

**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON MARCH 1<sup>ST</sup>, 2006, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, HAMPSTEAD, AT 7:00 P.M.**

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**THOSE PRESENT WERE:** Mayor William Steinberg, Councillors Anne-Marie Boucher, Bonnie Feigenbaum, Leon Elfassy and David Sternthal, forming a quorum.

**ABSENT:** Councillors Clifford Borden and Abraham Gonshor

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

**FIRST QUESTION PERIOD**

There were no questions.

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**APPROVAL OF THE AGENDA**

On motion of Councillor Anne-Marie Boucher, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

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

Approved

2006-51

**OBJECTION OF THE COUNCIL TO THE ADOPTION BY THE AGGLOMERATION COUNCIL OF THE *RÈGLEMENT AUTORISANT UN EMPRUNT DE 16 000 000 \$ POUR LE DÉVELOPPEMENT DE PROJETS MUNICIPAUX ADMISSIBLES AU FORUM DES ÉQUIPEMENTS CULTURELS LOCALISÉS DANS LE TERRITOIRE DE LA VILLE DE MONTRÉAL***

WHEREAS under section 115 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., ch. E-20.001) (the "Act"), a related municipality may object to the Minister of Municipal Affairs and Regions to by-laws adopted by the Agglomeration Council;

WHEREAS at its meeting held February 2, 2006, the Agglomeration Council adopted the *Règlement autorisant un emprunt de 16 000 000 \$ pour le développement de projets municipaux admissibles au Forum des équipements culturels* located in the territory of the City of Montréal;

WHEREAS according to section 115 of the Act, and considering the present objection, this by-law shall require the approval of the Minister of Municipal Affairs and Regions;

WHEREAS section 40 of the Act lists the conditions that the equipment, infrastructures and activities must meet in order to be considered of collective interest;

WHEREAS the main use of the proceeds of the loan as stipulated in the by-law is related to local equipment under the jurisdiction of the City of Montréal Municipal Council and not of the Agglomeration Council;

WHEREAS the Agglomeration Council did not adopt the by-law as set forth in section 39 of the Act establishing the list of equipment and infrastructures eligible for funding under the Forum of cultural equipment;

WHEREAS the Agglomeration Council did not adopt the by-law as set forth in section 31 of the Act which must be adopted considering the various nature of the equipment admissible for financing under the Forum of cultural equipment;

WHEREAS the loan by-law is related to an amount exceeding nearly double the budget indicated in the Agglomeration's 2006-2008 Capital Expenditure Programme;

WHEREAS a detailed analysis of the documents submitted to the Agglomeration Council to justify the by-law was made and that the motives for appealing the by-law are fully listed on the document entitled « Motifs qui sous-tendent la décision de la Ville de Hampstead de se prévaloir de son droit d'opposition en vertu de l'article 115 de la *Loi sur l'exercice de certaines compétences municipales dans certaines agglomérations* (« Loi 75 ») en regard du *Règlement autorisant un emprunt de 16 000 000 \$ pour le développement de projets municipaux admissibles au Forum des équipements culturels situés sur le territoire de la Ville Montréal* », which forms integral part of this resolution;

WHEREAS said by-law is subject to the right of objection stipulated in Section 115 of the Act;

WHEREAS under Section 115 of the Act, an authenticated copy of the resolution setting out the objection is sent simultaneously to the Minister and every other related municipality within the same 30-day period;

On motion of Councillor Anne-Marie Boucher, seconded by Councillor Leon Elfassy, it was UNANIMOUSLY RESOLVED:

- THAT the 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 *Règlement autorisant un emprunt de 16 000 000 \$ pour le développement de projets municipaux admissibles aux Forum des équipements culturels*;
- THAT a copy of the objection of the Town of Hampstead with respect to the *Règlement autorisant un emprunt de 16 000 000 \$ pour le développement de projets municipaux admissibles aux Forum des équipements culturels* by sent to the Minister of Municipal Affairs and Regions ;
- THAT the document attached to this resolution entitled "Motifs qui sous-tendent la décision de la municipalité de Hampstead de se prévaloir de son droit d'opposition en vertu de l'article 115 de la *Loi sur l'exercice de certaines compétences municipales dans certaines agglomérations* » (« Loi 75 ») en regard du *Règlement autorisant un emprunt de 16 000 000 \$ pour le développement de projets municipaux admissibles aux Forum des équipements culturels* ", which sets forth the motives of objection of the Town of Hampstead with respect to the *Règlement autorisant un emprunt de 16 000 000 \$ pour le développement de projets municipaux admissibles aux Forum des équipements culturels* be sent to the Minister of Municipal Affairs and Regions simultaneously with the abovementioned objection;
- THAT copies of this resolution be forwarded to Mr. Lawrence Bergman, member of the National Assembly for the D'Arcy-McGee riding and to the other related municipalities.

Approved

**SECOND QUESTION PERIOD**

There were no questions.

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**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.

Approved

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William Steinberg, Mayor

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Me Chantal Bergeron, Town Clerk