

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON MARCH 3<sup>RD</sup>, 2014, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.**

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

**ABSENT:** Councillor Karen Zajdman.

**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.

2014-060

**ADOPTION OF THE AGENDA**

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

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

Adopted

2014-061

**ADOPTION OF THE MINUTES**

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

- THAT the following Minutes:
  - Minutes of the Special Budget Meeting of January 27<sup>th</sup>, 2014;
  - Minutes of the Special Council Meeting of January 27<sup>th</sup>, 2014;
  - Minutes of the Continuation of the Special Budget Meeting of February 3<sup>rd</sup>, 2014;
  - Minutes of the Regular Council Meeting of February 3<sup>rd</sup>, 2014; and
  - Minutes of the Special Council Meeting of February 17<sup>th</sup>, 2014;

are hereby approved as submitted.

Adopted

*At 8:12p.m. Councillor Leon Elfassy left temporarily the meeting.*

2014-062

**TOWN OF HAMPSTEAD'S PARTICIPATION IN 'EARTH HOUR'**

WHEREAS the Town of Hampstead wishes to take a stand concerning one of the largest unaddressed threats to our planet, that of global warming;

WHEREAS the reduction of carbon emissions, which contribute to the greenhouse effect, is a responsibility in which all municipalities must become involved and which necessitates the effort of each person, enterprise and community;

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WHEREAS, at 8:30 p.m. on Saturday, March 29, 2014 ('Earth Hour'), many large metropolitan cities around the world will participate by turning off their lights for a period of one hour in an effort to combat global warming;

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

- THAT the Town of Hampstead will extinguish all non-essential lights for a period of one hour at 8:30 p.m. on Saturday, March 29, 2014;
- THAT all Hampstead residents are encouraged to participate in this initiative on March 29th; and
- THAT all municipalities of the Montreal Agglomeration are encouraged to join the Town of Hampstead and participate in 'Earth Hour' on March 29th, 2014.

Adopted

2014-063

### **ADOPTION – BY-LAW N° 757-3 – FURTHER AMENDING BY-LAW N° 757 CONCERNING THE PENSION PLAN FOR THE EMPLOYEES OF THE TOWN OF HAMPSTEAD**

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It was proposed by Councillor Harvey Shaffer, seconded by Councillor Jack Edery, it was UNANIMOUSLY RESOLVED:

- TO defer this resolution to a subsequent Council Meeting.

Adopted

2014-064

### **NOTICE OF MOTION – BY-LAW NUMBER 808 - BORROWING BY-LAW IN THE AMOUNT OF \$747,000 FOR THE ACQUISITION OF VEHICLES**

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NOTICE OF MOTION was given by Councillor Jack Edery, that, at a subsequent meeting of Council, by-law N° 808 authorizing a loan in the amount of \$747,000 for the acquisition of large vehicles for Public Works including a car for Urban Planning will be submitted to Council for Adoption.

TAKE FURTHER NOTICE THAT all Council members have received by-law N° 808 prior to this Council Meeting and a motion to dispense with the reading of the said By-law was made.

2014-065

### **ADOPTION OF BY-LAW N° 727-16 AMENDING ZONING BY-LAW N° 727 (LOCATION OF PROPANE GAS TANKS)**

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CONSIDERING THAT notice of motion of By-law N° 727-16 was given at the Special Council meeting of January 27<sup>th</sup>, 2014 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;

CONSIDERING THAT following the adoption of the second draft By-law no. 727-16 on February 17, 2014 and the public notice published on February 19, 2014, no application was received by the Town clerk from interested persons to require that By-Law no. 727-16 be submitted for the approval of certain qualified voters in accordance with the *Act Respecting Elections and Referendums in Municipalities*;

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

- TO approve By-law N<sup>o</sup> 727-16 entitled: "By-law amending Zoning By-law N<sup>o</sup> 727 (location of propane gas tanks).

Adopted

2014-066

### **DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON FEBRUARY 10<sup>TH</sup> 2014**

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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 February 10<sup>th</sup>, 2014.

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

2014-067

### **REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW 727 ART. 6.3.3. TO LEGALIZE THE LEFT SIDE SETBACK AT 2.01 M (6.6 FEET) FROM THE LEFT LOT LINE INSTEAD OF 2.29 M (7.5 FEET) AND TO ART. 6.8.1.4 TO PERMIT THE EXISTING DECK AT 2.20 M (7.2 FEET) FROM THE LEFT LOT LINE INSTEAD OF 3 M (9.8 FEET) AND THIS, TO A DETACHED SINGLE FAMILY DWELLING AT 4, THURLOW ROAD LOT NO.: 2 088 811, ZONE RA-1 (ZONING BY-LAW NUMBER 727) (BY-LAW CONCERNING MINOR EXEMPTIONS # G-18-0005)**

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On motion of Councillor Warren Budning, 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 a minor exemption to legalize the existing setbacks to a detached single family dwelling at 4, Thurlow Road, submitted to the Planning Advisory Committee meeting of January 23<sup>rd</sup>, 2014 is **approved** as recommended by the PAC. The modifications partially 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;
- That resolution no. 2014-046 is repealed and replaced by the present.

