

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON JULY 2<sup>ND</sup>, 2013, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.**

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**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

**ALSO PRESENT:** Mr. Richard Sun, 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.

2013-145

**ADOPTION OF THE AGENDA**

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

- THAT the agenda of the regular meeting is hereby adopted with the addition of the following item:

Item 6.3 - Notice of motion – By-law no 747-22 – amendment to By-law no 747 to decree the fee schedule for cultural, sports and leisure activities for fall 2013/winter 2014.

Adopted

*At 9.02 p.m. Councillor Abe Gonshor left temporarily the meeting.*

2013-146

**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 June 10<sup>th</sup>, 2013 are hereby approved as submitted.

Adopted

*At 9.05 p.m. Councillor Abe Gonshor came back to assist the meeting.*

2013-147

**REGISTRATION OF DELEGATES TO ATTEND THE 2013 ANNUAL CONFERENCE OF THE FEDERATION OF CANADIAN MUNICIPALITIES (FCM) IN VANCOUVER**

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WHEREAS the 2013 Annual Conference of the Federation of Canadian Municipalities (FCM) was held in Vancouver from May 31<sup>st</sup> to June 3<sup>rd</sup>, 2013;

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

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- THAT Council authorizes the following delegates to attend the 2013 Annual Conference of the FCM to be held in Vancouver from May 31<sup>st</sup> to June 3<sup>rd</sup>, 2013 and be reimbursed of expenses incurred:
  - Mayor William Steinberg
  - Councillor Leon Elfassy
  - Councillor Bonnie Feigenbaum

Adopted

2013-148

### **RESOLUTION CONCERNING THE REQUIREMENTS PRESCRIBED IN REGULATION RESPECTING COMPULSORY CONTRIBUTION TO THE PROFESSIONAL LIABILITY INSURANCE FUND OF THE ORDRE DES ARCHITECTES DU QUEBEC**

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WHEREAS Mr. Mario Duchesne, Architect, Division Chief of the Urban Planning and Building Inspection performs professional acts for buildings intended for the exclusive use of the Town of Hampstead and not for resale, all in accordance with Article 7 of the *Regulation respecting compulsory in Professional Liability Insurance Fund of the Ordre des Architectes du Québec* ;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Michael Goldwax and UNANIMOUSLY RESOLVED that it be declared for the purposes of the Regulation respecting compulsory contribution in Professional Liability Insurance Fund of the *Ordre des Architectes du Québec*;

- THAT the Town of Hampstead will stand surety for Mr. Mario Duchesne, takes up his defence and accepts financial responsibility for the consequences of any error or omission committed by him in the performance of his duties.

Adopted

2013-149

### **TO ALLOCATE FUNDS FOR USE BY HAMPSTEAD'S CENTENNIAL COMMITTEE (1914-2014) TO ASSIST IN THE FINANCING OF THE 2014 CENTENNIAL CELEBRATIONS**

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WHEREAS the Town of Hampstead was constituted in 1914 and will hence celebrate its Centennial in 2014;

WHEREAS a Centennial Committee comprising of residents, elected officials and town administrative personnel has been duly established and recognized by the Government;

WHEREAS HAMPSTEAD'S CENTENNIAL COMMITTEE (1914-2014) is an independent entity responsible for its financial activities which are directly and exclusively related to the Centennial Celebrations;

WHEREAS the Town Treasurer &/or the Assistant Treasurer retains financial oversight over the Centennial Committee's operations;

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

- To authorize the financing of the 2014 Centennial celebrations by way of public subsidies issued to Hampstead's Centennial Committee (1914-2014) equivalent to the donations received by the Town of Hampstead to promote the Centennial celebrations.

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- To authorize the Town Treasurer and/or Assistant Treasurer to issue income-tax deductible receipts to the official donors.

Adopted

2013-150

### **APPROVAL – PROTOCOL AGREEMENT BETWEEN THE CITY AND THE CLD CENTRAL WEST FOR THE YEARS 2012-2013 TO 2014-2015**

WHEREAS the Town Council has reviewed the documents submitted on June 25, 2013, by the Borough Director of Saint-Laurent concerning the CLD Centre West;

On motion of Councillor Michael Goldwax, seconded by Councillor Abe Gonsior, it was UNANIMOUSLY RESOLVED:

- THAT the Council of the Town of Hampstead approves the Protocol agreement between the City of Montreal and the CLD Centre West, for the years 2012-2013 to 2014-2015 defining the roles and responsibilities of the City and the body CLD in local economic development and entrepreneurship support.

