

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON MAY 5, 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: Me André Drouin, Acting Director General and Me Chantal Bergeron, Town Clerk acting as Secretary of the Meeting

FIRST QUESTION PERIOD

Mr. Daniel Miller

- Questioned the validity of the dog by-law, considering that article 6 of By-law 469 disallows animals in public parks.

Mrs. Gross

- Asked to be given the exact cost of the dog run.

Mr. Fischel

- Asked how the FSI (Floor Space Index) is calculated.

Mrs. Genziuk

- Asked why the Council intends to adopt By-law 766 when its provisions could be covered by an amendment to the Zoning By-law.

2008-087

ADOPTION OF THE AGENDA

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

- THAT the Agenda of the regular meeting is hereby adopted with the addition of the following items:
 - 4.1 Designation of Assistant Director General in Case of Necessity to Replace the Director General.
 - 9.1 Extension of Hiring Contract of Pierre Filion as “Foreman – Public Works, Sewers and Waterworks”.
 - 9.2 Approval of Hiring of Auxiliary Employees for Public Works Department and Public Security Department.

Adopted

2008-088

ADOPTION OF THE MINUTES

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

- THAT the Minutes of the Regular Council Meeting of April 7, 2008 and of the Special Council Meeting of April 22, 2008 be and are hereby approved as submitted.

Adopted

2008-089

DESIGNATION OF ASSISTANT DIRECTOR GENERAL IN CASE OF NECESSITY TO REPLACE THE DIRECTOR GENERAL

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

- THAT the Town Council designates the Director of Human Resources, the Town Clerk or the Director of Public Security of the Town to perform the duties of Assistant Director General to replace the Director General if he is absent; if he is unable or refuses to carry out the responsibilities of Director General; or if the office of the Director General is vacant; and
- THAT, in the case of such replacement, the person temporarily appointed to this higher position is remunerated as a Temporary Promotion in accordance with the Management Remuneration Policy of the Town of Hampstead.

Adopted

2008-090

ADOPTION – BY-LAW N° 705-2 – FURTHER MODIFYING BY-LAW N° 705 CONCERNING THE COLLECTION, REMOVAL AND DISPOSAL OF REFUSE

CONSIDERING THAT notice of motion of By-law N° 705-2 was given at the Special Council meeting of April 22, 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 Feigenbaum, seconded by Councillor Elfassy, and RESOLVED:

- TO approve By-law N° 705-2 entitled: “By-law Further Modifying By-law N° 705 Concerning the Collection, Removal and Disposal of Refuse”.

Mayor Steinberg called for a vote.

Voted in Favour

Councillor Feigenbaum
Councillor Elfassy
Councillor Gonshor
Councillor Sternthal

In favour: 4

Voted Against

Councillor Borden
Councillor Goldwax

Against: 2

Adopted on Division

2008-091

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

NOTICE OF MOTION was given by Councillor Feigenbaum that, at a subsequent meeting of Council, By-law N° 766 entitled, “By-law Governing Specific Construction, Alteration or Occupancy Proposals for an Immoveable”, will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 766 prior to this Council Meeting and a motion to dispense with the reading of the said by-law was made.

2008-092

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

WHEREAS the Members of Council have received a copy of Draft By-law N° 766 and declare to have read it;

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

- TO adopt Draft By-law N° 766 to be entitled: “By-law Governing Specific Construction, Alteration or Occupancy Proposals for an Immoveable”.

Adopted

2008-093

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 42 THURLOW ROAD

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

- THAT the site planning and architectural integration programs received on April 9, 2008 showing **plans and elevations for a two storey rear addition to the detached single family dwelling at 42 Thurlow Road** and prepared by **Geiger & Huot Architects**, for the Planning Advisory Committee meeting of April 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

2008-094

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

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

- THAT the site planning and architectural integration programs received on April 10, 2008 showing **plans and elevations to demolish the existing home and erect a new detached single family dwelling in its place at 71 Merton Road** and prepared by **Karl Fischer, Architect** for

the Planning Advisory Committee meeting of April 14, 2008, is **approved**, according to the provisions of Chapter 12 of the Zoning By-law N° 727 and as recommended by the PAC.

