

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON FEBRUARY 18, 2008, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.**

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**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

**ABSENT:** Councillor David Sternthal

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

**FIRST QUESTION PERIOD**

Mrs. Genziuk

- Asked what Hampstead will have to pay Côte Saint-Luc for the third year of the library agreement.

2008-022

**ADOPTION OF THE AGENDA**

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

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

Adopted

2008-023

**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 January 7, 2008 be and are hereby approved as submitted.

Adopted

2008-024

**POSITION OF THE COUNCIL OF THE TOWN OF HAMPSTEAD ON THE PROPOSAL OF COMPROMISE FROM THE MINISTRY OF SUSTAINABLE DEVELOPMENT, ENVIRONMENT AND PARKS CONCERNING THE CHARGES PAYABLE TO MUNICIPALITIES FOR THE DISPOSAL OF RESIDUAL MATERIALS**

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WHEREAS, in its letter of December 18, 2007, the Ministry of Sustainable Development, Environment and Parks informed the Town of Hampstead that, according to the third redistribution of charges payable relative to the *Program of Redistribution to Municipalities of Charges Payable for the Disposal of Residual Material*, an amount of \$30,449.02 has been reserved for the Town of Hampstead for the period of April 1 to September 30, 2007;

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WHEREAS the amounts set aside until now for the Town of Hampstead are \$16,215.31 for December 2006, \$24,084.64 for June 2007 and \$30,449.02 for December 2007, for a total of \$70,748.97;

WHEREAS, since no agreement was reached between the Montreal Agglomeration and the related municipalities concerning the beneficiary of the grant, the Ministry submitted, in its letter of December 18, 2007, a compromise proposal for the redistribution of subsidies based on a proportion of 61.39% for proximity services and of 38.61% for agglomeration services for the year 2007;

WHEREAS, based on this compromise proposal, the Town of Hampstead would receive an amount totalling \$43,432.91 for December 2006 as well as for June and December 2007 redistributions, in comparison with the amount set aside of \$70,748.97;

WHEREAS the Town of Hampstead and the other related municipalities of the Montreal urban agglomeration are in charge, on their territories, of the collection and transportation of residual materials as well as of the implementation of the *Residual Material Management Plan* as implicitly provided for in paragraph 6 of Chapter 19 in an *Act Respecting the Exercise of Certain Municipal Powers in Certain Municipalities* (R.S.Q. Chapter E-20.001);

WHEREAS it is the responsibility of the related municipalities to put in place the necessary incentives to convince its population to adhere to the *Residual Material Management Plan* and to ensure that the objectives imposed by the governmental policy are reached;

WHEREAS it is in the interest of the population of Hampstead that the Town of Hampstead expresses its disagreement with the compromise proposal submitted by the Ministry of Sustainable Development, Environment and Parks;

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

- THAT the Council of the Town of Hampstead expresses its disagreement with the compromise proposal submitted by the Ministry of Sustainable Development, Environment and Parks concerning the redistribution to municipalities of charges payable for the disposal of residual materials;
- THAT the Council of the Town of Hampstead respectfully ask the Minister to pay the amount due to the Town of Hampstead in application of the *Program of Redistribution to Municipalities of Charges Payable for the Disposal of Residual Materials* and this, without waiting for the conclusion of an agreement or for the adoption of a law modifying the responsibilities of the related municipalities and of the Montreal urban agglomeration concerning the sharing of the grant; and
- THAT a copy of this resolution be sent to the Minister of Sustainable Development, Environment and Parks, to all related municipalities of the Montreal urban agglomeration as well as to Lawrence Bergman, MNA for D'Arcy McGee.

