

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON JUNE 5TH 2006, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

THOSE PRESENT WERE: Councillors Bonnie Feigenbaum, Clifford Borden, Leon Elfassy and Abraham Gonshor, forming a quorum with Acting Mayor Clifford Borden presiding

ALSO PRESENT: Mr. Richard Sun, Director General and M^e Chantal Bergeron, Town Clerk acting as Secretary of the meeting

ABSENT: Mayor William Steinberg, Councillor David Sternthal

FIRST QUESTION PERIOD

Mr Garry Oberfield – 4 Northcote

- Complained about construction noise and asked that Council enforce By-law N^o 690.

Mr. Teddy Quinn – 24 Applewood

- Would like to have the zoning by-law changed concerning setbacks for cabanas and balconies and the obligation to have grass.

Mr. Michael Goldwax – 35 Holly

- Asked whether the Town has a helmet by-law.

Mr. Robert Komlos – 72 Cleve

- Stated that Public Security should enforce the nuisance by-law and should give contravention penalties.

2006-145

APPROVAL OF THE AGENDA

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

- THAT the Agenda of the regular meeting is hereby approved as submitted.

Adopted

2006-146

ADOPTION OF THE MINUTES

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

- THAT the Minutes of the Council Meeting of May 2nd, 2006 be and are hereby approved as submitted.

Adopted

2006-147

COUNCIL RESOLUTION REGARDING PREPARATION OF A NEW TRIENNIAL EVALUATION ROLL 2006, 2007, 2008

WHEREAS the residents of most reconstituting municipalities on the island of Montreal have experienced large tax increases in 2006;

WHEREAS the taxation burden related to the evaluation consists not only of municipal taxes but also school taxes and transfer duties;

WHEREAS a higher evaluation of a home will likely lead to higher school taxes and depending on the percentage of adjustments between one residence and another across the island and in the local municipality a changed evaluation can have a significant taxation impact; and

WHEREAS in this changing municipal situation taxpayers have a right to a certain stability and the new triennial role can add to another element of uncertainty to the financial plans of our residents;

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

- THAT Council recommends that the current evaluation role for 2004-2005-2006 remain in effect on the island of Montreal for the years 2007 and 2008 to give residents time to adjust to the changes in structure across the island;
- THAT this resolution be sent to the Minister of Municipal Affairs and Regions and copies sent to all other related municipalities.

Adopted

2006-148

COUNCIL'S OBJECTION TO THE ADOPTION BY THE AGGLOMERATION COUNCIL OF A RESOLUTION FOR A \$6,100 CONTRIBUTION TO CLUB D'ESCRIME FLEURET D'ARGENT FOR 2006 FOR "CLUB SPORTIF ET ACTIVITÉS SPORTIVES" AND "CLUB SPORTIF ÉLITE" PROGRAMS PLUS USE OF FACILITIES WHICH REPRESENTS A RENTAL VALUE OF \$47,910 (Agglomeration Dossier N° 1061222006)

WHEREAS on April 27, 2006 the Agglomeration Council adopted a resolution for a \$6,100 contribution to Club d'escrime Fleuret d'argent for 2006 for "Club sportif et activités sportives" and "Club sportif d'élite" programs, plus use of facilities which represents a rental value of \$47,910;

WHEREAS according to Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) the right of objection to an Agglomeration Council resolution appears to relate solely to by-laws and the question of how reconstituted municipalities can oppose ordinary resolutions approving agglomeration expenses is left unclear;

WHEREAS the aforementioned resolution is *ultra vires* the powers of the Agglomeration Council and should not even have been declared receivable as the Agglomeration Council's only responsibility under Decree 1229-2005 is to contribute to the support of elite athletes and the documents justifying the resolution made very clear that half of the monies contributed by the Agglomeration were intended to support non-elite athletes;

WHEREAS the aforementioned contributions are not only related to an activity of collective interest, being assistance for sports elite, but also for an activity of local interest;

WHEREAS the aforementioned contributions should not be considered exclusively under agglomeration jurisdiction, but should be apportioned according to the percentage that benefit the elite sports only;

WHEREAS the opposed resolution violates the spirit of what truly constitutes an agglomeration expense in that:

- a) Decree 1229-2005 stipulates that “Assistance for sports elite” is an Agglomeration responsibility;
- b) Of the \$6,100 being approved only \$500 is identified for Club Sportif d’élite, therefore the balance cannot be considered an Agglomeration expense and should not be charged to the Agglomeration;
- c) It is unclear as to how the expenses were partitioned between Ahuntsic-Cartierville and the Agglomeration, said partition being 8% for Ahuntsic-Cartierville and 92% for the Agglomeration;
- d) While the Centre Claude-Robillard is an Agglomeration facility there is no policy that exists that defines what groups can benefit from free rent;
- e) It is unclear if all groups get rent-free space and whether or not this is fair, just and expedient to be assumed by Agglomeration tax payers;
- f) If there is indeed a partition of 8% vs. 92% for the grant in question it is unclear as to why 8% of the rental fee is not being charged to Ahuntsic-Cartierville;

WHEREAS the opposed resolution is clearly not well founded and merits to be reviewed and rejected by the Minister on the basis of its violation of the law and the Ministerial decrees;

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

- THAT Council hereby exercises its right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* with respect to the opposed resolution adopted by the Agglomeration Council on April 27, 2006 for a \$6,100 contribution to Club d’escrime Fleuret d’argent for 2006 for “Club sportif et activités et activités sportives” and “Club sportif d’élite” programs plus use of facilities at le Centre Claude-Robillard, which constitutes an equivalent value of \$47,910;
- THAT Council hereby requests that the Minister accept this objection as properly made under law irrespective of any limitations which may be read into Section 115;
- TO send to the Minister of Municipal Affairs and Regions the objection of the Town of Hampstead with respect to the foregoing opposed resolution;
- TO forward copies of this resolution to the other related municipalities, the Premier of Quebec and the Member of the National Assembly for the D’Arcy-McGee.

