

## **Minutes of Town of Hampstead**

### **MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON JUNE 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

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

**ABSENT:** Councillor Abraham Gonshor

#### **FIRST QUESTION PERIOD**

##### Mr. Gross

- Deposited, with the Town Council, a petition containing 33 signatures of residents who are opposed to a dog run at Langhorne Park.
- Suggested that, in order to proceed with a dog run in Langhorne Park, Council should modify the zoning by-law.

##### Ms. Genziuk

- Questioned whether there is an error in the Mayor's communication regarding the 2007 budget.

##### Ms. Jumelle

- Questioned how the survey, regarding the dog run, could be considered reliable because it seems that her completed questionnaire was not recorded.
- Asked whether the decision to have a dog run at Langhorne Park is final and stated that this park is the only one in the area for residents of Dufferin and Finchley.

##### E. O'Leary

- Asked why the Town needs a dog run.
- Suggested that a dog run would result in foul odors.
- Asked where he will be able to ride his bike.

##### Mr. Shadowitz

- Stated that there is no justification for having a dog run at Langhorne Park and that he would fight to keep the park as is.

##### Ms. Bronet

- Expressed her opposition to having the dog run at Langhorne Park and suggested that there are other locations which would serve the purpose without adversely affecting the residents.

##### Ms. Gordon

- Suggested that most of the people using the dog run would come from outside of Hampstead.
- Complained about dog feces that are not being picked up.
- Complained about people still in the park after 10:00 p.m. and suggested the presence of drug dealers.

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Ms. Sperer

- Asked that the Council reverse their decision on having a dog run at Langhorne Park.

Mr. Hensby

- Asked about the future use of the fire station.

2007-120

### **ADOPTION OF THE AGENDA**

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

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

Adopted

2007-121

### **ADOPTION OF THE MINUTES**

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

- THAT the Minutes of the Regular Council Meeting of May 7, 2007 and of the Special Council Meeting of May 17, 2007 be and are hereby approved as submitted.

Adopted

*Councillor Clifford Borden temporarily left the Meeting.*

2007-122

### **REQUEST THAT THE GOVERNMENT OF QUEBEC ENACT LEGISLATION OBLIGING THE WEARING OF HELMETS BY ANY PERSON RIDING A BICYCLE ON ANY PUBLIC THOROUGHFARE**

WHEREAS the Members of Council of the Town of Hampstead consider the safety and well-being of all citizens a major priority;

WHEREAS municipalities do not have the authority to enact legislation which would enforce the wearing of protective helmets by persons riding bicycles on public thoroughfares;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Leon Elfassy, and UNANIMOUSLY RESOLVED:

- THAT the Council of the Town of Hampstead request that the Government of the Province of Quebec enact legislation which will oblige the wearing of a bicycle helmet by any person, under the age of seventeen (17), riding a bicycle on any public thoroughfare in the Province; and

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- THAT copies of this resolution be sent to the Premier of the Province of Quebec, the M.N.A. for D'Arcy McGee, the Minister of Transport, the Minister of Public Security, the Minister of Municipal Affairs and Regions, the Quebec Association of Municipalities and every municipality in the Montreal Agglomeration.

Adopted

2007-123

### **ADOPTION – BY-LAW N° 759 CONCERNING THE DEMOLITION OF BUILDINGS**

WHEREAS Notice of Motion of By-law N° 759 was given at the Council meeting of May 7, 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 Michael Goldwax, and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 759 entitled: “By-law Concerning the Demolition of Buildings”.

Adopted

2007-124

### **ADOPTION – BY-LAW N° 760 CONCERNING SWIMMING POOLS**

WHEREAS Notice of Motion of By-law N° 760 was given at the Council meeting of May 7, 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 Michael Goldwax, and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 760 entitled: “By-law Concerning Swimming Pools”.

Adopted

2007-125

### **ADOPTION – BY-LAW N° 761 CONCERNING DOGS**

WHEREAS Notice of Motion of By-law N° 761 was given at the Council meeting of May 7, 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 Bonnie Feigenbaum, seconded by Councillor Leon Elfassy, and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 761 entitled: “By-law Concerning Dogs”.

Adopted

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2007-126

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 11 LYNCROFT 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 program received on May 22, 2007 showing **plans and elevations to install a basement level garage in a detached single family dwelling at 11 Lyncroft Road** and prepared by **Geiger and Huot Architects** for the Planning Advisory Committee meeting of May 14, 2007, 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

2007-127

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 58 GLENMORE 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 program received on April 26, 2007 showing **plans and elevations for a 2 storey rear addition and exterior modifications to a detached single family dwelling at 58 Glenmore Road** and prepared by **Bachar & Dubord Architects** for the Planning Advisory Committee meeting of May 14, 2007, 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

2007-128

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 5689 QUEEN MARY 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 program received on April 18, 2007 showing **plans and elevations for a 2 storey addition and exterior modifications to a detached single family dwelling at 5689 Queen Mary Road** and prepared by **Suzane Lasnier Architect** for the Planning Advisory Committee meeting of May 14, 2007, 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

