

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON MARCH 5, 2007, 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 David Sternthal, forming a quorum with Mayor Steinberg presiding

ABSENT: Councillor Abraham Gonshor

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

FIRST QUESTION PERIOD

Mrs. Szalavetz – 7 Harland Place

- Would like to have the refuse by-law modified to change the time at which residents may put their garbage out.

2007-045

ADOPTION OF THE AGENDA

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

- THAT the Agenda of the special meeting is hereby adopted as submitted.

Adopted

2007-046

ADOPTION OF THE MINUTES

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

- THAT the Minutes of the Regular Council Meeting of February 5, 2007 and the Special Council Meeting of February 22, 2007 be and are hereby approved as submitted.

Adopted

2007-047

PROGRAM TO REDISTRIBUTE TO MUNICIPALITIES THE CHARGES FOR THE DISPOSAL OF RESIDUAL MATERIALS – GRANT PAYMENT REQUEST

WHEREAS on October 27, 2006 the Town of Hampstead adopted a resolution to be registered in the *Program to Redistribute to Municipalities the Charges for the Disposal of Residual Materials* (the “Program”);

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WHEREAS by this resolution, the Town of Hampstead committed to respect the accountability stipulations of the Program;

WHEREAS the Town of Hampstead must pay directly or indirectly, out of its operating budget, the charges for the disposal of residual materials to be eligible for the Program;

WHEREAS the Ministère du Développement durable de l'Environnement et des Parcs has confirmed the Town's eligibility for the Program;

WHEREAS a grant of \$16,215.31 has been reserved by the Ministère for the Town of Hampstead;

WHEREAS after reviewing the files of all municipalities forming the agglomeration of Montreal, the Ministère estimated that the agglomeration of Montreal and the linked municipalities would prefer to jointly designate the grant holder(s);

WHEREAS the Ministère requires that a written decision be forwarded by March 15, 2007;

WHEREAS the *Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., Chapter E-20.001) confers to the group formed of the linked municipalities the sole responsibility of developing and adopting a residual material management plan;

WHEREAS the Town of Hampstead is responsible for implementing the residual material management plan;

WHEREAS to support our recycling programs and sustainable development initiatives, the grant under the program must be paid directly to the Town of Hampstead;

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

- THAT an official request be submitted to the Ministère du Développement durable de l'Environnement et des Parcs, asking that all amounts present and future covered by the Program be paid to the Town of Hampstead to support the implementation of the residual material management plan; and
- THAT a certified copy of this resolution be sent to the Agglomeration of Montreal, the City of Montreal and the reconstituted municipalities.

Adopted

2007-048

ADOPTION – DRAFT BY-LAW N° 729-1 TO MODIFY BUILDING BY-LAW N° 729

WHEREAS the Members of Council have received a copy of Draft By-law N° 729-1 modifying Building By-law N° 729, concerning basement floor elevation and protection against the backflow of sewage, and declare to have read it;

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

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- TO approve Draft By-law N° 729-1 to be entitled: “By-law to Modify Building By-law 729 (Basement Floor Elevation and Protection against Backflow of Sewage)”.

Adopted

2007-049

NOTICE OF MOTION – BY-LAW N° 729-1 – MODIFYING BUILDING BY-LAW N° 729

NOTICE OF MOTION was given by Councillor Leon Elfassy that, at a subsequent meeting of Council, By-law N° 729-1, modifying By-law N° 729, concerning basement floor elevation and protection against the backflow of sewage, will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 729-1 prior to this Council Meeting and a motion to dispense with the reading of the said By-law was made.

2007-050

ADOPTION – BY-LAW N° 747-3 – TO DECREE THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE ACTIVITIES FOR SPRING / SUMMER 2007

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

Deferred

2007-051

ADOPTION – BY-LAW N° 695-5 – FURTHER MODIFYING BY-LAW N° 695 CONCERNING DOGS AND THE LICENSING THEREOF

CONSIDERING THAT Notice of Motion of By-law N° 695-5 was given at the Council meeting of February 22, 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 Leon Elfassy, seconded by Councillor Clifford Borden and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 695-5 entitled: “By-law Further Modifying By-law N° 695-5 Concerning Dogs and the Licensing Thereof”.

