

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON JANUARY 7, 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, Abraham Gonshor and David Sternthal, 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

**FIRST QUESTION PERIOD**

Ms. Shreiber

- Claimed that she has lost approximately 2 feet of her property as a result of the work that the Town has done on Finchley Circle.

Mr. Stern

- Asked why he has to purchase a second permit in order to finish building of his house when there is only painting and floor polishing still to be done.

2008-001

**ADOPTION OF THE AGENDA**

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

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

Adopted

2008-002

**ADOPTION OF THE MINUTES**

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

- THAT the Minutes of the Regular Council Meeting of December 3, 2007 and the Special Council Meeting and the Special Budget Meeting of the Council of December 17, 2007 be and are hereby approved as submitted.

Adopted

2008-003

**AUTHORIZATION TO ATTEND THE 2008 ANNUAL CONFERENCE OF THE FEDERATION OF CANADIAN MUNICIPALITIES (FCM) AND REIMBURSEMENT OF EXPENSES**

WHEREAS the 2008 Annual Conference of the Federation of Canadian Municipalities (FCM) will be held in Quebec City from May 30<sup>th</sup> to June 2<sup>nd</sup>, 2008;

## Minutes of Town of Hampstead

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

- THAT Council authorizes the following delegates to attend the 2008 Annual Conference of the FCM to be held in Quebec City from May 30<sup>th</sup> to June 2<sup>nd</sup>, 2008 and be reimbursed of expenses incurred:
  - Mayor William Steinberg
  - Councillor Bonnie Feigenbaum
  - Councillor Leon Elfassy
  - Councillor Michael Goldwax
  - Councillor David Sternthal
  - Mr. Richard Sun, Director General

Mayor William Steinberg called for a vote.

**Voted in favour:**

Councillor Feigenbaum  
Councillor Elfassy  
Councillor Goldwax  
Councillor Gonshor  
Councillor Sternthal

**In favour: 5**

**Voted against:**

Councillor Borden

**Against: 1**

Adopted on Division

2008-004

**OBJECTION TO LOAN BY-LAW N° RCG07-042 ADOPTED BY THE MONTREAL AGGLOMERATION COUNCIL IN ORDER TO PROCEED WITH A WATER METER INSTALLATION PROJECT WITH ICI (INDUSTRIES, COMMERCE AND INSTITUTIONS)**

WHEREAS in accordance with article 115 of an *Act respecting the exercise of certain municipal powers in certain urban agglomerations* (L.R.Q., C. E-20.001), a related municipality may object, to the Minister of Municipal Affairs and Regions, to certain by-laws adopted by the Agglomeration Council;

WHEREAS the Agglomeration Council of Montreal adopted, on December 20, 2007, By-law number RCG07-042 authorizing a loan of \$300,000,000 for the acquisition of water meters, pressure gauges, flow meters and control valves and for the alteration or construction of valves chambers;

WHEREAS, even if the responsibility for drinking water production and wastewater treatment concerns the Agglomeration Council, the responsibility for water meters and water levies are a local jurisdiction;

WHEREAS the installation of water meters on the territory of the Agglomeration will profit mainly the City of Montreal, since several reconstituted cities already tax water consumption by meter;

WHEREAS several sectors of the Agglomeration do not have any tariff related to consumption and that, without tariffs, the installation of meters has no tangible results;

WHEREAS, following the projected meter replacement in the ICI within the reconstituted cities, the management of these new meters is difficult to foresee (reading, replacement, service to corporations, responsibility for the meter);

## Minutes of Town of Hampstead

WHEREAS the Town Council of Hampstead believes that these expenditures do not fall within the Agglomeration jurisdiction, but rather should be assumed by the central city or the boroughs for which this program and equipment are intended;

On motion of Councillor Bonnie Feigenbaum, seconded by Councillor David Sternthal, it was UNANIMOUSLY RESOLVED:

- TO object to loan By-law number RCG07-042 adopted on December 20, 2007 by the Agglomeration Council of Montreal, since it is inequitable toward the various agglomeration members and, consequently, is not in the best interest of all parties;
- TO request that the Minister of Municipal Affairs and Regions accept this opposition and not approve the by-law; and
- TO transmit a copy of this resolution to the Minister of Municipal Affairs and Regions and to the other related municipalities of the Montreal Agglomeration.

