

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON FEBRUARY 6TH, 2017, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

THOSE PRESENT WERE: Mayor William Steinberg, Councillors Karen Zajdman, Jack Edery, Leon Elfassy, Michael Goldwax, Warren Budning and Harvey Shaffer, forming a quorum with Mayor Steinberg presiding.

ALSO PRESENT: Mr. Richard Sun, Director General and Me Pierre Tapp, Town Clerk, acting as Secretary of the meeting.

OPENING OF MEETING

The Mayor called the meeting to order at 8:09 p.m.

PUBLIC QUESTION PERIOD

The Mayor invited those persons in attendance to ask their questions.

- No question was asked.

2017-016

MODIFICATION OF THE AGENDA

On motion of Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- TO amend the agenda as proposed in order to add thereto the following item:
 - 11.2 - Professional services for a group insurance broker for municipalities and organizations in the matter of the UMQ Group Insurance Purchase.

Adopted

2017-017

ADOPTION OF THE AGENDA

On motion of Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- THAT the amended agenda of the regular meeting is hereby adopted.

Adopted

RECESS

The Mayor recessed the meeting at 9:28 p.m. and reconvened the meeting at 9:43 p.m., all members of Council present at the beginning of the meeting remaining to form a quorum.

2017-018

HEARING UNDER SECTION 5.5 OF THE BY-LAW NO. 761 CONCERNING DOGS ON THE DECLARATION OF A DOG AS DANGEROUS

CONSIDERING THAT Public Security Commander Pietro Poletti has issued, in accordance with Section 5.5 of By-law no. 761 concerning dogs, a declaration to the effect that the Weimaraner breed dog, named Mack, license #17-035 issued to Mrs. Julie Levi, corresponds to a dangerous dog;

CONSIDERING THAT documents have been provided to the Council;

CONSIDERING THAT representations have been made by the resident for this purpose;

CONSIDERING the Section 5.7 of By-law no. 761 concerning dogs;

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CONSIDERING the hearing of witnesses;

On motion of Councillor Michael Goldwax, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the Town Council **reverse** the Commander's decision to declare the dog, named Mack, license #17-035 owned by Mrs. Julie Levi, as a dangerous dog within the meaning of the By-law.

Adopted

At 9.45 p.m. Councillor Warren Budning left temporarily his seat and came back at 9.52 p.m.

2017-019

ADOPTION OF THE MINUTES

On motion of Councillor Harvey Shaffer, seconded by Councillor Michael Goldwax, it was UNANIMOUSLY RESOLVED:

- THAT the Minutes of the Regular Council meeting of January 16th, 2017 are hereby approved as submitted.

Adopted

2017-020

NOTICE OF MOTION OF BY-LAW NO. 799-2 MODIFYING BY-LAW NO. 799 REGARDING THE ADOPTION OF A CODE OF ETHICS AND CONDUCT FOR THE MUNICIPAL EMPLOYEES OF THE TOWN OF HAMPSTEAD

NOTICE OF MOTION was given by Councillor Michael Goldwax that, at a subsequent meeting of Council, By-law no. 799-2 modifying By-law no. 799 regarding the adoption of a code of ethics and conduct for the municipal employees of the Town of Hampstead.

All Council members have received a draft copy of By-law no. 799-2 and a motion to dispense with the reading of the said By-law was made.

2017-021

DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON JANUARY 23RD, 2017

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on January 23rd, 2017.

The Council takes note of the deposit of the said minutes by the Town Clerk.

2017-022

REQUEST TO AUTHORIZE MINOR EXEMPTIONS TO ZONING BY-LAW NO. 1001-2 TO ALLOW MODIFICATIONS TO THE FRONT AND SIDE SETBACKS AND THE MODIFICATION OF THE DISTANCE BETWEEN THE POOL AND FENCE FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 7 BARONSCOURT ROAD, LOT NO. 2 089 320, ZONE RA-2 (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 18 G-0005)

WHEREAS the members of Council have reviewed the request for approval of minor exemptions to Zoning By-law no. 1001-2, section 65, schedule B to allow the front setback at 4.41m (14.47 feet) instead of 6.10m (20 feet), the side setback at 2.71m (8.89 feet) instead of 3.25m (10.66 feet) and to section 84, paragraph 2, to allow the distance between the pool and fence at

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1.7m (5.58 feet) instead of 2m (6.56 feet) to legalize the current situation of a detached single family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on January 23rd, 2017, recommended *to approve* the aforementioned request for minor exemptions;

On motion of Councillor Leon Elfassy, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the request for minor exemptions for the property located at **7 Baronscourt Road**, lot no. : 2 089 320, zone RA-2 is *approved*.

