

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON NOVEMBER 5TH, 2018, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

THOSE PRESENT WERE: Mayor William Steinberg, Councillors Leon Elfassy, Michael Goldwax, Harvey Shaffer, Jack Edery, Warren Budning, and Cheryl Weigensberg, and 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 8:07 p.m.

PUBLIC QUESTION PERIOD

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

- Question were asked by residents and answered by the Mayor and the Councillors.

2018-308

ADOPTION OF THE AGENDA

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

- THAT the agenda of the regular meeting is hereby adopted as submitted.

Adopted

RECESS

The Mayor recessed the meeting at 9:34 p.m. and reconvened the meeting at 9:52 p.m., all members of Council present at the beginning of the meeting remaining to form a quorum.

2018-309

ADOPTION OF THE MINUTES OF THE REGULAR COUNCIL MEETING OF OCTOBER 3RD, 2018

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

- THAT the Minutes of the Regular Council meeting of October 3rd, 2018 are hereby approved as submitted.

Adopted

2018-310

RESOLUTION IN SUPPORT OF BY-LAW 2517 (CSL) ENTITLED: "BY-LAW REGULATING THE TRAFFIC OF TRUCKS AND TOOL VEHICLES"

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

- THAT the Town of Hampstead hereby supports the City of Côte Saint-Luc concerning the adoption, on October 15th, 2018, of their By-Law 2517 entitled: "By-Law regulating the traffic of trucks and tool vehicles".

Adopted

2018-311

APPOINTMENT OF ACTING MAYORS FOR THE YEAR 2019

On motion of Councillor Jack Edery, seconded by Councillor Cheryl Weigensberg, it is UNANIMOUSLY RESOLVED:

- THAT the following Councillors be and are hereby appointed Acting Mayor effective on the dates indicated, to have and exercise all powers of the Mayor when the latter is absent or otherwise unable to

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perform his duties, the whole in accordance with Section 56 of the *Cities and Towns Act*:

Councillor Michael GOLDWAX
January 1, 2019 to February 28, 2019

Councillor Cheryl WEIGENSBERG
March 1, 2019 to April 30, 2019

Councillor Harvey Earl SHAFFER
May 1, 2019 to June 30, 2019

Councillor Leon ELFASSY
July 1, 2019 to August 31, 2019

Councillor Jack EDERY
September 1, 2019 to October 31, 2019

Councillor Warren BUDNING
November 1, 2019 to December 31, 2019

Adopted

2018-312

DONATION OF A SCULPTURE BY DR. HARRY ROSEN AND MRS. DELORES ROSEN TO THE TOWN OF HAMPSTEAD

WHEREAS Dr. Harry Rosen and Mrs. Delores Rosen (“Artist”) wish to donate to the Town of Hampstead (“Town”) a sculpture name Self Portrait;

WHEREAS the Town wishes to accept this donation based on the terms of the Donation Agreement (“Agreement”) attached hereto;

On motion of Councillor Cheryl Weigensberg, seconded by Councillor Harvey Shaffer, it is UNANIMOUSLY RESOLVED:

- THAT the artist wishes to donate to the Town a sculpture named Self Portrait;
- THAT the Members of Council hereby approve and adopt the Agreement between the Town and the Artist;
- THAT the Agreement attached forms an integral part thereof;
- THAT the Town’s Director General be and is hereby authorized to sign the aforementioned Agreement on the Town`s behalf.

Adopted

2018-313

ADOPTION OF THE SCHEDULE OF THE REGULAR SITTINGS OF COUNCIL FOR YEAR 2019

CONSIDERING Section 319 of the *Cities and Towns Act* and Section 1 of By-law N° 740-3;

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

- THAT the following schedule of the Regular Sittings of the Town Council for the year 2019 is to be held at 8:00 p.m. at the Community Center, 30 Lyncroft Road in Hampstead:

January 7 th ;	July 2 nd ; (Tuesday)
February 4 th ;	August 5 th ;
March 4 th ;	September 3 rd ; (Tuesday)
April 1 st ;	October 7 th ;
May 13 th ;	November 4 th ;
June 3 rd ;	December 2 nd .

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Adopted

2018-314

NOTICE OF MOTION OF BY-LAW NO. 1010-7 MODIFYING BY-LAW NO. 1010 CONCERNING TARIFFS

NOTICE OF MOTION was given by Councillor Jack Edery that, at a subsequent meeting of Council, By-law no. 1010-7 modifying By-law no. 1010 will be submitted to council for adoption.

All Council members have received a draft copy of By-law no. 1010-7 and a motion to dispense with the reading of the said By-law was made.