Adopted

2006-149

COUNCIL'S OBJECTION TO THE ADOPTION BY THE AGGLOMERATION COUNCIL OF A RESOLUTION FOR A \$54,700 CONTRIBUTION/YEAR FOR 2006 AND 2007 TO CLUB AQUATIQUE CAMO MONTRÉAL (WATER-POLO) FOR "CLUB SPORTIF ET ACTIVITÉS SPORTIVES" AND CLUB SPORTIF D'ÉLITE" PROGRAMS PLUS USE OF FACILITIES AT THE CENTRE CLAUDE-ROBILLARD, WHICH CONSTITUTES AN EQUIVALENT VALUE OF \$59,500/YEAR FOR BOTH 2006 AND 2007 (Agglomeration Dossier N° 1061222007)

WHEREAS on April 27, 2006 the Agglomeration Council adopted a resolution for a \$54,700 contribution for 2006 and \$54,700 for 2007 to Club aquatique Camo Montréal (water-polo) for "Club sportif et activités sportives" and Club sportif d'élite" programs plus use of facilities at the Centre Claude-Robillard, which constitutes an equivalent value of \$59,500/year for both 2006 and 2007;

WHEREAS according to Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) the right of objection to an Agglomeration Council resolution appears to relate solely to by-laws and the question of how reconstituted municipalities can oppose ordinary resolutions approving agglomeration expenses is left unclear;

WHEREAS the aforementioned resolution is *ultra vires* the powers of the Agglomeration Council and should not even have been declared receivable as the Agglomeration Council's only responsibility under Decree 1229-2005 is to contribute to the support of elite athletes and the documents justifying the resolution made very clear that half of the monies contributed by the Agglomeration were to support non-elite athletes;

WHEREAS the aforementioned contributions are also not justified under the Agglomeration Council's responsibility for the Claude-Robillard Centre under Decree 1229-2005 as such responsibility is related to the facility and not to the obligation to support all of the clubs which train there;

WHEREAS the opposed resolution violates the spirit of what truly constitutes an agglomeration expense in that:

- a) Decree 1229-2005 stipulates that "Assistance for sports elite" is an Agglomeration responsibility but only 50% of the grant in each of the 2006 and 2007 (\$27,350) is for Club sportif d'élite;
- b) While the Centre Claude-Robillard is an Agglomeration facility, the intention was to clearly require support for the facility not each group that trains there;
- c) Local City of Montreal groups are not entitled to receive free space at the expense of Agglomeration taxpayers;

WHEREAS Members of the Agglomeration Council specifically those of reconstituted municipalities opposed the resolution and advised the speaker it was *ultra vires* the powers of the Agglomeration Council, the Montreal representatives adopted it notwithstanding the objections of all other municipalities;

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

- THAT Council hereby exercises its right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal power*

in certain urban agglomerations with respect to the opposed resolution adopted by the Agglomeration Council on April 27, 2006 for a \$54,700 contribution for 2006 and \$54,700 for 2007 to Club aquatique Camo Montréal (water-polo) for “Club sportif et activités sportives” and Club sportif d’élite” programs plus use of facilities at the Centre Claude-Robillard, which constitutes an equivalent value of \$59,500 for both 2006 and 2007;

- THAT Council hereby requests that the Minister accept this objection as properly made under law irrespective of any limitations which may be read into Section 115;
- TO send to the Minister of Municipal Affairs and Regions the objection of the Town of Hampstead with respect to the foregoing opposed resolution;
- TO forward copies of this resolution to the other related municipalities, the Premier of Quebec and the Member of the National Assembly for the D’Arcy-McGee riding.

Adopted

2006-150

COUNCIL’S OBJECTION TO THE ADOPTION BY THE AGGLOMERATION COUNCIL OF AN EXPENDITURE OF \$3,064,276.71 TO CARRY OUT THE VARIOUS CURRENT PROJECTS INCLUDING MANAGEMENT CONTRACTS AND PROFESSIONAL SERVICES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY (Agglomeration Dossier N° 1064258001)

WHEREAS on April 27, 2006 the Agglomeration Council adopted a resolution for a total amount of \$3,064,276.71 approving an expenditure to carry out various current projects including management contracts and professional services for the Department of Information Technology;

WHEREAS according to Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) the right of objection to an Agglomeration Council resolution seems to relate solely to by-laws and the question of how reconstituted municipalities can oppose ordinary resolutions approving agglomeration expenses is left unclear;

WHEREAS the opposed resolution violates the spirit of what truly constitutes an agglomeration expense in that:

- a) the Agglomeration has been compelled to assume 45% of this expense without any justification as to how this cost sharing formula was developed;
- b) the vast majority of the amounts in question (\$2,600,000.00) have been extracted from the Capital Expenditures Budget without properly explaining how these figures have been arrived at nor explaining how it is that the Agglomeration, composed of the reconstituted municipalities benefit from these expenses;
- c) these expenses are comprised of subjects such as *système en arrondissement* which clearly do not benefit the reconstituted municipalities forming a part of the Agglomeration.

WHEREAS the Town of Hampstead has filed an opposition in February 2006 with regard to the by-law in relation to mixed expenses adopted at the Agglomeration Council of January 27, 2006;

WHEREAS the Town of Hampstead is still awaiting a decision from the Minister with regard to said opposition;

WHEREAS there are no definitive acceptable criteria which have been adopted and approved by the Minister with regard to what constitutes a mixed expense of the agglomeration and the percentage which may be correctly attributed to the reconstituted cities with regard to same;

WHEREAS the presently opposed resolution flows from the original by-law with regard to mixed expenses and thus should be opposed;

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

- THAT Council hereby exercises its right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* with respect to the opposed resolution adopted by the Agglomeration Council on April 27, 2006 awarding a contract in the amount of \$3,064,276.71 to carry out various current projects including management contracts and professional services for the Department of Information Technology;
- THAT Council hereby requests that the Minister accept this objection as properly made under law irrespective of any limitations which may be read into Section 115;
- TO send to the Minister of Municipal Affairs and Regions the objection of the Town of Hampstead with respect to the foregoing opposed resolution;
- TO forward copies of this resolution to the other related municipalities, the Premier of Quebec and the Member of the National Assembly for the D'Arcy-McGee riding.

