

THE CORPORATION OF THE CITY OF BROCKVILLE
BY-LAW NUMBER 30-95

A BY-LAW OF THE CITY OF BROCKVILLE
RESPECTING THE CONSTRUCTION OF A
SUSPECT WASTE STORAGE SITE AND
NOISE/VISUAL MITGATION BERMS AT
THE SANITARY LANDFILL SITE

WHEREAS pursuant to Section 210.89 of the Municipal Act R.S.O.1990, c.M45, as amended, councils of municipalities may pass by-laws for establishing and maintaining a system for the collection, removal and disposal of garbage or of garbage and other refuse or of ashes, garbage and other refuse, and for contracting with any person for the collection, removal and disposal by that person of ashes, garbage and other refuse upon such terms and conditions as may be considered expedient, and for erecting and maintaining with the approval of the Ministry of Health such buildings, machinery and plant as may be considered necessary for the purposes of this paragraph; AND

WHEREAS the Certificate of Approval for the continued use of the landfill site mandates the construction of certain facilities and improvements to the site; AND

WHEREAS Council deems it expedient to proceed with the required capital expenditures and improvements as mandated in the Certificate of Approval.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BROCKVILLE ENACTS AS FOLLOWS:

1. DEFINITIONS:- (In this section)

(a) "municipality" means a municipality as defined in the Municipal Affairs Act.

2. THAT certain capital expenditures and improvements at the sanitary landfill site be undertaken in accordance with the requirements of the Certificate of Approval for continued use of the landfill site including the construction of a suspect waste storage site and noise/visual mitigation berms..

3. THAT the estimated cost of the four (4) year undertaking is Three Hundred and Twenty Five Thousand Dollars (\$325,000.00)

	<u>CITY</u>	<u>TOTAL</u>
Construction:	\$290,000	\$290,000
Engineering:	15,000.	15,000.
Financing:	<u>20,000.</u>	<u>20,000.</u>
<u>TOTAL BUDGETED COST:</u>	<u>\$325,000.</u>	<u>\$325,000.</u>

4. THAT the Treasurer of the Corporation be and is hereby authorized to expend the sum of One Hundred Thousand Dollars (\$100,000.00) in 1995; Seventy Five Thousand Dollars (\$75,000.00) in 1996; Seventy Five Thousand Dollars (\$75,000.00) in 1997; and Seventy Five Thousand Dollars (\$75,000.00) in 1998 for the purposes aforesaid being the total budgeted cost of the said works, provided that, funding for each year of the project as aforesaid be separately authorized in the adopted capital budget of the municipality for each year of the years stated as comprising the duration of the project..

5(a). THAT the Mayor and Treasurer of the Corporation are hereby authorized to obtain from any bank or banks or other sources, temporary advances at a borrowing rate not exceeding the banks prime lending rate to Municipalities, by way of a promissory note or notes or otherwise but not to exceed the sum of One Hundred Thousand Dollars (\$100,000.00) in 1995; Seventy Five Thousand Dollars (\$75,000.00) in 1996; Seventy Five Thousand Dollars (\$75,000.00) in 1997; Seventy Five Thousand Dollars (\$75,000.00) in 1998 being the total budgeted cost of the said works, until and pending completion of the said undertaking, provided that, each year of the said undertaking be separately authorized in the adopted capital budget of the municipality as aforesaid.

5(b). THAT a promissory note or notes or other vouchers sealed with the seal of the Corporation and signed on behalf of the Corporation by the Mayor and Treasurer be given to the bank or banks or other lenders for advances obtained on the authority of this instrument and providing for repayment of said advances with interest thereon.

5(c). THAT the Treasurer of the Corporation is hereby directed and authorized to apply in payment of said advances with interest thereon all monies borrowed on the credit of the Corporation to defray the cost of the said works and all monies from other sources properly applicable to the cost of the said undertaking.

5(d). THAT the Treasurer of the Corporation is hereby authorized to approve for payment any additional expenditures for the said capital project from contingency funds allocated for this purpose, subject to the following conditions and limitations:

1. That the request for the additional expenditure is submitted in writing by the Project Manager to the Treasurer of the Corporation; and
2. That the approval of the Chief Administrative Officer or designate has been obtained for the additional expenditure being requested; and
3. That the amount of the approved additional expenditure shall not exceed Ten Percent (10%) of the authorized budgeted cost of the said undertaking; and
4. That the amount of additional expenditure approved as aforesaid shall not exceed the greater of the balance remaining in the capital contingency account or the amount that Ten Percentum (10%) is of the approved budgeted cost of the said capital project providing that this amount is no greater than Twenty Five Percentum (25%) of the contingency funds available.

6. THAT the Certificate of the Treasurer and the Project Manager's Report, Schedules "A" and "B" attached hereto, shall be read with and form part of this by-law.