Adopted

2008-005

### **ADOPTION – BY-LAW N° 747-6 – FURTHER MODIFYING BY-LAW N° 747 TO DECREE THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE ACTIVITIES FOR SPRING/SUMMER 2008**

CONSIDERING THAT notice of motion of By-law N° 747-6 was given at the Regular Council meeting of December 3, 2007 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 Bonnie Feigenbaum, seconded by Councillor Abraham Gonshor and RESOLVED:

- TO approve By-law N° 747-6 entitled: “By-law Further Modifying By-law N° 747 to Decree the Fee Schedule for Cultural, Sports and Leisure Activities for Spring/Summer 2008”.

Mayor William Steinberg called for a vote.

#### **Voted in favour:**

Councillor Feigenbaum  
Councillor Borden  
Councillor Goldwax  
Councillor Gonshor  
Councillor Sternthal

**In favour: 5**

#### **Voted against:**

Councillor Elfassy

**Against: 1**

Adopted on Division

2008-006

### **NOTICE OF MOTION – BY-LAW N° 690-3 – TO MODIFY BY-LAW N° 690 CONCERNING NUISANCE**

NOTICE OF MOTION was given by Councillor David Sternthal that, at a subsequent meeting of Council, By-law N° 690-3, Further Modifying By-law N° 690 Concerning Nuisance, will be submitted to Council for adoption.

## Minutes of Town of Hampstead

All Council members have received a draft copy of By-law N° 690-3 prior to this Council Meeting and a motion to dispense with the reading of the said By-law was made.

2008-007

### **NOTICE OF MOTION – BY-LAW N° 761-1 – TO MODIFY BY-LAW N° 761 CONCERNING DOGS**

---

NOTICE OF MOTION was given by Councillor Abraham Gonsior that, at a subsequent meeting of Council, By-law N° 761-1, Modifying By-law N° 761 Concerning Dogs (Registration Fees), will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 761-1 prior to this Council Meeting and a motion to dispense with the reading of the said By-law was made.

2008-008

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 26 ALDRED CRESCENT**

---

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 September 26, 2007 showing **plans and elevations for a ground floor addition to a semi-detached single family dwelling at 26 Aldred Crescent** and prepared by **Rubin & Goldenberg Architects**, for the Planning Advisory Committee meeting of December 13, 2007, is **approved**, according to the provisions of Chapter 12 of the Zoning By-law No 727 and as recommended by the PAC.

Adopted

*At 9:00 p.m., Councillor David Sternthal temporarily left the meeting.*

2008-009

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

---

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 November 27, 2007 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 December 13, 2007, is **not approved**, according to the provisions of Chapter 12 of the Zoning By-law No 727 and as recommended by the PAC.

Adopted

**Minutes of Town of Hampstead**

2008-010

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

---

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 November 22, 2007 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 December 13, 2007, is **not approved**, according to the provisions of Chapter 12 of the Zoning By-law No 727 and as recommended by the PAC.

Adopted

2008-011

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

---

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

- THAT the site planning and architectural integration programs received on November 22, 2007 showing **plans and elevations to demolish the existing home and erect a new detached single family dwelling in its place at 103 Stratford Road** and prepared by **Rubin & Goldenberg Architects**, for the Planning Advisory Committee meeting of December 13, 2007, is **not approved**, according to the provisions of Chapter 12 of the Zoning By-law No 727 and as recommended by the PAC.

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

2008-012

**URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 107 STRATFORD ROAD**

---

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 November 22, 2007 showing **plans and elevations to demolish the existing home and erect a new detached single family dwelling in its**

## Minutes of Town of Hampstead

place at **107 Stratford Road** and prepared by **Karl Fisher Architects**, for the Planning Advisory Committee meeting of December 13, 2007, is **not approved**, according to the provisions of Chapter 12 of the Zoning By-law No 727 and as recommended by the PAC.

Adopted

*At 9:07 p.m., Councillor David Sternthal returned to the Meeting.*

### **Intervention of Interested Persons Concerning the Request for Minor Exemption for the Property Located at 50 Granville Road**

Mr. Sherman

- *Addressed the Members of Council with a statement of the facts since the application for the permit.*

### **RECESS**

*At 9:10 p.m., it was proposed by Mayor William Steinberg and unanimously resolved, to recess the meeting.*

*At 9:20 p.m., the meeting was resumed.*

2008-013

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

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

Deferred

2008-014

### **REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT 26 ALDRED CRESCENT**

WHEREAS the members of Council have reviewed the request for minor exemption of the property located at 26 Aldred Crescent, Lot 2089664 to permit the right lateral setback to be 2.1 meters (6.92 feet) from the lot line instead of the minimum allowable setback of 2.13 meters (7 feet), according to the provisions of article 6.3 of Zoning By-law N<sup>o</sup> 727.

