

## **Minutes of Town of Hampstead**

### **MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON DECEMBER 4<sup>TH</sup>, 2006, 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, Abraham Gonshor, and David Sternthal forming a quorum with Mayor Steinberg presiding

**ALSO PRESENT:** Mr. Richard Sun, Director General and M<sup>e</sup> Chantal Bergeron, Town Clerk acting as Secretary of the meeting

#### **FIRST QUESTION PERIOD**

Mr. Sonny Surkes – 5702 Queen Mary

- Asked why the lights at Hampstead Park are left on so late (after 7:00 p.m.) into the evening during winter.

Ms. Sura Gimple – 484 Dufferin

- Commented that she feels the PAC process of approving plans takes too long.

Mr. Jeffrey Gerstein – 53 Albion

- Stated that the approval process for drawings is very long.

2006-347

#### **ADOPTION OF THE AGENDA**

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

- THAT the Agenda of the regular meeting, after the deletion of item 5.2, is hereby adopted.

Adopted

2006-348

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

On motion of Councillor David Sternthal, seconded by Councillor Clifford Borden, it was UNANIMOUSLY RESOLVED:

- THAT the Minutes of the Council Meetings of November 6<sup>th</sup> and 20<sup>th</sup>, 2006 be and are hereby approved as submitted.

Adopted

2006-349

#### **DEPOSIT – STATEMENTS OF PECUNIARY INTERESTS OF MAYOR AND MEMBERS OF COUNCIL**

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Written Statements of Pecuniary Interests of the Mayor and Councillors Bonnie Feigenbaum, Clifford Borden, Leon Elfassy, Abraham Gonshor and David Sternthal have been deposited, at this Council Meeting, in accordance with Section 358 of the *Act respecting elections and referendums in municipalities* (R.S.Q., c.E-2.2).

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2006-350

### **NOTICE OF MOTION – BY-LAW N° 747-2 FURTHER MODIFYING BY-LAW N° 747-1**

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NOTICE OF MOTION was given by Councillor Bonnie Feigenbaum that, at a subsequent meeting of Council, By-law N° 747-2 further modifying By-law N° 747 regarding the programs and fee schedule for Cultural, Sports and Leisure Activities will be submitted to Council for adoption.

TAKE FURTHER NOTICE THAT all Council members have received a draft copy of By-law N° 747-2 prior to this Council Meeting and a motion to dispense with the reading of the said by-law was made.

2006-351

### **NOTICE OF MOTION – BY-LAW N° 757 – EMPLOYEE PENSION PLAN**

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NOTICE OF MOTION was given by Councillor Abraham Gonshor that, at a subsequent meeting of Council, By-law N° 757 entitled, “By-law Concerning the January 1, 2001 Pension Plan for the Employees of the Town of Hampstead”, will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 757 prior to this Council Meeting and a motion to dispense with the reading of the said by-law was made.

2006-352

### **NOTICE OF MOTION – BY-LAW N° 694-4 FURTHER AMENDING BY-LAW N° 694 CONCERNING TRAFFIC – RE: OVERNIGHT PARKING PERMITS**

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NOTICE OF MOTION was given by Councillor Bonnie Feigenbaum that, at a subsequent meeting of Council, By-law N° 694-4 further modifying By-law N° 694 concerning traffic, re: overnight parking permits, will be submitted to Council for adoption.

TAKE FURTHER NOTICE THAT all Council members have received a draft copy of By-law N° 694-4 prior to this Council Meeting and a motion to dispense with the reading of the said by-law was made.

2006-353

### **ADOPTION – BY-LAW N° 748-1 – AMENDING LOAN BY-LAW N° 748 AUTHORIZING A LOAN FOR THE ACQUISITION OF VEHICLES AND EQUIPMENT**

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CONSIDERING THAT notice of motion of By-law N° 748-1 was given at the Regular Council meeting of November 6, 2006 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 Abraham Gonshor, seconded by Councillor Leon Elfassy and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 748-1 entitled: “By-law Amending By-law No 748 Authorizing a Loan of \$1,597,800 for the Acquisition of Vehicles and Equipment”.

