status of the Project(s).

3. The Council of the Municipality hereby confirms that the Funding will be applied and shall be used exclusively for financing those Project(s) eligible under the Rural Infrastructure Investment Initiative as set out in Schedule "A" to this By-Law and for no other purposes.
4. This By-law shall come into force and take effect on the day of the final passing thereof.

BY-LAW read a FIRST time this 29th day of January, 2007.

BY-LAW read a SECOND time this 29th day of January, 2007.

BY-LAW read a THIRD time and FINALLY PASSED this 29th day of January, 2007.



MAYOR: BILL HODGSON



CLERK: WILLIAM J. KOLASA