

# **THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI**

**BY-LAW NO. 18-1389**

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**Being a by-law to authorize the Acting Chief Administrative Officer to execute an amendment to the Landfill Attendant Contract for the Strathy and Sisk Landfill sites.**

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**WHEREAS** under Section 8 (1) of the Municipal Act, 2001, S.O., 2001, c.25, as amended, the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**AND WHEREAS** under Section 9 of the Municipal Act, 2001, S.O., 2001, c.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other act;

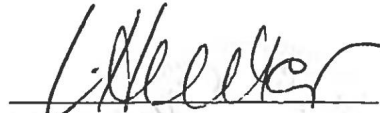
**AND WHEREAS** on the 22<sup>nd</sup> day of February, 2018, the Council of the Municipality of Temagami passed Resolution 18-057 to receive Report 2018-006 and to amend the contract with Bryan Fontaine for the services of a Landfill Attendant for the Strathy and Sisk Landfill sites;

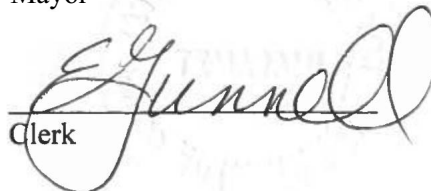
**NOW THEREFORE the Council of the Corporation of the Municipality of Temagami hereby enacts as follows:**

1. That the Acting Chief Administrative Officer is hereby authorized and directed to execute the agreement attached hereto as Schedule "A" and forming part of this bylaw.
2. That this bylaw shall come into force and take effect upon final passing thereof.
3. That the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where such modifications or corrections do not alter the intent of the by-law.

TAKEN AS READ A FIRST time on this 13<sup>th</sup> day of March, 2018.

READ A SECOND AND THIRD time and finally passed this 13<sup>th</sup> day of March, 2018.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**ADDENDUM #2  
TO THE CONTRACT MADE BETWEEN  
THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI  
AND THE CONTRACTOR, BRYAN FONTAINE  
ORIGINALLY DATED THE 28<sup>TH</sup> DAY OF MARCH 2013  
BEING SCHEDULE "A" TO BY-LAW 13-1101**

**CONTRACT**

**BETWEEN**

**THE CORPORATION OF THE MUNICIPALITY OF TEMAGAMI**

Hereinafter referred to as the **"Municipality"**  
AND

**Bryan Fontaine**

Hereinafter referred to as the **"Contractor"**

WHEREAS the Municipality engaged the Contractor as a Landfill Attendant for the operation of Strathy and Sisk Municipal Landfill Sites Attendant for a 3-year term, for the period of March 28, 2013 until March 27, 2016 by means of a contract authorized by By-Law 13-1101; and

WHEREAS Section 9 of said contract provides for modifications to the terms of this contract; and section 10 provides for renewal or continuation of said contract:

WHEREAS the Municipality and Contractor are both desirous of changing the terms of the contract to extend the term and to add a retroactive price increase:

WHEREAS the Council of the Municipality passed Resolution 18-057 on the 22<sup>th</sup> day of February 2018 to authorize staff to execute an addendum to the contract:

NOW THEREFORE in consideration of the mutual covenants and agreements contained herein, the parties agree to the following:

1. The Contract term is hereby extended to April 30, 2018;
2. A retroactive increase of 2.9% from March 28, 2016 to March 27, 2017;
3. A retroactive increase of 3.1% from March 28, 2017 to April 30, 2018;
4. That all other terms and conditions in the contract remain unchanged.

B.F. 

IN WITNESS WHEREOF, the respective parties hereto have set their hands and seal:

SIGNED, SEALED and DELIVERED  
In the presence of:

THE CORPORATION OF THE  
MUNICIPALITY OF TEMAGAMI

S. Wadman  
Witness

April 6, '18  
Date

E. J. J. J. J.  
Acting Chief Administrative Officer

M. Laba  
Witness

March 02/18  
Date

THE CONTRACTOR

Bryan Fontaine  
Bryan Fontaine