Adopted

2018-315

ADOPTION DRAFT BY-LAW NO. 1010-7 MODIFYING BY-LAW NO. 1010 CONCERNING TARIFFS

WHEREAS the Members of Council have received a copy of Draft By-law no. 1010-7 modifying By-law no. 1010 concerning Tariffs, and declare to have read it;

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

- TO approve the Draft By-law no. 1010-7 modifying By-law no. 1010 concerning Tariffs.

Adopted

2018-316

NOTICE OF MOTION OF BY-LAW NO. 1003-2 MODIFYING BY-LAW NO. 1003 CONCERNING BUILDINGS

NOTICE OF MOTION was given by Councillor Michael Goldwax that, at a subsequent meeting of Council, By-law no. 1003-2 modifying By-law no. 1003 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law No. 1003-2 and a motion to dispense with the reading of the said By-law was made.

Adopted

2018-317

ADOPTION DRAFT BY-LAW NO. 1003-2 MODIFYING BY-LAW NO. 1003 CONCERNING BUILDINGS

WHEREAS the Members of Council have received a copy of Draft By-law No. 1003-2 modifying By-law no. 1003 concerning buildings, and declare to have read it;

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

- TO approve the Draft By-law no. 1003-2 modifying By-law no. 1003 concerning buildings.

Adopted

2018-318

ADOPTION OF BY-LAW NO. 775-2 MODIFYING BY-LAW NO. 775 REGULATING THE SITE PLANNING AND ARCHITECTURAL INTEGRATION PROGRAM

WHEREAS the Members of Council have received a copy of Draft By-law no. 775-2 modifying By-law no. 775 regulating the Site Planning and Architectural Integration Program, and declare to have read it;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer, and it is RESOLVED:

- TO approve the By-law No. 775-2 modifying By-law No. regulating the Site Planning and Architectural Integration Program.

Adopted

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2018-319

NOTICE OF MOTION OF BY-LAW NO. 1009-2 MODIFYING THE BY-LAW NO. 1009 CONCERNING THE DEMOLITION OF IMMOVABLES

NOTICE OF MOTION was given by Councillor Michael Goldwax that, at a subsequent meeting of Council, By-law no. 1009-2 modifying By-law no. 1009 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law no. 1009-2 and a motion to dispense with the reading of the said By-law was made.

Adopted

2018-320

ADOPTION OF DRAFT BY-LAW NO. 1009-2 MODIFYING THE BY-LAW NO. 1009 CONCERNING THE DEMOLITION OF IMMOVABLES

WHEREAS the Members of Council have received a copy of Draft By-law no. 1009-2 modifying By-law no. 1009 concerning the demolition of immovables, and declare to have read it;

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

- TO approve the Draft By-law no. 1009-2 modifying By-law no. 1009 concerning the demolition of immovables.

Adopted

2018-321

NOTICE OF MOTION OF BY-LAW NO. 1021 CONCERNING PARKS AND PUBLIC PLACES

NOTICE OF MOTION was given by Councillor Michael Goldwax that, at a subsequent meeting of Council, By-law no. 1021 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law no. 1021 and a motion to dispense with the reading of the said By-law was made.

Adopted

2018-322

ADOPTION OF DRAFT BY-LAW NO. 1021 CONCERNING PARKS AND PUBLIC PLACES

WHEREAS the Members of Council have received a copy of Draft By-law no. 1021 concerning the parks and public places, and declare to have read it;

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

- TO approve the Draft By-law no. 1021 concerning parks and public places.

Adopted

2018-323

NOTICE OF MOTION OF BY-LAW N° 1022 DECREERING AND IMPOSING THE TAX RATES TO COVER THE TOWN'S EXPENSES FOR THE YEAR 2019

NOTICE OF MOTION was given by Councillor Jack Edery that, at a subsequent meeting of Council, By-law N° 1022, decreeing and imposing the tax rates to cover the Town's Expenses for the Year 2019, will be submitted to Council for adoption.

All Council members have received a draft copy of By-law no. 1022 and a motion to dispense with the reading of the said By-law was made.

Adopted

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2018-324

ADOPTION OF DRAFT BY-LAW NO. 1022 DECREERING AND IMPOSING THE TAX RATES TO COVER THE TOWN'S EXPENSES FOR THE YEAR 2019

WHEREAS the Members of Council have received a copy of Draft By-law no. 1022 decreeing and imposing the tax rates to cover the Town's Expenses for the Year 2019, and declare to have read it;

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

- TO approve the Draft By-law no. 1022 decreeing and imposing the tax rates to cover the Town's Expenses for the Year 2019

Adopted

2018-325

NOTICE OF MOTION OF BY-LAW NO. 744-4 MODIFYING BY-LAW NO. 744 ESTABLISHING THE REMUNERATION OF THE TOWN COUNCIL MEMBERS

It was proposed by Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer and unanimously resolved to defer this item to a subsequent meeting.

