

**THE CORPORATION OF THE TOWN OF SMITHS FALLS**

**BY-LAW NO. 8031-2006**

*A BY-LAW TO APPOINT KERRY COSTELLO AS THE MUNICIPAL CLERK FOR THE TOWN OF SMITHS FALLS*

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WHEREAS pursuant to section 228(1)1 of the Municipal Act, Chapter RSO 2001, a municipality shall appoint a Clerk;

AND WHEREAS By-law 7935-2005, being a By-Law to Appoint Kerry Costello as Acting Clerk for the Town of Smiths Falls during the time which the Clerk is off on Maternity Leave (for the approximate period of January 1, 2006 to December 31, 2006) was passed on 19<sup>th</sup> day of December, 2005;

AND WHEREAS due to corporate restructuring it has been deemed appropriate to appoint Kerry Costello as the Municipal Clerk for the Town of Smiths Falls.

NOW THEREFORE the Council of the Corporation of the Town of Smiths Falls enacts as follows:

1. That Kerry Costello be and she is hereby appointed as Clerk of the Town of Smiths Falls pursuant to Section 228(1)1 of the Municipal Act.
2. That this appointment shall come into force and take effect immediately upon the passing thereof.
3. That the duties and responsibilities of the Clerk, as dictated in the attached Job Description (Schedule A), shall be performed by the Clerk.
4. That By-law No. 7652-2001 is hereby rescinded.

Read a first and second time this 2<sup>nd</sup> day of January, 2007

Read a third time and passed this 2<sup>nd</sup> day of January, 2007

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**SCHEDULE A TO BY-LAW NO. 8031-2006  
TOWN OF SMITHS FALLS**

**TOWN OF SMITHS FALLS  
JOB DESCRIPTION**

**POSITION:** MUNICIPAL CLERK

**REPORTS TO:** Director of Administrative & Planning Services

**PURPOSE AND SCOPE:** The primary functions of the position are those assigned by statute.

**WORKPLACE:** Corporate Services Offices – Municipal Complex

**DUTIES:**

- Fulfil statutory duties of the Clerk as prescribed in various provincial legislation
- Prepare Council, Committee of the Whole and Public Meeting agendas and record resolutions, decisions and other proceedings
- Draft by-laws, resolutions, agreements (and prepare legal notices and submissions to government agencies for approval) as requested.
- Manage and implement records such as policies, procedures, deeds, contracts, leases, making recommendations for adjustment as required
- Provide procedural advice and support services to the Council, Boards, Committees, Directors and the Chief Administrative Officer.
- Assist Director with land sale and acquisition procedures (liaising with vendors, purchasers and legal services) as requested.
- Support the Director of Administrative & Planning Services on administrative issues, operational efficiencies and troubleshooting
- Oversee the processing of vital statistics documentation and administration of oaths
- Oversee records management functions. Maintaining extensive records management system including corporate documents dating back to the mid 1800's, including consistent update of current records for mailing lists, manuals, binders and by-law indexes.
- Research, records retrieval, and compilation of data required for internally produced reports or external enquiries
- Act as Municipal Freedom of Information and Protection of Privacy Officer
- Act as Returning Officer to direct municipal elections
- Other duties as assigned

**RECOMMENDED QUALIFICATIONS:**

Minimum Education: 2 year post secondary, AMCTO  
Minimum Experience: 3-5 years municipal experience  
strong communication skills  
high computer literacy

Desirable: CMO designation

**THE CORPORATION OF THE TOWN OF SMITHS FALLS**

**DECLARATION OF APPOINTED OFFICE  
(Municipal Act 2001, S.O. 2001, c.25, s.228(2))**

I, Kerry Costello do solemnly promise and declare,

That I will truly, faithfully and impartially, to the best of my knowledge and ability, execute the office of Municipal Clerk of the Town of Smiths Falls;

That I will truly, faithfully and impartially, to the best of my knowledge and ability execute the office to which I have been appointed in this municipality;

That I have not received and will not receive any payment or reward, or promise thereof, for the exercise of any partiality or malversation or other undue execution of such office;

And that I have not by myself or partner, either directly or indirectly, any interest in any contract with or on behalf of the corporation except that arising out of my office as Municipal Clerk;

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

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Signature

Declared before me at the Town of Smiths Falls  
This third day of January, 2007.

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Dennis Staples, Mayor