Adopted

2006-151

COUNCIL'S OBJECTION TO THE AGGLOMERATION RESOLUTION FOR AWARDING OF CONTRACTS TO CONSTRUCTION DJL INC., SIMARD-BEAUDRY INC., USINE D'ASPHALTE MONTRÉAL-NORD INC. AND SINTRA INC. FOR THE SUPPLY OF ASPHALT SURFACING, FOR A PERIOD NOT TO EXCEED 12 MONTHS – APPROXIMATE EXPENDITURE OF \$4,666,540.90 INCLUDING TAXES (Agglomeration Dossier N° 1063447002)

WHEREAS on April 27, 2006 the Agglomeration Council adopted a resolution awarding of contracts to Construction DJL Inc., Simard-Beaudry Inc., Usine d'asphalte Montréal-Nord Inc. and Sintra Inc. for the supply of asphalt surfacing, for a period not to exceed 12 months – approximate expenditure of \$4,666,540.90 including taxes;

WHEREAS according to Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) the right of objection to an Agglomeration Council resolution seems to relate solely to by-laws and the question of how reconstituted municipalities can oppose ordinary resolutions approving agglomeration expenses is left unclear;

WHEREAS the opposed resolution violates the spirit of what truly constitutes an agglomeration expense in that:

- a) There is no justification provided as to why this contract is being submitted to the Agglomeration Council;
- b) The contract specifies the cost for various asphalt mixes to be used by 12 Montreal boroughs but it does not stipulate that the asphalt will be used only for arterial roads;
- c) There is no indication that these materials will be used solely for arterial roads the importance of same being that only expenses on said roads legally constitute an Agglomeration expense in accordance with art.19 par.3 of the Bill 75, *An Act respecting the exercise of certain municipal powers in certain urban agglomerations*;

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

- THAT Council hereby exercises its right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* with respect to the opposed resolution adopted by the Agglomeration Council on April 27, 2006 for awarding of contracts to Construction DJL Inc., Simard-Beaudry Inc., Usine d'asphalte Montréal-Nord Inc. and Sintra Inc. for the supply of asphalt surfacing, for a period not to exceed 12 months – approximate expenditure of \$4,666,540.90 including taxes;
- THAT Council hereby requests that the Minister accept this objection as properly made under law irrespective of any limitations which may be read into Section 115;
- TO send to the Minister of Municipal Affairs and Regions the objection of the Town of Hampstead with respect to the foregoing opposed resolution;
- TO forward copies of this resolution to the other related municipalities, the Premier of Quebec and the Member of the National Assembly for the D'Arcy-McGee riding.

Adopted

2006-152

COUNCIL'S OBJECTION TO THE AGGLOMEERATION RESOLUTION FOR AWARDING OF CONTRACTS TO BÉTON ST-HUBERT INC. AND LAFARGE CANADA INC. FOR THE SUPPLY OF PREMIXED CONCRETE, FOR A PERIOD OF 12 MONTHS, - APPROXIMATE EXPENDITURE OF \$1,372,294.26, INCLUDING TAXES (Agglomeration Dossier N° 1063447003)

WHEREAS on April 27, 2006 the Agglomeration Council adopted a resolution awarding of contracts to Béton St-Hubert Inc. and Lafarge Canada Inc. for the supply of premixed concrete, for a period of 12 months, - approximate expenditure of \$1,372,294.26, including taxes;

WHEREAS according to Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) the right of objection to an Agglomeration Council resolution seems to relate solely to by-laws and the question of how reconstituted municipalities can oppose ordinary resolutions approving agglomeration expenses is left unclear;

WHEREAS the opposed resolution violates the spirit of what truly constitutes an agglomeration expense in that:

- a) There is no justification to validate that this is an Agglomeration expense;
- b) The supporting documentation state that this contract is for the needs of the Montreal Boroughs;
- c) The contract will allow for the financing of the purchase of asphalt for the roads of the 10 boroughs only and has nothing at all to offer the Agglomeration or the reconstituted cities of the Agglomeration;
- d) There is no indication that these materials will be used solely for arterial roads the importance of same being that only expenses on said roads legally constitute an Agglomeration expense in accordance with art.19 par.3 of the Bill 75, *An Act respecting the exercise of certain municipal powers in certain urban agglomerations*;

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

- THAT Council hereby exercises its right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* with respect to the opposed resolution adopted by the Agglomeration Council on April 27, 2006 for awarding of contracts to Béton St-Hubert Inc. and Lafarge Canada Inc. for the supply of premixed concrete, for a period of 12 months, - approximate expenditure of \$1,372,294.26, including taxes;
- THAT Council hereby requests that the Minister accept this objection as properly made under law irrespective of any limitations which may be read into Section 115;
- TO send to the Minister of Municipal Affairs and Regions the objection of the Town of Hampstead with respect to the foregoing opposed resolution;
- TO forward copies of this resolution to the other related municipalities, the Premier of Quebec and the Member of the National Assembly for the D'Arcy-McGee riding.