Deferred

2018-326

ADOPTION OF DRAFT BY-LAW NO. 744-4 MODIFYING BY-LAW NO. 744 ESTABLISHING THE REMUNERATION OF THE TOWN COUNCIL MEMBERS

It was proposed by Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer and unanimously resolved to defer this item to a subsequent meeting.

Deferred

2018-327

DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON OCTOBER 15TH, 2018

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on October 15th 2018.

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

2018-328

REQUEST TO AUTHORIZE MINOR EXEMPTIONS TO ZONING BY-LAW NO. 1001-2 FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 3 FALLBROOK ROAD, LOT NO. 2 089 721, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013)

WHEREAS the members of Council have reviewed the following request for minor exemptions to Zoning By-law No. 1001-2:

1. To Section 65, schedule B, to allow the front setback at 6.04m (19.81 ft) instead of 6.1m (20 ft).
2. To Section 65, schedule B, to allow the right side setback at 2.07m (6.8 ft) instead of 2.78m (9.12 ft).
3. To Section 65, schedule B, to allow the left side setback at 2.22m (7.28 ft) instead of 2.78m (9.12 ft).
4. To Section 76, table 13, to allow the setback for mechanical equipment at 1.29m (4.23 ft) instead of 1.5m (4.29 ft).

WHEREAS the Planning Advisory Committee, at its meeting held on October 15th, 2018, recommended to approve the request for minor exemptions;

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

- THAT the request for minor exemptions for the property located at **3 Fallbrook Road**, lot no. : 2 089 721, Zone RA-2 is approved.

Intervention of interested persons concerning the request for Minor Exemption at 3 Fallbrook Road:

No intervention.

Adopted

2018-329

REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2 FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT **73 STRATFORD ROAD, LOT NO. 2 088 923, ZONE RA-1, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013)**

WHEREAS the members of Council have reviewed the following request for a minor exemption to Zoning By-law No. 1001-2:

5. To Section 61, table 5, to allow the setback for exterior stairs at 1m (3.28 ft) instead of 2m (6.56 ft).

WHEREAS the Planning Advisory Committee, at its meeting held on October 15th, 2018, recommended to approve the request for a minor exemption;

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

- THAT the request for the minor exemption for the property located at **73 Stratford Road**, lot no. : 2 088 923, Zone RA-1 is approved.

Intervention of interested persons concerning the request for Minor Exemption at 73 Stratford Road:

No intervention.

Adopted

2018-330

REQUEST TO AUTHORIZE MINOR EXEMPTIONS TO ZONING BY-LAW NO. 1001-2 FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT **80 MERTON ROAD, LOT NO. 2 090 377, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013)**

WHEREAS the members of Council have reviewed the following request for minor exemptions to Zoning By-law No. 1001-2:

1. To Section 65, schedule B, to allow the front setback at 5.8m (19 ft) instead of 6.1m (20 ft)
2. To Section 54, table 2, to allow the flat portion of the roof at 40% instead of 20%

WHEREAS the Planning Advisory Committee, at its meeting held on October 15th, 2018, recommended to refuse the request for minor exemptions;

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

- THAT the request for minor exemptions for the property located at **80 Merton Road**, lot no. : 2 090 377, Zone RA-2 is deferred.

Intervention of interested persons concerning the request for Minor Exemption at 80 Merton Road:

No intervention.

Adopted

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2018-331

REQUEST TO AUTHORIZE AN ADDITION TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 80 MERTON ROAD, LOT NO. 2 090 377, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

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

- THAT the addition to a detached single family dwelling located at **80 Merton Road** and submitted to the Planning Advisory Committee meeting on October 15th, 2018 is *deferred, notwithstanding the PAC's recommendation to refuse*. The addition only partially meets the prescribed standards of the Zoning By-law no. 1001-2 and the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775

Adopted

2018-332

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF OCTOBER 2018

WHEREAS Council reviewed the list of payments for the month of October 2018;

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

- THAT the disbursements for the period from September 16th, 2018 to October 15th, 2018, in the total amount of \$1 108 319.89 are hereby approved.

Adopted

2018-333

TRANSFER OF FUNDS FROM UNAPPROPRIATED SURPLUS TO COVER FUTURE INFRASTRUCTURE PROJECT EXPENSES PER THE 2018 BUDGET.

