

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON JUNE 3, 2008, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

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

ALSO PRESENT: Mr. Richard Sun, Director General and Me Chantal Bergeron, Town Clerk acting as Secretary of the Meeting

ABSENT: Councillor David Sternthal

FIRST QUESTION PERIOD

Mrs. Azerad

- Gave an explanation of their request for demolition and the extension to the side, rear and roof of their house.

Mrs. Gaudo

- Asked that Queen Mary Road be resurfaced.

Mr. Gross

- Asked if there was a traffic study done in the area of Langhorne and Dufferin.

Mr. Gold

- Asked if the Council has given consideration to changing the bulbs in street lights in an effort to save energy.

Mrs. Gordon

- Asked if it is possible to change the by-law to allow clothes lines in order to help the environment.

Mrs. Gross

- Asked why a playground was built next to the dog run.

Mrs. Genziuk

- Asked why the Town is recruiting a temporary Chief of Operations for Public Works instead of looking for a Director.

2008-116

ADOPTION OF THE AGENDA

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

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

7.6 – Transfer of Funds from Unappropriated Surplus to Infrastructure Projects.

Adopted

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2008-117

ADOPTION OF THE MINUTES

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

- THAT the Minutes of the Regular Council Meeting of May 5, 2008 and of the Special Council Meeting of May 12, 2008 be and are hereby approved as submitted.

Adopted

8:40 p.m. – Councillor Borden temporarily left the meeting.

2008-118

REQUEST FOR INFORMATION CONCERNING CERTAIN AGREEMENTS SIGNED BY THE AGGLOMERATION COUNCIL

WHEREAS on April 3, 2008, the Urban Agglomeration Council of Montreal adopted resolution CG08 0108 in order to allow the conclusion of six general agreements for professional services for the supply of temporary resources in information technologies at an approximate price of \$37.7M;

WHEREAS said resolution does not specify the services that are to be rendered nor even whether the services are related to the exercise of urban agglomeration powers;

WHEREAS section 65 of the Act respecting the exercise of certain municipal powers and certain urban agglomerations (R.S.Q., c. E-20.001) states that expenditures incurred by the central municipality in the exercise of urban agglomeration powers are treated separately from those incurred in the exercise of other powers;

WHEREAS it is necessary to see that the Ville de Montreal not charge the urban agglomeration for expenses that are incurred in the exercise of a power other than those of the urban agglomeration;

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

- TO ask that the Ville de Montreal provide the Town of Hampstead with a monthly list of expenses incurred within the scope of the agreements signed as a result of the agglomeration Council's resolution no. CG08 0108 and that said list identify those expenses incurred in the exercise of an urban agglomeration power, as provided for by section 65 of the Act.

Adopted

2008-119

ADOPTION – BY-LAW N° 766 GOVERNING SPECIFIC CONSTRUCTION, ALTERATION OR OCCUPANCY PROPOSALS FOR AN IMMOVEABLE

CONSIDERING THAT notice of motion of By-law N° 766 was given at the Regular Council meeting of May 5, 2008 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;

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

- TO approve By-law N^o 766 entitled: “By-law Governing Specific Construction, Alteration or Occupancy Proposals for an Immoveable”.

Adopted

8:48 p.m. – Councillor Borden returned to the meeting.

2008-120

NOTICE OF MOTION – BY-LAW N^o 757-2 FURTHER MODIFYING BY-LAW N^o 757 CONCERNING THE PENSION PLAN FOR THE EMPLOYEES OF THE TOWN OF HAMPSTEAD

NOTICE OF MOTION was given by Councillor Goldwax that, at a subsequent meeting of Council, By-law N^o 757-2 entitled, “By-law Further Modifying By-law No 757 Concerning the Pension Plan for the Employees of the Town of Hampstead”, will be submitted to Council for adoption.

2008-121

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 71 FINCHLEY ROAD

On motion of Councillor Elfassy, seconded by Councillor Gonshor, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration programs (Option 2) received on May 27, 2008 showing **plans and elevations to demolish the existing home and erect a new detached single family dwelling in its place at 71 Finchley Road** and prepared by **Rubin & Goldenberg, Architects**, for the Planning Advisory Committee meeting of June 2, 2008, is **approved**, according to the provisions of Chapter 12 of the Zoning By-law No 727 and as recommended by the PAC.

Adopted

2008-122

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 45 THURLOW ROAD

It was proposed by Councillor Elfassy, seconded by Councillor Borden, and unanimously resolved to defer this item to a subsequent meeting.