Adopted

2006-153

COUNCIL'S OBJECTION TO THE AGGLOMERATION RESOLUTION FOR AWARDING OF CONTRACT TO RICOH CANADA INC. FOR THE SUPPLY OF EQUIPMENT AND PRINTING SERVICES FOR THE NEW ÉDIFICE LOUIS CHARLAND ADMINISTRATION CENTRE BUILDING, FOR A PERIOD OF 7 YEARS – EXPENDITURE OF \$995,558.63 INCLUDING TAXES (Agglomeration Dossier N° 1062561001)

WHEREAS on April 27, 2006 the Agglomeration Council adopted a resolution awarding of contract to Ricoh Canada Inc. for the supply of equipment and printing services for the new Édifice Louis Charland administration centre, for a period of 7 years – expenditure of \$995,558.63 including taxes;

WHEREAS according to Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) the right of objection to an Agglomeration Council resolution seems to relate solely to by-laws and the question of how reconstituted municipalities can oppose ordinary resolutions approving agglomeration expenses is left unclear;

WHEREAS the opposed resolution violates the spirit of what truly constitutes an agglomeration expense in that:

- a) The printing services are specifically for several of the City of Montreal's administrative services that is:
 - Développement culturel de la qualité du milieu de vie et de la diversité ethnoculturelle ;
 - Infrastructure transport et environnement;
 - Services des services administratifs – Direction des technologies de l'information ;
 - Mise en valeur du territoire et du patrimoine – Direction des immeubles.
- b) Three of these services support the City of Montreal almost exclusively and the fourth that is Infrastructure/transport and environment is a mixed service;

WHEREAS the original "sommaire décisionnel" recognized this expense as an exclusive Montreal responsibility as it appears on the face of the sommaire and whereas the Agglomeration agenda recognized this expense as a mixed expense in accordance with article 57 of the law, at the very least this should have been considered as a shared expense and not attributed 100% to the Agglomeration;

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

- THAT Council hereby exercises its right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* with respect to the opposed resolution adopted by the Agglomeration Council on April 27, 2006 for awarding of contract to Ricoh Canada Inc. for the supply of equipment and printing services for the new Édifice Louis Charland administration centre, for a period of 7 years – expenditure of \$995,558.63 including taxes;
- THAT Council hereby requests that the Minister accept this objection as properly made under law irrespective of any limitations which may be read into Section 115;
- TO send to the Minister of Municipal Affairs and Regions the objection of the Town of Hampstead with respect to the foregoing opposed resolution;
- TO forward copies of this resolution to the other related municipalities, the Premier of Quebec and the Member of the National Assembly for the D'Arcy-McGee riding.

Adopted

2006-154

DRAFT ADDENDA N°1 TO AGREEMENT FOR PROFESSIONAL SERVICES WITH CONSEILLERS EN GESTION ET INFORMATIQUE CGL INC. FOR THE COMPLETION OF WORKS IN THE FIRST PHASE OF THE E-CITÉ PROJECT AND THE START OF THE SECOND PHASE WORK – EXPENDITURE OF \$795,000 (Agglomeration Dossier N° 1050149003)

WHEREAS on April 27, 2006 the Agglomeration Council adopted a resolution draft addenda N°1 to agreement for professional services with Conseillers en gestion et informatique CGL Inc. for the completion of works in the first phase

of the e-Cité project and the start of the second phase work – expenditure of \$795,000;

WHEREAS according to Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) the right of objection to an Agglomeration Council resolution seems to relate solely to by-laws and the question of how reconstituted municipalities can oppose ordinary resolutions approving agglomeration expenses is left unclear;

WHEREAS the aforementioned contributions are *ultra vires* the powers of the Agglomeration Council and should not even have been receivable as an Agglomeration expense;

WHEREAS the opposed resolution violates the spirit of what truly constitutes an agglomeration expense in that:

- a) According to the relevant documentation, this contract includes expenses exclusively benefiting the City of Montreal such as putting in place a City of Montreal intranet and the development of a software application for the City of Montreal Leisure Department;
- b) According to the justification for this expense on page 20.22/4 the documents states “De plus ces ressources contribuent au développement d’applications et de sites qui constituent un actif informationnel important pour la *Ville*” but does not state why this would be an important asset for the **Agglomeration**;
- c) According to the same documentation “La «e-Cité» permet à la Ville de Montréal de placer le citoyen au Coeur de ses préoccupations et de se rapprocher de ses publics” but does not state in particular as to how residents from reconstituted municipalities will have access to this new electronic service; and
- d) According to the aforementioned relevant documentation the expense of \$795,000 is part of a project to cost \$28 million and there is no justification as to how this total expense is either :
 - an Agglomeration responsibility; or
 - represents costs from which the Agglomeration taxpayers in the reconstituted municipalities will derive any benefit.

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

- THAT Council hereby exercises its right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* with respect to the opposed resolution adopted by the Agglomeration Council on April 27, 2006 for draft addenda N^o1 to agreement for professional services with Conseillers en gestion et informatique CGL Inc. for the completion of work in the first phase of the e-Cité project and the start of the second phase work – expenditure of \$795,000;
- THAT Council hereby requests that the Minister accept this objection as properly made under law irrespective of any limitations which may be read into Section 115;
- TO send to the Minister of Municipal Affairs and Regions the objection of the Town of Hampstead with respect to the foregoing opposed resolution;
- TO forward copies of this resolution to the other related municipalities, the Premier of Quebec and the Member of the National Assembly for the D’Arcy-McGee riding.

2006-155

COUNCIL'S OBJECTION TO THE ADOPTION BY THE AGGLOMERATION COUNCIL OF A RESOLUTION FOR A 10 YEAR LEASE AGREEMENT WITH LA SOCIÉTÉ EN COMMANDITE IMMOBILIÈRE NOTRE-DAME OUEST FOR 23,627.18 SQ. FT. OF OFFICE SPACE AT 740 NOTRE-DAME OUEST AT AN AVERAGE ANNUAL RENT OF \$535,118.34 FOR E-CITÉ/311 OFFICES (Agglomeration Dossier N° 1061195005)

WHEREAS on April 27, 2006 the Agglomeration Council adopted a resolution for a 10 year lease agreement with la Société en Commandite Immobilière Notre-Dame Ouest for 23,627.18 sq. ft. of office space at 740 Notre-Dame Ouest at an average annual rent of \$535,118.34 for e-Cité/311 offices;

WHEREAS according to Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) the right of objection to an Agglomeration Council resolution seems to relate solely to by-laws and the question of how reconstituted municipalities can oppose ordinary resolutions approving agglomeration expenses is left unclear;

