

THE CORPORATION OF THE TOWNSHIP OF MADAWASKA VALLEY

**BY-LAW 2026-05**

Being a By-Law to approve the amending agreement extending the appointment of the Integrity Commissioner pursuant to Section 223.3 of the Municipal Act, 2001, as amended.

**WHEREAS** section 223.2 of the Municipal Act, 2001, as amended (the "Act") provides that a municipality shall establish codes of conduct for members of the council of the municipality and of its local boards;

**AND WHEREAS** the Municipality is authorized, pursuant to Subsection 223.3 of the Municipal Act, 2001 (the Act), as amended, to appoint an Integrity Commissioner (the "Integrity Commissioner") who has the function to investigate in an independent and confidential manner, a complaint made to him or her by any person, as to whether a member of council or a member of a local board has complied with the Code of Conduct or other ethics-related policies, rules or procedures, and to report on the investigation;

**AND WHEREAS** the Consultant Tony E. Fleming has represented, and the Municipality is satisfied, that the Consultant has the skills and abilities necessary to perform the role of the Integrity Commissioner

**AND WHEREAS** the Municipality prioritizes fiscal responsibility. It agrees that the Consultant shall rely on other members of the firm as appropriate to ensure that the work is performed by only those members of the firm with the skill to undertake the work, at the most appropriate hourly rate.

**NOW THEREFORE** the Council of the Corporation of the Township of Madawaska Valley hereby enacts as follows:

the Council of the Corporation of the Township of Madawaska Valley enacts as follows:

1. THAT Tony E. Fleming with the firm Cunningham, Swan & Bonham LLP was hereby appointed as Integrity Commissioner for a term commencing February 1, 2023 and continuing for a period of three(3) years, ending on January 31, 2026 and Council deems it expedient to extend the term to January 31, 2027 through By-Law.
2. THAT as required by the Municipal Act, 2001, the Corporation shall indemnify and save harmless the Integrity Commissioner or any person acting under the instructions of the Integrity Commissioner for costs reasonably incurred by either of them in connection with the defence of a proceeding if the proceeding relates to an act done in good faith in the performance or intended performance of a duty or authority under Part V.1 of the Act or a by-law passed under it or an alleged neglect or default in the performance in good faith of the duty or authority.
3. THAT Schedule "A" Amended Services Agreement for Integrity Commissioner Services as attached is enacted with approval of this By-Law.
4. THAT Council approves the CAO/Clerk to sign the amending agreement extending services to January 31, 2027.
5. THAT By-Law 2023-02 is hereby repealed.

**READ A FIRST, SECOND and THIRD TIME and FINALLY PASSED THIS 21 DAY OF January, 2026.**



  
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Mayor - David Shulist

  
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CAO/CLERK - Suzanne Diane Klatt

**AMENDING AGREEMENT - INTEGRITY COMMISSIONER SERVICES**

This Agreement dated this 21 day of January, 2026.

**BETWEEN:**

**THE CORPORATION OF THE TOWNSHIP OF MADAWASKA VALLEY**

(hereinafter referred to as the "Municipality")

- and -

**CUNNINGHAM SWAN CARTY LITTLE & BONHAM LLP**

(hereinafter referred to as "the Consultant")

WHEREAS, the Municipality and the Consultant (together the "Parties") did enter into an agreement for the Consultant to provide independent integrity commissioner services to the Municipality for a term of three (3) years commencing February 1, 2023 (the "Original Agreement");

AND WHEREAS, the Parties wish to renew the Agreement on the same terms and conditions as the Original Agreement subject only to the express amendments set out in this Agreement.

NOW THEREFORE, in consideration of the covenants, terms and conditions contained herein, the Municipality and the Consultant agree to amend the Original Agreement by deleting section 6 of the Original Agreement and replace those provisions with the following new section 6:

**TERM OF AGREEMENT**

6. The Consultant's appointment pursuant to this Amending Agreement is hereby extended, for a further one (1) year, to January 31, 2027, unless terminated earlier in

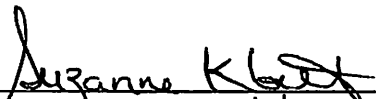
accordance with this clause. This Agreement may only be terminated in accordance with the following:

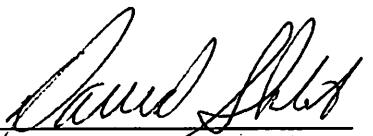
- a. The Municipality may be released from the Agreement at any time, with 30 days written notice.
- b. The Consultant shall provide 30 days written notice to the Municipality of his intention to resign as the Municipality's Integrity Commissioner and his resignation shall only be effective at the expiry of the notice period.

The Parties have executed this Amending Agreement this 21<sup>st</sup> day of January, 2026

**THE CITY**

**THE CORPORATION OF THE TOWNSHIP OF MADAWASKA VALLEY**

  
Name: Suzanne Klatt  
Title: CAO/Clerk

  
Name: David Shulist  
Title: Mayor

We have the authority to bind the corporation

**CONSULTANT**

**CUNNINGHAM, SWAN, CARTY, LITTLE & BONHAM LLP**

\_\_\_\_\_  
Tony Fleming

"I have the authority to bind the Corporation"