Adopted

### **Intervention of interested persons concerning the request for Minor Exemption for project located at 4 Thurlow Road.**

**No intervention**

*At 8:28 p.m. Councillor Leon Elfassy came back to assist the meeting.*

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2014-068

**REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW ART. 6.3.3. TO LEGALIZE THE LEFT SIDE SETBACK AT 1.99 M (6.53 FEET) FROM THE LEFT LOT LINE INSTEAD OF 2.90 M (9.5 FEET), THE RIGHT SIDE SETBACK AT 2.25 M (7.38 FEET) INSTEAD OF 2.90 (9.5 FEET) AND TO ART. 6.8.1.4 TO PERMIT THE EXISTING DECK AT 2.09 M (6.86 FEET) FROM THE RIGHT LOT LINE INSTEAD OF 3 M (9.8 FEET) AND THIS, TO A DETACHED SINGLE FAMILY DWELLING AT 242, NETHERWOOD ROAD LOT NO.: 2 089 964, ZONE RA-2 (ZONING BYLAW NUMBER 727) (BY-LAW CONCERNING MINOR EXEMPTIONS # G-18-0005)**

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

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize a minor exemption to legalize the existing setbacks to a detached single family dwelling at 242, Netherwood Road, submitted to the Planning Advisory Committee meeting of January 23<sup>rd</sup>, 2014 is *approved* as recommended by the PAC. The modifications partially 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;
- That resolution no. 2014-047 is repealed and replaced by the present.

Adopted

**Intervention of interested persons concerning the request for Minor Exemption for project located at 242 Netherwood Road.**

*No intervention*

2014-069

**REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW ART. 6.4 TO PERMIT THE REAR SETBACK AT 7.01 M (23 FEET) FROM THE REAR LOT LINE INSTEAD OF 9.14 M (30 FEET) AND THIS, TO A DETACHED SINGLE FAMILY DWELLING AT 22, CRESSY ROAD LOT NO.: 2 089 556, ZONE RA-1 (ZONING BY-LAW NUMBER 727) (BY-LAW CONCERNING MINOR EXEMPTIONS # G-18-0005)**

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

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize a minor exemption to permit the rear setback at 7.01 m (23 feet) from the rear lot line instead of 9.14 m (30 feet) to a detached single family dwelling at 22, Cressy Road, submitted to the Planning Advisory Committee meeting of February 10<sup>th</sup>, 2014 is *approved* as recommended by the PAC. The modifications partially 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

**Intervention of interested persons concerning the request for Minor Exemption for project located at 22 Cressy Road.**

*No intervention*

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2014-070

**REQUEST TO AUTHORIZE AN ADDITION IN THE REAR YARD OF AN EXISTING SINGLE FAMILY DWELLING AT 22, CRESSY ROAD LOT NO.: 2 089 556, 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 Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize an addition in the rear yard to a detached single family dwelling at 22, Cressy Road, submitted to the Planning Advisory Committee meeting of February 10<sup>th</sup>, 2014 is *approved* as recommended by the PAC. The modifications partially 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

2014-071

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF FEBRUARY 2014**

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WHEREAS Council reviewed the list of payments for the month of February 2014;

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

- THAT the disbursements for the period from January 28<sup>th</sup>, 2014 to February 27<sup>th</sup>, 2014, in the total amount of \$1,448,149.17 are hereby approved (\$554,872.93 for cheques and \$893,276.24 for on line payments).

Adopted

2014-072

**PAYMENT OF THE FIRST INSTALMENT OF HAMPSTEAD'S SHARE OF MONTREAL AGGLOMERATION 2014 ANNUAL EXPENSES**

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

- THAT the Town of Hampstead pays the first instalment April 1<sup>st</sup>, 2014, in the amount of \$4,827,635 for its share of expenses in the 2014 operations of the Montréal Agglomeration; and

The Treasurer's certificate N° 14-03 dated February 5, 2014 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2014-073

**GRANTING OF CONTRACT – TRIMMING / CUTTING OF TREES**

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WHEREAS there has been a public call for tenders, for a two year contract for the trimming/cutting of trees;

WHEREAS, after analyzing the tenders opened on February 26<sup>th</sup> 2014, the lowest bidder conforming to the requirements of the tender invitation is Groupe DRM Inc. (9043-2089 Québec);

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

- THAT, the two year contract for the trimming and cutting of trees, be granted to the lowest bidder Groupe DRM Inc (9043-2089 Québec) for the period from 2014/04/01 to 2016/03/31;
- THAT, rates for the first year of the contract, for the period from 2014/04/01 to 2015/03/31 will be:
  - Day time rates:           Trimming of big trees:         \$ 98.00/hr  
  Trimming of small trees:         \$ 92.00/hr  
  Cutting of trees                     \$ 123.00/hr
  - Weekdays                   Trimming of big trees:         \$ 98.00/hr  
  evenings rate               Trimming of small trees:         \$ 92.00/hr  
  Cutting of trees                     \$ 123.00/hr
  - Nights &                    Trimming of big trees:         \$ 98.00/hr  
  weekends rate               Trimming of small trees:         \$ 92.00/hr  
  Cutting of trees                     \$ 123.00/hr
- THAT, the prices submitted by the lowest bidder will be adjusted as per the Consumers price index for the second year of the contract;
- THAT, according to the frequency and quantities of work done over the past years and the estimate of work to be done over the next two years, the estimate expenditure will be \$ 88,244.00 plus applicable taxes.