Deferred

2008-123

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 419 DUFFERIN ROAD

On motion of Councillor Elfassy, seconded by Councillor Borden, it was UNANIMOUSLY RESOLVED:

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- THAT the site planning and architectural integration programs received on April 11, 2008 showing **plans and elevations for a two storey addition to the side and rear of the existing detached single family dwelling at 419 Dufferin Road** and prepared by **Agapai et Alt Architects**, for the Planning Advisory Committee meeting of May 12, 2008, is **not approved**, according to the provisions of Chapter 12 of Zoning By-law No 727 and as recommended by the PAC.

Adopted

2008-124

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIA) – 8 MINDEN ROAD

On motion of Councillor Elfassy, seconded by Councillor Gonshor, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration programs received on 25 April, 2008 showing **plans and elevations to modify the front façade of the existing detached single family dwelling at 8 Minden Road** and prepared by **Agapai et Alt Architects**, for the Planning Advisory Committee meeting of May 12, 2008, is **approved**, according to the provisions of Chapter 12 of Zoning By-law No 727 and as recommended by the PAC.

Adopted

2008-125

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIA) – 12 COLCHESTER ROAD

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

- THAT the site planning and architectural integration programs received on May 2, 2008 showing **plans and elevations for a second storey rear addition to the existing detached single family dwelling at 12 Colchester Road** and prepared by **Robert Moskovic, Architect** for the Planning Advisory Committee meeting of May 12, 2008, is **approved**, according to the provisions of Chapter 12 of Zoning By-law No 727 and as recommended by the PAC.

Adopted

2008-126

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF MAY 2008

WHEREAS Council reviewed the list of payments for the month of May 2008;

Council discussed the matter and, on motion of Councillor Borden, seconded by Councillor Goldwax, it was UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from May 1 to May 31, 2008, in the amount of \$272,316.14, are hereby approved.

Adopted

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2008-127

PAYMENT OF SECOND INSTALMENT OF HAMPSTEAD'S SHARE OF COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL 2008 ANNUAL EXPENSES

On motion of Councillor Borden, seconded by Councillor Elfassy it was RESOLVED:

- THAT the Town of Hampstead pays the second instalment, in the amount of \$136,118.66, for their share of expenses for the 2008 operations of the 'Communauté métropolitaine de Montréal'; and
- THAT Treasurer's certificate N°08-022 dated May 16, 2008 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 Borden
Councillor Elfassy
Councillor Goldwax
Councillor Gonshor

In favour: 4

Voted against:

Councillor Feigenbaum

Against: 1

Adopted on Division

2008-128

AUTHORIZATION TO PAY INVOICE COVERING HAMPSTEAD'S SHARE OF MONTREAL WEST / HAMPSTEAD MINOR HOCKEY EXPENSES AND ICE TIME

WHEREAS the Town of Hampstead participates in the hockey program housed in Montreal West under the supervision of the Montreal West Civic Recreation Association;

WHEREAS the Director of Community Services has recommended that the invoice received from the Montreal West Civic Recreation Association represents Hampstead's share of expenses and ice time;

WHEREAS the number of Hampstead residents who participated in the hockey program was higher than anticipated, resulting in an expense of \$66,455.44 versus the budgeted expense of \$ 47,000.00;

On motion of Councillor Feigenbaum, seconded by Councillor Borden, it was RESOLVED:

- THAT the following invoice be approved for immediate payment:

Montreal West Civic Recreation Association

Hampstead Portion of Ice Time \$ 66,455.44
(September 1, 2007 to April 30, 2008)

- THAT Treasurer's certificate N°08-023, dated May 23, 2008, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

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Mayor William Steinberg called for a vote.

Voted in favour:

Councillor Feigenbaum
Councillor Borden
Councillor Goldwax
Councillor Gonshor

In favour: 4

Voted against:

Councillor Elfassy

Against: 1

Adopted on Division

2008-129

**DEPOSIT OF THE FINANCIAL REPORT AND THE EXTERNAL
AUDITOR'S REPORT FOR THE 2007 FISCAL YEAR**

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 2007; and
- 2) the report of the Town's external auditor, Goudreau Poirier S.E.N.C.R.L., for the fiscal year 2007.

