

Minutes of Town of Hampstead

MINUTES OF THE REGULAR COUNCIL MEETING OF THE TOWN OF HAMPSTEAD HELD ON WEDNESDAY, JUNE 8, 2022, AT 8:00 PM, AT THE IRVING L. ADESSKY COMMUNITY CENTRE, 30, RUE LYNCROFT, HAMPSTEAD, QUÉBEC.

THOSE PRESENT WERE: Mayor Jeremy Levi, Councillors Michael Goldwax, Jack Edery, Leon Elfassy, Jason Farber, Warren Budning and Harvey Shaffer, and forming a quorum with Mayor Levi presiding.

**Councillor Leon Elfassy joins the meeting at 8:02 pm.*

ALSO PRESENT: Mr. Yves Mailhot, as acting Director General, and Mrs. Brinda Permal-Vardin, Deputy Town Clerk, acting as Secretary of the meeting.

IS ABSENT: Mr. Richard Sun, Director General

OPENING OF MEETING

The Mayor called the meeting to order at 8:00 pm.

PUBLIC QUESTION PERIOD

The Mayor invited persons present to ask their questions.

- Questions were asked by members of the public and answered by the Mayor and the Councillors.

RESOLUTION 2022-155

MODIFICATION OF THE AGENDA.

It is proposed by Councillor Harvey Shaffer, seconded by Councillor Michael Goldwax, and UNANIMOUSLY RESOLVED:

- **TO AMEND** the agenda as proposed in order to add thereto the following item:

9.1 Granting of contract for the lead sampling in drinking water campaign.

Adopted

RESOLUTION 2022-156

ADOPTION OF THE MODIFIED AGENDA.

It is proposed by Councillor Harvey Shaffer, seconded by Councillor Jason Farber, and UNANIMOUSLY RESOLVED:

- **THAT** the modified agenda of the Regular Council Meeting is hereby adopted.

Adopted

RESOLUTION 2022-157

ADOPTION OF THE MINUTES OF THE PUBLIC CONSULTATION MEETING, AND OF THE REGULAR COUNCIL MEETING HELD ON MAY 2, 2022, AS WELL AS OF THE SPECIAL COUNCIL MEETING HELD ON MAY 5, 2022.

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

- **THAT** the minutes of the public consultation meeting, and of the Regular council meeting held on May 2, 2022, as well as of the Special council meeting held on May 5, 2022, are hereby approved as submitted.

Adopted

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RESOLUTION 2022-158

DEPOSIT OF THE MINUTES OF THE REGULAR PAC MEETING HELD ON MAY 9, 2022.

Each member of the Council having received copy, the Deputy Town Clerk deposits the minutes of the Regular Planning Advisory Committee meeting held on May 9, 2022.

The Council takes note of the deposit of the said minutes by the Deputy Town Clerk.

RESOLUTION 2022-159

REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001, FOR A DETACHED SINGLE-FAMILY DWELLING LOCATED AT 5656, CHEMIN QUEEN-MARY, LOT NO. 2 089 560, ZONE RA-1, (ZONING BY-LAW NO. 1001) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013).

CONSIDERING THAT the members of Council have reviewed the request for a minor exemption to Zoning By-law no. 1001:

1. To section 107, to allow in the right-side yard, a retaining wall for a vehicular access at 0 m (0 ft) of a landside boundary line instead of 1.0 m (3.28 ft);

CONSIDERING THAT the Planning Advisory Committee, on its meeting held on April 11, 2022, recommended to ***conditionally approve*** the request for a minor exemption to Zoning By-law no. 1001;

It is proposed by Councillor Michael Goldwax, seconded by Councillor Jason Farber, and UNANIMOUSLY RESOLVED:

- **THAT** the request for a minor exemption to Zoning By-law no. 1001 for the property located at **5656, chemin Queen-Mary**, lot no. 2 089 560, Zone RA-1, is **conditionally approved**, as recommended by the PAC, provided that:
 - The maximum height of the retaining wall at around 0.75 m is acceptable;
 - A guardrail is needed on top of the wall for safety;
 - The concrete blocks design of the retaining wall must be supervised by a structural engineer;
 - The Minor Exemption for the driveway is acceptable.