Adopted

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2006-354

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

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

Deferred

2006-355

**ADOPTION – DRAFT BY-LAW N° 727-4 TO FURTHER AMEND ZONING BY-LAW N° 727**

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WHEREAS the Members of Council have received a copy of Draft By-law N° 727-4 and declare to have read it;

It was proposed by Councillor Clifford Borden, seconded by Councillor Michael Goldwax and UNANIMOUSLY RESOLVED:

- TO approve Draft By-law N° 727-4 to be entitled: “By-law to Further Amend Zoning By-law 727”.

Adopted

2006-356

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

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

Deferred

2006-357

**NOTICE OF MOTION – BY-LAW N° 727-4 FURTHER AMENDING ZONING BY-LAW N° 727**

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NOTICE OF MOTION was given by Councillor Abraham Gonshor that, at a subsequent meeting of Council, By-law N° 727-4, further amending Zoning By-law N° 727, will be submitted to Council for adoption.

TAKE FURTHER NOTICE THAT all Council members have received a copy of By-law N° 727-4 prior to this Council Meeting and a motion to dispense with the reading of the said By-law was made.

2006-358

**URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 53 ALBION ROAD**

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

- THAT the site planning and architectural integration programs received on November 8<sup>th</sup>, 2006 showing **plans and elevations of a second storey addition to a detached single family dwelling at 53 Albion Road** and prepared by **Cohen and Rubin Architectes** for the Planning Advisory Committee meeting of November 14<sup>th</sup>, 2006, is **approved** according to the provisions of Chapter 12 of the Zoning By-law N° 727.

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Mayor William Steinberg called for a vote.

**Voted in favour:**

Councillor Feigenbaum  
Councillor Goldwax  
Councillor Borden  
Councillor Sternthal

**Voted against:**

Councillor Elfassy  
Councillor Gonshor

**In favour: 4**

**Against: 2**

Adopted on Division

**RECESS**

*At 8:40 p.m. it was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Michael Goldwax and unanimously resolved to recess the Meeting.*

*At 8:50 p.m. it was proposed by Councillor Michael Goldwax, seconded by Councillor Leon Elfassy and unanimously resolved to resume the Meeting, all Members of Council present at the beginning of the Meeting remaining to form a quorum.*

2006-359

**URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIA) – 484 DUFFERIN ROAD**

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

- THAT the site planning and architectural integration programs received on November 3<sup>rd</sup>, 2006 showing **plans and elevations of a two storey side addition to the semi-detached single family dwelling at 484 Dufferin Road** and prepared by **Cohen and Rubin Architectes** for the Planning Advisory Committee meeting of November 14<sup>th</sup>, 2006, is **not approved** according to the provisions of Chapter 12 of the Zoning By-law N<sup>o</sup> 727 and as recommended by the PAC.

Mayor William Steinberg called for a vote.

**Voted in favour:**

Councillor Feigenbaum  
Councillor Borden  
Councillor Elfassy  
Councillor Goldwax  
Councillor Gonshor

**Voted against:**

Councillor Sternthal

**In favour: 5**

**Against: 1**

Adopted on Division

2006-360

**URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIA) – 264 NETHERWOOD CRESCENT**

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

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- THAT the site planning and architectural integration programs received on November 6<sup>th</sup>, 2006 showing **plans and elevations to modify the front façade and roof of the detached single family dwelling at 264 Netherwood Crescent** and prepared by **L'Ecuyer Lefavre Architectes** for the Planning Advisory Committee meeting of November 14<sup>th</sup>, 2006, is **approved** according to the provisions of Chapter 12 of the Zoning By-law N<sup>o</sup> 727 and as recommended by the PAC.

Adopted

2006-361

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 5708 QUEEN MARY ROAD**

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

- THAT the site planning and architectural integration programs received on October 22<sup>nd</sup>, 2006 showing **plans and elevations to modify the front façade of the detached single family dwelling at 5708 Queen Mary Road** and prepared by **Georges Elbaz Architect** for the Planning Advisory Committee meeting of November 14<sup>th</sup>, 2006, is **not approved** according to the provisions of Chapter 12 of the Zoning By-law N<sup>o</sup> 727 and as recommended by the PAC.