GIVEN UNDER THE SEAL OF THE CORPORATION OF
THE CITY OF BROCKVILLE AND PASSED
THIS 28TH DAY OF MARCH A.D.1995


MAYOR


CLERK

SCHEDULE "A"
TO
BY-LAW NUMBER *30-95*

TREASURER'S REPORT
ON THE
APPROVALS and AVAILABILITY OF FUNDS

DATE OF REPORT: MARCH 13, 1995
PROJECT NAME: LANDFILL SITE: INTERIM EXPANSION WORKS.
LOCATION: SANITARY LANDFILL SITE: PARKEDALE AVE. WEST
PURPOSE: COMPLETION OF MANDATED WORKS ASSOCIATED WITH
INTERIM EXPANSION CERTIFICATE - SUSPECT WASTE STORAGE
SITE AND NOISE/VISUAL MITIGATION BERM.
ACCOUNT NUMBER: C4050-EN09
CAPITAL PROJECT NO.: CB1995 - 1.8.

APPROVALS

STATUTORY AUTHORITY: Section 210.58; 210.89; Municipal Act, c.M45, R.S.O.1990
ESTIMATED LIFE OF ASSET: 6 Years.
PERIOD OF WORK: 1 Year.
AVAILABILITY OF INTERIM FINANCING: Bank Loan and Internal Loan.
MINISTRY APPROVAL(S): (1) Ministry of Energy & Environment, Ontario.
DATE APPROVAL RECEIVED: (1) To be received **APPROVAL NO.:**

AVAILABILITY OF FUNDS

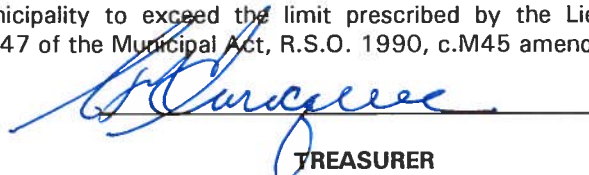
BUDGETED EXPENDITURES

BUDGETED COST OF PROJECT:	\$ 95,000
Cost of Financing:	<u>5,000</u>
(1) <u>TOTAL BUDGETED COST OF PROJECT:</u>	<u>\$100,000</u>

BUDGETED REVENUES

CONTRIBUTION FROM CURRENT FUND:	\$100,000
CONTRIBUTION FROM RESERVE FUNDS:	
CONTRIBUTION FROM CAPITAL CONTINGENCY:	
<u>MISCELLANEOUS CONTRIBUTION:</u>	<u> </u>
(2) <u>TOTAL OWN SOURCE REVENUES & SUBSIDIES FOR 1995:</u>	<u>\$100,000</u>
(3) <u>AMOUNT TO BE DEBENTURED IN 1995</u>	<u>\$ Nil</u>
(4) <u>TOTAL BUDGETED REVENUES FROM ALL SOURCES:</u>	<u>\$100,000</u>

I hereby certify that the above indicated sources of funds are eligible, approved and will be made available for the undertaking of this project subject to the restrictions imposed by any Ministry or Regulatory Agency as it pertains to the purpose(s) for which the financing is intended. Sections 65 & 66 of the Ontario Municipal Board Act, R.S.O. 1990, c.O28 amended, do not apply since the proposed debenture issue does not cause the municipality to exceed the limit prescribed by the Lieutenant Governor in Council as set out in Section 147 of the Municipal Act, R.S.O. 1990, c.M45 amended.


TREASURER

NOTE: This certificate is contingent on all the above documentation, approvals and required certificates being on hand and complete in every respect prior to the commencement of the said undertaking.

SCHEDULE "B"
TO
CITY OF BROCKVILLE
BY-LAW NO. 30-95

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DATE: 1995 03 14

Project No: CB1995-1.8
Account No: C4050-EN09

REPORT OF THE PROJECT MANAGER
ON A
CAPITAL PROJECT

Name of Project: LANDFILL SITE: INTERIM EXPANSION CERTIFICATE WORKS

TO THE COUNCIL OF THE CITY OF BROCKVILLE:

GENTLEMEN and LADIES:

I wish to report as follows on the subject project:

1. Description of the Undertaking:

Application for an Interim Expansion Certificate at the landfill site was successful.
Mandated works now include a suspect waste storage site and noise/visual mitigation berms.

2. Budgeted Cost Estimate:

	1995 Budget	Total Proposed Cost Estimate	Previously Adopted Cost Estimate
Construction:	\$ 90 000	\$ 290 000	\$ -
Engineering:	5 000	15 000	N/A
Financing:	5 000	20 000	-
TOTAL	\$ 100 000	\$ 325 000	\$ N/A

3. Corporation's Statutory Authority to Proceed:

Municipal Act, c.M45, Section 210.89 R.S.O. 1990 as amended.

4. Statutory Authority for Ontario Municipal Board Approval:

N/A

5. Other Approvals Required:

N/A

Project Manager's Report
Project No: CB1995-1.8
Account No: C4050-EN09

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Date 1995 03 14

6. Lifetime of Work:

6 years

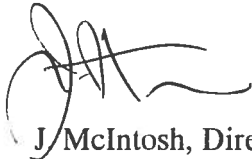
7. Recommended Funding:

		1995 Capital Budget		Total of Proposed Funding		Previously Adopted Funding
Contr. from Current:	\$	100 000	\$	325 000	\$	
Debenture:		-		-		N/A
TOTAL	\$	100 000	\$	325 000	\$	N/A

8. Method of Recovery:

Mill rate on all rateable property \$ 100 000

Respectfully submitted



J. McIntosh, Director of Engineering