

## **Minutes of Town of Hampstead**

### **MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON MAY 6<sup>TH</sup>, 2013, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.**

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

**ABSENT:** Mr. Richard Sun, Director General.

**ALSO PRESENT:** Mr. 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.

2013-095

#### **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 items:
  - 10.4 - Approval of list of auxiliary employees for the public works department.
  - 13.1.1 - Deposit of the minutes of modification of resolutions no. 2012-217 to 2012-230 inclusively

Adopted

2013-096

#### **ADOPTION OF THE MINUTES**

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

- THAT the Minutes of the Regular Council Meeting of April 8<sup>th</sup>, 2013 and of the Special Council Meeting of April 22<sup>nd</sup>, 2013 be and are hereby approved as submitted.

Adopted

2013-097

#### **ADOPTION – BY-LAW N° 730-2 – TO MODIFY BY-LAW N° 730 CONCERNING PERMITS AND CERTIFICATES**

CONSIDERING THAT notice of motion of By-law N° 730-2 was given at the Regular Council meeting of April 8<sup>th</sup>, 2013 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° 730-2 entitled: “By-law to Modify By-law N° 730 Concerning permits and certificates”.

Adopted

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2013-098

### **ADOPTION - BY-LAW N° 694-8 MODIFYING BY-LAW NO. 694 CONCERNING TRAFFIC**

CONSIDERING THAT notice of motion was given the at the Regular Council meeting of April 8<sup>th</sup>, 2013 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 Michael Goldwax and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 694-8 entitled: “By-law modifying By-law No. 694 concerning traffic”.

Adopted

2013-099

### **ADOPTION OF BY-LAW N° 741-3 MODIFYING BY-LAW NO. 741-1 RESPECTING 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° 741-3 was given at the regular council meeting of April 8<sup>th</sup>, 2013 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 Jack Edery, seconded by Councillor Leon Elfassy and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 741-3 modifying By-law n° 741-1 entitled: “By-law respecting the delegation of powers to officers and employees to authorize the spending of money and to make contracts in the name of the municipality.

Adopted

2013-100

### **ADOPTION OF SECOND DRAFT BY-LAW N° 727-15 AMENDING ZONING BY-LAW N° 727 (MINIMUM SURFACE OF VEGETATION COVER, GEOTHERMAL SYSTEM AND SOLAR PANELS)**

WHEREAS the Members of Council have received a copy of second draft By-law N° 727-15 amending Zoning By-law no. 727 and declare to have read it;

WHEREAS By-law no. 727-15 will amend Zoning By-law no. 727 in order to add sections regarding minimum surface of vegetation cover, geothermal system and solar panels.

It was proposed by Councillor Jack Edery, seconded by Councillor Bonnie Feigenbaum and UNANIMOUSLY RESOLVED:

- TO approve Second draft By-law N° 727-15 amending Zoning By-law N° 727 (minimum surface of vegetation cover, geothermal system and solar panels).

Adopted

2013-101

### **ADOPTION OF A RECORD MANAGEMENT POLICY - ARCHIVES**

WHEREAS the Town of Hampstead wishes to adopt a record management policy and that Council has received, prior to this meeting, a copy of the proposed “Record management Policy of the Town of Hampstead”;

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It was proposed by Councillor Jack Edery, seconded by Councillor Leon Elfassy and UNANIMOUSLY RESOLVED:

- THAT the “Record management Policy of the Town of Hampstead” be and is hereby approved to take effect immediately.

Adopted

2013-102

### **ADOPTION OF THE RATES OF REMUNERATION FOR ELECTION OFFICERS – ELECTION OF NOVEMBER 3<sup>RD</sup>, 2013**

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

- TO defer this resolution to a subsequent Council Meeting

Adopted

2013-103

### **DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON APRIL 15<sup>TH</sup> 2013**

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Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on April 15<sup>th</sup>, 2013.

