

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON DECEMBER 2ND, 2019, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

THOSE PRESENT WERE: Mayor William Steinberg, Councillors Jack Edery, Leon Elfassy, Harvey Shaffer, Warren Budning, and forming a quorum with Mayor Steinberg presiding.

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

OPENING OF MEETING

The Mayor called the meeting to order at 8:21 p.m.

2019-319

ADOPTION OF THE AGENDA

On motion of Councillor Harvey Shaffer, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

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

Adopted

2019-320

ADOPTION OF THE MINUTES

On motion of Councillor Harvey Shaffer, seconded by Councillor Jack Edery, it is UNANIMOUSLY RESOLVED:

- THAT the Minutes of the Regular Council meeting of November 4th, 2019, are hereby approved as submitted.

Adopted

2019-321

APPOINTMENT OF ACTING MAYORS FOR THE YEAR 2020

CONSIDERING Section 319 of the *Cities and Towns Act* and Section 1 of By-law no. 740-3;

On motion of Councillor Jack Edery, seconded by Councillor Cheryl Weigensberg, it is UNANIMOUSLY RESOLVED:

THAT the following Councillors be and are hereby appointed Acting Mayor effective on the dates indicated, to have and exercise all powers of the Mayor when the latter is absent or otherwise unable to perform his duties, the whole in accordance with Section 56 of the *Cities and Towns Act*:

Councillor Michael GOLDWAX
January 1, 2020 to February 28, 2020

Councillor Cheryl WEIGENSBERG
March 1, 2020 to April 30, 2020

Councillor Harvey Earl SHAFFER
May 1, 2020 to June 30, 2020

Councillor Leon ELFASSY
July 1, 2020 to August 31, 2020

Councillor Jack EDERY
September 1, 2020 to October 31, 2020

Councillor Warren BUDNING
November 1, 2020 to December 31, 2020

2019-322

DESIGNATION OF THE MEMBERS OF THE DEMOLITION COMMITTEE

WHEREAS by way of an email dated November 26th, 2019, Councillor Leon Elfassy resigns from his position on the Demolition Committee. The resignation is to take effect as of December 2nd, 2019;

On motion of Councillor Jack Edery, seconded by Councillor Cheryl Weigensberg, it is RESOLVED:

- THAT Councillor Leon Elfassy is replaced by Councillor Harvey Shaffer;
- THAT Councillor Jack Edery is named as Substitute.

Adopted

2019-323

NOTICE OF MOTION OF BY-LAW NO. 1010-9 MODIFYING BY-LAW NO. 1010 CONCERNING TARIFFS

NOTICE OF MOTION was given by Councillor Jack Edery that, at a subsequent meeting of Council, By-law no. 1010-9 modifying By-law no. 1010 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law no. 1010-9 and a motion to dispense with the reading of the said By-law was made.

Hampstead, December 4th, 2019

2019-324

ADOPTION OF DRAFT BY-LAW NO. 1010-9 MODIFYING BY-LAW NO. 1010 CONCERNING TARIFFS

WHEREAS the Members of Council have received a copy of Draft By-law no. 1010-9 modifying By-law no. 1010 regarding tariffs, and declare to have read it;

It was proposed by Councillor Jack Edery, seconded by Councillor Cheryl Weigensberg and it is UNANIMOUSLY RESOLVED:

- TO approve the Draft By-law no. 1010-9 modifying By-law no. 1010 on tariffs.

Adopted

2019-325

DEPOSIT OF THE OFFICIAL RESULTS OF THE REFERENDUM HELD ON NOVEMBER 24TH, 2019

Each member of the Council having received a copy, the Town Clerk communicate to the Council the official results of the referendum held on November 24th, 2019 at the Municipal Council.

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

2019-326

SERVITUDE BETWEEN THE TOWN OF HAMPSTEAD AND THE CITY OF MONTREAL LOCATED ON A PARCEL OF THE IMMOVABLES KNOWN AND DESIGNATED AS THE LOTS 5 930 797 AND 5 930 798 OF THE QUEBEC CADASTRE, REGISTRY DIVISION OF MONTREAL, TOWN OF HAMPSTEAD – CLOSURE OF LOTS OF THE PUBLIC DOMAIN

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WHEREAS it is important for the city to close and remove from the public domain the parts of lots to said servitude;

On motion of Councillor Jack Edery, seconded by Councillor Cheryl Weigensberg, it is RESOLVED:

- THAT the Town of Hampstead closes and withdraws from the public domain the parts of the lots subject to the servitude mentioned in this resolution.

Adopted

2019-327

DEPOSIT OF THE MINUTES OF THE REGULAR PAC MEETING HELD ON NOVEMBER 11TH, 2019.

Each member of the Council having received copies, the Town Clerk deposits the minutes of the Regular Planning Advisory Committee meeting held on November 11th, 2019.