Adopted

2007-052

ADOPTION – FIRST DRAFT BY-LAW N° 727-5 FURTHER MODIFYING ZONING BY-LAW N° 727

WHEREAS the Members of Council have received a copy of First Draft By-law N° 727-5 further modifying Zoning By-law N° 727, concerning decks and accessory buildings, and declare to have read it;

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

- TO approve First Draft By-law N^o 727-5 to be entitled: “By-law to Further Modify Zoning By-law N^o 727 (Decks and Accessory Buildings)”.

Adopted

2007-053

NOTICE OF MOTION – BY-LAW N^o 727-5 – FURTHER MODIFYING ZONING BY-LAW N^o 727

NOTICE OF MOTION was given by Councillor Leon Elfassy that, at a subsequent meeting of Council, By-law N^o 727-5, further modifying Zoning By-law N^o 727, concerning decks and accessory buildings, will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N^o 727-5 prior to this Council Meeting and a motion to dispense with the reading of the said By-law was made.

2007-054

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 35 LYNCROFT 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 February 12, 2007 showing **plans and elevations for a two storey side addition to a detached single family dwelling at 35 Lyncroft Road** and prepared by **Rubin & Goldenberg** for the Planning Advisory Committee meeting of February 12, 2007, is **approved** according to the provisions of Chapter 12 of the Zoning By-law N^o 727 and as recommended by the PAC.

Adopted

2007-055

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 62 THURLOW 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 February 6, 2007 showing **plans and elevations for a two storey rear addition to a detached single family dwelling at 62 Thurlow Road** and prepared by **Michael Finkelstein architect** for the Planning Advisory Committee meeting of February 12, 2007, is **not approved** according to the provisions of Chapter 12 of the Zoning By-law N^o 727 and as recommended by the PAC.

Adopted

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2007-056

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 403 DUFFERIN 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 February 6, 2007 showing **plans and elevations for a two storey side addition to a semi-detached single family dwelling at 403 Dufferin Road** and prepared by **Michael Finkelstein architect** for the Planning Advisory Committee meeting of February 12, 2007, is **approved** according to the provisions of Chapter 12 of the Zoning By-law N° 727 and as recommended by the PAC.

Adopted

2007-057

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 17 GRANVILLE 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 February 7, 2007 showing **plans and elevations for a two storey rear addition to a detached single family dwelling at 17 Granville Road** and prepared by **Geiger and Huot Architects** for the Planning Advisory Committee meeting of February 12, 2007, is **not approved** according to the provisions of Chapter 12 of the Zoning By-law N° 727 and as recommended by the PAC.

Adopted

2007-058

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 84 DOWNSHIRE 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 February 5, 2007 showing **plans and elevations for a two storey rear addition to a detached single family dwelling at 84 Downshire Road** and prepared by **Rubin & Goldenberg Architects** for the Planning Advisory Committee meeting of February 12, 2007, is **not approved** according to the provisions of Chapter 12 of the Zoning By-law N° 727 and as recommended by the PAC.

Adopted

2007-059

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APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF FEBRUARY 2007

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

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

- THAT the disbursements for the period from February 1 to February 28, 2007 be and are hereby approved.

Adopted

2007-060

GRANTING OF CONTRACT - CLEANING OF CATCH BASINS FOR YEAR 2007

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 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:

SARP CLAUBERT INC DIV. VEOLIA

Cleaning of catch basins	\$ 9.95/each	\$ 7,850.55
For year 2007 (approx. 789 catch basins)		
G.S.T.: 6%		\$ 471.03
Q.S.T.: 7.5%		\$ <u>624.12</u>
TOTAL		\$ 8,945.70

- THAT Treasurer's Certificate N° 07-002, dated January 25, 2007 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the above-described expenses.

