

THE CORPORATION OF THE TOWN OF AMHERSTBURG

BY-LAW NO. 2016-39

By-law Authorizing Agreements between the Town of Amherstburg and the Amherstburg Police Services Board and Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services (the Ministry)

WHEREAS under Section 8 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 under Section 9(1) (a) and (b) of the Municipal Act 2001, S.O., 2001, c. 25, as amended, Section 8 shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS the Council of The Corporation of the Town of Amherstburg deems it expedient to enter into an agreement between the Corporation of the Town of Amherstburg, the Amherstburg Police Services Board and Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services with respect to grants for the Safer Community – 1,000 Officers Partnership Program and the Community Policing Partnerships (CPP) Program;

NOW THEREFORE the Council of The Corporation of the Town of Amherstburg enacts as follows:

1. That the Council of The Corporation of the Town of Amherstburg agrees to enter into the agreements as attached hereto as Schedule "A" to this By-law.
2. That the Mayor and Clerk are hereby authorized to sign and seal said agreement on behalf of The Corporation of Town of Amherstburg.
3. This By-law shall come into force and take effect immediately upon the final passing thereof.

Read a first, second and third time and finally passed this 25th day of April, 2016.



ALDO DICARLO, MAYOR



PAULA PARKER, CLERK

THIS AMENDING AGREEMENT effective as of the 30th day of March, 2016.

B E T W E E N :

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO as
represented by the Minister of Community Safety and
Correctional Services**

(the “Ministry”)

- and -

Town of Amherstburg

(the “Recipient”)

- and -

Amherstburg Police Services Board

(the “Board”)

WHEREAS in 2003, the Ministry established the Safer Communities – 1,000 Officers Partnership (1,000 Officers) Program (the “Program”) as part of the government’s commitment to make Ontario communities safer by enhancing police visibility;

AND WHEREAS in order to provide funds for the Program for the period that commenced April 1, 2014 and ends March 31, 2016, the Ministry entered into an agreement with the Recipient and the Board (the “Agreement”);

AND WHEREAS the Ministry wishes to continue to provide Program funds to the Recipient and the Board for the period commencing April 1, 2016 and ending March 31, 2017;

AND WHEREAS the parties wish to amend the Agreement for this purpose;

NOW THEREFORE in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Parties agree as follows:

ARTICLE 1 – AMENDMENTS TO THE AGREEMENT

1.1 In accordance with section 34.2 of the Agreement, the parties agree to amend the Agreement is as follows:

(a) Section 1.2 Definition of Funding Year is hereby deleted and replaced with the following:

“Funding Year” means any of Funding Year 1, Funding Year 2 or Funding year 3.

(b) Section 1.2 Definition of Maximum Funds is hereby deleted and replaced with the following:

“Maximum Funds” means \$105,000.00.

(c) Section 1.2 Definition of “Funding Year 3” is hereby added:

“Funding Year 3” means the period commencing April 1, 2016 and ending March 31, 2017.

(d) Section 1.2 Definition of Project Completion Date is hereby deleted and replaced with the following:

“Project Completion Date” means March 31, 2015 for Funding Year 1, March 31, 2016 for Funding Year 2 and March 31, 2017 for Funding Year 3.

(e) Section 1.2 Definition of Expiry Date is hereby deleted and replaced with the following:

“Expiry Date” means March 31, 2017, unless terminated earlier pursuant to this Agreement.

ARTICLE 2 – AGREEMENT AS AMEDNED IN FULL FORCE AND EFFECT

2.1. The Agreement, as amended by this Amending Agreement, constitutes the entire agreement between the parties and supersedes any and all prior understandings, agreements, negotiations, and discussions between the parties, whether oral or written, relating to the Agreement or Amending Agreement. With the exception of the amendments set out in Article 1 of this Amending Agreement, all other provisions of the Agreement, as amended, and the schedules thereto shall remain unchanged and in full force and effect.

THE PARTIES HAVE EXECUTED THE AGREEMENT ON THE DATES SET OUT BELOW.

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO
as represented by the Minister of Community Safety and
Correctional Services

Stephen Waldie
Director
Pursuant to Delegated Authority

Date

Town of Amherstburg



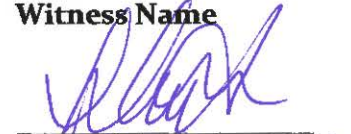
Name: ALDO DICARLO
Title: MAYOR

I have authority to bind the Recipient.

9 MAY 2016

Date:

Witness Name



Name: PAULA PARKER
Title: CLERK

Apr 28/16

Date:

Amherstburg Police Services Board



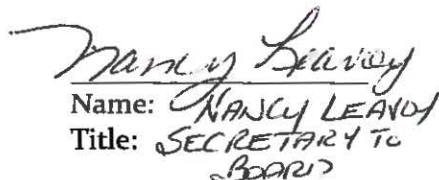
Name: Jason Lewis
Title: Chair

I have authority to bind the Board.

19/04/16

Date:

Witness Name



Name: NANCY LEAVY
Title: SECRETARY TO BOARD

April 19, 2016

Date:

THIS AMENDING AGREEMENT effective as of the 30th day of March, 2016.

B E T W E E N :

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO as
represented by the Minister of Community Safety and
Correctional Services**

(the "Ministry")

- and -

Town of Amherstburg

(the "Recipient")

- and -

Amherstburg Police Services Board

(the "Board")

WHEREAS in 1998, the Ministry established the Community Policing Partnerships (CPP) Program (the "Program") as part of the government's commitment to make Ontario communities safer by enhancing police visibility;

AND WHEREAS in order to provide funds for the Program for the period that commenced April 1, 2014 and ends March 31, 2016, the Ministry entered into an agreement with the Recipient and the Board (the "Agreement");

AND WHEREAS the Ministry wishes to continue to provide Program funds to the Recipient and the Board for the period commencing April 1, 2016 and ending March 31, 2017;

AND WHEREAS the parties wish to amend the Agreement for this purpose;

NOW THEREFORE in consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Parties agree as follows:

ARTICLE 1 – AMENDMENTS TO THE AGREEMENT

1.1 ***In accordance with section 34.2 of the Agreement, the parties agree to amend the Agreement is as follows:***

(a) Section 1.2 Definition of Funding Year is hereby deleted and replaced with the following:

"Funding Year" means any of Funding Year 1, Funding Year 2 or Funding year 3.

(b) Section 1.2 Definition of Maximum Funds is hereby deleted and replaced with the following:

"Maximum Funds" means \$180,000.00.

(c) Section 1.2 Definition of "Funding Year 3" is hereby added:

"Funding Year 3" means the period commencing April 1, 2016 and ending March 31, 2017.

(d) Section 1.2 Definition of Project Completion Date is hereby deleted and replaced with the following:

"Project Completion Date" means March 31, 2015 for Funding Year 1, March 31, 2016 for Funding Year 2 and March 31, 2017 for Funding Year 3.

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THE PARTIES HAVE EXECUTED THE AGREEMENT ON THE DATES SET OUT BELOW.

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO
as represented by the Minster of Community Safety and
Correctional Services

Stephen Waldie
Director
Pursuant to delegated authority

Date

Town of Amherstburg

Name: ALDO DICARLO
Title: MAYOR
I have authority to bind the Recipient

9 MAY 2016
Date

Witness Name

Name: PAULA PARKER
Title: CLERK

Apr 28/16
Date

Amherstburg Police Services Board

Name: Jason Langille
Title: Chair
I have authority to bind the Board.

19/04/16
Date

Witness Name

Name: NANCY LEAVOY
Title: SECRETARY TO BOARD

April 19, 2016
Date