Adopted

2008-025

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

WHEREAS on March 31, 2007, 2.2 million people and 2,100 enterprises of Sydney, Australia turned off their lights for a period of one hour, 'Earth Hour', in a collective effort to reduce energy consumption, which effort resulted in a

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10.2% reduction in energy consumption, equivalent to removing 48,000 automobiles from the roads, for that 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;

WHEREAS, at 8:00 p.m. on Saturday, March 29, 2008 ('Earth Hour'), the cities of Sydney, Chicago, Tel Aviv, Manila, Copenhagen, Melbourne, Brisbane and Toronto will participate by turning off their lights for a period of one hour in an effort to combat global warming;

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

- THAT the Town of Hampstead will extinguish all non-essential lights for a period of one hour at 8:00 p.m. on Saturday, March 29, 2008;
- 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 29, 2008.

Adopted

2008-026

### **OBJECTION TO THE CMM BY-LAW AMENDMENT CONCERNING THE FINANCING OF METROPOLITAN FACILITIES**

WHEREAS the municipal council has taken note of the amendment of the CMM by-law establishing the cost sharing and the payment by the municipalities being part of the CMM regarding the financing of metropolitan facilities, being the Botanical Garden, the Insectarium, the Planetarium, the Biodome and the Cosmodome;

WHEREAS Section 2 of the CMM's by-law foresees that, as of January 1<sup>st</sup>, 2008, the deficit from these facilities shall be apportioned to the municipalities being part of the CMM, according to their respective fiscal potential, thus alleviating the City of Montreal's share by approximately 5,4 million dollars at the expense of all the other municipalities being part of the CMM;

WHEREAS this by-law, without amendment, would mean that the Town of Hampstead would have to pay additional amounts in 2008 for metropolitan facilities;

WHEREAS the Town of Hampstead recommends the renewal of the current cost sharing formula until 2013;

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

- THAT the municipal Council of the Town of Hampstead support without reservation the position of the president of the *Caucus des municipalités de la Métropole* and Mayor of Laval, Mr. Gilles Vaillancourt, so that the current cost sharing formula be renewed until 2013;

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- THAT the municipal Council of the Town of Hampstead ask the Mayor of Montreal as well as all the representatives of the City of Montreal, the board of directors of the Montreal Metropolitan Community to respect the spirit and the commitment made when the fiscal pact was signed, that is for the renewal of the current cost sharing formula for the financing of metropolitan facilities; and
- THAT a copy of this resolution be sent to the Mayor of Montreal and the president of the Montreal Metropolitan Community, Mr. Gérald Tremblay, to the Mayor of Laval and President of the *Caucus des municipalités de la Métropole of the Union des municipalités du Québec*, Mr. Gilles Vaillancourt and to all the towns and regional county municipalities of the Montreal Metropolitan Community.

Adopted

2008-027

### **ADOPTION – BY-LAW N° 690-3 – FURTHER MODIFYING BY-LAW N° 690 CONCERNING NUISANCE**

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CONSIDERING THAT notice of motion of By-law N° 690-3 was given at the Regular Council meeting of January 7, 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;

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

- TO approve By-law N° 690-3 entitled: “By-law Further Modifying By-law N° 690 Concerning Nuisance”.

Adopted

2008-028

### **ADOPTION – BY-LAW N° 761-1 – MODIFYING BY-LAW N° 761 CONCERNING DOGS**

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CONSIDERING THAT notice of motion of By-law N° 761-1 was given at the Regular Council meeting of January 7, 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;

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

- TO approve By-law N° 761-1 entitled: “By-law Modifying By-law N° 761 Concerning Dogs (Registration Fees)”.

Adopted

2008-029

### **NOTICE OF MOTION – BY-LAW N° 710-1 – TO MODIFY BY-LAW N° 710 GOVERNING FILMING PERMITS**

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NOTICE OF MOTION was given by Councillor Abraham Gonshor that, at a subsequent meeting of Council, By-law N° 710-1, Modifying By-law N° 710 Governing Filming Permits, will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 710-1 prior to this Council Meeting and a motion to dispense with the reading of the said By-law was made.

