

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON JUNE 11TH, 2012, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

THOSE PRESENT WERE: Mayor William Steinberg, Councillors, Abraham Gonshor, Leon Elfassy, Michael Goldwax, Bonnie Feigenbaum and Harvey Shaffer, forming a quorum with Mayor Steinberg presiding.

ABSENT: Councillor Jack Edery and Mr. Richard Sun, Director General.

ALSO PRESENT: Yves Mailhot, Acting Director General and Me Nathalie Lauzière, Town Clerk, acting as Secretary of the Meeting.

FIRST QUESTION PERIOD

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

At 8.20 p.m. Councillor Abraham Gonshor left temporarily the meeting and came back at 8.28p.m.

At 8.25 p.m. Councillor Harvey Shaffer left temporarily the meeting and came back at 8.28p.m.

2012-144

ADOPTION OF THE AGENDA

On motion of Councillor Bonnie Feigenbaum, seconded by Councillor Abe Gonshor, it was UNANIMOUSLY RESOLVED:

- THAT the agenda of the regular meeting is hereby adopted with the addition of the following item:
 - 13.1.1 – Hampstead Centennial Committee (1914 - 2014)

Adopted

2012-145

ADOPTION OF THE MINUTES

On motion of Councillor Michael Goldwax, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the Minutes of the Regular Council Meeting of May 7th, 2012 and of the Special Council Meeting of May 14th, 2012 be and are hereby approved as submitted.

Adopted

2012-146

ADOPTION OF AMENDED ADMINISTRATIVE POLICY ON THE MANAGEMENT OF WATER METERS AND OF WATER CONSUMPTION

WHEREAS Council has received, prior to this meeting, a copy of the proposed amended policy on June 8th, 2012;

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

Minutes of Town of Hampstead

- THAT the *Administrative policy on the management of water meters and of water consumption* be and is hereby amended and approved to take effect immediately.

Adopted

At 9.09 p.m. Councillor Abraham Gonshor left temporarily the meeting and came back at 9.11p.m.

2012-147

REMEMBERING THE ISRAELI VICTIMS OF TERRORISM AT THE 1972 MUNICH OLYMPIC GAMES

WHEREAS Eleven (11) Israeli athletes and coaches were brutally murdered by terrorists at the 1972 Munich Olympic Games;

WHEREAS the London Olympic Games will mark the 40th anniversary of this tragic event;

WHEREAS this is the only time that participants have been murdered at an Olympic Games;

WHEREAS it is necessary to commemorate this event so as to reaffirm the resolve of all civilized nations to oppose terrorism;

WHEREAS Hampstead's member of Parliament, the Hon. Irwin Cotler, has circulated a similar motion which will be presented this week in the House of Commons;

It was moved by Councillor Leon Elfassy and seconded by Councillor Harvey Shaffer and unanimously resolved;

THAT the Council of the Town of Hampstead requests that the Government of Canada ask the International Olympic Committee to observe a minute of silence during the Opening Ceremonies of the London Olympic Games to remember the tragic murder of the 11 Israeli athletes and coaches at the 1972 Munich Olympic Games.

THAT a copy of this resolution be sent to the Prime Minister of Canada, the minister of Foreign Affairs, the Mount Royal Member of Parliament, the President of the Canadian Olympic Committee, the Consulate General of Israel, and the Mayors of all the municipalities on the island of Montreal.

Adopted

2012-148

ADOPTION OF BY-LAW N° 741-2 – MODIFYING BY-LAW N° 741-1 CONCERNING THE RESPECT OF THE DELEGATION OF POWERS TO OFFICERS AND EMPLOYEES TO AUTHORIZE THE SPENDING OF MONEY AND TO MAKE CONTRACTS IN THE NAME OF THE MUNICIPALITY

CONSIDERING THAT notice of motion of By-law N° 741-2 was given at the regular council meeting of April 2nd, 2012 and that Council members received a copy of the By-law within the required delay and they declare to have read it and waive the reading thereof;

It was proposed by Councillor Harvey Shaffer, seconded by Councillor Bonnie Feigenbaum, and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 741-2 modifying By-law n° 741-1 concerning the respect of the delegation of powers to officers and employees to authorize the spending of money and to make contracts in the name of the municipality.