WHEREAS the opposed resolution violates the spirit of what truly constitutes an agglomeration expense in that:

- a) the lease in question currently exists and has been paid by the City of Montreal but that this change in mode of financing from the City to the agglomeration being 25.4% of the 1.8 million dollar cost has not been explained or justified;
- b) there is no detailed explanation as to how the aforementioned 25.4% has been arrived at;
- c) the *sommaire décisionnel* it describes the resolution as being «en conformité aux politiques, aux règlements et aux encadrements administratifs» without stating what these policies and procedures are;

WHEREAS as it appears from the *sommaire décisionnel* at page 20.30 par.4. the opposed resolution is conditional upon the approval of the increase in the PTI de la Direction des immeubles in an amount of \$4,648,000 which this Town Council has opposed by way of resolution;

WHEREAS in accordance with the law, the Town Council of Hampstead determined that this opposed resolution requires the approval of the Minister in order to examine as to whether it is well-founded and render a decision in the place of the Agglomeration;

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

- THAT Council hereby exercises its right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* with respect to the opposed resolution adopted by the Agglomeration Council on April 27, 2006 awarding a contract for a 10 year lease agreement with la Société en Commandite Immobilière Notre-Dame Ouest for 23,627.18 sq. ft. of office space at 740 Notre-Dame Ouest at an average annual rent of \$535,118.34 for e-Cité/311 offices;

- THAT Council hereby requests that the Minister accept this objection as properly made under law irrespective of any limitations which may be read into Section 115;
- TO send to the Minister of Municipal Affairs and Regions the objection of the Town of Hampstead with respect to the foregoing opposed resolution;
- TO forward copies of this resolution to the other related municipalities, the Premier of Quebec and the Member of the National Assembly for the D'Arcy-McGee riding.

Adopted

2006-156

COUNCIL'S OBJECTION TO THE ADOPTION BY THE AGGLOMERATION COUNCIL OF A RESOLUTION FOR AN EXTENSION OF A LEASE WITH LA CORPORATION 3738922 CANADA INC. FOR THE RENTAL OF OFFICE SPACE FOR VARIOUS ADMINISTRATIVE SERVICES AT 333 ST-ANTOINE, FOR A TOTAL VALUE OF \$1,076,582.38 (Agglomeration Dossier N° 1061195002)

WHEREAS on April 27, 2006 the Agglomeration Council adopted a resolution for an extension of a lease with la Corporation 3738922 Canada Inc. for the rental of office space, for various administrative services, at 333 St-Antoine, for a total value of \$1,076,582.38;

WHEREAS according to Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) the right of objection to an Agglomeration Council resolution seems to relate solely to by-laws and the question of how reconstituted municipalities can oppose ordinary resolutions approving agglomeration expenses is left unclear;

WHEREAS the opposed resolution violates the spirit of what truly constitutes an agglomeration expense in that:

- a) the *sommaire* states that 55.3% of this cost must be paid by the Agglomeration (\$570,668);
- b) there is no justification provided as to how the 55.3% figure was developed;
- c) additional information is required to validate the request and expenditure;

WHEREAS the Town of Hampstead has filed an opposition in February 2006 with regard to the by-law in relation to mixed expenses adopted at the Agglomeration Council of January 27, 2006;

WHEREAS the Town of Hampstead is still awaiting a decision from the Minister with regard to said opposition;

WHEREAS there are no definitive acceptable criteria which have been adopted and approved by the Minister with regard to what constitutes a mixed expense of the agglomeration and the percentage which may be correctly attributed to the reconstituted municipalities with regard to same;

WHEREAS the presently opposed resolution flows from the original by-law with regard to mixed expenses and thus should be opposed;

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

- THAT Council hereby exercises its right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* with respect to the opposed

resolution adopted by the Agglomeration Council on April 27, 2006 for an extension of a lease with la Corporation 3738922 Canada Inc. for the rental of office space, for various administrative services, at 333 St-Antoine, for a total value of \$1,076,582.38 and which attributes 55.3 % of the cost to the Agglomeration;

- THAT Council hereby requests that the Minister accept this objection as properly made under law irrespective of any limitations which may be read into Section 115;
- TO send to the Minister of Municipal Affairs and Regions the objection of the Town of Hampstead with respect to the foregoing opposed resolution;
- TO forward copies of this resolution to the other related municipalities, the Premier of Quebec and the Member of the National Assembly for the D'Arcy-McGee riding.

Adopted

2006-157

COUNCIL'S OBJECTION TO THE ADOPTION BY THE AGGLOMERATION COUNCIL OF A RESOLUTION FOR A REQUEST TO ADOPT A SUPPLEMENTAL BUDGET OF \$25.4 MILLION FOR PRIORITY INFRASTRUCTURE PROJECTS (Agglomeration Dossier N° 1062689004)

WHEREAS on April 27, 2006 the Agglomeration Council adopted a resolution for a request to adopt a supplemental budget of \$25.4 million for priority infrastructure projects;

WHEREAS according to Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) the right of objection to an Agglomeration Council resolution seems to relate solely to by-laws and the question of how reconstituted municipalities can oppose ordinary resolutions approving agglomeration expenses is left unclear;

WHEREAS the opposed resolution violates the spirit of what truly constitutes an agglomeration expense in that:

- i. the validity of many of these projects as "mixed expense" projects in accordance with article 69 of the law and the percentage to be charged to the Agglomeration must be put into question. For example the e-Cité 311 project which is being charged at 25 %, and the GDD, gestion de demandes de citoyens the Oracle licence for Simon and all other IT expenses which are being billed at 55 % are all in support exclusively of information technology services for the City of Montreal.;
- ii. there is no detailed explanation of the percentage to be charged of these so-called mixed expense projects;
- iii. there is no detailed apparent or beneficial reason to ask for a supplemental budget;
- iv. if these are in fact priorities then 25.4 million dollars should be cut or deferred from the existing budget to a subsequent year so that the 2006 budget remains balanced;