Adopted

2008-095

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

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

- THAT the site planning and architectural integration programs received on April 14, 2008 showing **plans and elevations for a two storey rear addition to the detached single family dwelling at 23 Applewood Road** and prepared by **Wendy Spatzner, Architect**, for the Planning Advisory Committee meeting of April 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

2008-096

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

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

- THAT the site planning and architectural integration programs received on April 7, 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 April 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

2008-097

REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT 199 HARLAND ROAD

WHEREAS the members of Council have reviewed the request for minor exemption of the property located at 199 Harland Road, Lot 2089191 to permit the existing rear deck to project 10'-6" into the rear building setback instead of the maximum allowable projection of 7'-0", the whole in accordance with the provisions of article 6.6(5) of Zoning By-law n° 727;

WHEREAS the Planning Advisory Committee, at its meeting held on April 14, 2008, recommended **to approve** the aforementioned request for minor exemption;

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

- THAT the aforementioned request for a minor exemption for the property located at 199 Harland Road, Lot 2089191, is **approved**.

Adopted

Intervention of Interested Persons Concerning the Request for Minor Exemption for the Property Located at 18 Holly Road

Mrs. Genziuk

- Asked how long the rear deck had existed.

Mrs. Cohen

- Stated that the deck does not cause a prejudice to the neighbours.

2008-098

REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT 18 HOLLY ROAD

WHEREAS the members of Council have reviewed the request for minor exemption of the property located at 18 Holly Road, Lot 2089518, to permit the existing rear deck to project 10'-0" into the rear building setback instead of the maximum allowable projection of 7'-0", the whole in accordance with the provisions of article 6.6(5) of Zoning By-law n° 727;

WHEREAS the Planning Advisory Committee, at its meeting held on February 11, 2008, recommended **to not approve** the aforementioned request for minor exemption;

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

- THAT the aforementioned request for a minor exemption for the property located at 18 Holly Road, Lot 2089518, is **approved**.

Mayor Steinberg called for a vote.

Voted in Favour

Councillor Feigenbaum
Councillor Elfassy
Councillor Goldwax
Councillor Gonshor
Councillor Sternthal

Voted Against

Councillor Borden

In favour: 5

Against: 1

Adopted on Division

2008-099

TABLING OF DECISION RENDERED BY THE DEMOLITION COMMITTEE CONCERNING 103 STRATFORD ROAD

In accordance with Article 7.6 of By-law N° 759 Concerning the Demolition of Buildings, the Town Council acknowledges the decision rendered by the Demolition Committee at their meeting of April 14, 2008 in which they approved the demolition of the detached single family residence located at 103 Stratford Road.

2008-100

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF APRIL
2008**

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

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

- THAT the disbursements for the period from April 1 to April 30, 2008, in the amount of \$1,647,035.88, are hereby approved.

Adopted

2008-101

**DEPOSIT OF THE FIRST COMPARATIVE STATEMENT OF
REVENUES AND EXPENDITURES FOR THE FISCAL YEAR 2008**

In accordance with Section 105.4 of the *Cities and Towns Act*, the Town Treasurer hereby deposited the statement of revenues and expenditures as at March 31, for the fiscal year 2008, compared with the same period for the fiscal year 2007.

2008-102

CONTRACT – STREET LINE MARKINGS – YEAR 2008

WHEREAS there has been a call for tenders, by way of written invitation, for the contract of street line markings – year 2008;

WHEREAS the tenders were opened on April 15, 2008;

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

- THAT the tenders opened on April 15, 2008 for the contract for street line markings, for the year 2008, be and are hereby rejected.