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

- THAT the Town Council approves the transfer of funds, as further detailed in the following table, in the amount of \$495,000 from Unappropriated Surplus to Appropriated Surplus Account 55-992-00-000.

Details	Amount
Infrastructure project	495,000

Adopted

2018-334

FILING OF THE COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR 2018

In accordance with Section 105.4 of the *Cities and Towns Act*, the Town Treasurer hereby deposited the following:

- 1) Statement of revenues and expenditures as at August 31, for the fiscal year 2018, compared with the same period for the fiscal year 2017; and
- 2) Statement of projected revenues and expenditures for the fiscal year 2018, at the time of the statement's preparation, compared with those provided for in the budget for the year 2018.

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2018-335

GRANTING OF CONTRACT – SUPPLY AND PLANTATION OF TREES

WHEREAS there has been a public call for tenders for the supply and plantation of trees;

WHEREAS, after analyzing the tenders opened on Octoberber 15, 2018, the lowest bidder conforming to the requirements of the tender invitation is Les Terrassements Multi-Paysages Inc;

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

THAT, the following quotation for the following contract be and is hereby approved, the whole as more amply delineated hereunder:

Les Terrassements Multi-Paysages Inc

Supply and plantation of 144 trees: (as per specifications in tender documents)	\$ 104 920.10
G.S.T. (5%):	\$ 5 246.01
Q.S.T. (9.975%):	\$ 10 465.78
Grand total taxes included:	\$ 120 631.89

Adopted

2018-336

ABOLITION OF ONE (1) PERMANENT FULL TIME POSITION OF “PUBLIC SECURITY AGENT”

It was proposed by Councillor Harvey Shaffer, seconded by Councillor Michael Goldwax and UNANIMOUSLY RESOLVED:

- THAT one (1) permanent full time position of “**PUBLIC SECURITY AGENT**” be, and is hereby, abolished in accordance with the provisions of the applicable collective agreement.

Refused

2018-337

APPROVAL OF HIRING OF MRS. LOU-ANNE MCGILL AS “PAYROLL TECHNICIAN”

CONSIDERING THAT the Town of Hampstead requires the hiring of a Payroll Technician, 28 hours per week;

CONSIDERING THAT the Director General and the Human Resources Director are recommending the hiring of **Mrs. Lou-Anne McGill** to fill such position;

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

- TO APPROVE the hiring of **MRS. LOU-ANNE MCGILL** as “**PAYROLL TECHNICIAN**”, 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

2018-338

SIGNING OF LEASE AGREEMENT BETWEEN TOWN OF HAMPSTEAD AND ENTREPRISE TENNIS SHOT

WHEREAS the Town of Hampstead is the owner of the Hampstead Tennis Courts and Entreprise Tennis Shot wants to lease a part of Hampstead tennis courts in order to provide tennis lessons to tennis members, the whole according to the Town’s planning of required services and on the terms and conditions set forth in a lease agreement between the parties;

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It was proposed by Councillor Cheryl Weigensberg, seconded by Councillor Michael Goldwax and UNANIMOUSLY RESOLVED:

- To approve the lease agreement between the Town of Hampstead and Entreprise Tennis Shot starting the first week of May 2019 to Thanksgiving Monday 2022, and to authorize the Director General or his authorized representative to sign the said agreement.

Adopted

2018-339

SIGNING OF LEASE AGREEMENT BETWEEN TOWN OF HAMPSTEAD AND 1 TENNIS INC.

WHEREAS the Town of Hampstead is the owner of the Hampstead Tennis Courts and *1 Tennis Inc.* wants to lease a part of Hampstead tennis courts in order to provide tennis lessons to tennis members, the whole according to the Town’s planning of required services and on the terms and conditions set forth in a lease agreement between the parties;

It was proposed by Councillor Cheryl Weigensberg, seconded by Councillor Michael Goldwax and UNANIMOUSLY RESOLVED:

- To approve the lease agreement between the Town of Hampstead and *1 Tennis Inc.* starting the first week of May 2019 to Thanksgiving Monday 2022, and to authorize the Director General or his authorized representative to sign the said agreement.

Adopted

OTHER BUSINESS

SECOND QUESTION PERIOD

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

- Question were asked by residents and answered by the Mayor and the Councillors.

2018-340

ADJOURNMENT

All the subjects of the Agenda having been discussed, it was proposed by Councillor Michael Goldwax, seconded by Councillor Warren Budning and unanimously resolved to declare that the meeting be closed at 10:22 p.m.

Adopted

Dr. William Steinberg, Mayor

Me Pierre Tapp OMA, Town Clerk