Adopted

2007-061

GRANTING OF CONTRACT – 2007 SUPPLY OF ASPHALT

WHEREAS there has been a call for tenders, by way of written invitation, for the supply of asphalt for year 2007;

WHEREAS, after analysing the tenders opened on February 9th 2007, the lowest bidder conforming to the requirements of the tender invitation is Les Pavages Chenail inc.;

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On motion of Councillor Clifford Borden, 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

Asphalt MB-7 (approx. 300 metric tons)	\$ 72.00 / mt
Asphalt MB-6 (approx. 100 metric tons)	\$ 69.00 / mt
Asphalt MB-5 (approx. 50 metric tons)	\$ 68.00 / mt
Asphalt MB-4 (approx. 50 metric tons)	\$ 68.00 / mt
Asphalt MB-3 (approx. 25 metric tons)	\$ 67.00 / mt

G.S.T. 6%	Extra
Q.S.T. 7.5%	Extra

- THAT Treasurer's certificate N^o 07-009, dated February 12th 2007, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2007-062

GRANTING OF CONTRACT – PREPARATION OF TENNIS COURTS FOR THE 2007 SEASON

WHEREAS there has been a call for tenders, by way of written invitation, for the preparation of tennis courts for the 2007 season;

WHEREAS, after analysing the tenders opened on February 13, 2007, the lowest bidder conforming to the requirements of the tender invitation is Match Point Tennis;

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

MATCH POINT TENNIS

Hampstead Tennis Courts preparation & closing (as per specifications)	\$ 17,079.15
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G.S.T. 6%	\$ 1,024.75
Q.S.T. 7.5%	\$ <u>1,357.79</u>

TOTAL	\$ <u>19,461.69</u>
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Hourly cost for consultation (if necessary):	\$ 25.00
Hourly cost service at regular time (if necessary):	\$ 25.00
Hourly cost for service overtime (if necessary):	\$ 25.00
Hourly cost for consultation service (if necessary):	\$ 50.00

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- THAT Treasurer's Certificate N° 07-014, dated February 19, 2007, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2007-063

GRANTING OF CONTRACT – OUTDOOR POOLS MAINTENANCE FOR 2007

WHEREAS there has been a call for tenders, by way of written invitation, for the outdoor pools maintenance for 2007;

WHEREAS, after analysing the tenders opened on February 13, 2007, the lowest bidder conforming to the requirements of the tender invitation is Leautec Crystal Soleil;

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:

LEAUTEC CRYSTAL SOLEIL

Outdoor Pools Maintenance season 2007 (opening and closing included) (as per specifications)	\$ 12,050.00
G.S.T. 6%	\$ 723.00
Q.S.T. 7.5%	<u>\$ 957.98</u>
Grand total taxes included	\$ 13,730.98

- THAT Treasurer's Certificate N° 07-011, dated February 15th, 2007, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2007-064

GRANTING OF CONTRACT – SUPPLY OF MAINTENANCE PRODUCTS FOR OUTDOOR POOLS FOR 2007

WHEREAS there has been a call for tenders, by way of written invitation, for the supply of maintenance products for outdoor pools;

WHEREAS, after analysing the tenders opened on February 13th 2007, the lowest bidders conforming to the requirements of the tender invitation are Aqua Solution and Leautec Crystal Soleil;

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

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

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AQUA SOLUTION

Outdoor Pool Products \$ 2,500.00 (approx.)
(as per specifications)

LEAUTECH CRYSTAL SOLEIL

Outdoor Pool Products \$ 2,500.00 (approx.)
(as per specifications)

Both G.S.T. and Q.S.T. are included in above projection.

- THAT Treasurer's Certificate N° 07-012, dated February 15, 2007 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the above-described expenses.