2008-130

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

WHEREAS the Town of Hampstead has read the *Guide on the Revised Terms and Conditions for the Transfer to Quebec Municipalities of a portion of federal gasoline excise tax revenues and the Government of Quebec's contribution to municipal drinking water, wastewater and local road system infrastructure* and its appendices;

WHEREAS the Town must respect the applicable terms and conditions of this Guide that apply to it in order to receive the government contributions confirmed to it in a letter from the Minister of Municipal Affairs and Regions;

It was proposed by Councillor Elfassy, seconded by Councillor Borden, and UNANIMOUSLY RESOLVED:

- THAT the Town of Hampstead hereby undertakes to comply with the applicable terms and conditions of this Guide that apply to it;
- THAT the Town hereby undertakes to be solely liable for and save harmless Canada and Quebec as well as their ministers, senior officers, employees and agents from all liability for claims, requirements, losses, damages and costs of any kind stemming from an injury to or death of an individual or damages to or loss of assets attributable to a deliberate act or negligence resulting directly or indirectly from work funded from the transfer of a portion of federal gasoline excise tax revenues and the Government of Quebec's contribution;
- THAT the Town hereby approves the content and authorizes the submission of the work schedule of April 25, 2008, and all other

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documents required by the Ministry to the Management of Infrastructures Department of the Ministry of Municipal Affairs and Regions, in order to receive the governmental contribution confirmed to the Town in a letter from the Minister of Municipal Affairs and Regions; and

- THAT the Town hereby undertakes to inform the Management of Infrastructures Department of the Ministry of Municipal Affairs and Regions of any changes to be made to the work schedule approved herein.

Adopted

2008-131

TRANSFER OF FUNDS FROM UNAPPROPRIATED SURPLUS TO INFRASTRUCTURE PROJECTS

On motion presented by Councillor Borden, seconded by Councillor Elfassy, it is UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the transfer of funds in the amount of \$1,250,000 from Unappropriated Surplus to the Infrastructure Projects Budget - 02-995-00-800.

Adopted

RECESS

At 9:20 p.m., it was proposed by Mayor Steinberg and unanimously resolved, to recess the meeting.

At 10:15 p.m., it was proposed by Councillor Feigenbaum and unanimously resolved to resume the meeting.

2008-132

GRANTING OF CONTRACT – SUPPLY OF A WHEEL LOADER EQUIPPED WITH A 2.5 CUBIC YARD FRONT BUCKET

It was proposed by Councillor Feigenbaum, seconded by Councillor Borden, and unanimously resolved to defer this item to a subsequent meeting.

Deferred

2008-133

GRANTING OF CONTRACT – SUPPLY OF A WHEEL LOADER WITH A 3 CUBIC YARD FRONT BUCKET, EQUIPPED WITH A REMOVABLE SNOW BLOWER AND A SNOW PLOW

WHEREAS there has been a public call for tenders, for the supply of one wheel loader with a 3 cubic yard front bucket, equipped with a removable snow blower and a snow plow;

WHEREAS, after analysing the tenders opened on May 9, 2008, the lowest bidder conforming to the requirements of the public tender is Longus Equipment Inc;

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WHEREAS this expense will be financed by Loan By-law N° 748, which has been approved by the Minister of Municipal Affairs and Regions;

On motion of Councillor Goldwax, seconded by Councillor Borden, it was UNANIMOUSLY RESOLVED:

- THAT, as recommended by the Division Chief of Purchasing, the following quotation for the following contract be and is hereby approved, the whole as more amply delineated hereunder:

LONGUS EQUIPMENT INC

One Wheel Loader with a 3 cubic yard front bucket, equipped with a removable snow blower and a snow plow	\$ 285,650.00
G.S.T. 5%	14,282.50
Q.S.T. 7.5%	22,494.94
TOTAL	\$ 322,427.44

- THAT Treasurer's certificate N° 08-021, dated May 14, 2008, has been issued by the Town's Treasurer attesting to the availability of funds to cover the described expenses.

Adopted

2008-134

GRANTING OF CONTRACT – REHABILITATION OF AQUEDUCT PIPES BY RELINING - 2008

WHEREAS there has been a call for tenders, by way of public tender, for the rehabilitation of aqueduct pipes by relining - 2008;

WHEREAS, after analysing the tenders opened on May 22nd, 2008, the lowest bidder conforming to the requirements of the public tender is Aqua Rehab;

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

- THAT, as recommended by Mr. Riad Taouk, Engineer from the firm IMS Experts-Conseils, the following quotation for the following contract be and is hereby approved, the whole as more amply delineated hereunder:

AQUA REHAB

Rehabilitation of aqueduct by relining:	\$ 205,030.00
Contingencies (10%):	20,503.00
G.S.T. 5%	\$ 11,276.65
Q.S.T. 7.5%	<u>\$ 17,760.72</u>
Grand total taxes included	\$ 254,570.37

- THAT Treasurer's Certificate N° 08-025, dated May 23, 2008, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

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2008-135

GRANTING OF CONTRACT – ROADS REPAIRING AND RESURFACING - 2008

WHEREAS there has been a public call for tenders for the repairing and repaving of roads - 2008;

WHEREAS, after analysing the tenders opened on May 22, 2008, the lowest bidder conforming to the requirements of the public tender is Simard-Beaudry Construction Inc;

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

- THAT, as recommended Mr. Riad Taouk, engineer from IMS Experts-Conseils consulting firm, the following quotation for the following contract be and is hereby approved, the whole as more amply delineated hereunder:

SIMARD-BEAUDRY CONSTRUCTION INC.