Minutes of Town of Hampstead

Adopted

2012-149

ADOPTION OF BY-LAW NO. 796 REGULATING DRINKING WATER

CONSIDERING THAT notice of motion of By-law N° 796 was given at the regular council meeting of April 2nd, 2012 and that Council members received a copy of the By-law within the required delay and they declare to have read it and waive the reading thereof;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Bonnie Feigenbaum and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 796 regulating drinking water.

Adopted

2012-150

ADOPTION OF BY-LAW NO. 752-5 AMENDING BY-LAW 752-1 CONCERNING TARIFFS

CONSIDERING THAT notice of motion of By-law N° 752-5 was given at the special council meeting of May 14th, 2012 and that Council members received a copy of the By-law within the required delay and they declare to have read it and waive the reading thereof;

It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Harvey Shaffer and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 752-5 amending by-law 752-1 concerning tariffs.

Adopted

2012-151

ADOPTION OF BY-LAW N° 774-2 – AMENDING BY-LAW N° 774 CONCERNING THE ADMINISTRATION OF WATER AND SEWER SERVICES

CONSIDERING THAT notice of motion of By-law N° 774-2 was given at the special council meeting of May 14th, 2012 and that Council members received a copy of the By-law within the required delay and they declare to have read it and waive the reading thereof;

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

- TO approve By-law N° 774-2 amending By-law n° 774 concerning the administration of water and sewer services.

Adopted

2012-152

ADOPTION OF BY-LAW N° 727-11 AMENDING ZONING BY-LAW 727-8 – PROTECTION OF TREES

CONSIDERING THAT notice of motion of By-law N° 727-11 was given at the regular council meeting of May 7th, 2012 and that Council members received a copy of the By-law within the required delay and they declare to have read it and waive the reading thereof;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum and UNANIMOUSLY RESOLVED:

Minutes of Town of Hampstead

- To approve By-law n° 727-11 amending Zoning By-law 727-8 – protection of trees.

Adopted

2012-153

NOTICE OF MOTION – BY-LAW N° 747-20 – AMENDMENT TO BY-LAW N° 747 TO DECREE THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE ACTIVITIES FOR FALL 2012/WINTER 2013

NOTICE OF MOTION was given by Councillor Bonnie Feigenbaum that, at a subsequent meeting of Council, By-law N° 747-20 modifying By-law N° 747, to decree the fee schedule for cultural, sports and leisure activities for fall 2012/winter 2013 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 747-20 and a motion to dispense with the reading of the said By-law was made.

2012-154

APPROVAL OF PAYMENT CONCERNING AN INSURANCE CLAIM

WHEREAS the Town of Hampstead is a Defendant in a court case bearing number 500-22-025187-112 before the Court of Quebec of the District of Montreal;

WHEREAS Sean Murphy, in his capacity of authorized representative in Canada for Lloyd's underwriters (Lloyd's Insurance Company) and Ludwig Karls, the plaintiffs in this case, are claiming from the Town an amount of \$32,810.99 plus interest at the legal rate and additional indemnity pursuant to article 1619 C.c.Q.;

WHEREAS all the parties have agreed to settle this case out of court by way of a Mutual Release Full and Final Discharge and Transaction satisfactory to all the parties;

THEREFORE, it was proposed by Councillor Harvey Shaffer, seconded by Councillor Bonnie Feigenbaum and UNANIMOUSLY RESOLVED:

- THAT the Town pay to Sean Murphy, in his capacity of authorized representative in Canada for Lloyd's underwriters (*Lloyd's Insurance Company*), the amount of \$19,477.45 in capital, interest costs and legal fees;
- THAT the Mayor and the Town Clerk are authorized to sign the Mutual Release Full and Final Discharge and Transaction and the Declaration of Settlement out of Court;
- THAT *Bélanger Sauvé s.e.n.c.r.l.* be authorized to co-sign the aforesaid documents and make the accessory modifications required by the parties to the aforesaid court case, if any; and
- THAT a cheque in the amount of \$19,477.45 be issued by the Town in favour of *April Canada inc.* as recommended by Sean Murphy, in his capacity of authorized representative in Canada for Lloyd's underwriters (*Lloyd's Insurance Company*), to give full effect to the foregoing

The Treasurer's certificate N° 12-24, dated May 17th 2012, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

Minutes of Town of Hampstead

2012-155

DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON MAY 14TH 2012

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on May 14th, 2012.