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

2013-104

### **REQUEST TO AUTHORIZE AN ADDITION TO THE FRONT FAÇADE AND FAÇADES MODIFICATIONS TO AN EXISTING DETACHED SINGLE FAMILY DWELLING AT 205 FINCHLEY ROAD, LOT NO. : 2 089 159, ZONE RA-2, (SPAIP BY-LAW NUMBER 775) (ZONING BY-LAW NUMBER 727)**

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

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize an addition to the front façade and façades modifications to an existing detached single family dwelling at 205 Finchley Road, submitted to the Planning Advisory Committee meeting of March 11<sup>th</sup>, 2013 is *approved* as recommended by the PAC. The modifications meet the prescribed standards of the Zoning By-law number 727 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

2013-105

### **REQUEST TO AUTHORIZE ADDITION ON THE LEFT LATERAL YARD TO AN EXISTING SEMI- DETACHED SINGLE FAMILY DWELLING AT 6564, MACDONALD, LOT NO. : 2 088 547, ZONE RB-1, (ZONING BYLAW NUMBER 727), (SPAIP BY-LAW NUMBER 775)**

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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 an addition on the left lateral yard to an existing semi- detached single family dwelling at 6564 Macdonald Road, submitted to the Planning Advisory Committee meeting of

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April 15<sup>th</sup>, 2013 is *conditionally approved*. The modifications partially meet the prescribed standards of the Zoning By-law number 727 and partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:

- No modifications can be made to the ground-area within 2.1m (7 feet) of the trunk of the tree.
- A tree specialist must be assigned to the project by the owner to assess that the proposed project can be carried out without causing damages to the Town tree and supervise the work in order to ensure the protection of the said tree. At the end, the owner must provide the Town of Hampstead with a letter from the specialist stating that the Town tree was protected adequately during the work and that the tree's structural support is safe;

Adopted

2013-106

### **REQUEST FOR APPROVAL AN ADDITION ON THE REAR YARD TO AN EXISTING DETACHED SINGLE FAMILY DWELLING AT 70, STRATFORD ROAD LOT NO. : 2 088 999 ZONE RA-1 (ZONING BYLAW NUMBER 727) (SPAIP BY-LAW NUMBER 775)**

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

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize an addition on the rear yard to an existing detached single family dwelling at 70 Stratford Road, submitted to the Planning Advisory Committee meeting of April 15<sup>th</sup>, 2013 is *approved*. The modifications meet the prescribed standards of the Zoning By-law number 727 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

2013-107

### **APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF APRIL 2013**

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WHEREAS Council reviewed the list of payments for the month of April 2013;

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

- THAT the disbursements for the period from March 29<sup>th</sup>, 2013 to April 27<sup>th</sup>, 2013, in the total amount of \$1,419,048.70 are hereby approved (\$467,572.89 for cheques and \$951,475.81 for on line payments).

Adopted

2013-108

### **DEPOSIT OF THE FINANCIAL REPORT AND THE EXTERNAL AUDITOR'S REPORT FOR THE 2012 FISCAL YEAR**

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In accordance with Section 105.1 of the *Cities and Towns Act*, the Town Treasurer hereby deposited at the Meeting the following:

- 1) the financial report of the Town for the fiscal year 2012; and
- 2) the report of the Town's external auditor, Goudreau Poirier S.E.N.C.R.L., for the fiscal year 2012.

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2013-109

**DEPOSIT OF THE FIRST COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR 2013**

In accordance with Section 105.4 of the *Cities and Towns Act*, the Town Treasurer hereby deposited the statement of revenues and expenditures as at March 31, for the fiscal year 2013, compared with the same period for the fiscal year 2012.

2013-110

**PAYMENT OF THE SECOND INSTALMENT OF HAMPSTEAD'S SHARE TO THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL FOR 2013**

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

- THAT the Town of Hampstead pays the second instalment dated July 15, 2013, in the amount of \$96,926.56 for their share of expenses for operations of the 'Communauté métropolitaine de Montréal'.