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

2019-328

REQUEST TO AUTHORIZE THE ADDITION TO A SEMI-DETACHED SINGLE-FAMILY DWELLING LOCATED AT 30 DUFFERIN ROAD, LOT NO. 2 088 402, ZONE RB-5, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775).

On motion of Councillor Warren Budning, seconded by Councillor Harvey Shaffer, it is UNANIMOUSLY RESOLVED:

- THAT the addition to a semi-detached single-family dwelling located at **30 Dufferin Road**, and submitted to the Planning Advisory Committee meeting on November 11th, 2019 is conditionally approved as recommended by the PAC provided that:

- The party wall over the roof must be black.

The project meets the prescribed standards of the Zoning By-law no. 1001-2 and only partially meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

2019-329

REQUEST TO AUTHORIZE A SUBDIVISION PROJECT AND THE CONSTRUCTION OF A DETACHED SINGLE-FAMILY DWELLING LOCATED AT 191-193 ETON CRESCENT, LOT NO. 2 089 506, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775).

On motion of Councillor Michael Goldwax, seconded by Councillor Warren Budning, it is UNANIMOUSLY RESOLVED:

- THAT the subdivision project and the construction of a detached single-family dwelling located at **191-193 Eton Crescent**, and submitted to the Planning Advisory Committee meeting on November 11th, 2019 is conditionally approved as recommended by the PAC provided that:

- The option A is approved.

The project meets the prescribed standards of the Zoning By-law no. 1001-2 and meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

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2019-330

REQUEST TO AUTHORIZE THE MODIFICATION OF A FACADE FOR A SEMI-DETACHED SINGLE-FAMILY DWELLING LOCATED AT 387 DUFFERIN ROAD, LOT NO. 2 088 509, ZONE RB-6, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775).

On motion of Councillor Warren Budning seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT the modification of a façade for a semi-detached single-family dwelling located at **387 Dufferin Road** and submitted to the Planning Advisory Committee meeting on November 11th, 2019 is **conditionally approved** as recommend by the PAC provided that:

- The stone band around the door must be removed.

The modification meets the prescribed standards of the Zoning By-law no. 1001-2 and only partially meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

2019-331

REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2 TO SECTION 65, SCHEDULE B, TO ALLOW THE FRONT SETBACK AT 4.55M (14.93 FT) INSTEAD OF 6.1M (20 FT) FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 18 CRESSY ROAD, LOT NO. 2 089 552, ZONE RA-1, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013).

On motion of Councillor Warren Budning, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT the minor exemption to the Zoning By-Law for a detached single-family dwelling located at **18 Cressy Road** and submitted to the Planning Advisory Committee meeting on November 11th, 2019 is **approved**. The request only partially meets the prescribed standards of the Zoning By-law no. 1001-2 and the request is to legalise the current situation.

Adopted

2019-332

REQUEST TO AUTHORIZE THE ADDITION TO A DETACHED SINGLE-FAMILY DWELLING LOCATED AT 22 BRIARDALE ROAD, LOT NO. 2 090 023, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775).

On motion of Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer, it is RESOLVED:

- THAT the addition to a detached single-family dwelling located at 22 Briardale Road and submitted to the Planning Advisory Committee meeting on November 11th, 2019 is **conditionally approved notwithstanding** the PAC recommendation to defer this request under the following condition:

- The addition must be done in accordance with the attached Plans P-1 and P-2, presented at this meeting and approved by the Division Chief, Urban Planning.

Voted in favor

Councilor Leon Elfassy
Councilor Harvey Shaffer
Councilor Cheryl Weigensberg

Voted against

Councilor Warren Budning

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Councilor Michael Goldwax

Councilor Jack Edery

Mayor William Steinberg

Adopted on Division

2019-333

REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2 TO SECTION 65, SCHEDULE B, TO ALLOW THE FRONT SETBACK AT 6.02M (19.75 FT) INSTEAD OF 6.1M (20 FT) FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 24 BELSIZE ROAD, LOT NO. 2 089 679, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013).

On motion of Councillor Warren Budning, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT the minor exemption to Zoning By-law for a detached single-family dwelling located at **24 Belsize Road** and submitted to the Planning Advisory Committee meeting on November 11th, 2019 is **approved**. The request only partially meets the prescribed standards of the Zoning By-law no. 1001-2 and the request is to legalize the current situation.

Adopted

2019-334

REQUEST TO AUTHORIZE MINOR EXEMPTIONS TO ZONING BY-LAW NO. 1001-2 TO SECTION 65, SCHEDULE B, TO ALLOW THE REAR SETBACK AT 3.21M (10.53 FT) INSTEAD OF 5.6M (18.4 FT) AND TO SECTION 69, TO ALLOW THE DISTANCE BETWEEN A SHED AND A HOUSE AT 0M (0 FT) INSTEAD OF 3.5M (11.5 FT) FOR A DETACHED SINGLE-FAMILY DWELLING LOCATED AT 268 NETHERWOOD CRESCENT, LOT NO. 2 090 072, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013).