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

2012-156

REQUEST TO AUTHORIZE FAÇADE MODIFICATIONS TO A DETACHED SINGLE FAMILY DWELLING AT 6 MINDEN ROAD, LOT NO.: 2 089 892, ZONE RA-2 (SPAIP BY-LAW NUMBER 775)

On motion of Councillor Leon Elfassy, seconded by Councillor Abraham Gonsior, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize façade modifications of a detached single family dwelling at 6 Minden Road, submitted to the Planning Advisory Committee meeting of May 14th, 2012 is *conditionally approved*. The modifications meet the prescribed standards of the Zoning By-law number 727 but do not meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:
 - The front stairs and walkway need to be lighter in color than the retaining wall;
 - The canopy must go from brick pier to brick pier and must be of dimensions (4.7' x 12.5');
 - The column between the garage doors needs to be color integrated to the garage door;

Adopted

21012-157

REQUEST TO AUTHORIZE FAÇADE MODIFICATIONS TO A DETACHED DUPLEX BUILDING AT 86-88 HOLTHAM PLACE, LOT NO.: 2 090 067, ZONE RB-4 (SPAIP BY-LAW NUMBER 775)

On motion of Councillor Leon Elfassy, seconded by Councillor Michael Goldwax, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize façade modifications of a detached duplex building dwelling at 86-88 Holtham Road, submitted to the Planning Advisory Committee meeting of May 14th, 2012 is *conditionally approved*. The modifications meet the prescribed standards of the Zoning By-law number 727 but do not meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:
 - The brick work around the windows must be thicker;
 - The previous brick coining must be kept;
 - The keystones above 4 big windows are removed;
 - Brick is used under the stairs;

Adopted

Minutes of Town of Hampstead

Intervention of interested persons concerning the request for Minor Exemption for property located at 73 Hampstead Road.

No intervention

2012-158

REQUEST FOR APPROVAL FOR A MINOR EXEMPTION TO ZONING BYLAW NUMBER 727, ART. 6.4.1 TO PERMIT THE REAR SETBACK AT 6.6M (21.85FT) INSTEAD OF 7.81M (25.62 FT), TO PERMIT AN ADDITION IN THE REAR YARD TO A DETACHED SINGLE FAMILY DWELLING AT 73 HAMPSTEAD ROAD, LOT NO.: 2 089 385, ZONE RA-1 (SPAIP BY-LAW NUMBER 775)

On motion of Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer and unanimously resolved to defer this item to a subsequent meeting.

Adopted

Intervention of interested persons concerning the request for Minor Exemption for property located at 56 Merton Road.

Mrs. Rachel Genziuk

2012-159

REQUEST FOR APPROVAL FOR A MINOR EXEMPTION TO ZONING BYLAW NUMBER 727, ART. 7.6.2.5 TO PERMIT A FENCE ON THE PRINCIPAL FRONT YARD, EXTENDING 4.52M (14.8FT) FROM THE FRONT BUILDING LINE TO PERMIT A FENCE ON THE PRINCIPAL FRONT YARD TO A DETACHED SINGLE FAMILY DWELLING AT 56 MERTON ROAD, LOT NO.: 2 088 988, ZONE RA-1

WHEREAS the members of Council have reviewed the request for approval of a minor exemption to Zoning By-law 727, article 7.6.2.5 to permit a fence on the principal front yard, extending 4.52m (14.8ft) from the front building line to permit a fence on the principal front yard to a detached single family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on May 14th, 2012, recommended *to approve* the aforementioned request for minor exemption;

On motion of Councillor Leon Elfassy, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the aforementioned request for minor exemption for the property located at 56 Merton Road, on lot no.: 2 088 988 Zone RA-1 is approved.

Adopted

2012-160

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF MAY 2012

WHEREAS Council reviewed the list of payments for the month of May 2012;

On motion of Councillor Harvey Shaffer, seconded by Councillor Leon Elfassy, it was UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from May 1st, 2012 to May 31st, 2012, in the total amount of \$ 1,282,186.10 are hereby approved (\$ 602,465.12 for cheques and \$ 679,720.98 for on line payments).

