

## **Minutes of Town of Hampstead**

### **MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON SEPTEMBER 8, 2009, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.**

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

**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.

2009-203

#### **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 as submitted.

Adopted

2009-204

#### **ADOPTION OF THE MINUTES**

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

- THAT the Minutes of the Regular Council Meeting of August 3, 2009, be and are hereby approved as submitted.

Adopted

2009-205

#### **ADOPTION – BY-LAW N° 747-10 – FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE ACTIVITIES FOR FALL 2009 / WINTER 2010**

CONSIDERING THAT notice of motion of By-law N° 747-10 was given at the Regular Council meeting of August 3, 2009 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 Goldwax, and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 747-10 entitled: “By-law Further Modifying By-law N° 747 to Decree the Fee Schedule for Cultural, Sports and Leisure Activities for Fall 2009 / Winter 2010”.

Adopted

**Minutes of Town of Hampstead**

2009-206

**NOTICE OF MOTION – BY-LAW N° 727-7 – FURTHER MODIFYING ZONING BY-LAW N° 727**

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NOTICE OF MOTION was given by Councillor Sternthal that, at a subsequent meeting of Council, By-Law N° 727-7 regarding the further modification of Zoning By-law N° 727 will be submitted to Council for adoption.

TAKE FURTHER NOTICE THAT all Council members have received a draft of By-Law N° 727-7 prior to this Council Meeting and a motion to dispense with the reading of the said By-Law was made.

2009-207

**ADOPTION – FIRST DRAFT BY-LAW N° 727-7 FURTHER MODIFYING ZONING BY-LAW N° 727**

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WHEREAS the Members of Council have received a copy of First Draft By-Law N° 727-7 further modifying Zoning By-Law N° 727, concerning the creation of Zone CW-6 within the Zone RB-4 and to define its authorized use, and declare to have read it;

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

- TO approve First Draft By-law N° 727-7 to be entitled: “By-Law N° 727-7 further modifying Zoning By-Law N° 727, concerning the creation of Zone CW-6 within the Zone RB-4 and to Define its Authorized Use”.

Adopted

2009-208

**NOTICE OF MOTION – BY-LAW N° 752-1 – MODIFYING BY-LAW N° 752 CONCERNING TARIFFS**

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NOTICE OF MOTION was given by Councillor Feigenbaum that, at a subsequent meeting of Council, By-Law N° 752-1 regarding the modification of By-law N° 752 Concerning Tariffs will be submitted to Council for adoption.

2009-209

**GRANTING OF CONTRACT – SUPPLY OF SOFTWARE FOR THE MUNICIPAL ELECTION OF NOVEMBER 1, 2009**

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

- THAT, as recommended by the Town Clerk, following the review of the submissions received, the contract for the supply of software for the municipal election of November 1, 2009 be awarded to:

**P.G. GOVERN**

Software, Installation & Training	\$5,870.00
Maintenance & Support	<u>1,060.00</u>
Subtotal	\$6,930.00
G.S.T. 5%	346.50
Q.S.T. 7.5%	<u>545.73</u>
<b>Total</b>	<b><u>\$7,822.23</u></b>

**Minutes of Town of Hampstead**

- THAT Treasurer's certificate N° 09-034 dated August 24, 2009, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2009-210

**URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 2 BRIARDALE ROAD**

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

- THAT the site planning and architectural integration programs showing **plans and elevations to demolish the existing home and erect a new detached single family dwelling in its place at 2 Briardale Road** submitted to the Planning Advisory Committee meeting of August 13, 2009, is **approved**, according to the provisions of the Site Planning and Architectural Integration Program By-law No 775 and as recommended by the PAC.

Mayor Steinberg called for a vote.

**Voted in favour:**

Councillor Elfassy  
Councillor Feigenbaum  
Councillor Borden

**Voted against:**

Councillor Sternthal  
Councillor Gonshor  
Councillor Goldwax

**In favour: 3**

**Against: 3**

Rejected due to lack of majority

2009-211

**URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 24 THURLOW ROAD**

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

- THAT the site planning and architectural integration programs showing **plans and elevations for an addition and renovation to a detached single family dwelling at 24 Thurlow Road** submitted to the Planning Advisory Committee meeting of August 13, 2009, is **approved**, the whole in conformity with the provisions of the Site Planning and Architectural Integration Program By-law No 775 and as recommended by the PAC.

Adopted

2009-212

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF AUGUST 2009**

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WHEREAS Council reviewed the list of payments for the month of August 2009;

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

**Minutes of Town of Hampstead**

- THAT the disbursements for the period from July 28, 2009 to August 31, 2009, in the amount of \$529,913.13, are hereby approved.

Adopted

2009-213

**AUTHORIZATION TO PAY THE FIRST INSTALLMENT OF AN INVOICE COVERING HAMPSTEAD'S SHARE OF MONTREAL WEST / HAMPSTEAD 2009-2010 SEASON OF MINOR HOCKEY EXPENSES AND ICE TIME**

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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, based on the anticipated number of Hampstead residents who will participate in the hockey program, the expected expense for the Fall 2009 / Winter 2010 is approximately \$90,000;

WHEREAS, based on the recommendation of the Director of Community Services, an advance partial payment at the beginning of the season is deemed justified given Hampstead's rate of participation in a non-profit organization's services;

WHEREAS, given that the availability of funds is not covered in the 2009 budget, the said expense is to be recorded as a prepaid expense under G/L 54-139-00-000 for 2009 financial purposes, subsequently to be applied as an expense relative to the 2010 budget; and

WHEREAS Council approves the payment of this expense in three installments as follows:

- 1<sup>st</sup> Installment: October 31, 2009 - A portion of the registration user fees - \$25,000;
- 2<sup>nd</sup> Installment: January 31, 2009 - The balance of the registration user fees;
- 3<sup>rd</sup> Installment: At the end of the season - The balance of the program costs.