Roads repairing and resurfacing - 2008 \$ 1,009,100.00
(as per specifications)

Contingencies: 85,000.00

G.S.T.5% \$ 54,705.00

Q.S.T. 7.5% \$ 86,160.38

GRAND TOTAL, TAXES INCLUDED: \$ 1,234,965.38

THAT Treasurer's Certificate N° 08-026, dated May 30, 2008, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2008-136

AUTHORIZATION TO SIGN A CONTRACT FOR THE COLLECTION OF FLUOCOMPACT LIGHT BULBS AND FLUORESCENT TUBES

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

Deferred

2008-137

APPROVAL OF LIST OF AUXILIARY EMPLOYEES FOR COMMUNITY SERVICES DEPARTMENT

CONSIDERING THAT Council members reviewed the report of the Director of the Community Services dated June 2008, with regard to hiring auxiliary employees;

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

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- 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 of June 2008, prepared by the Director of Community Services.

Adopted

2008-138

EXTENSION OF HIRING OF MRS. KATIA LIMA AS 'COMMUNICATIONS OFFICER', TEMPORARY MANAGEMENT POSITION

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

- TO extend the hiring of Mrs Katia Lima as “Communications Officer”, effective June 4, 2008, for an additional period not to exceed six (6) months actually worked and in accordance with the conditions contained in the confidential ‘personnel’ file in the Director General’s office; and
- THAT Treasurer’s certificate n° 08-024, dated May 23, 2008, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2008-139

EXTENSION OF HIRING CONTRACT OF DANIEL CAMPEAU AS 'FOREMAN – PUBLIC WORKS, SEWERS AND WATERWORKS'

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

- TO extend the temporary hiring of Mr. Daniel Campeau, as “Foreman - Public Works, Sewers and Waterworks” for the period commencing on July 1, 2008 and ending not later than June 30, 2009.

Adopted

2008-140

SETTLEMENT OF GRIEVANCES – BLUE COLLAR EMPLOYEES

WHEREAS many grievances were either outstanding or in dispute;

WHEREAS the Town of Hampstead and “Le Syndicat des cols bleus regroupés de Montréal, SCFP-Local 301” have negotiated a satisfactory settlement;

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

- TO ratify the settlements arrived at, on May 2 and June 2, 2008, between the Town of Hampstead and “Le Syndicat des cols bleus regroupés de Montréal (SCFP-local 301)”.

Adopted

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2008-141

CREATION OF A NEW FUNCTION - "HUMAN RESOURCES OFFICER"

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

- TO create a new management function entitled "Human Resources Officer" the job description for which is attached and is included as an integral part of the present resolution;
- TO fill one (1) post in the newly created function.

Adopted

2008-142

CREATION OF A NEW TEMPORARY FUNCTION – "CHIEF OF OPERATIONS – PUBLIC WORKS"

WHEREAS the position of Director of Public Works is currently vacant;

WHEREAS it is desirable that the Director General may delegate some duties and responsibilities of the function of Director of Public Works;

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

- TO create the new temporary management function - "Chief of Operations – Public Works";
- TO delegate, to the Director General, the power and authority to appoint, from time to time, an individual to fulfill such temporary function; and
- TO remunerate such appointed individual as provided in the remuneration policy.

Adopted

2008-143

SUSPENSION OF EMPLOYEE # 1083

WHEREAS the director general has reported a five day suspension without pay of employee # 1083;

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

- THAT, having inquired, Council ratifies a five (5) day disciplinary suspension without pay of employee # 1083, imposed by the director general, in accordance with article 113 of the *Cities and Towns Act*.

Adopted

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SECOND QUESTION PERIOD

Mrs. Genziuk

- Asked why the Town needs a Human Resources Officer.
- Asked what the surplus is made up of.

2008-144

ADJOURNMENT

All the subjects of the Agenda having been discussed, it was proposed by Councillor Borden, and unanimously resolved to declare the meeting closed.

Adopted

Dr. William Steinberg, Mayor

Me Chantal Bergeron, Town Clerk