Treasurer’s certificate N° 14-06, dated February 26, 2014 has been issued by the Town’s Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2014-074

**AUTHORIZATION FOR – SALE OF VEHICLES, MACHINERY, EQUIPMENT AND MATERIALS**

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WHEREAS the Town wishes to dispose of certain vehicles, machinery, equipment and materials that either have not been used for several years, are no longer necessary for daily operations or will be replaced by more recent equivalent items;

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

- THAT, the director of purchasing and information systems is, with the approval of the director general, authorized to sell the items detailed in the attached annex “A”, for the best possible return.

Adopted

2014-075

**AWARDING OF A GROUP INSURANCE CONTRACT TO “SSQ GROUPE FINANCIER” FOR A MAXIMUM PERIOD OF 5 YEARS (60 MONTHS)**

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WHEREAS pursuant to article 29.9.1 of the Cities and Towns Act and 14.7.1 of the municipal Code, the Union of Municipalities of Quebec (UMQ) had launched in October 2013 a public call for tenders to obtain services for group insurance for the employees of the member municipalities of the “Regroupement des municipalités de l’agglomération de Montréal” (Regroupement);

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WHEREAS the Town of Hampstead had, by Council resolution number 2012-350 adopted on December 17, 2012, authorized and mandated the UMQ to represent the Town in this public call for tenders;

WHEREAS the bids received from the insurers have already been analyzed by the consultant Group Mallette Actuaries Inc. and presented to the management committee, consisting of representatives of the municipal group;

WHEREAS the UMQ has, in accordance with the law, followed the recommendation of the consultant and of the committee;

WHEREAS at its meeting of December 6, 2013, the board of directors of UMQ has granted the contract for the services of group insurance for employees of the municipalities of the grouping, including the Town of Hampstead to SSQ Financial Group, in accordance with the tender specifications and the bid;

WHEREAS the consultant Group Mallette Actuaries Inc. has informed the director of human resources in December 2013 of the value of the contract, the rates, or about the manner to access such information;

WHEREAS according to the Act, the Town of Hampstead is deemed to be part of the grouping and to the contract;

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

- THAT the Town of Hampstead confirms its membership to the "Regroupement des municipalités de l'agglomération de Montréal" (Regroupment) in order to acquire the services of group insurance for its employees and to the contract which was awarded to SSQ Financial Group following a public call for tenders;
- THAT the contract awarded will be for a maximum duration of five (5) years, beginning on 1 April 2014;
- THAT the Town of Hampstead is committed to provide to UMQ or to the consultant's Groupe Mallette actuaries, within the set delays, the information necessary for the execution of the contract;
- THAT the Town of Hampstead undertakes to abide by the terms and conditions of the said contract, both toward the supplier as toward the UMQ, as if the Town had contracted directly with the said supplier to whom the contract has been awarded by the UMQ;
- THAT the Town' council accepted the conditions of renewal proposed by the insurer (SSQ Financial Group), for the period from 1 April 2014 at March 31, 2015, for an amount not exceeding 151,447 \$, taxes included;
- THAT the Director general or the Director of human resources is authorized to sign, on behalf of the Town, all the necessary documents for the putting into force of the contract;

The certificate of the treasurer no. 14-05, dated of the February 18<sup>th</sup>, 2014, certifies that the funds are available for this expenditure.

Adopted

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2014-076

**APPROVAL OF HIRING OF MS. THANH LUU AS “OFFICE AGENT – URBAN PLANNING AND BUILDING INSPECTION & PUBLIC SECURITY”**

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CONSIDERING THAT the Town of Hampstead requires the hiring of an Office Agent as temporary replacement for a maternity leave;

CONSIDERING THAT the Director General, the Urban Planning and Building Inspections Division Chief and the Human Resources Counsellor are recommending the hiring of **MS. THANH LUU** to fill such position;

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

- TO APPROVE the temporary hiring of **MS. THANH LUU** as “**OFFICE AGENT – URBAN PLANNING AND BUILDING INSPECTION & PUBLIC SECURITY**” no later than March 7<sup>th</sup>, 2014 for a period not to exceed January 30<sup>th</sup>, 2015, subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 429 and the Town of Hampstead, and subject to a medical examination attesting to the capability to accomplish the duties of the function;

Treasurer’s certificate no 13-49, dated November 8<sup>th</sup>, 2013 has been issued by the Treasurer, attesting the availability of funds to cover the described expenses.

Adopted

**SECOND QUESTION PERIOD**

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

2014-077

**ADJOURNMENT**

All the subjects of the Agenda having been discussed, it was proposed by Councillor Warren Budning, seconded by Councillor Michael Goldwax 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