WHEREAS the Planning Advisory Committee, at its meeting held on November 12, 2007, recommended to approve the aforementioned request for minor exemption;

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

- THAT the aforementioned request for a minor exemption for the property located at 26 Aldred Crescent, Lot 2089664, is **approved**.

Adopted

**Minutes of Town of Hampstead**

2008-015

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF DECEMBER 2007**

---

WHEREAS Council reviewed the list of payments for the month of December 2007;

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

- THAT the disbursements for the period from December 1 to December 31, 2007, in the amount of \$709,159.26, are hereby approved.

Adopted

2008-016

**STRIKING OFF OF HYPOTHEC – AUTHORIZATION TO TREASURER OR ASSISTANT TREASURER**

---

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

- TO authorize the Treasurer or the Assistant Treasurer to sign, on behalf of the Town of Hampstead, all required documents to give release to a debtor on payment of the due debt and to proceed to the striking off of the legal hypothec registered with the Montreal Division of the Land Registry Office.

Adopted

2008-017

**GRANTING OF CONTRACT – PURCHASE OF ANNUAL FLOWERS FOR 2008**

---

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

WHEREAS, after analysing the tenders opened on December 17, 2007, the lowest bidder conforming to the requirements of the tender invitation is Les Jardins W.G. Charlebois inc; and

On motion of Councillor Abraham Gonshor, seconded by Councillor Clifford 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:

**LES JARDINS W.G. CHARLEBOIS INC.**

Supply of annual flowers year 2008 (as per quotation specifications)	\$ 9,194.24
G.S.T. 5%	\$ 459.71
Q.S.T. 7.5%	\$ 724.05
<b>GRAND TOTAL</b>	<b>\$ 10,378.00</b>

**Minutes of Town of Hampstead**

- THAT Treasurer's certificate N° 08-001, dated December 18, 2007, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2007-018

**GRANTING OF CONTRACT - CLEANING OF CATCH BASINS FOR YEAR 2008**

---

WHEREAS there has been a call for tenders, by way of written invitation, for the cleaning of catch basins;

WHEREAS, after analysing the tenders opened on April 19, 2006, the lowest bidder conforming to the requirements of the tender invitation is Sarp Claubert;

On motion of Councillor Clifford Borden, 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:

**SARP CLAUBERT INC DIV. VEOLIA**

Cleaning of catch basins	\$ 9.95/each	\$ 7,850.55
For year 2008 (approx. 789 catch basins)		
G.S.T. 5%		\$ 392.53
Q.S.T. 7.5%		\$ <u>618.23</u>
<b>TOTAL</b>		<b>\$ 8,861.31</b>

- THAT Treasurer's Certificate N° 08-002, dated December 18, 2007 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the above-described expenses.

Adopted

2007-019

**GRANTING OF CONTRACT – SUPPLY OF SOCCER, STREET HOCKEY AND BASEBALL UNIFORMS AND EQUIPMENT – YEAR 2008**

---

WHEREAS there has been a call for tenders, by way of written invitation, for the supply of soccer, street hockey and baseball uniforms and equipment;

WHEREAS, after analysing the tenders opened on December 17<sup>th</sup> 2007, the two lowest bidders conforming to the requirements of the tender invitation are Huss Sports and Boulanger Sport;

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

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

**Minutes of Town of Hampstead**

**HUSS SPORTS**

Soccer uniforms (as per specifications)	\$ 15,418.29
Soccer equipment (as per specifications)	\$ 3,245.00
Street hockey uniforms (as per specifications)	\$ 1,896.13
Baseball uniforms (as per specifications)	\$ 5,088.44
<b><u>HUSS SPORTS TOTAL (taxes included)</u></b>	<b><u>\$ 25,647.86</u></b>

**BOULANGER SPORT**

Soccer shorts (as per specifications)	\$ 2,951.30
Baseball equipment (as per specifications)	\$ 1,148.11
<b><u>BOULANGER SPORT TOTAL (taxes included)</u></b>	<b><u>\$ 4,099.41</u></b>

- THAT Treasurer's Certificate N° 08-003, dated December 20, 2007, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2008-020

**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 January 2008, 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 Department, with the hourly rates such as enumerated in the list of January 2008, prepared by the Director of Community Services.

Adopted

**SECOND QUESTION PERIOD**

Ms. Shuster

- Asked what the budget is for the FCM Conference in Quebec City and what financial return the Town may expect as a result of attending the Conference.

2008-021

**ADJOURNMENT**

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

Adopted

---

Dr. William Steinberg, Mayor

---

Me Chantal Bergeron, Town Clerk