No written intervention received by the Deputy Town Clerk regarding the request for a Minor Exemption for a project located at 5656, chemin Queen-Mary.

Adopted

RESOLUTION 2022-160

REQUEST TO AUTHORIZE AN ADDITION ON THE REAR YARD, WITH FACADES MODIFICATIONS, FOR A DETACHED SINGLE-FAMILY DWELLING LOCATED AT 5656, CHEMIN QUEEN-MARY, LOT NO. 2 089 560, ZONE RA-1, (ZONING BY-LAW NO. 1001), (SPAIP BY-LAW NO. 775).

It is proposed by Councillor Warren Budning, seconded by Councillor Harvey Shaffer, and UNANIMOUSLY RESOLVED:

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- **THAT** the request to authorize an addition on the rear yard, with facades modifications, for a detached single-family dwelling located at **5656, chemin Queen-Mary**, and submitted to the Planning Advisory Committee meeting on April 11, 2022, is **conditionally approved**, as recommended by the PAC, provided that:
 - Only one dormer on the right-side roof is acceptable instead of two;
 - The new design is acceptable.

The proposed project only partially meets the prescribed standards of the Zoning By-law no. 1001 and only partially meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

RESOLUTION 2022-161

REQUEST TO AUTHORIZE TWO (2) MINOR EXEMPTIONS TO ZONING BY-LAW NO. 1001, FOR A DETACHED SINGLE-FAMILY DWELLING LOCATED AT 7, CROISSANT MERTON, LOT NO. 2 088 873, ZONE RA-1, (ZONING BY-LAW NO. 1001) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013).

CONSIDERING THAT the members of Council have reviewed the request for two (2) minor exemptions to Zoning By-law no. 1001:

2. To section 65, Schedule B, to allow, in the rear yard, a setback at 7.34 m (24.08 ft) instead of 7.773 m (25.5 ft);
3. To section 76, to allow, in the left-side yard, a mechanical equipment at 1.33 m (4.36 ft) of a landside boundary line instead of 1.5 m (4.92 ft).

CONSIDERING THAT the Planning Advisory Committee, on its meeting held on April 11, 2022, recommended to **approve** the request for two (2) minor exemptions to Zoning By-law no. 1001;

It is proposed by Councillor Warren Budning, seconded by Councillor Harvey Shaffer, and UNANIMOUSLY RESOLVED:

- **THAT** the request for two (2) minor exemptions to Zoning By-law no. 1001 for the property located at **7, croissant Merton**, lot no. 2 088 873, Zone RA-1, is **approved**.

No written intervention received by the Deputy Town Clerk regarding the request for Minor Exemptions for a project located at 7, croissant Merton.

Adopted

RESOLUTION 2022-162

REQUEST TO AUTHORIZE FACADES MODIFICATIONS FOR A DETACHED SINGLE-FAMILY DWELLING LOCATED AT 85, RUE DOWNSHIRE, LOT NO. 2 089 795, ZONE RA-2, (ZONING BY-LAW NO. 1001) AND (SPAIP BY-LAW NO. 775).

It is proposed by Councillor Warren Budning, seconded by Councillor Harvey Shaffer, and UNANIMOUSLY RESOLVED:

- **THAT** the request to authorize facades modifications for a detached single-family dwelling located at **85, rue Downshire**, and submitted to the Planning Advisory Committee meeting on May 9, 2022, is **conditionally approved**, as recommended by the PAC, provided that:
 - The top of the retaining walls on both sides of the driveway should not exceed the adjacent level of the soil;
 - The project is acceptable.

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The proposed project meets the prescribed standards of the Zoning By-law no. 1001 and meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

RESOLUTION 2022-163

REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001, FOR A DETACHED SINGLE-FAMILY DWELLING LOCATED AT 5706, CHEMIN QUEEN-MARY, LOT NO. 2 089 605, ZONE RA-1, (ZONING BY-LAW NO. 1001) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013).