The Treasurer's certificate N° 13-03 dated January 14, 2013 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

*Mayor William Steinberg called for a vote.*

**Voted in favour:**

Councillor Jack Edery  
Councillor Leon Elfassy  
Councillor Harvey Shaffer  
Councillor Abe Gonshor

**In favour: 4**

**Voted against:**

Councillor Bonnie Feigenbaum  
Councillor Michael Goldwax

**Against: 2**

Adopted on division

2013-111

**PAYMENT OF THE SECOND INSTALMENT OF HAMPSTEAD'S SHARE OF MONTREAL AGGLOMERATION 2013 ANNUAL EXPENSES**

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

- THAT the Town of Hampstead pays the second instalment dated June 3, 2013, in the amount of \$4,809,044.08 for their share of expenses for the 2013 operations of the Montréal Agglomeration; and

The Treasurer's certificate N° 13-02 dated January 14,, 2013 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2013-112

**TRANSFER OF FUNDS FROM UNAPPROPRIATED SURPLUS TO FINANCE A FOUR-YEAR PROJECT OF PUBLIC TREE TREATMENT, OR REMOVAL AND REPLACEMENT DUE TO THE EMERALD ASH BORER INFESTATION**

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

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- THAT the Town Council approves the transfer of funds in the amount of \$ 450,000 from Unappropriated Surplus to Appropriated Surplus Account 55-992-00-000.

Adopted

2013-113

**TRANSFER OF FUNDS FROM UNAPPROPRIATED SURPLUS TO PAY A PARTIAL BALANCE OF THE CAPITAL PORTION DUE PER BY-LAW 770 UPON ITS REFINANCING DATED MAY 8, 2014**

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

- THAT the Town Council approves the transfer of funds in the amount of \$ 500,000 from Unappropriated Surplus to Appropriated Surplus Account 55-992-00-000.

Adopted

2013-114

**TRANSFER OF FUNDS FROM UNAPPROPRIATED SURPLUS TO FINANCE THE TOWN'S PORTION OF BY-LAW 803 REGARDING THE 2013 REHABILITATION OF WATER MAINS UNDER THE TECQ 2010-2013 PROGRAM**

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On motion presented by Councillor Jack Edery, seconded by Councillor Leon Elfassy and UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the transfer of funds in the amount of \$ 667,000 from Unappropriated Surplus to Appropriated Surplus Account 55-992-00-000.

Adopted

2013-115

**TRANSFER OF FUNDS FROM UNAPPROPRIATED SURPLUS TO COVER AN ESTIMATED SETTLEMENT IMPACT PER THE FINAL TRANSFER OF FIREMEN PENSION FUNDS TO MONTREAL PROJECTED IN 2014 ACCORDING TO MERCER**

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

- THAT the Town Council approves the transfer of funds in the amount of \$ 70,000 from Unappropriated Surplus to Appropriated Surplus Account 55-992-00-000.

Adopted

2013-116

**GRANTING OF CONTRACT – TREATMENT OF ASH TREES WITH TREEAZIN**

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WHEREAS there has been a call for tenders, by way of written invitation, for the treatment of ash trees with Treeazin;

WHEREAS, after analyzing the tenders opened on April 9<sup>th</sup> 2013, the lowest bidder conforming to the requirements of the tender invitation is Services des Espaces Verts;

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

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

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**SERVICES DES ESPACES VERTS**

Treatment of ash trees with Treeazin: (as per specifications in tender documents)	\$ 23,417.50
G.S.T. (5%):	\$ 1,170.87
Q.S.T. (9.975%):	<u>\$ 2,335.89</u>
Grand total taxes included:	\$ 26,924.27

The above mentioned expense is based on the treatment of 125 trees with a diameter of approximately 38 centimeters each.

Treasurer's certificate N° 13-20, dated April 26, 2013 has been issued by the interim Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2013-117

**MANDATES TO THE CITY OF MONTREAL TO CARRY OUT GROUPS CALL FOR TENDERS FOR THE SUPPLY OF ROAD SALT IN BULK**

WHEREAS the City of Montreal, has offered to orchestrate groups call for tenders, on behalf of participating municipalities, for the supply of road salt in bulk from September 15 2013 to August 30 2014;

WHEREAS the Director of Material Resources and Information Technologies will act as representative of the Town of Hampstead in this regard;

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

- THAT the Council authorizes the Town of Hampstead's participation in groups call for tenders for the granting of s contracts for the supply of road salt in bulk;
- THAT the Town of Hampstead delegates the City of Montreal to prepare the specifications and other tender documents; to proceed with the calls for tenders; to receive and to analyze the submissions; and to report the results to the participating municipalities;
- THAT the Town of Hampstead delegates the City of Montreal, to adjudicate the proposed contracts.