Adopted

2008-103

**GRANTING OF CONTRACT – SUPPLY OF PROFESSIONAL
SERVICES TO DEVELOP A SITE PLANNING AND
ARCHITECTURAL INTEGRATION PROGRAM - SPAIP**

WHEREAS there has been a call for tenders, by way of written invitation, for the supply of professional services to develop a site planning and architectural integration program;

WHEREAS, after analysing the offer of services received by the selection committee members and the application of the formula which determines a total point value to be applied to each bid, the bidder with the highest point value conforming to the requirements of the tender invitation is Groupe Gauthier Biancamano Bolduc;

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

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

GROUPE GAUTHIER, BIANCAMANO, BOLDUC

Supply of professional services to develop a site planning and architectural integration program (as per specifications)	\$ 34,800.00
G.S.T. 5%	1,740.00
Q.S.T. 7.5%	<u>2,740.50</u>
Grand total taxes included	\$ 39,280.50

- THAT Treasurer's Certificate N° 08-018 dated April 24, 2008, has been issued by the Town's Assistant Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

RECESS

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

At 9:40 p.m., the meeting was resumed.

2008-104

GRANTING OF CONTRACT – LANDSCAPE IMPROVEMENT ON FLEET ROAD

WHEREAS there has been a public call for tenders for the landscape improvement on Fleet Road;

WHEREAS, after analysing the tenders opened on April 29, 2008, the lowest bidder conforming to the requirements of the tender invitation is Les Entreprises Vannicola (1997) Inc;

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

- THAT, as recommended by Mr. Rick Moore FCSLA, the following quotation for the following contract be and is hereby approved, the whole as more amply delineated hereunder:

LES ENTREPRISES VANNICOLA (1997) INC.

Landscape improvement on Fleet Road, (as per specifications)	\$ 110 089.00
G.S.T. 5%	\$ 5 504.45
Q.S.T. 7.5%	<u>\$ 8 669.51</u>
Grand total, taxes included	\$ 124 262.96

- THAT Treasurer's Certificate N° 08-019, dated April 30, 2008, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2008-105

**EXTENSION OF HIRING CONTRACT OF PIERRE FILION AS
"FOREMAN – PUBLIC WORKS, SEWERS AND WATERWORKS"**

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

- TO extend the temporary hiring of Mr. Pierre Filion, as "Foreman - Public Works, Sewers and Waterworks" for the period commencing on May 1, 2008 and ending on April 30, 2009.

Mayor Steinberg called for a vote.

Voted in Favour

Councillor Feigenbaum
Councillor Borden
Councillor Elfassy
Councillor Gonshor
Councillor Sternthal

Voted Against

Councillor Goldwax

In favour: 5

Against: 1

Adopted on Division

2008-106

**APPROVAL FOR HIRING OF AUXILIARY EMPLOYEES FOR THE
PUBLIC WORKS DEPARTMENT AND FOR THE PUBLIC SECURITY
DEPARTMENT**

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

- THAT the Town Council approves the hiring of the following auxiliary employees for the Public Works Department:

James Plotkin
Pierre-Yves Clairoux
René Rémillard
Arie Assouline
Lorenzo Agostinelli
Régent Bélanger
Justin Tremblay
Mark Titleman
Jason Martin
David Dudkiewicz
Patrick Boutin

- THAT these auxiliary employees may be assigned to different functions as may be needed by the Town. These hirings are made in accordance with the provisions of the collective agreement in effect between C.U.P.E. Local 301 and the Town of Hampstead;

- THAT the Town Council approves the hiring of the following auxiliary employees for the Public Security Department:

Judah Schapp
Francis Manila

- THAT these auxiliary employees may be assigned as may be needed by the Town as Public Security Officers, for a period of approximately four (4) months. These hirings are made in accordance with the provisions of the collective agreement in effect between C.U.P.E. Local 429 and the Town of Hampstead.

Adopted

SECOND QUESTION PERIOD

Mr. D. Stern

- Asked for information concerning the street line markings contract.

2008-107

ADJOURNMENT

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

Adopted

MAYOR'S VETO OF RESOLUTION N^o 2008-102

According to the provisions of Section 53 (2) of the *Cities and Towns Act*, I, the undersigned William Steinberg, Mayor of the Town of Hampstead, refuse to approve Resolution N^o 2008-102, entitled "Contract – Street Line Markings – Year 2008".

Dated at Hampstead, this 8th day of May, 2008

(s) W. Steinberg
Dr. William Steinberg, Mayor

Dr. William Steinberg, Mayor

Me Chantal Bergeron, Town Clerk