Adopted

2013-151

### **ADOPTION OF BY-LAW N° 795-2 MODIFYING BY-LAW NO. 795 CONCERNING NUISANCE**

CONSIDERING THAT notice of motion of By-law N° 795-2 was given at the regular council meeting of February 4<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 Leon Elfassy, seconded by Councillor Harvey Shaffer and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 795-2 entitled By-law modifying By-law no.795 concerning nuisance.

Adopted

2013-152

### **ADOPTION OF THE AUTHORIZATION TO SPREADING THE LARVICIDE AND TO USE TWO PESTICIDES**

WHEREAS Société de protection des forêts contre les insectes et maladies (SOPFIM) was mandated by the Ministère de la Santé et des Services sociaux (MSSS) to proceed to with the spreading of the larvicide in the catch basin and in the standing water in some areas of Montréal;

WHEREAS the Town of Hampstead will be covered by this operation in order to prevent the emergence of CULEX, a type of insect that is the vector of the West Nile Virus;

WHEREAS the pesticides Vectobac 1200L and Altosid to be used are not in the list of pesticides covered by the Municipal By-law;

WHEREAS it is in the interest of the Town to authorize the use of these two (2) pesticides;

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

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- THAT the Town Council of Hampstead adopts the order to allow a person who, despite the prohibition set out in the Municipal Regulation, can, with the obligation to render an account to the Council meeting that will follow, use the pesticides in all case of urgent risks and immediate danger to human health, including the sensitive arears, by virtue of the article 27.6 of R.V.M. 04-041.

Adopted

2013-153

### **NOTICE OF MOTION – BY-LAW N° 747-22 – AMENDMENT TO BY-LAW N° 747 TO DECREE THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE ACTIVITIES FOR FALL 2013/WINTER 2014**

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NOTICE OF MOTION was given by Councillor Michael Goldwax that, at a subsequent meeting of Council, By-law N° 747-22 modifying By-law N° 747, to decree the fee schedule for cultural, sports and leisure activities for fall 2013/winter 2014 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 747-22 and a motion to dispense with the reading of the said By-law was made.

Adopted

2013-154

### **DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON JUNE 17<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 June 17<sup>th</sup>, 2013.

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

2013-155

### **REQUEST TO AUTHORIZE FACADE MODIFICATIONS AND RELOCALIZATION OF THE GARAGE'S ACCESS TO AN EXISTING DETACHED SINGLE FAMILY DWELLING AT 2, BARONSCOURT ROAD LOT NO.: 2 089 311, ZONE RA-2 (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 modifications and relocalization of the garage's dwelling to an existing detached single family dwelling at 2 Baronscourt Road, submitted to the Planning Advisory Committee meeting of June 17<sup>th</sup>, 2013 is *refused* as recommended by the PAC. The modifications do not 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.

Adopted

2013-156

### **REQUEST TO AUTHORIZE AN ADDITION ON THE REAR YARD OF A DETACHED SINGLE FAMILY DWELLING AT 40, GRANVILLE ROAD LOT NO.: 2 088 934, ZONE RA-1 (ZONING BY-LAW 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:

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- 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 40 Granville Road, submitted to the Planning Advisory Committee meeting of June 17<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

2013-157

**REQUEST FOR APPROVAL OF AN ADDITION ON THE EXISTING GARAGE LOCATED ON THE REAR FAÇADE OF AN EXISTING DETACHED SINGLE FAMILY DWELLING AT 19, HEATH ROAD LOT NO.: 2 089 581 ZONE RA-1 (ZONING BY-LAW 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 existing garage located on the rear façade of an existing detached single family dwelling at 19 Heath Road, submitted to the Planning Advisory Committee meeting of June 17<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:
  - The proposed addition's volume and materials should express a difference from the original house;
  - The new proposition for the roof shape is more respectful of the language of the existing roof but the roof line on the front elevation should be reviewed;
  - The access to the proposed garage is acceptable;
  - Corrected architectural plans must be submitted to Urban Planning in order to demonstrate that the project is consistent with the architecture of the existing house;

Adopted

2013-158

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF JUNE 2013**

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

On motion of Councillor Michael Goldwax, seconded by Councillor Abe Gonshor, it was UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from May 29<sup>th</sup>, 2013 to June 26<sup>th</sup>, 2013, in the total amount of \$5,948,209.84 are hereby approved (\$ 575,204.75 for cheques and \$ 5,373,005.09 for on line payments).