Adopted

2013-118

**GRANTING OF CONTRACT – SUPPLY OF A USED TEN WHEELS TRUCK**

WHEREAS there has been a call for tenders by way of written invitation for the supply of a used ten wheels truck;

WHEREAS, after analysing the tenders opened on April 12, 2013, the lowest bidder conforming to the requirements of the tender invitation is Globoquip;

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

- THAT, the contract for supply of a used ten wheels truck; be and is hereby approved, the whole as more amply delineated hereunder:

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**GLOBOQUIP**

Used ten wheels truck year 2007 (as per specifications)		\$ 72 000.00
	GST 5%	\$ 3 600.00
	QST 9.975%	<u>\$ 7 182.00</u>
	GRAND TOTAL	\$ 82 782.00

The Treasurer's certificate 13-21, dated May 1, 2013, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2013-119

**APPROVAL OF LIST OF AUXILIARY EMPLOYEES FOR THE COMMUNITY SERVICES AND RECREATION DEPARTMENT**

CONSIDERING THAT Council members reviewed the report of the Director of Community Services and Recreation, dated April 26, 2013, with regard to hiring auxiliary employees,

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

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

Adopted

2013-120

**APPROVAL OF HIRING CONTRACT OF MR. CHARLES RENAUD AS "FOREMAN"**

CONSIDERING THAT the Town of Hampstead wishes to hire a Foreman;

CONSIDERING THAT the Director General and the Human Resources Director are recommending the hiring of **Mr. Charles Renaud** to fill such position;

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

- TO APPROVE the contractual hiring of **Mr. CHARLES RENAUD** as **"FOREMAN"** as of April 27th, 2013 in accordance with the conditions described in the contract signed on April 25nd, 2013 between Mr. Renaud and the Town, as represented by the Director General and contained in the confidential "Personnel" file in the Human Resources Director's Office; the approval is conditional and subject to a medical examination report attesting to the candidate's capability to accomplish the duties of the function.

The Treasurer's certificate no 13-22, dated May 2<sup>nd</sup>, 2013, has been issued by the Treasurer, attesting the availability of funds to cover the described expenses.

Adopted

2013-121

**APPROVAL OF HIRING CONTRACT OF MR. MICHEL BERLINGUETTE AS "FOREMAN"**

CONSIDERING THAT the Town of Hampstead wishes to hire a Foreman;



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CONSIDERING THAT the Director General and the Human Resources Director are recommending the hiring of **Mr. Michel Berlinguette** to fill such position;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Leon Elfassy and UNANIMOUSLY RESOLVED:

- TO APPROVE the contractual hiring of **MR. MICHEL BERLINGUETTE** as "**FOREMAN**" as of April 27th, 2013 in accordance with the conditions described in the contract signed on April 25nd, 2013 between Mr. Berlinguette and the Town, as represented by the Director General and contained in the confidential "Personnel" file in the Human Resources Director's Office; the approval is conditional and subject to a medical examination report attesting to the candidate's capability to accomplish the duties of the function.

The Treasurer's certificate no 13-23, dated May 2<sup>nd</sup>, 2013, has been issued by the Treasurer, attesting the availability of funds to cover the described expenses.

Adopted

2013-122

### **APPROVAL OF LIST OF AUXILIARY EMPLOYEES FOR THE PUBLIC WORKS DEPARTMENT**

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CONSIDERING THAT Council members reviewed the report of the Director of Public Works, dated May 1st, 2013, with regard to hiring auxiliary employees,

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

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

Adopted

2013-123

### **DEPOSIT OF THE MINUTES OF MODIFICATION OF RESOLUTIONS NO. 2012-217 TO 2012-230 INCLUSIVELY**

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Each member of the Council having received a copy, the Town Clerk deposits the Minutes of the modification of resolutions no. 2012-217 to 2012-230 inclusively signed on August 7, 2012.

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

### **SECOND QUESTION PERIOD**

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

2013-124

### **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<sup>c</sup> Nathalie Lauzière, Town Clerk