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

- THAT the following invoice be approved for payment:

**Montreal West Civic Recreation Association**

Installment 1 - \$ 25,000.00  
A portion of the registration user fees

Mayor Steinberg called for a vote.

**Voted in favour:**

Councillor Feigenbaum  
Councillor Borden  
Councillor Goldwax  
Councillor Gonshor  
Counillor Sternthal

**Voted against:**

Councillor Elfassy

**In favour: 5**

**Against: 1**

Adopted on division

**Minutes of Town of Hampstead**

2009-214

**GRANTING OF CONTRACT - REPLACEMENT OF AN AQUEDUCT PIPE ON COTE SAINT-LUC ROAD**

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WHEREAS there has been a call for tenders, by way of public tender, for the replacement of an aqueduct pipe on Cote Saint-Luc Road;

WHEREAS, after analysing the tenders opened on August 24, 2009, the lowest bidder conforming to the requirements of the public tender is Les Entreprises Canbec Construction Inc; and

WHEREAS the granting of the contract is conditional on the approval, by the MAMROT (Ministère des Affaires Municipales, des Régions et de l'Occupation du Territoire), of a grant application in the approximate amount of \$700,000 under PRECO (Programme de renouvellement des conduites d'eau potable et d'eaux usées );

WHEREAS the granting of the contract is conditional to obtaining a summary report based on the recommendations by AQUADATA regarding the section to be repaired and the ones already repaired on Cote Saint-Luc Road;

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

- THAT, as recommended by the firm Roche Ingenieur Conseils Ltd, the following quotation for the following contract be and is hereby approved, conditional on the approval of the PRECO grant, the whole as more amply delineated hereunder:

**Les Entreprises Canbec Construction Inc.**

Replacement of an aqueduct pipe on Cote Saint-Luc Road:	\$ 287,887.00
Contingencies (10%):	\$ 28,788.70
G.S.T. 5%	\$ 15,833.79
Q.S.T. 7.5%	<u>\$ 24,938.21</u>
Grand total taxes included	\$ 357,447.70

Adopted

2009-215

**HIRING OF "ADMINISTRATIVE UNIT SECRETARY" FOR THE TOWN CLERK'S DEPARTMENT**

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

- TO hire Ms. Elisabeth Boucher as "Administrative Unit Secretary" not later than September 28, 2009, 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° 09-037, dated August 28, 2009, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

**Minutes of Town of Hampstead**

Mayor Steinberg called for a vote.

**Voted in favour:**

Councillor Feigenbaum  
Councillor Borden  
Councillor Goldwax  
Councillor Gonshor  
Counillor Elfassy

**Voted against:**

Councillor Sternthal

**In favour: 5**

**Against: 1**

Adopted on division

2009-216

**HIRING OF MR. ROMÉO RIVERA AS AUXILIARY “BUILDING INSPECTOR” FOR THE URBAN PLANNING SECTION**

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

- TO hire Mr. ROMÉO RIVERA as an auxiliary “Building Inspector” not later than September 28, 2009, for a period not to exceed twelve (12) months, 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 no 09-036, dated August 28, 2009, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

*At 11:20 p.m. Councillor Feigenbaum temporarily left the meeting.*

2009-217

**HIRING OF MS. ESTER DRIHAM AS TEMPORARY “SUPERVISING MANAGER – RECREATION & COMMUNITY SERVICES”**

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

- TO hire Ms. Ester Driham as temporary “Supervising Manager – Recreation & Community Services” not later than September 28, 2009, to replace the permanent incumbent during her maternity and parental leaves, in accordance with the conditions contained in the confidential Personnel file in the Director General’s Office; and
- THAT Treasurer’s certificate no 09-035, dated August 28<sup>th</sup>, 2009, has been issued by the Assistant-Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

*At 11:25 p.m. Councillor Feigenbaum returned to the meeting.*

**Minutes of Town of Hampstead**

2009-218

**URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 2 BRIARDALE ROAD**

On motion of Councillor Elfassy, seconded by Councillor Feigenbaum, this item was reintroduced and it was RESOLVED:

- THAT the site planning and architectural integration programs showing **plans and elevations to demolish the existing home and erect a new detached single family dwelling in its place** at **2 Briardale Road** submitted to the Planning Advisory Committee meeting of August 13, 2009, is **approved**, according to the provisions of the Site Planning and Architectural Integration Program By-law No 775 and as recommended by the PAC.

Mayor Steinberg called for a vote.

**Voted in favour:**

Councillor Elfassy  
Councillor Feigenbaum  
Councillor Borden  
Councillor Goldwax

**Voted against:**

Councillor Sternthal  
Councillor Gonshor

**In favour: 4**

**Against: 2**

Adopted on Division

**SECOND QUESTION PERIOD**

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

2009-219

**ADJOURNMENT**

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

Adopted

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Dr. William Steinberg, Mayor

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Me Nathalie Lauzière, Town Clerk