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2008-030

### **NOTICE OF MOTION – BY-LAW N° 705-1 – MODIFICATIONS TO BY-LAW N° 705 CONCERNING THE COLLECTION, REMOVAL AND DISPOSAL OF REFUSE**

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NOTICE OF MOTION was given by Councillor Bonnie Feigenbaum that, at a subsequent meeting of Council, By-law N° 705-1, Modifying By-law N° 705 Concerning the Collection, Removal and Disposal of Refuse, will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 705-1 prior to this Council Meeting and a motion to dispense with the reading of the said By-law was made.

2008-031

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 29 BELSIZE ROAD**

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

- THAT the site planning and architectural integration programs received on January 8, 2008 showing **plans and elevations for a two storey rear addition and a second storey addition over the front living room of the detached single family dwelling at 29 Belsize Road** and prepared by **Geiger & Huot Architects**, for the Planning Advisory Committee meeting of January 14, 2008, is **not approved**, according to the provisions of Chapter 12 of the Zoning By-law No 727 and as recommended by the PAC.

Adopted

2008-032

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 23 APPLEWOOD ROAD**

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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 programs received on January 9, 2008 showing **plans and elevations for a rear second storey addition over the rear deck of the detached single family dwelling at 23 Applewood Road** and prepared by **Wendy Spatzner, Architect**, for the Planning Advisory Committee meeting of January 14, 2008, is **approved**, according to the provisions of Chapter 12 of the Zoning By-law No 727 and as recommended by the PAC.

Adopted

2008-033

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 103 STRATFORD ROAD**

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

- THAT the site planning and architectural integration programs received on January 9, 2008 showing **plans and elevations to demolish the existing home and erect a new detached single family dwelling in its**

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place at **103 Stratford Road** and prepared by **Rubin & Goldenberg Architects**, for the Planning Advisory Committee meeting of January 14, 2008, is **not approved**, according to the provisions of Chapter 12 of the Zoning By-law No 727 and as recommended by the PAC.

Adopted

2008-034

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 31 HEATH ROAD**

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

- THAT the drawings received on January 14, 2008 showing **modifications to the façade of the detached single family dwelling at 31 Heath Road**, for the Planning Advisory Committee meeting of January 14, 2008, are **not approved**, according to the provisions of Chapter 12 of the Zoning By-law No 727 and as recommended by the PAC.

Adopted

2008-035

### **TABLING OF DECISION RENDERED BY THE DEMOLITION COMMITTEE CONCERNING 58 GLENMORE ROAD**

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In accordance with Article 7.6 of By-law N<sup>o</sup> 759 Concerning the Demolition of Buildings, the Town Council acknowledges the decision rendered by the Demolition Committee at their meeting of January 21, 2008 in which they approved the partial demolition of the detached single family residence located at 58 Glenmore Road.

2008-036

### **REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT 50 GRANVILLE ROAD**

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WHEREAS the members of Council have reviewed the request for minor exemption of the property located at 50 Granville Road, Lot 3598767 to permit the height of the roof ridge to be at 37'-6" instead of the maximum allowable height of 35'-0", as measured from the average elevation of the sidewalk adjacent to the front lot line and, in the case of a corner lot, the secondary front line on which the building is erected, according to the provisions of article 5.1 of Zoning By-law No 727.

On motion of Councillor Abraham Gonshor, seconded by Councillor Clifford Borden, it was UNANIMOUSLY RESOLVED:

- THAT the aforementioned request for a minor exemption for the property located at 50 Granville Road, Lot 3598767, is approved.

Adopted

2008-037

### **APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF JANUARY 2008**

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

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

- THAT the disbursements for the period from January 1 to January 31, 2008, in the amount of \$1,739,305.62, are hereby approved.