2007-129

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 22 CRESSY ROAD**

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

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- THAT the modified site planning and architectural integration program received on May 2, 2007 showing **elevations for exterior modifications of a detached single family dwelling at 22 Cressy Road** and prepared by **Rubin & Goldenberg Architects** for the Planning Advisory Committee meeting of May 14, 2007, 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

2007-130

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

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On motion of Councillor Leon Elfassy, seconded by Councillor David Sternthal, it was UNANIMOUSLY RESOLVED:

- THAT the modified site planning and architectural integration programs received on May 4, 2007 showing **plans and elevations for a 2 storey rear addition and exterior modifications to a semi-detached single family dwelling at 485 Dufferin Road** and prepared by **Michael Finkelstein Architect** for the Planning Advisory Committee meeting of May 14, 2007, 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

2007-131

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 68 STRATFORD ROAD**

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

- THAT the site planning and architectural integration programs received on April 26, 2007 showing **plans and elevations for a front and rear addition to a detached single family dwelling at 68 Stratford Road** and prepared by **Atelier Oblik Inc.** for the Planning Advisory Committee meeting of May 14, 2007, 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

*Councillor Clifford Borden returned to the Meeting.*

2007-132

### **URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 179 HARLAND ROAD**

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

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- THAT the modified site planning and architectural integration program received on May 22, 2007 showing **plans and elevations for exterior modifications to a detached single family dwelling at 179 Harland Road** and prepared by **Wendy Spatzner** for the Planning Advisory Committee, 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

Intervention of interested persons concerning request for minor exemption at Langhorne Park:

Ms. Sperer

- Expressed her opposition to the approval of the minor exemption for Langhorne Park.

Mr. Gross

- Stated that he is opposed to having the dog run at Langhorne Park and that he will continue pushing for a reversal of decision.

Ms. Gross

- Stated her opposition to the decision for a dog run at Langhorne Park.

Ms. Shadowitz

- Stated that she does not accept the approval for the minor exemption, nor for a dog run at Langhorne Park.

2007-133

**REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT LANGHORNE PARK**

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WHEREAS the members of Council have reviewed the request for minor exemption of the property located at Langhorne Park, Dufferin Road & Langhorne Road, Lot 2088965 to permit a 4'0" high fence to be erected within the front setback along Langhorne Road instead of behind the front setback line, according to the provisions of article 7.6.2 of Zoning By-law No 727;

WHEREAS the Planning Advisory Committee, at its meeting held on May 14, 2007, recommended to approve the aforementioned request for minor exemption;

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

- THAT the aforementioned request for a minor exemption for the property located at Langhorne Park on Lot 2088965 is **approved**.

Mayor William Steinberg called for a vote.

**Voted in favour:**

Councillor Feigenbaum  
Councillor Borden  
Councillor Elfassy

**In favour: 3**

**Voted against:**

Councillor Goldwax  
Councillor Sternthal

**Against: 2**

Adopted on Division

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2007-134

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF MAY 2007**

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WHEREAS Council reviewed the list of payments for the month of May 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 May 1 to 30, 2007, in the amount of \$ 432,568.73, is hereby approved.

Adopted

2007-135

**PAYMENT OF SECOND INSTALMENT OF HAMPSTEAD'S SHARE OF COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL 2007 ANNUAL EXPENSES**

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

- THAT the Town of Hampstead pays the second instalment, in the amount of \$133,698.31 for their share of expenses for the 2007 operations of the 'Communauté métropolitaine de Montréal'; and
- THAT Treasurer's certificate N° 07-024 dated May 22, 2007 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2007-136

**DEPOSIT OF THE FIRST COMPARATIVE STATEMENTS OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR 2007**

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In accordance with Section 105.4 of the *Cities and Towns Act*, the Town Treasurer hereby deposited the following:

- 1) statement of revenues and expenditures as at May 31, for the fiscal year 2007, compared with the same period for the fiscal year 2006; and
- 2) statement of projected revenues and expenditures for the fiscal year 2007, at the time of the statement's preparation, compared with those provided for in the budget for the year 2007.

2007-137

**AUTHORIZATION TO PAY INVOICES COVERING HAMPSTEAD'S SHARE OF MONTREAL WEST / HAMPSTEAD MINOR HOCKEY EXPENSES AND ICE TIME**

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WHEREAS the Town of Hampstead participates in the hockey program housed in Montreal West under the supervision of the Montreal West Civic Recreation Association;

WHEREAS the Director of Community Services has recommended that the invoices received from the Montreal West Civic Recreation Association represent Hampstead's share of expenses and ice time.

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

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- THAT the following invoices be approved for immediate payment:

**Montreal West Civic Recreation Association**

Hampstead Portion of Expenses \$ 18,295.05  
(September 1, 2006 to April 30, 2007)

**Montreal West Civic Recreation Association**

Hampstead Portion of Ice Time \$ 33,265.00  
(September 1, 2006 to April 30, 2007)

- THAT Treasurer's certificate N° 07-025, dated May 28, 2007, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Mayor William Steinberg called for a vote.