WHEREAS the opposed resolution attempts to amend, by resolution, a budget which was originally adopted by by-law in January 2006 and whereas this opposed resolution is accessory to the original Budget By-law;

WHEREAS the Town Council of Hampstead has filed an opposition to the 2006 budget by-law and is waiting for the decision of the Minister with regard to said opposition;

WHEREAS, in accordance with the law, the Town Council of Hampstead determined that this opposed resolution requires the approval of the Minister in order to examine as to whether it is well-founded and render a decision in the place of the Agglomeration;

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

- THAT Council hereby exercises its right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* with respect to the opposed resolution adopted by the Agglomeration Council on April 27, 2006 for a request to adopt a supplemental budget of \$25.4 million for priority infrastructure projects;
- THAT Council hereby requests that the Minister accept this objection as properly made under law irrespective of any limitations which may be read into Section 115;
- TO send to the Minister of Municipal Affairs and Regions the objection of the Town of Hampstead with respect to the foregoing opposed resolution;
- TO forward copies of this resolution to the other related municipalities, the Premier of Quebec and the Member of the National Assembly for the D'Arcy-McGee riding.

Adopted

2006-158

COUNCIL'S OBJECTION TO THE ADOPTION BY THE AGGLOMERATION COUNCIL OF AN EXPENDITURE OF \$4,487,878.67 FOR THE PURCHASE OF FURNITURE AND EXECUTION OF VARIOUS WORK AT THE ADMINISTRATION CENTER (Agglomeration Dossier N° 1063515001)

WHEREAS on April 27, 2006 the Agglomeration Council adopted a resolution for a total amount of \$4,487,878.67 for the purchase of furniture and execution of various work at the administration center;

WHEREAS according to Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) the right of objection to an Agglomeration Council resolution seems to relate solely to by-laws and the question of how reconstituted municipalities can oppose ordinary resolutions approving agglomeration expenses is left unclear;

WHEREAS the opposed resolution violates the spirit of what truly constitutes an agglomeration expense in that:

- a) no explanation or justification as to how the City of Montreal staff arrived at 49.5% of the proportional cost to the Agglomeration was calculated;
- b) no detailed cost breakdown of the work was provided;
- c) according to the City of Montreal Council resolution 050104 "*ce projet devait se financer à même la vente de différents bâtiments municipaux*"

but the decision does not explain how any financing received shall be returned to the Agglomeration;

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

- THAT Council hereby exercises its right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* with respect to the opposed resolution adopted by the Agglomeration Council on April 27, 2006 awarding a contract in the amount of \$4,487,878.67 for the purchase of furniture and execution of various work at the administration center;
- THAT Council hereby requests that the Minister accept this objection as properly made under law irrespective of any limitations which may be read into Section 115;
- TO send to the Minister of Municipal Affairs and Regions the objection of the Town of Hampstead with respect to the foregoing opposed resolution;
- TO forward copies of this resolution to the other related municipalities, the Premier of Quebec and the Member of the National Assembly for the D'Arcy-McGee riding.

Adopted

2006-159

COUNCIL'S OBJECTION TO THE ADOPTION BY THE AGGLOMERATION COUNCIL TO AUTHORIZE THE DETAILED BREAKDOWN OF 2005 SURPLUS/DEFICIT CALCULATIONS (Agglomeration Dossier N° 1060744001)

WHEREAS on April 27, 2006 the Agglomeration Council adopted a resolution to authorize the detailed breakdown of 2005 surplus/deficit calculations, and any distributions resulting therefrom for the financial year of 2005 by and between the City of Montreal and its boroughs;

WHEREAS, in a letter dated March 15, 2006, the sous-ministre of Municipal Affairs and Regions addressed a letter to the Director General in which he stated that one Mr. Roger Lachance has been appointed as a conciliator between the City of Montreal and the reconstituted municipalities to deal with any issues related to the debts described in article 45 of the Agglomeration Decree 1225-2005 entitled, "*An Act Respecting the exercise of certain municipal powers in certain urban agglomerations*" (R.S.Q. c E-20.001). Moreover, the said letter also stated that, "**Il pourra également examiner tout autre problématique liée au partage de la dette et supporter la municipalité centrale et les municipalités reconstituées dans l'établissement des bilans d'ouverture.**" as it appears from a copy of said letter attached herewith as Annex A;

WHEREAS said letter invites those concerned to, "collaborer avec M. Lachance et à lui fournir toutes les informations dont il a besoin pour qu'il puisse remplir son mandat dans le délai fixé.";

WHEREAS in the case of the former Borough of Côte Saint-Luc–Hampstead–Montreal West, the City of Côte Saint-Luc, the Town of Hampstead and the Town of Montreal West advised the City of Montreal, through a letter of March 24, 2006, attached as Annex B, that the 3 municipalities did not agree with the alleged deficit position for the Borough which the City of Montreal alleged existed in 2005 and never had a reply to that letter or proper information to substantiate Montreal's numbers have not been received;

WHEREAS without financial information being properly provided from Montreal, as requested, the reconstituted municipalities can only rely on their own information which is not consistent with that of the City of Montreal;

WHEREAS the Town of Hampstead has been working in good faith with Mr. Lachance on the 2005 results since he was appointed;

WHEREAS the Hampstead Council was astonished to find that a couple of days before the agglomeration meeting, the City of Montreal planned to adopt the 2005 financial results for the Boroughs at the agglomeration meeting without ever having responded to our concerns, met with us or met with Mr. Lachance on this issue in total disregard for our municipality and Mr. Lachance's mandate;

WHEREAS the recommendations of the aforementioned Mr. Lachance are supposed to be submitted to the Minister by June 15, 2006;

WHEREAS the Agglomeration Council refused to respect the mandate given by the Minister and refused to defer this matter;

WHEREAS the adoption of this resolution is in direct contravention of the mandate of the Minister exercised in this year of transition in virtue of her powers under la *Loi sur l'exercice de certaines compétences municipales dans certaines agglomérations* and the Ministerial decrees;