Adopted

2006-362

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 55 FINCHLEY 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 November 9<sup>th</sup>, 2006 showing, **plans and elevations of a rear addition and to modify the façades of a detached single family dwelling at 55 Finchley Road** and prepared by **R. Mahfooz-Bella, Architecte**, for the Planning Advisory Committee meeting of November 14<sup>th</sup>, 2006, is **not approved** according to the provisions of Chapter 12 of the Zoning By-law N<sup>o</sup> 727 and as recommended by the PAC.

Adopted

2006-363

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 51 MERTON ROAD**

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

- THAT the site planning and architectural integration programs received on November 3<sup>rd</sup>, 2006 showing, a **plan of a proposed double entry driveway for a detached single family dwelling at 51 Merton Road** and prepared by **Geiger and Huot Architects**, for the Planning Advisory Committee meeting of November 14<sup>th</sup>, 2006, is **not approved** according to the provisions of Chapter 12 of the Zoning By-law N<sup>o</sup> 727 and as recommended by the PAC.

Adopted

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2006-364

**URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 31 HOLTHAM 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 November 3<sup>rd</sup>, 2006 showing **plans and elevations of a front addition to the detached single family dwelling at 31 Holtham Road** and prepared by **Geiger and Huot Architects** for the Planning Advisory Committee meeting of November 14<sup>th</sup>, 2006, is **not approved** according to the provisions of Chapter 12 of the Zoning By-law N<sup>o</sup> 727 and as recommended by the PAC.

Adopted

***Request for Minor Exemption – 39 Lyncroft Road***  
***Intervention of Interested Persons***

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***Mr. Markus – 39 Lyncroft Road***

- *Gave comments and explanations of why he felt that the request for minor exemption should be approved.*

2006-365

**REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT 39 LYNCROFT ROAD**

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WHEREAS the members of Council have reviewed the request for minor exemption of the property located at 39 Lyncroft Road, Lot, 2088965 to permit a terrace/patio to be 6'-0" from the left lot line and 4'-0" from the right lot line instead of the minimum required 16.4 feet., according to the provisions of article 6.8.4 of Zoning By-law No 727.

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

- THAT the request to permit the aforementioned minor exemption is **approved** for the property of 39 Lyncroft Road.

Mayor William Steinberg called for a vote.

**Voted in favour:**

Councillor Feigenbaum  
Councillor Goldwax  
Councillor Sternthal  
Mayor Steinberg

**Voted against:**

Councillor Gonshor  
Councillor Borden  
Councillor Elfassy

**In favour: 3**

**Against: 3**

With Mayor Steinberg casting the deciding vote **in favour.**

Adopted on Division

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2006-366

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF NOVEMBER 2006**

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WHEREAS Council reviewed the list of payments for the month of November 2006.

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 November 1<sup>st</sup> to November 30<sup>th</sup>, 2006 be and are hereby approved.

Adopted

2006-367

**GRANTING OF CONTRACT – HIRING OF AN EXTERNAL FIRM OF AUDITORS**

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WHEREAS there has been a public call for tenders for the hiring of an external firm of auditors;

WHEREAS, after analysing the offer of services received and the application of the formula to determine the points of each bidder, the bidder with the highest number of points conforming to the requirements of the public tender was obtained by Goudreau Poirier S.E.N.C.R.L.;

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 contract for services of an external firm of auditors be and is hereby approved, the whole as more amply delineated hereunder:

**GOUDREAU POIRIER S.E.N.C.R.L.**

Hiring of an external firm of auditors (as per tender specifications)	\$ 12 500.00
G.S.T. (6%)	750.00
Q.S.T.. (7.5%)	<u>993.75</u>
<b>GRAND TOTAL</b>	<b>\$ 14 243.75</b>

- THAT Treasurer's certificate N<sup>o</sup> 06-050, dated November 28, 2006, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2006-368

**APPROVAL – PAYMENT OF TOWN OF HAMPSTEAD'S SHARE OF LEGAL EXPENSES IN THE CASE OF FOSTER WHEELER VERSUS CITY OF MONTREAL**

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WHEREAS the Town of Hampstead has received a statement from the City of Montreal covering the Town's share of legal expenses, in the case of Foster Wheeler versus the City of Montreal, for the period from January 1, 2006 to September 1, 2006;

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WHEREAS these expenses are shared between the City of Montreal and the reconstituted municipalities, the Town of Hampstead's share being 1.52% of the total cost;