Adopted

2008-038

**REGISTRATION OF DELEGATES TO ATTEND THE 2008 ANNUAL CONFERENCE OF THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA)**

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WHEREAS the 2008 Annual Conference of the Government Finance Officers Association (GFOA) will be held in Fort Lauderdale, Florida, from June 15 to June 18, 2008;

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

- THAT Council authorizes the following delegates to attend the 2008 Annual Conference of the Government Finance Officers Association (GFOA) and to be reimbursed for their expenses incurred:

Richard Sun, Director General  
Charles Ohayon, Treasurer  
Simona Sonnenwirth, Tax Analyst

- THAT Treasurer's Certificate N° 08-007, dated January 25, 2008, has been issued, attesting to the availability of funds to cover the described expenses.

Mayor William Steinberg called for a vote.

**Voted in favour:**

Councillor Feigenbaum  
Councillor Elfassy  
Councillor Goldwax  
Councillor Gonshor

**In favour: 4**

**Voted against:**

Councillor Borden

**Against: 1**

Adopted on Division

2008-039

**GRANTING OF CONTRACT – SUPPLY OF ASPHALT FOR YEAR 2008**

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WHEREAS there has been a call for tenders, by way of written invitation, for the supply of asphalt for year 2008;

WHEREAS, after analysing the tenders opened on January 21, 2008, the lowest bidder conforming to the requirements of the tender invitation is Les Pavages Chenail inc.;

On motion of Councillor Michael Goldwax, seconded by Councillor Abraham Gonshor, 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:

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**LES PAVAGES CHENAIL INC**

Asphalt MB-7 (approx. 300 metric tons)	\$ 70.00 / mt
Asphalt MB-6 (approx. 100 metric tons)	\$ 67.00 / mt
Asphalt MB-5 (approx. 50 metric tons)	\$ 66.00 / mt
Asphalt MB-4 (approx. 50 metric tons)	\$ 66.00 / mt
Asphalt MB-3 (approx. 25 metric tons)	\$ 65.00 / mt

G.S.T. 5%	Extra
Q.S.T. 7.5%	Extra

- THAT Treasurer's Certificate N° 08-004, dated January 22, 2008, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2008-040

**GRANTING OF CONTRACT – SUPPLY OF CRUSHED STONE**

WHEREAS there has been a call for tenders, by way of written invitation, for the supply of crushed stone;

WHEREAS, after analysing the tenders opened on January 21, 2008, the lowest bidder conforming to the requirements of the tender invitation is Les Pavages Chenail Inc;

On motion of Councillor Michael Goldwax, seconded by Councillor Leon Elfassy, 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:

**LES PAVAGES CHENAIL INC.**

Supply of crushed stone from March 1, 2008 to February 28, 2009 (as per specifications).

Crushed stone ¼"	(approx. 25 metric tons)	\$ 17.25 / mt
Crushed stone 2" - 4"	(approx. 25 metric tons)	\$ 17.25 / mt
Stone dust	(approx. 100 metric tons)	\$ 12.00 / mt
Crushed stone ¾"	(approx. 125 metric tons)	\$ 15.75 / mt
R.O.C. 0 - 3/4"	(approx. 800 metric tons)	\$ 13.25 / mt

G.S.T. 5%	EXTRA
Q.S.T. 7.5%	EXTRA

- THAT said purchase shall be for an approximate expense of \$16,515.02, taxes included; and
- THAT Treasurer's Certificate N° 08-005, dated January 22, 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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2008-041

**EXTENSION OF CONTRACT – JANITORIAL SERVICES FOR THE PUBLIC WORKS BUILDING**

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WHEREAS in February 2007 there was a call for tenders, by way of written invitation, for a one year contract to include a clause for two optional one-year renewals, 2008/2009 and 2009/2010, for janitorial services at the Public Works building;

WHEREAS Resolution number 2007-066, adopted by the Council on March 5, 2007, authorized granting the contract for the year 2007/2008 to the lowest bidder conforming to the requirements of the tender invitation, Service d'entretien Carlos Inc;