WHEREAS according to Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) the right of objection to an Agglomeration Council resolution seems to relate solely to by-laws and the question of how reconstituted municipalities can oppose ordinary resolutions approving agglomeration expenses is left unclear;

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

- THAT Council hereby exercises its right of objection stipulated in Section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* with respect to the opposed resolution adopted by the Agglomeration Council on April 27, 2006 adopting the dossier entitled, "Adopter l'affectation des surplus de gestion dégagés de l'exercice financier 2005. Adopter la politique d'attribution, d'utilisation et de renflouement des surplus dégagés de l'exercice financier 2005 et la répartition des surplus de gestion entre les arrondissements";
- THAT Council hereby requests that the Minister accept this objection as properly made under law irrespective of any limitations which may be read into Section 115;
- TO send to the Minister of Municipal Affairs and Regions the objection of the Town of Hampstead with respect to the foregoing opposed resolution;
- TO forward copies of this resolution to the other related municipalities, the Premier of Quebec and the Member of the National Assembly for the D'Arcy-McGee riding.

Adopted

2006-160

**ADOPTION OF SECOND DRAFT BY-LAW N° 727-3 TO FURTHER
AMEND ZONING BY-LAW N° 727**

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

Deferred

2006-161

**ADOPTION – BY-LAW N° 749 – LOAN FOR THE COST OF ROAD
REPAIR AND RESERFACING**

It was proposed by Councillor Abraham Gonshor, seconded by Councillor Leon Elfassy and unanimously resolved to defer this item to a subsequent meeting.

Deferred

2006-162

**CONDOMINIUM CONVERSION - PROPERTY LOCATED AT 5616-
5618 MACDONALD**

WHEREAS the members of Council have reviewed the request to convert the detached bi-family dwelling, located at 5616-5618 MacDonald, Lot 2088452, into a condominium;

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

- THAT, as recommended by the Planning Advisory Committee at its meeting held on April 10th 2006, the aforementioned request for conversion of the property, located at 5616-5618 MacDonald, into a condominium be and is hereby **approved**.

Adopted

2006-163

**REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT 74-
76 HOLTHAM ROAD**

WHEREAS the members of Council have reviewed the request for minor exemption of the property located at 74-76 Holtham Road, Lot 2090064, to permit:

- part of a deck and the space underneath to project 13'8" into the rear yard instead of a maximum of 7'0"; and
- part of a deck and the space underneath to be 8'0" from the side property line instead of the minimum of 9'8",

the whole according to the provisions of articles 6.6.5 and 6.8.1.4 of Zoning By-law N° 727.

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

- THAT, as recommended by the Planning Advisory Committee at its meeting held on April 10, 2006, the request for the aforementioned minor exemption is **not approved**.

Acting Mayor Clifford Borden called for a vote.

Voted in favour:

Councillor Feigenbaum
Councillor Borden
Councillor Gonshor

In favour: 3

Voted against:

Councillor Elfassy

Against: 1

Adopted on Division

2006-164

**URBAN PLANNING AND BUILDING INSPECTIONS – SITE
PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION
PROGRAMS (PIIA) – 5727 QUEEN MARY ROAD**

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

- THAT the site planning and architectural integration programs received March 30th, 2006 showing **the proposed combination of artificial stone and clay brick to the exterior finishes for the second storey rear addition of the detached single family dwelling at 5727 Queen Mary Road** and prepared by **Geiger & Hout**, architects, for the Planning Advisory Committee meeting of May 8th, 2006, is **approved** according to the provisions of Chapter 12 of the Zoning By-law N^o 727 and as recommended by the PAC.

Adopted

2006-165

**URBAN PLANNING AND BUILDING INSPECTIONS – SITE
PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION
PROGRAMS (PIIA) – 153 FINCHLEY ROAD**

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

- THAT the site planning and architectural integration programs received April 27th, 2006 showing **plans and elevations for a rear extension of a detached single family dwelling at 153 Finchley** and prepared by **Geiger & Huot**, architects, for the Planning Advisory Committee meeting of May 8th, 2006, is **approved** according to the provisions of Chapter 12 of the Zoning By-law N^o 727 and as recommended by the PAC.

Adopted

2006-166

**URBAN PLANNING AND BUILDING INSPECTIONS – SITE
PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION
PROGRAMS (PIIA) – 17 BRIARDALE ROAD**

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

- THAT the site planning and architectural integration programs received April 27th, 2006 showing **plans and elevations of a 2nd storey side and**

rear extension to the detached single family dwelling at 17 Briardale Road and prepared by **Agapi+Alt architects**, for the Planning Advisory Committee meeting of May 8th, 2006, 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

2006-167

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 212 NETHERWOOD CRESCENT

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

- THAT the site planning and architectural integration programs received April 27th, 2006 showing **plans and elevations of a 2nd storey rear extension to the detached single family dwelling at 212 Netherwood Crescent** and prepared by **Michel Léger architecte**, for the Planning Advisory Committee meeting of May 8th, 2006, is **approved** according to the provisions of Chapter 12 of the Zoning By-law N^o 727 and as recommended by the PAC.

Adopted

2006-168

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 50 FINCHLEY ROAD

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

- THAT the site planning and architectural integration programs received April 27th, 2006 showing **plans and elevations for the enclosure of the front porch of the detached single family dwelling at 50 Finchley Road** and prepared by **Nathacha Milette**, for the Planning Advisory Committee meeting of May 8th, 2006, is **approved** according to the provisions of Chapter 12 of the Zoning By-law N^o 727 and as recommended by the PAC.

Adopted

2006-169

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

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

- THAT the site planning and architectural integration programs received April 27th, 2006 showing **elevations for a new front entrance canopy and window trim of the detached single family dwelling at 23 Colchester Road** and prepared by **Robert Moskovic, architect**, for the Planning Advisory Committee meeting of May 8th, 2006, is **approved** according to the provisions of Chapter 12 of the Zoning By-law N^o 727 and as recommended by the PAC.