CONSIDERING THAT the members of Council have reviewed the request for a minor exemption to Zoning By-law no. 1001:

1. To section 65, Schedule B, to allow, in the left-side yard, a setback at 2 m (6.56 ft) instead of 2.29 m (7.5 ft).

CONSIDERING THAT the Planning Advisory Committee, on its meeting held on May 9, 2022, recommended to *approve* the request for a minor exemption to Zoning By-law no. 1001;

It is proposed by Councillor Warren Budning, seconded by Councillor Harvey Shaffer, and UNANIMOUSLY RESOLVED:

- **THAT** the request for a minor exemption to Zoning By-law no. 1001 for the property located at *5706, chemin Queen-Mary*, lot no. 2 089 605, Zone RA-1, is *approved*.

No written intervention received by the Deputy Town Clerk regarding the request for a Minor Exemption for a project located at 5706, chemin Queen-Mary.

Adopted

**Recess from 9:21 pm to 9:25 pm.*

RESOLUTION 2022-164

REQUEST TO AUTHORIZE FOUR (4) MINOR EXEMPTIONS TO ZONING BY-LAW NO. 1001, FOR A DETACHED SINGLE-FAMILY DWELLING LOCATED AT 75, RUE CLEVE, LOT NO. 2 089 236, ZONE RA-2, (ZONING BY-LAW NO. 1001) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013).

CONSIDERING THAT the members of Council have reviewed the request for four (4) minor exemptions to Zoning By-law no. 1001:

1. To section 107, to allow, in the left-side yard, a retaining wall for a vehicular access at 0 m (0 ft) of a landside boundary line instead of 1.0 m (3.28 ft);
2. To section 116, to allow, in the front yard, a strip of grass or natural plant material of 0.0 m (0.0 ft) instead of 1.0 m (3.28 ft) between a vehicular access and a pedestrian access;
3. To section 118, to allow, in the front yard, the combined width of the vehicular access and the pedestrian access at 56.6% of the lot width instead of 40%;
4. To section 152, to allow, in the left-side yard, a patio and a stair at 0 m (0 ft) from a boundary line instead of 1.0 m (3.28 ft).

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CONSIDERING THAT the Planning Advisory Committee, on its meeting held on May 9, 2022, recommended to *defer* the request for four (4) minor exemptions to Zoning By-law no. 1001;

It is proposed by Councillor Warren Budning, seconded by Councillor Harvey Shaffer, and UNANIMOUSLY RESOLVED:

- **TO APPROVE** the request for a minor exemption to Section 107 of Zoning By-law no. 1001, to allow, in the left-side yard, a retaining wall for a vehicular access at 0 m (0 ft) of a landside boundary line instead of 1.0 m (3.28 ft), for the property located at **75, rue Cleve**, lot no. 2 089 236, Zone RA-2, and this notwithstanding the PAC recommendation to defer;
- **TO DEFER**, as recommended by the PAC, the request for a minor exemption to Section 116 of Zoning By-law no. 1001, to allow, in the front yard, a strip of grass or natural plant material of 0.0 m (0.0 ft) instead of 1.0 m (3.28 ft) between a vehicular access and a pedestrian access, for the property located at **75, rue Cleve**, lot no. 2 089 236, Zone RA-2;
- **TO APPROVE** the request for a minor exemption to Section 118 of Zoning By-law no. 1001, to allow, in the front yard, the combined width of the vehicular access and the pedestrian access at 56.6% of the lot width instead of 40%, for the property located at **75, rue Cleve**, lot no. 2 089 236, Zone RA-2, and this notwithstanding the PAC recommendation to defer;
- **TO DEFER**, as recommended by the PAC, the request for a minor exemption to Section 152 of Zoning By-law no. 1001, to allow, in the left-side yard, a patio and a stair at 0 m (0 ft) from a boundary line instead of 1.0 m (3.28 ft), for the property located at **75, rue Cleve**, lot no. 2 089 236, Zone RA-2.

No written intervention received by the Deputy Town Clerk regarding the request for Minor Exemptions for a project located at 75, rue Cleve.

Adopted

RESOLUTION 2022-165

AUTHORIZATION FOR ATTENDANCE AT THE 2022 APWA CONGRESS.