Intervention of interested persons concerning the request for Minor Exemption for project located at 7 Baronscourt Road.

No intervention.

Adopted

2017-023

REQUEST TO AUTHORIZE MINOR EXEMPTIONS TO ZONING BY-LAW NO. 1001-2 TO ALLOW MODIFICATIONS TO THE SIDE AND REAR SETBACKS FOR A DETACHED TWO-FAMILY DWELLING LOCATED AT 14-16 HOLTHAM PLACE, LOT NO. 2 090 018, ZONE RB-8 (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 18 G-0005)

WHEREAS the members of Council have reviewed the request for approval of minor exemptions to Zoning By-law no. 1001-2, section 65, schedule B to allow the side setback at 2.13m (7 feet) instead of 2.77m (9.09 feet) and the rear setback at 5.81m (19.06 feet) instead of 6.20m (20.34 feet) to legalize the current situation of a detached two-family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on January 23rd, 2017, recommended *to approve* the aforementioned request for minor exemptions;

On motion of Councillor Leon Elfassy, seconded by Councillor Karen Zajdman, it was UNANIMOUSLY RESOLVED:

- THAT the request for minor exemptions for the property located at **14-16 Holtham Place**, lot no. : 2 090 018, zone RB-8 is *approved*.

Intervention of interested persons concerning the request for Minor Exemption for project located at 14-16 Holtham Place:

No intervention.

Councillor Waren Budning declared withdrawing himself from voting on this resolution.

Adopted

2017-024

REQUEST TO AUTHORIZE THE MODIFICATION OF A FACADE FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 9 FALLBROOK ROAD, LOT NO. 2 089 718, ZONE RA-2 (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

On motion of Councillor Leon Elfassy, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the modification of a facade for a single family dwelling located at **9 Fallbrook Road** and submitted to the Planning Advisory Committee meeting on January 23rd, 2017 is *refused* as recommended by the PAC. The modification meets the prescribed standards of the Zoning By-law no. 1001-2 but only partially meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

2017-025

REQUEST TO AUTHORIZE LANDSCAPING AND MODIFICATIONS TO THE DRIVEWAY AND WALKWAY FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 5582 QUEEN-MARY ROAD, LOT NO. 2 088 792, ZONE RA-1 (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

On motion of Councillor Leon Elfassy, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the landscaping and modifications to the driveway and walkway for a single family dwelling located at **5582 Queen Mary Road** and submitted to the Planning Advisory Committee meeting on January 23rd, 2017 are approved as recommended by the PAC. The modifications meet the prescribed standards of the Zoning By-law no. 1001-2 and of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

2017-026

REQUEST TO AUTHORIZE MODIFICATIONS TO FACADES FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 75 HAMPSTEAD ROAD, LOT NO. 2 090 384, ZONE RA-2 (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

On motion of Councillor Leon Elfassy, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the recommendation about the modifications to facades for a single family dwelling located at **75 Hampstead Road** and submitted to the Planning Advisory Committee meeting on January 23rd, 2017 is deferred as recommended by the PAC. The project is postponed until the next meeting of February 13th, 2017. The modifications do not meet the prescribed standards of the Zoning By-law no. 1001-2 and partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

2017-027

REQUEST TO AUTHORIZE MODIFICATIONS TO FACADES FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 244, NETHERWOOD CRESCENT, LOT NO. 2 089 944, ZONE RA-2 (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

On motion of Councillor Leon Elfassy, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the modifications to facades for a single family dwelling located at **244 Netherwood Crescent** and submitted to the Planning Advisory Committee meeting on January 23rd, 2017 are approved notwithstanding the recommendations of the Planning Advisory Committee. The modifications meet the prescribed standards of the Zoning By-law no. 1001-2 and partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

2017-028

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF JANUARY 2017

WHEREAS Council reviewed the list of payments for the month of January 2017;

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On motion of Councillor Jack Edery, seconded by Councillor Leon Elfassy, it was UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from December 15th, 2016 to January 20th, 2017, in the total amount of \$1 177 958.83 are hereby approved (\$493 478.50 for cheques and \$684 480.33 for online payments).