Adopted

Minutes of Town of Hampstead

2012-161

REQUEST FOR FINANCIAL ASSISTANCE 2012 UNDER THE GAS TAX TRANSFER PROGRAM AND CONTRIBUTION FROM QUEBEC

WHEREAS the Town adopted Resolution no. 2011-847 on August 1st, 2011, in order to submit a work schedule dated June 30, 2011, to receive a government contribution from the Minister of Municipal Affairs, Regions and Land Occupancy;

It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Michael Goldwax, and UNANIMOUSLY RESOLVED:

- THAT the Town hereby approves the content and authorizes the filing to the Ministry of Municipal Affairs, Regions and Land Occupancy of a modified work schedule of June 11, 2012, and all other documents required ; and
- THAT the Town hereby undertakes to inform the Management of Infrastructures Department of the Ministry of Municipal Affairs, Regions and Land Occupancy of any changes to be made to the work schedule approved herein.

Adopted

2012-162

AUTHORIZATION TO PARTICIPATE IN A GROUP PURCHASING PROJECT WITH THE CITY OF MONTREAL AND WITH OTHER PARTICIPATING MUNICIPALITIES

WHEREAS the City of Montreal has more than 300 group purchasing master agreements offering a purchase potential of \$500 million over a period of 3 to 5 years;

WHEREAS the master agreements allow the participating municipalities to benefit from savings generated by the collective purchases;

WHEREAS the *Direction de l'approvisionnement de la Ville de Montréal* sets up a committee of expert consumers in charge of identifying the products that should be subject to a collective purchase project and of master agreements amongst the participating municipalities;

WHEREAS the Town of Hampstead already takes part of a few group purchasing with the City of Montreal, which brings upon substantial savings;

WHEREAS it is in the best interest of the Town of Hampstead to take part in other collective purchases in order to benefit from favorable prices considering the acquisition of goods in large quantities;

It is proposed by Councillor Michael Goldwax seconded by Councillor Bonnie Feigenbaum and unanimously resolved;

THAT the Town of Hampstead be authorized to participate in the group purchasing project with the City of Montreal and other participating municipalities;

THAT the Division Head - Purchasing Department be appointed as the sole reference for the Town of Hampstead for the said group purchasing project, and that it consequently be authorized to:

- a) take part in the expert consumers committee in charge of identifying the products that should be subject to a collective purchase project and of master agreements amongst participating municipalities;

Minutes of Town of Hampstead

- b) provide any information related to the needs and the quantities required by the Town of Hampstead to the *Direction de l'approvisionnement de la Ville de Montréal* for the products concerned by a collective tendering and any other relevant information in order to comply with the master agreements.

Adopted

2012-163

CREATION OF A PERMANENT “OFFICE AGENT” POSITION WITH THE PUBLIC WORKS DEPARTMENT

WHEREAS a temporary up to twelve (12) month position of Office Agent was created for the Public Works Department in May 2011;

WHEREAS the position of Office Agent/Distribution–Motorized Equipment Agent, salary grade 8 was abolished as of September 1, 2011;

WHEREAS the hiring of a temporary Office Agent has demonstrated the utility and the need to have an incumbent on a permanent basis;

It was proposed by Councillor Abraham Gonshor, seconded by Councillor Michael Goldwax and UNANIMOUSLY RESOLVED:

- TO CREATE one (1) permanent “Office Agent” position, salary grade 5, with the Public Works Department, and this position is hereby created in accordance with the provisions of the applicable collective agreement; AND
- TO FILL the said position in the manner provided for in the collective agreement.

Adopted

2012-164

CREATION OF A PERMANENT “OFFICE AGENT” POSITION WITH THE URBAN PLANNING AND PUBLIC SECURITY DEPARTMENTS

WHEREAS a temporary up to twelve (12) month position of Office Agent was created for Urban Planning and Public Security Departments in 2011;

WHEREAS the hiring of a temporary Office Agent has demonstrated the utility and the need to have an incumbent on a permanent basis;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer and UNANIMOUSLY RESOLVED:

- TO CREATE one (1) permanent “Office Agent” position, salary grade 5, with the Urban Planning and Public Security Departments, and this position is hereby created in accordance with the provisions of the applicable collective agreement; AND
- TO FILL the said position in the manner provided for in the collective agreement.