WHEREAS the 2022 Congress and exposition of the APWA (American Public Works Association) will be held in Charlotte, North Carolina, from August 28 to August 31, 2022;

It is proposed by Councillor Harvey Shaffer, seconded by Councillor Jack Edery, and UNANIMOUSLY RESOLVED:

- **THAT** Council authorizes Mayor Jeremy Levi to attend the 2022 APWA Congress and exposition that will be held in Charlotte, North Carolina, from August 28 to August 31, 2022.

Adopted

RESOLUTION 2022-166

NOTICE OF MOTION OF DRAFT BY-LAW NO. 1023-1 ENTITLED “BY-LAW MODIFYING BY-LAW NO. 1023 ESTABLISHING THE REMUNERATION OF THE TOWN COUNCIL MEMBERS”.

NOTICE OF MOTION was given by Councillor Harvey Shaffer, that Draft By-law no. 1023-1 entitled “By-law modifying By-law no. 1023 establishing the remuneration of the Town Council members” will be submitted to Council for adoption.

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All Council members have received a copy of Draft By-law no. 1023-1 and a motion to dispense with the reading of the said Draft By-law was made.

RESOLUTION 2022-167

DEPOSIT OF DRAFT BY-LAW NO. 1023-1 ENTITLED “BY-LAW MODIFYING BY-LAW NO. 1023 ESTABLISHING THE REMUNERATION OF THE TOWN COUNCIL MEMBERS”.

Each member of the Council having received copy, the Deputy Town Clerk deposits Draft By-law no. 1023-1 entitled “By-law modifying By-law no. 1023 establishing the remuneration of the Town Council members”.

The Council takes note of the deposit of the said Draft By-law by the Deputy Town Clerk.

RESOLUTION 2022-168

ADOPTION OF BY-LAW NO. 1028-1 ENTITLED “BY-LAW MODIFYING BY-LAW NO. 1028 DECREERING AND IMPOSING DUTIES ON TRANSFERS OF IMMOVEABLES”.

WHEREAS the members of Council have received a copy of By-law no. 1028-1 entitled “By-law modifying By-law no. 1028 decreeing and imposing duties on transfers of Immoveables” and declare to have read it;

It is proposed by Councillor Harvey Shaffer, seconded by Councillor Jack Edery, and UNANIMOUSLY RESOLVED:

- **TO APPROVE** By-law no. 1028-1 entitled “By-law modifying By-law no. 1028 decreeing and imposing duties on transfers of Immoveables”.

Adopted

RESOLUTION 2022-169

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF MAY 2022.

CONSIDERING THAT Council reviewed the list of payments for the month of May 2022;

It is proposed by Councillor Jack Edery, seconded by Councillor Harvey Shaffer, and UNANIMOUSLY RESOLVED:

- **THAT** the disbursements for the period from April 16, 2022, to May 15, 2022, in the total amount of \$ **2, 589, 515.46**, are hereby approved.

Adopted

RESOLUTION 2022-170

GRANTING OF CONTRACT FOR THE LEAD SAMPLING IN DRINKING WATER CAMPAIGN.

CONSIDERING THAT there has been a written price request, for a lead campaign in the drinking water of 1 300 houses in the Town;

CONSIDERING THAT, after analyzing the service offers received, the one from **EnviroServices** is the lowest in accordance with the requirements of the Town;

It is proposed by Councillor Jack Edery, seconded by Councillor Harvey Shaffer, and UNANIMOUSLY RESOLVED:

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- **THAT** the following quotation for the following contract be and is hereby approved, the whole as more amply delineated hereunder:

ENVIROSERVICES

Contract for a lead campaign in the drinking water of 1 300 houses:	\$ 83 575.00
G.S.T. (5%):	\$ 4 178.75
Q.S.T. (9.975%):	\$ 8 336.60
Grand total taxes included:	\$ 96 090.35

Adopted

RESOLUTION 2022-171

**APPROVAL OF HIRING OF MS. KRISTINA TALARICO AS
TEMPORARY OFFICE AGENT.**

CONSIDERING THAT the Town of Hampstead requires the hiring of a temporary **Office Agent** with the Public Works Department, salary grade 6 for a period not to exceed six (6) months;

CONSIDERING THAT the Director General and the Public Works Director are recommending the temporary hiring of **Ms. Kristina Talarico** to fill such position;

It is proposed by Councillor Harvey Shaffer, seconded by Councillor Michael Goldwax, and UNANIMOUSLY RESOLVED:

- **TO APPROVE** the temporary hiring of **Ms. Kristina Talarico** as temporary **Office Agent**, subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 429 and the Town of Hampstead.