WHEREAS the current amount due from the Town of Hampstead is \$29,422;

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

- THAT Council approves the payment of \$29,422 to the City of Montreal covering Hampstead's share of legal expenses, for the period January 1, 2006 to September 1, 2006, in the case of Foster Wheeler versus the City of Montreal; and
- THAT Treasurer's certificate N°06-051 dated November 29, 2006 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2006-369

### **DEPOSIT OF LIST OF TEMPORARY EMPLOYEES AND APPROVAL OF LIST OF PART-TIME EMPLOYEES FOR COMMUNITY SERVICES DEPARTMENT**

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Council Members have received and reviewed the current list of temporary employees, dated November 29, 2006, as prepared and submitted by the Director of Human Resources.

WHEREAS Council members have reviewed the report of the Director of Community Services, dated December 2006, with regard to hiring part-time employees;

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

- THAT the Town Council approves the list of the names and hourly rates of part-time employees for the Community Services Department, dated December 2006, prepared by the Director of Community Services.

Adopted

2006-370

### **APPROVAL OF NEW MANAGEMENT GROUP INSURANCE CONTRACT**

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WHEREAS the Town of Hampstead is part of the regrouped municipalities of : Baie d'Urfé, Beaconsfield, Côte Saint-Luc, Dollard-des-Ormeaux, Dorval, Hampstead, Kirkland, Montréal-Est, Montréal-Ouest, Mont-Royal, Pointe-Claire, Senneville, Ste-Anne-de-Bellevue and Westmount for group insurance;

WHEREAS, that since January 1<sup>st</sup>, 2006, the group insurance coverage for management employees of member municipalities, is provided by SSQ Groupe financier, according to separate plans, as they existed prior to the regrouping;

WHEREAS it is the wish of each individual municipality member of the regrouping, to harmonize the plan for their own management employees;

WHEREAS the joint proposal of the Groupe financier AGA inc. and the Working Committee created to write up a new harmonized plan for all management employees of member municipalities part of the regrouping;

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WHEREAS it would be to the advantage of the Town of Hampstead that this new harmonized plan for management employees, be coupled with a health management account;

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

- THAT the joint proposal of Groupe financier AGA Inc. and the Working Committee created to write up a new harmonized plan for all management employees of member municipalities forming part of the regrouping, as tabled before this assembly is accepted;
- THAT a new harmonized plan, coupled with a health spending account, be implemented as of January 1<sup>st</sup>, 2007 for all management employees of member municipalities who form part of the regrouping;
- THAT the Director of Human Resources is authorized to sign, on behalf of the Town of Hampstead, any and all documents required for the above purposes.

Adopted

2006-371

### **INTERMUNICIPAL AGREEMENT TO FACILITATE RESPONSE IN THE EVENT OF AN AVIAN FLU PANDEMIC**

WHEREAS the Members of the Town Council are acquainted with the Intermunicipal Agreement, of the group of reconstituted municipalities of the Island of Montreal, concerning a plan of response in the event of an avian flu pandemic;

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

- THAT the Mayor, or in the case of his absence, the Acting Mayor and the Town Clerk or, in the case of absence, the Assistant Town Clerk, are authorized to sign the Intermunicipal Agreement of the reconstituted municipalities of the Island of Montreal, regarding response in the event of an avian flu pandemic.

Adopted

2006-372

### **INTERMUNICIPAL AGREEMENT – CIVIL PROTECTION - TO FACILITATE RESPONSE IN THE EVENT OF A DISASTER**

WHEREAS the Members of the Town Council are acquainted with the Intermunicipal Agreement, of the group of reconstituted municipalities of the Island of Montreal, concerning a plan of response in the event of a disaster;

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

- THAT the Mayor, or in the case of his absence, the Acting Mayor and the Town Clerk or, in the case of absence, the Assistant Town Clerk, are authorized to sign the Intermunicipal Agreement of the reconstituted municipalities of the Island of Montreal, regarding response in the event of a disaster.

Adopted

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**SECOND QUESTION PERIOD**

Mrs. Wilansky – 34 Granville

- Suggested that Humphrey Lane (connecting Granville & Stratford) needs a clean-up. The trees require trimming in order to let more light through.

2006-373

**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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M<sup>c</sup> Chantal Bergeron, Town Clerk