

**Minutes of Town of Hampstead**

**MINUTES OF THE SPECIAL MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON OCTOBER 27, 2006, AT THE COMMUNITY CENTRE, 30 LYNCROFT ROAD, AT 8:00 A.M.**

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**THOSE PRESENT WERE:** Mayor William Steinberg, Councillors Bonnie Feigenbaum, Clifford Borden, Michael Goldwax and Abraham Gonshor, 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

**ABSENT:** Councillors Leon Elfassy and David Sternthal

**FIRST QUESTION PERIOD**

There were no questions.

2006-292

**APPROVAL OF THE AGENDA**

On motion of Councillor Michael Goldwax, seconded by Councillor Clifford Borden it was UNANIMOUSLY RESOLVED:

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

Adopted

2006-293

**TAX RELIEF MEASURES AND PROGRAMME OF INTEREST SUBSIDY (GOVERNMENT OF QUEBEC DECREE 1210-2005, ARTICLE 3 OF DECEMBER 7, 2005) FISCAL YEAR 2006**

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WHEREAS the Council of the Agglomeration of Montreal has adopted their budget for the 2006 fiscal year;

WHEREAS the fiscal burden of immovables in the category of immovables consisting of six or more dwellings and the residual category situated in the territory of the Town of Hampstead exceeds 105% of the fiscal burden established for these categories for the 2005 fiscal year;

WHEREAS the Council of the Town of Hampstead wishes to ease the impact of this budget on the taxes of the owners of these immovables; and

WHEREAS decree 1210-2005 was enacted on December 7, 2005;

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

1. THAT the Town Council takes advantage, under the prescribed provisions of sections 2 to 9 of Decree 1210-2005, toward the category of immovables consisting of six or more dwellings and the residual category;

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2. THAT the sum of \$ 1,466,323 be paid to the City of Montreal in order to diminish the amount of taxes for 2006 imposed on the immovables of each of the following categories situated in the Town of Hampstead as detailed below:

<u>Category</u>	<u>Amount</u>
Category of immovables consisting of six or more dwellings	\$ 32,974
Residual category	\$ 1,433,349

3. THAT a certified copy of this resolution be sent to the City of Montreal and to the Minister of Municipal Affairs and Regions.

Adopted

2006-294

**NOTICE OF MOTION – BY-LAW N° 753 – LOAN FOR PAYMENT TO THE CENTRAL MUNICIPALITY TO REDUCE THE RATE OF AGGLOMERATION TAXES (2006), BY VIRTUE OF SECTIONS 3 AND THOSE FOLLOWING OF DECREE 1210-2005**

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NOTICE OF MOTION was given by Councillor Michael Goldwax, that, at a subsequent meeting of Council, By-law N° 753, authorizing a loan for payment to the central municipality to reduce the rate of agglomeration taxes, by virtue of sections 3 and those following of decree 1210-2005, will be submitted to Council for adoption.

All Council members have received a copy of Loan By-law N° 753 prior to this Council Meeting and a motion to dispense with the reading of the said by-law was made.

2006-295

**TAX RELIEF MEASURES AND PROGRAMME OF INTEREST SUBSIDY (GOVERNMENT OF QUEBEC DECREE 1210-2005, ARTICLE 3 OF DECEMBER 7, 2005) FISCAL YEAR 2007**

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WHEREAS the Council of the Agglomeration of Montreal will adopt their budget for the 2007 fiscal year;

WHEREAS the fiscal burden of immovables in the category of immovables consisting of six or more dwellings and the residual category situated in the territory of the Town of Hampstead exceeds 105% of the fiscal burden established for these categories for the 2005 fiscal year;

WHEREAS the Council of the Town of Hampstead wishes to ease the impact of this budget on the taxes of the owners of these immovables; and

WHEREAS decree 1210-2005 was enacted on December 7, 2005;

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

1. THAT the Town Council takes advantage, under the prescribed provisions of sections 2 to 9 of Decree 1210-2005, toward the category of immovables consisting of six or more dwellings and the residual category;

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2. THAT the sum of \$ 1,173,058 be paid to the City of Montreal in order to diminish the amount of taxes for 2007 to be imposed on the immovables of each of the following categories situated in the Town of Hampstead as detailed below:

<u>Category</u>	<u>Amount</u>
Category of immovables consisting of six or more dwellings	\$ 26,379
Residual category	\$ 1,146,679

3. THAT a certified copy of this resolution be sent to the City of Montreal and to the Minister of Municipal Affairs and Regions.

Adopted

2006-296

### **NOTICE OF MOTION – BY-LAW N° 754 – LOAN FOR PAYMENT TO THE CENTRAL MUNICIPALITY TO REDUCE THE RATE OF AGGLOMERATION TAXES (2007), BY VIRTUE OF SECTIONS 3 AND THOSE FOLLOWING OF DECREE 1210-2005**

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NOTICE OF MOTION was given by Councillor Clifford Borden, that, at a subsequent meeting of Council, By-law N° 754, authorizing a loan for payment to the central municipality to reduce the rate of agglomeration taxes, by virtue of sections 3 and those following of decree 1210-2005, will be submitted to Council for adoption.