Adopted

2017-029

PAYMENT OF THE FIRST INSTALMENT OF HAMPSTEAD'S SHARE TO THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL FOR 2017

On motion of Councillor Jack Edery, seconded by Councillor Michael Goldwax, it was UNANIMOUSLY RESOLVED:

- THAT the Town of Hampstead pays the first instalment dated March 15, 2017 in the amount of \$102,159.11 for their share of expenses for 2017 operations of the 'Communauté métropolitaine de Montréal'.

The Treasurer's certificate N° 17-03 dated January 16, 2017 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2017-030

APPROVAL OF THE ANNUAL REPORT ON THE USAGE OF DRINKING WATER

WHEREAS the Ministry of Municipal Affairs and Land Occupancy - Ministère des Affaires Municipales et de l'Occupation du Territoire (MAMOT) requires municipalities to produce a report on the use of drinking water to facilitate the implementation of measures related to Québec's Strategy for saving drinking water;

WHEREAS the Town of Hampstead has produced its report and it was approved by the MAMOT on December 22nd, 2016;

On motion of Councillor Jack Edery, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- To RATIFY AND APPROVE the Annual Report on the usage of drinking water produced by the Town of Hampstead for the year 2015 as approved by the MAMOT.

Adopted

2017-031

PAYMENT OF THE FIRST INSTALMENT OF HAMPSTEAD'S SHARE OF MONTREAL AGGLOMERATION 2017 ANNUAL EXPENSES

On motion of Councillor Jack Edery, seconded by Councillor Harvey Shaffer, it is UNANIMOUSLY RESOLVED:

- THAT the Town of Hampstead pays the first instalment March 1st, 2017, in the amount of \$5,033,262 for its share of expenses in the 2017 operations of the Montréal Agglomeration.

The Treasurer's certificate N° 17-02 dated January 16, 2017 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

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2017-032

APPROVAL OF THE LIST OF WHITE COLLAR STUDENT EMPLOYEES FOR THE COMMUNITY SERVICES AND RECREATION DEPARTMENT

CONSIDERING THAT Council members reviewed the list of the Director of Community Services and Recreation, submitted January 20th, 2017, on the hiring of white collar student employees,

On motion of Councillor Karen Zajdman, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the hiring of white collar student employees as detailed on the list from the Community Services and Recreation Department. The hiring is subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 429 and the Town of Hampstead.

Adopted

2017-033

PROFESSIONAL SERVICES FOR A GROUP INSURANCE BROKER FOR MUNICIPALITIES AND ORGANIZATIONS IN THE MATTER OF THE UMQ GROUP INSURANCE PURCHASE

WHEREAS the Town of Hampstead has received a proposal from the UMQ for the creation, in its name and in the names of other concerned municipalities, of a group to retain the professional services of a Group Insurance Broker to purchase group insurance by the UMQ consortium of municipalities and organizations

WHEREAS Article 29.9.1 of the Cities and Towns Act and Article 14.7.1 of the Municipal Code allow a municipality to conclude such an agreement with the UMQ;

WHEREAS the Town of Hampstead wishes to join the consortium;

WHEREAS in conformity of the law, UMQ will proceed to a Public Tender Offer for the awarding of the contract for professional services;

WHEREAS UMQ plans to launch this Public Tender Offer in the winter of 2017;

It is proposed by Councillor Michael Goldwax, seconded by Councillor Jack Edery and UNANIMOUSLY RESOLVED:

THAT the Town of Hampstead confirms its membership, in the UMQ Group Insurance Consortium, to retain the professional services of a Group Insurance Broker, for the group of municipalities and organizations, and to entrust UMQ with the process leading to the awarding of said contract;

THAT the contract will be awarded for a duration of one year, renewable from year to year, for a maximum period of five (5) years;

THAT the Town of Hampstead commits to provide to UMQ, within a set delay, the information needed for the Public Tender Offer;

THAT the Town of Hampstead agrees to respect the terms and conditions of said contract as if it had contracted directly with the supplier to whom the contract will be awarded;

THAT the Town of Hampstead agrees to pay to UMQ the administration fees of 1.15% of the total premium paid by the municipality.

Adopted

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SECOND QUESTION PERIOD

The Mayor invited those persons in attendance to ask their questions.

- No question was asked.

2017-034

ADJOURNMENT

All the subjects of the Agenda having been discussed, it was proposed by Councillor Warren Budning, seconded by Councillor Harvey Shaffer and unanimously resolved to declare that the meeting be closed at 10:18 p.m.

Adopted

(s) William Steinberg
Dr. William Steinberg, Mayor

(s) Pierre Tapp
M^e Pierre Tapp OMA, Town Clerk