WHEREAS the Division Chief of Purchasing recommends exercising the renewal option for the year 2008/2009;

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

- THAT the contract with Service d'entretien Carlos Inc. for janitorial services for the Public Works building be renewed for the one year period, 2008/2009, at the cost outlined below:

**SERVICE D'ENTRETIEN CARLOS INC**

Janitorial services for Public Works building \$ 1,205.63 / month  
From April 1, 2008 to March 31, 2009  
(as per specifications)

Sub total for one year	\$ 14,467.56
G.S.T. 5%	723.38
Q.S.T. 7.5%	<u>1,139.32</u>
Grand total, taxes included	\$ 16,330.26

- THAT Treasurer's Certificate N° 08-006, dated January 22, 2008, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2008-042

**GRANTING OF CONTRACT – ELECTRICIAN SERVICES**

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WHEREAS there has been a call for tenders, by way of written invitation, for electrician services;

WHEREAS, after analysing the tenders opened on January 28, 2008, the lowest bidder conforming to the requirements of the tender invitation is Les Entreprises d'électricité Kuizz;

On motion of Councillor Bonnie Feigenbaum, seconded by Councillor Abraham Gonshor, 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:

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**LES ENTREPRISES D'ELECTRICITE KUIZZ**

Contract from February 19, 2008 to March 14, 2009

Electrician Services (Note – no premium for overtime hours)	\$ 69.00 / hour
Service of electrician's helper	\$ 47.00 / hour
Traveling charge	\$ 34.50
Traveling charge (price per kilometre)	\$ 00.00
Minimum charge per call	\$ 103.50
G.S.T. 5 %	Extra
Q.S.T. 7.5 %	Extra

- THAT, based on last year's consumption, the approximate expense will be \$ 61,855 taxes included; and
- THAT Treasurer's certificate N° 08-008, dated February 4, 2008, has been issued by the Town's Treasurer attesting to the availability of funds to cover the described expenses.

Adopted

2008-043

**APPOINTMENT OF FUND MANAGER FOR THE PENSION PLAN OF THE EMPLOYEES OF THE TOWN OF HAMPSTEAD**

WHEREAS Mercer Investment Consulting had been mandated by the Pension Committee to gather and provide information regarding fund investment managers for the Pension Plan of the Employees of the Town of Hampstead;

WHEREAS Mercer Investment Consulting has produced a report to the Pension Committee in May 2007;

WHEREAS the Pension Committee has studied the report and met the finalist firms retained by Mercer;

WHEREAS the Pension Committee recommends that Council appoints Great West Life Insurance Company as fund manager for the Pension Plan;

It was proposed by Councillor Clifford Borden, seconded by Councillor Abraham Gonshor, and UNANIMOUSLY RESOLVED:

- TO end the mandate to Jarislowsky Fraser Ltd and Desjardins Trust and appoint Great West Life Insurance Company as fund manager for the Pension Plan; and
- TO authorize the Director of Human Resources, jointly with the Director General or the Town Council member appointed on the Pension Committee by the Town Council, to sign any and all documents necessary for the execution of this resolution.

Adopted

2008-044

**HIRING OF MRS. CARINA TOLEDO AS "SECRETARIAL CLERK"**

It was proposed by Councillor Clifford Borden, seconded by Councillor Abraham Gonshor, and UNANIMOUSLY RESOLVED:

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- TO hire Mrs. Carina Toledo as “Secretarial Clerk” effective February 18, 2008, 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
- THAT Treasurer’s Certificate N° 08-009, dated February 11, 2008, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

### **SECOND QUESTION PERIOD**

#### **Mr. Surkes**

- Asked why it was necessary to modify by-law numbers 690 and 761.

#### **Mr. Novak**

- Asked if the Town issues permits for occupancy once construction has been completed.

2008-045

### **ADJOURNMENT**

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

Adopted

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Dr. William Steinberg, Mayor

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Me Chantal Bergeron, Town Clerk