Adopted

2007-065

GRANTING OF CONTRACT – SUPPLY OF TENNIS, DAY CAMP AND POOL UNIFORMS FOR SEASON 2007

WHEREAS there has been a call for tenders, by way of written invitation, for the supply of tennis, pool and day camp uniforms for year 2007;

WHEREAS, after analysing the tenders opened on February 9, 2007, the lowest bidders conforming to the requirements of the tender invitation are NuWave Promotional Products and Boulanger Sports;

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

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

NUWAVE PROMOTIONAL PRODUCTS

Day Camp T-Shirts	\$ 1,335.15
Pool T-Shirts	\$ 161.60
G.S.T. 6%	\$ 89.81
Q.S.T. 7.5%	\$ 118.99
Grand total taxes included	\$ 1,705.55

BOULANGER SPORTS

Tennis Polos	\$ 87.00
C.I.T. Day Camp T-Shirts	\$ 90.00
Staff T-Shirts	\$ 247.50
Pool Sweat Shirts	\$ 300.00
Bathing Suits, Shorts, Track Pants	\$ 1,640.00
T.P.S. 6%	\$ 141.87
T.V.Q. 7.5%	\$ 187.98
Grand total taxes included	\$ 2,694.35

- THAT Treasurer's Certificate N° 07-013, dated February 19, 2007, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the above-described expenses.

Adopted

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2007-066

GRANTING OF CONTRACT – JANITORIAL SERVICES FOR PUBLIC WORKS BUILDING

WHEREAS there has been a call for tenders, by way of written invitation, for a one year contract for the janitorial services at the Public Works building;

WHEREAS, after analysing the tenders opened on February 21, 2007, the lowest bidder conforming to the requirements of the tender invitation is Service d'entretien Carlos Inc;

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

SERVICE D'ENTRETIEN CARLOS INC

Janitorial services for Public Works building \$ 1,177.03 / month
From April 1, 2007 to March 31, 2008
(as per specifications)

Sub total for one year	\$ 14,124.30
G.S.T. 6%	847.46
Q.S.T. 7.5%	<u>1,122.88</u>
Grand total, taxes included	\$ 16,094.64

- THAT Treasurer's certificate N° 07-018, dated February 22, 2007, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2007-067

GRANTING OF CONTRACT – ELECTRICIAN SERVICES

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

WHEREAS, after analysing the tenders opened on February 19th 2007, the lowest bidder conforming to the requirements of the tender invitation is Nobel Electricque;

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

NOBEL ELECTRIQUE

Contract from March 15, 2007 to March 14, 2008

Service of electrician (Note – no premium for overtime hours)	\$ 67.00 / hour
Service of electrician helper	\$ 45.00 / hour

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Traveling charge	\$ 33.50
Traveling charge (price per kilometre)	\$ 00.00
Minimum charge per call	\$ 100.50
G.S.T.. 6 %	Extra
Q.S.T.. 7.5 %	Extra

- THAT, based on last year's consumption, the approximate expense will be \$ 60,500 taxes included; and
- THAT Treasurer's Certificate N° 07-016, dated February 19, 2007, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2007-068

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 February 27, 2007 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 with the hourly rates for the Community Services Department, such as enumerated in the list of February 27, 2007 prepared by the Director of Community Services.

Adopted

2007-069

APPROVAL FOR CONTINUED EMPLOYMENT OF AUXILIARY EMPLOYEE FOR THE DIRECTOR GENERAL'S DEPARTMENT

WHEREAS the Administrative Assistant, acting as the direct supervisor of the Secretarial Clerk, is satisfied with the latter's performance;

WHEREAS the position of Secretarial Clerk is an auxiliary position;

It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Clifford Borden and UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the continued employment of Ms Betty Ohayon as "Secretarial Clerk" auxiliary employee for the Director General's Department, for a period of less than 900 hours; and
- THAT the above mentioned auxiliary employee may be assigned, by the Director General, to various functions as may be required by the Town. The above-mentioned employment is made in accordance with the provisions of the collective agreement between C.U.P.E. Local 429 and the Town of Hampstead.

Adopted

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SECOND QUESTION PERIOD

Mr. Derek Stern – 17 Lyncroft

- Asked for more explanation regarding basement floor elevation in Section 5.3 of By-law 729-1.
- Asked what the new tennis lights would look like.
- Asked where the Town will pick up their asphalt.

2007-070

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

Dr. William Steinberg, Mayor

Me Chantal Bergeron, Town Clerk