All Council members have received a copy of Loan By-law N° 754 prior to this Council Meeting and a motion to dispense with the reading of the said by-law was made.

2006-297

### **REGISTRATION OF THE TOWN OF HAMPSTEAD TO THE PROGRAM TO REDISTRIBUTE THE CHARGES FOR THE DISPOSAL OF RESIDUAL MATERIALS TO MUNICIPALITIES**

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WHEREAS the government adopted the *Act respecting the charges payable for the disposal of residual materials* by decree 340-2006 published May 24, 2006 in the *Gazette officielle du Québec* and through the terms of this Act, effective June 23, 2006, a charge of 10 dollars is levied for every metric tonne of residual material disposed of in a site specified in the Regulation;

WHEREAS municipalities must directly or indirectly pay the charges for the disposal of residual materials to be eligible for the grant program;

WHEREAS by virtue of the agreement on redistributing, in the form of grants, the charges collected through application of the *Regulation respecting the charges payable for the disposal of residual materials* concluded between the Minister of Sustainable Development, Environment and Parks, the Fédération québécoise des municipalités locales et régionales and the Union des municipalités du Québec, the Minister committed to the redistribution of 85% of the fees collected annually through the application of this Regulation to municipalities;

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WHEREAS by virtue of the program to redistribute the charges for the disposal of residual materials to municipalities adopted by the government (decree 341-2006) and in accordance with the Agreement, an eligible municipality registered in the Program is guaranteed to receive until 2010 as a grant, at a minimum, the amount it will have paid in charges for the disposal of its residential residual materials;

WHEREAS this grant will contribute to the financing of municipal activities with respect to the implementation of the residual material management plan covering its territory (Plan de gestion des matières résiduelles or PGMR);

WHEREAS the municipality is covered by the PGMR of the Communauté métropolitaine de Montréal in effect since August 22, 2006;

WHEREAS the municipality is responsible for the implementation of the PGMR of the Communauté métropolitaine de Montréal;

WHEREAS, to obtain this grant, an eligible municipality must register in the Program and a resolution is required to this effect;

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

- THAT the Town of Hampstead ask to be registered in the *Programme to redistribute the charges for the disposal of residual materials to municipalities*;
- THAT the Town of Hampstead agrees to respect the accountability stipulations specified in the *Programme to redistribute the charges for the disposal of residual materials to municipalities*. These include, on one hand, supplying the Minister, within 30 days of reception by the treasurer of the auditor's report in accordance with Section 108.3 of the *Cities and Towns Act*, with a notice from this auditor attesting that the municipality has respected the Program's requirements and that the sums have been used for the designated ends. Secondly, the municipality must demonstrate, upon request and to the Minister's satisfaction, that the expenses incurred for the implementation of its residual material management plan match or exceed the grant allocated in the context of this program;
- THAT the Town of Hampstead authorizes the Ministry of Sustainable Development, Environment and Parks and RECYC-QUÉBEC to share the information they have from the municipality or regarding the municipality with respect to the Regulation, the Program, the recycling compensation regime and the municipal management of residual materials; and
- THAT the Town of Hampstead authorizes the Treasurer or the Director General, in the absence of the Treasurer, to forward to the Ministry of Sustainable Development, Environment and Parks, all of the information required for registration, and the respect and smooth operation of the Program.

Adopted

**Procès-verbaux de la Ville de Hampstead**

2006-298

**SIGNING OF AN AGREEMENT AUTHORIZING THE CITY OF MONTREAL TO ISSUE NOTICES OF ASSESSMENT OR MODIFICATION TO THE PROPERTY ASSESSMENT ROLL**

WHEREAS, as stated in Paragraph 1, Section 19 of the *Act Respecting the Exercise of Certain Municipal Powers in Certain Urban Agglomerations* (R.S.Q., c.E-20.001), municipal assessment is an agglomeration power and, according to Section 17 of the *Act*, the City of Montreal acts in this matter;

WHEREAS the territory of the Town of Hampstead forms a part of the territory of the Montreal Agglomeration;

WHEREAS, as stated in Sections 81 and 180 of the *Act Respecting Municipal Taxation* (R.S.Q.c. F-2.1), the Town of Hampstead must send notices of assessment or modification to the property assessment roll to the owners of units of assessment within the Town's territory;

WHEREAS it is in the interest of the Town of Hampstead to sign an agreement with the City of Montreal stipulating that the latter issue and send one notice of assessment or modification to the property assessment roll to the owners of units of assessment, thereby relieving the Town of the obligation to repeat the procedure carried out by the City of Montreal; and

WHEREAS, according to the Agreement, the Town of Hampstead will not have any financial obligation to the City of Montreal for the issuing of said notices;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Abraham Gonshor and UNANIMOUSLY RESOLVED:

- THAT the Mayor and the Town Clerk are authorized, on behalf of the Town of Hampstead, to sign an agreement with the City of Montreal concerning the issuing of notices of assessment or modification to the property assessment roll.

Adopted

**SECOND QUESTION PERIOD**

There were no questions

2006-299

**ADJOURNMENT**

All the subjects of the Agenda having been discussed, it was proposed by Councillor Michael Goldwax 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