Adopted

2012-165

APPROVAL OF LIST OF AUXILIARY EMPLOYEES FOR COMMUNITY SERVICES DEPARTMENT

CONSIDERING THAT Council members reviewed the report of the Leisure and Adult 55+ Section Manager dated May 29, 2012, with regard to hiring auxiliary employees,

Minutes of Town of Hampstead

It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Abraham Gonshor and UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the hiring of auxiliary employees with the hourly rates for the Community Services Department, such as enumerated in the list prepared by the Director of Community Services.

Adopted

2012-166

TO AUTHORIZE THE CITY OF DORVAL TO ACT ON BEHALF OF THE TOWN OF HAMPSTEAD IN THE CALL FOR TENDERS FOR THE SERVICES OF A GROUP INSURANCE BROKER FOR THE “REGROUPEMENT DES MUNICIPALITÉS DE L'AGGLOMÉRATION DE MONTRÉAL”

WHEREAS the Town of Hampstead signed a contract in 2005 with the demerged municipalities to form the “Regroupement des municipalités de l'Agglomération de Montréal” relative to the purchase of a common group insurance and that said contract was renewed on January 1st, 2009;

WHEREAS this group of municipalities has mandated Groupe Financier AGA Inc. to act as consultant and has called tender for a group insurance contract which was granted to SSQ for a period of 5 years ending March 31st, 2014;

WHEREAS the Groupe financier AGA Inc.'s contract will terminate on December 31st, 2012;

WHEREAS it is necessary to proceed with a call to tender for an insurance broker for the “Regroupement des municipalités de l'Agglomération de Montréal”;

WHEREAS the “Regroupement des municipalités de l'Agglomération de Montréal” has agreed to name the City of Dorval to represent the group in the search for an insurance broker;

It was proposed by Councillor Harvey Shaffer, seconded by Councillor Abraham Gonshor and UNANIMOUSLY RESOLVED:

- TO AUTHORIZE the City of Dorval to act on behalf of the Town of Hampstead in the call for tenders for the services of a group insurance broker for the “Regroupement des municipalités de l'Agglomération de Montréal”.

Adopted

2012-167

HAMPSTEAD CENTENNIAL COMMITTEE (1914 - 2014)

WHEREAS the Town of Hampstead was founded on Feb. 14th, 1914;

WHEREAS on Feb. 14th, 2014 the Town will be 100 years old;

WHEREAS a Centennial anniversary is an event to be celebrated;

WHEREAS the Town of Hampstead's Council wishes to engage the community in celebrating this event;

WHEREAS a local committee is needed to oversee the planning and organization of Centennial activities;

WHEREAS the Hampstead's Centennial 2014 Committee will celebrate our local historic Heritage;

Minutes of Town of Hampstead

It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Abraham Gonshor and resolved:

That the Town of Hampstead will create the Hampstead Centennial 2014 Committee with the mandate to oversee the planning and organization of Centennial activities for the community;

That the Committee will be composed of residents, interested parties, administration and elected officials;

That the Committee will be chaired by Councillor Bonnie Feigenbaum, with the position of Vice Chair assigned to Councillor Abe Gonshor, the position of Treasurer to Mrs. Rachel Genziuk and the position of Events and Administrative Liaison assigned to the individual holding the position of Supervising Manager in the Community Services and Recreation Department.

That the Committee positions of; Fundraiser, Beautification and Communication will be appointed by the Chair at a later date.

That the Committee may add members to sub-committees and task forces for specific projects and activities;

That the Committee will maintain its own accounting, and report to the Administration and Elected officials;

That the Town Treasurer or the Assistant Town Treasurer will sit on this committee as an advisor when required to ensure proper financial control and accounting procedures are adhered to;

Mayor William Steinberg called for a vote.

Voted in favour:

Mayor William Steinberg
Councillor Bonnie Feigenbaum
Councillor Michael Goldwax
Councillor Harvey Shaffer

In favour: 4

Voted against:

Councillor Leon Elfassy

Against: 1

Adopted on division

SECOND QUESTION PERIOD

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

2012-168

ADJOURNMENT

All the subjects of the Agenda having been discussed, it was proposed by Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer and unanimously resolved to declare the meeting closed.

Adopted

(s) William Steinberg
Dr William Steinberg, Mayor

(s) Nathalie Lauzière
M^c Nathalie Lauzière, Town Clerk