**Voted in favour:**

Councillor Feigenbaum  
Councillor Borden  
Councillor Goldwax  
Councillor Sternthal

**Voted against:**

Councillor Elfassy

**In favour: 4**

**Against: 1**

Adopted on Division

2007-138

**GRANTING OF CONTRACT – CONSTRUCTION OF SIDEWALKS,  
DRIVEWAY ENTRANCES AND CURBS**

WHEREAS there has been a public call for tenders for the contract of construction of sidewalks, driveway entrances and curbs – year 2007;

WHEREAS, after analysing the tenders opened on June 4<sup>th</sup>, 2007, the lowest bidder conforming to the requirements of the tender invitation is Les Entreprises Canbec Construction inc.;

On motion of Councillor Clifford Borden, 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:

**LES ENTREPRISES CANBEC CONSTRUCTION INC.**

Construction and repairs of sidewalks,  
entrances and curbs \$ 104,240.00  
(as per specifications)

G.S.T. 6% \$ 6,254.40  
Q.S.T. 7.5% \$ 8,287.08  
Grand total taxes included \$ 118,781.48

- THAT Treasurer's Certificate N° 07-026, dated June 4<sup>th</sup>, 2007, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

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2007-139

### **MANDATE TO THE CITY OF DOLLARD-DES-ORMEAUX TO CARRY OUT A GROUP CALL FOR TENDERS FOR THE COLLECTION OF RECYCLABLES**

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WHEREAS the City of Dollard-des-Ormeaux has offered to orchestrate a group call for tenders, on behalf of participating municipalities, for the collection of recyclables;

WHEREAS the Division Chief of Purchasing will act as representative of the Town of Hampstead in this regard;

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

- THAT the Council authorizes the Town of Hampstead's participation in a group call for tenders for the granting of a contract for the collection of recyclables;
- THAT the Town of Hampstead delegates the City of Dollard-des-Ormeaux to prepare the specifications and other tender documents; to proceed with the call for tenders; to receive and to analyze the submissions; and to report the results to the participating municipalities;
- THAT the Town of Hampstead reserves the right to adjudicate the proposed contract; and
- THAT, after the opening of tenders and the study of the cost to each of the participating municipalities, Town of Hampstead will have the right to confirm or to cancel its participation in the proposed group contract for the collection of recyclables.

Adopted

2007-140

### **MANDATE TO THE CITY OF POINTE-CLAIRE TO CARRY OUT A GROUP CALL FOR TENDERS FOR THE PURCHASE OF RECYCLING BINS**

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WHEREAS the City of Pointe-Claire has offered to orchestrate a group call for tenders, on behalf of participating municipalities, for the purchase of recycling bins;

WHEREAS the Division Chief of Purchasing will act as representative of the Town of Hampstead in this regard;

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

- THAT the Council authorizes the Town of Hampstead's participation in a group call for tenders for the granting of a contract for the purchase of recycling bins;
- THAT the Town of Hampstead delegates the City of Pointe-Claire to prepare the specifications and other tender documents; to proceed with the call for tenders; to receive and to analyze the submissions; and to report the results to the participating municipalities;

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- THAT the Town of Hampstead reserves the right to adjudicate the proposed contract; and
- THAT, after the opening of tenders and the study of the cost to each of the participating municipalities, Town of Hampstead will have the right to confirm or to cancel its participation in the proposed group contract for the purchase of recycling bins.

Adopted

2007-141

### **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 June 2007, with regard to hiring auxiliary employees;

It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Leon Elfassy, 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 June 2007, prepared by the Director of Community Services.

Adopted

2007-142

### **END OF TRIAL PERIOD AND END OF EMPLOYMENT OF EMPLOYEE NUMBER 1171 AS "SECRETARIAL CLERK"**

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

- TO RATIFY the decision to end the trial period and the employment of Employee Number 1171 as "Secretarial Clerk" effective May 14, 2007.

Adopted

2007-143

### **CREATION OF THE POSITION OF LIEUTENANT AND ABOLITION OF A CONSTABLE POSITION IN THE PUBLIC SECURITY DEPARTMENT OF THE TOWN OF HAMPSTEAD**

WHEREAS the Members of Council deem it preferable, in lieu and place of the position of "Constable", to create the position of "Lieutenant" to ensure the sound administration of the of the Town's Public Security Department;

It was proposed by Councillor David Sternthal, seconded by Councillor Leon Elfassy, and UNANIMOUSLY RESOLVED:

- THAT a position of "Constable" with the Public Security Department be, and is hereby, abolished in accordance with the provisions of the applicable collective agreement;
- THAT the position of "Lieutenant", with the Public Security Department, be and is hereby created in accordance with the provisions of the applicable collective agreement; and

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- THAT the said abolition and creation shall become effective immediately, subject to the provisions of the applicable collective agreement.

Adopted

### **SECOND QUESTION PERIOD**

#### Ms. Genziuk

- Asked to know the amount of the May disbursements.
- Asked why the Council abolished the position of Lieutenant in November 2006 and is now re-establishing it.
- Asked how many civic addresses there are in Hampstead.

#### Mr. Gold

- Asked why Councillor Elfassy is opposed to agenda item 7.4.

2007-144

### **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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Me Chantal Bergeron, Town Clerk