Adopted

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2013-159

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

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

- THAT the Town Council approves the transfer of funds in the amount of \$361,500 from Unappropriated Surplus to Appropriated Surplus Account 55-992-00-000 to pay the remaining balance of the capital portion due per By-Law 770 upon its refinancing dated May 8, 2014 subsequent to a previous surplus appropriation of \$500,000 under Resolution 2013- 113.

Adopted

2013-160

### **MANDATE TO THE CITY OF DOLLARD-DES-ORMEAUX TO CARRY OUT GROUPED CALL FOR TENDERS FOR THE COLLECTION AND TRANSPORT OF SECONDARY RECYCLABLE MATERIALS – 2014 TO 2017**

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WHEREAS the City of Dollard-des-Ormeaux, has offered to orchestrate groups call for tenders, on behalf of participating municipalities, for the collection and transport of recyclable materials for a period of three years;

WHEREAS the Cities and Towns of Baie D'Urfe, Beaconsfield, Côte-Saint-Luc, Dollard-des-Ormeaux, Dorval, Hampstead, Kirkland, Montreal-Est, Montreal-Ouest, Mont-Royal, Pointe-Claire, Sainte-Anne-de-Bellevue, Senneville and Westmount are invited to participate at the group call for tenders;

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

- THAT the Council authorizes the Town of Hampstead's participation in groups call for tenders for the collection and transport of recyclable materials for a period of three years, from April 1, 2014 to March 31, 2017, with two optional renewals of one year;
- THAT the Town of Hampstead delegates the City of Dollard-des-Ormeaux 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.

Adopted

2013-161

### **GRANTING OF CONTRACT FOR SIDEWALK REPAIR**

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WHEREAS there has been a public call for sidewalks repair;

WHEREAS, after analysing the tenders opened on June 14<sup>th</sup>, 2013, the lowest bidder conforming to the requirements of the tender invitation is TGA Montreal Inc.;

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

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

**TGA MONTREAL INC**

Sidewalks repair: (as per tender specifications)	\$ 84 070.00
Contingencies:	\$ <u>5,000.00</u>
Sub-Total:	\$ 89 070.00
G.S.T. (5%):	\$ 4 453.50
Q.S.T. (9.975%):	\$ 8 884.73
Grand total taxes included:	\$ <b>102 408.23</b>

Treasurer's Certificate N° 13-26, dated June 18, 2013, has been issued by the Town's treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2013-162

**END OF PROBATIONARY PERIOD AND END OF EMPLOYMENT OF EMPLOYEE #1545**

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

- TO RATIFY the decision of ending the probationary period and ending the employment of Employee #1545.

Adopted

2013-163

**APPROVAL OF HIRING CONTRACT OF MS. NADINE BEAUPRÉ AS "QUALITY MUNICIPAL SERVICE MANAGER"**

CONSIDERING THAT the Town of Hampstead wishes to hire a Quality Municipal Service Manager;

CONSIDERING THAT the Director General and the Human Resources Director are recommending the hiring of **Ms. Nadine Beaupré** to fill such position;

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

- TO APPROVE the contractual hiring of Ms. **NADINE BEAUPRÉ** as "**QUALITY MUNICIPAL SERVICE MANAGER**" as of July 15th, 2013 in accordance with the conditions described in the contract signed on June 21st, 2013 between Ms. Beaupré and the Town, as represented by the Director General and contained in the confidential "Personnel" file in the Human Resources Director' Office;

Treasurer's certificate no 13-27, dated June 21st, 2013, has been issued by the Treasurer, attesting the availability of funds to cover the described expenses.

Adopted

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**SECOND QUESTION PERIOD**

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

2013-164

**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