Adopted

RESOLUTION 2022-172

**CREATION OF A NEW FUNCTION AND A NEW POSITION OF
TOWN CLERK.**

It is proposed by Councillor Harvey Shaffer, seconded by Councillor Warren Budning, and UNANIMOUSLY RESOLVED:

- **TO CREATE** a new **Town Clerk** management position, level IV; and
- **TO FILL** one (1) position in the newly created function.

Adopted

RESOLUTION 2022-173

HIRING OF MS. POOVADEE PERMAL-VARDIN AS TOWN CLERK.

It is proposed by Councillor Harvey Shaffer, seconded by Councillor Michael Goldwax, and UNANIMOUSLY RESOLVED:

- **TO HIRE Ms. Poovadee Permal-Vardin** as **Town Clerk**, subject to the usual conditions and in accordance with the conditions described in the contract signed on May 10, 2022, between Ms. Permal-Vardin and the Town, as represented by the Director General and contained in the confidential “*Personnel*” file in the Human Resources Director’ Office.

Adopted

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RESOLUTION 2022-174

APPROVAL OF THE HIRING LIST OF TEMPORARY BLUE-COLLAR EMPLOYEES FOR THE COMMUNITY SERVICES AND RECREATION DEPARTMENT.

CONSIDERING THAT Council members reviewed the list of the Community Services and Recreation Manager, submitted on May 17, 2022, on the hiring of temporary blue-collar employees;

It is proposed by Councillor Harvey Shaffer, seconded by Councillor Warren Budning, and UNANIMOUSLY RESOLVED:

- **THAT** the Town Council approves the hiring of temporary blue-collar employees as detailed on the list from the Community Services and Recreation Department. The hiring is subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 301 and the Town of Hampstead.

Adopted

RESOLUTION 2022-175

APPROVAL OF THE HIRING LIST OF WHITE-COLLAR STUDENT EMPLOYEES FOR THE COMMUNITY SERVICES AND RECREATION DEPARTMENT.

CONSIDERING THAT Council members reviewed the list of the Community Services and Interim Recreation Director, submitted on May 17, 2022, on the hiring of white-collar student employees;

It is proposed by Councillor Warren Budning, seconded by Councillor Harvey Shaffer, and UNANIMOUSLY RESOLVED:

- **THAT** the Town Council approves the hiring of white-collar student employees as detailed on the list from the Community Services and Recreation Department. The hiring is subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 429 and the Town of Hampstead.

Adopted

RESOLUTION 2022-176

APPROVAL OF HIRING OF MS. ANDREA FERLAND-DANIELS AS TEMPORARY OFFICE AGENT.

CONSIDERING THAT the Town of Hampstead requires the hiring of a temporary **Office Agent** with the Recreation and Community Services Department, salary grade 6 for a period not to exceed eighteen (18) months;

CONSIDERING THAT the Director General and the Human Resources Director are recommending the temporary hiring of **Ms. Andrea Ferland-Daniels** to fill such position;

It is proposed by Councillor Harvey Shaffer, seconded by Councillor Warren Budning, and UNANIMOUSLY RESOLVED:

- **TO APPROVE** the temporary hiring of **Ms. Andrea Ferland-Daniels** as temporary **Office Agent**, subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 429 and the Town of Hampstead.

Adopted

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RESOLUTION 2022-177

ADJOURNMENT.

The agenda having been completed,

It is proposed by Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer, and UNANIMOUSLY RESOLVED:

- **THAT** this Council Meeting be adjourned at 9:54 pm.

Adopted

(s) Jeremy Levi
Jeremy Levi, Mayor

(s) Simona Sonnenwirth
Simona Sonnenwirth, Assistant Town Clerk