Adopted

2006-170

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 485 DUFFERIN ROAD

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

- THAT the site planning and architectural integration programs received April 27th, 2006 showing **plans and elevations for a two storey side addition of the semi-detached single family dwelling. At 485 Dufferin Road** and prepared by **Michael Finkelstein, architect**, for the Planning Advisory Committee meeting of May 8th, 2006, is **approved** according to the provisions of Chapter 12 of the Zoning By-law No 727 and as recommended by the PAC.

Adopted

2006-171

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 9 BARONSCOURT ROAD

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

- THAT the site planning and architectural integration programs received April 27th, 2006 showing **elevations for a new front entrance, canopy, railings and window trim of the detached single family dwelling at 9 Baronscourt Road** and prepared by **S. Nuckle**, for the Planning Advisory Committee meeting of May 8th, 2006, 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

2006-172

APPROVAL OF LIST OF PART-TIME EMPLOYEES FOR COMMUNITY SERVICES DEPARTMENT

CONSIDERING THAT Council members reviewed the report of the Director of Community Services dated June 5th 2006 with regard to hiring part-time employees;

It was proposed by Councillor Bonnie Feigenbaum, seconded by Leon Elfassy 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, prepared by the Director of Community Services.
- THAT Treasurer's certificate N^o 06-019, dated June 2nd 2006, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2006-173

APPROVAL FOR HIRING OF SECTION CHIEF – SPORTS AND INSTALLATIONS FOR THE COMMUNITY SERVICES DEPARTMENT

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

- THAT the Town Council approves the hiring of Mr. Ian Bresler as Section Chief – Sports and Installations for the Community Services Department, effective July 1st 2006, under the conditions described in the employment contract to be signed between the Town and Mr. Bresler; and
- THAT the Director of Human Resources is authorized to sign, on behalf of the Town of Hampstead, all necessary documents to execute such contract.
- THAT Treasurer's certificate N° 06-020, dated June 2nd 2006, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2006-174

APPROVAL FOR HIRING OF AUXILIARY EMPLOYEES FOR THE PUBLIC WORKS AND THE PUBLIC SECURITY DEPARTMENTS

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

- THAT the Town Council approves the hiring of the following auxiliary employees for the Public Works Department, effective June 6th 2006:

Mr. Gilles Gauthier
Mr. David-Olivier Marcotte
Mr. Benoit Lessard
Mr. Oliver Halickman
Mr. François Bujold;

- THAT the above mentioned auxiliary employees may be assigned to various functions as may be required by the Town. The above-mentioned hiring for the Public Works Department is made in accordance with the provisions of the collective agreement in effect between the S.C.F.P., Local 301 and the Town of Hampstead; and
- THAT the Town Council approves the hiring of the following auxiliary employees for the Public Security Department to be assigned, when required, as Public Security Officers for a period of approximately four months, to be effective June 5th 2006 :

Mr. Demetrios Georgiou
Mr. André Tsakon
Mr. Éric Cutnam;

- THAT the above-mentioned hiring for the Public Security Department is made in accordance with the provisions of the collective agreement in effect between the S.C.F.P., Local 429 and the Town of Hampstead.

- THAT Treasurer's certificate N° 06-021, dated June 2nd 2006, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2006-175

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF MAY 2006

WHEREAS Council reviewed the list of payments for the month of May 2006;

Council discussed the matter and, on motion of Councillor Bonnie Feigenbaum, seconded by Councillor Abraham Gonshor, it was UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from May 1st to May 31st 2006 be and are hereby approved.

Adopted

2006-176

ADOPTION OF PURCHASING POLICY OF THE TOWN OF HAMPSTEAD

WHEREAS the Members of Council deem it expedient to install a policy defining the practices relating to the purchase of goods and services which are necessary to ensure the sound administration of the various municipal services;

WHEREAS Council has received, prior to this meeting, a copy of the proposed "Purchasing Policy" dated May 23rd 2006;

WHEREAS no provision in this policy will have precedence over the specific provisions of the *Cities and Towns Act*;

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

- THAT the "Purchasing Policy" dated May 23rd 2006 be and is hereby approved to take effect immediately.

Adopted

2006-177

AUTHORIZATION TO PAY INVOICES COVERING THE PURCHASE OF TWO 2006 F-250 PICK-UP TRUCKS AND ONE ISOLATED TRUCK TUB FOR HOT ASPHALT, IN CONFORMITY WITH LOAN BY-LAW N° 85-5-009

WHEREAS the Borough Council of Côte Saint-Luc/Hampstead/Montreal West, at their meeting of April 4th 2005, adopted Loan By-law N° 85-5-009, authorizing a loan in the amount of \$311,000 for the acquisition of vehicles and equipment for Hampstead;

WHEREAS on October 25th 2005, the Minister of Municipal Affairs and Regions approved By-law N° 85-5-009; and

WHEREAS, in virtue of this By-law, two pick-up trucks and one asphalt tub were delivered to the Town of Hampstead in 2006;

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

- THAT the following invoices be approved for immediate payment:

Fortier Auto (Montréal) Ltée

Invoice N° 684210	2006 Pick-up Truck	\$ 39,300.18
Invoice N° 684211	2006 Pick-up Truck	\$ 39,300.18
Interest Invoice		\$ 3,759.72

Michel Gohier Ltée

Invoice N° 023809	Asphalt Tub	\$ 37,104.25
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All including taxes

Adopted

SECOND QUESTION PERIOD

Mr. Derek Stern – 17 Lyncroft

- Asked when the Town Council expect to adopt the Second Draft By-law N° 727-3.

Mr. Howard Burak – 5656 Queen Mary

- Stated that it is urgent to repair the pothole on Dufferin.

Mr. Robert Komlos – 72 Cleve

- Asked about the procedure for carrying out road repairs.

2006-178

ADJOURNMENT

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

Adopted

Clifford Borden, Acting Mayor

M^c Chantal Bergeron, Town Clerk