On motion of Councillor Warren Budning, seconded by Councillor Harvey Sheffer, it is UNANIMOUSLY RESOLVED:

- THAT the minor exemptions to Zoning By-law for a detached single-family dwelling located at **268, Netherwood Crescent** and submitted to the Planning Advisory Committee meeting on November 11th, 2019 is **approved**. The request only partially meets the prescribed standards of the Zoning By-law no. 1001-2 and the request is to legalize the current situation.

Adopted

2019-335

REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2 TO SECTION 65, SCHEDULE B, TO ALLOW THE LEFT SIDE SETBACK AT 1.98M (6.5 FT) INSTEAD OF 2.74M (9 FT) FOR A DETACHED SINGLE-FAMILY DWELLING LOCATED AT 5700 QUEEN-MARY ROAD, LOT NO. 2 089 589, ZONE RA-1, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013).

On motion of Councillor Warren Budning, seconded by Councillor Harvey Sheffer, it is UNANIMOUSLY RESOLVED:

- THAT the minor exemption to Zoning By-law for a detached single-family dwelling located at **5700, Queen-Mary Road** and submitted to the Planning Advisory Committee meeting on November 11th, 2019 is **approved**. The request only partially meets the prescribed standards of the Zoning By-law no. 1001-2 and the request is to legalize the current situation.

Adopted

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2019-336

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF NOVEMBER 2019

WHEREAS Council reviewed the list of payments for the month of November 2019;

On motion of Councillor Jack Edery, seconded by Councillor Cheryl Weigensberg, it is RESOLVED:

- THAT the disbursements for the period from October 16th, 2019 to November 15th, 2019, in the total amount of \$1,198,735.72 are hereby approved.

Adopted

2019-337

MODIFICATION TO RESOLUTIONS CONCERNING FUNDS RESERVED TO FINANCE CAPITAL EXPENSES AUTHORIZED UNDER THE 2018 AND 2019 TRIENNIAL PROGRAMS

WHEREAS the resolutions noted in the following table authorized a surplus appropriation to finance capital expenses not covered in the current operational budget and for which some expenses could be recorded in a subsequent fiscal period.

WHEREAS the costs relating to these appropriations were fully accounted for and balances appropriated are no longer required due to contract finalization, the reserves detailed in the following table are no longer required.

Resolution	Nature of expense	Amount
	<i>Information technology</i>	
2018-275	Virtual PC	401
2019-116	Web portal	471
	<i>Community services</i>	
2019-116	Pool shading	538
2019-116	Pool furnace	919
	<i>Urban planning</i>	
2019-116	Archive cabinets	1,127
	<i>Public works</i>	
2019-116	Mechanical broom	47,577
2019-116	Small tanker truck	32,404
2019-116	VUS 4x4	15,935

On motion of Councillor Jack Edery, seconded by Councillor Cheryl Weigensberg, it was UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the transfer of funds in the amount of \$ 99,372 from the Appropriated Surplus G/L account 55-992-00-000 back into the Town’s Unappropriated Surplus.

Adopted

2019-338

TRANSFER OF FUNDS FROM APPROPRIATED SURPLUS AS DETAILED IN THE FOLLOWING TABLE TO COVER EXPENSES INCURRED IN THE 2019 FISCAL PERIOD

On motion of Councillor Jack Edery, seconded by Councillor Cheryl Weigensberg, it is UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the transfer of funds, as further detailed in the following table, for an amount of \$892,853 from the Appropriated Surplus Account 55-992-00-000 to cover expenses recorded in the 2019 fiscal period.

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Appropriation	Details	Expense
2018-274	<i>Infrastructure</i>	
	Road rehabilitation	6,971
	DEL street lights	251,818
	Beautification-trees	111,397
2018-275 2018-276 2019-116	<i>Public Security</i>	
	Computers (incl. RAO software)	15,128
	Vehicles	34,625
2018-275 2019-116	<i>Information Technology</i>	
	Smart water meters	13,922
	Web portal	4,829
	Server	2,976
	My.Hampstead	23,872
	Vehicle tracking	2,068
2018-277 2019-116	<i>Public Works</i>	
	Garage storage	6,754
	Mechanical broom	262,423
	Small tanker truck VUS 4x4	46,396 57,665
2018-275 2019-116	<i>Urban planning</i>	
	Archive cabinet	9,373
	Screen	1,793
2019-116	<i>Community services</i>	
	Pool shading	6,562
	Pool furnace	34,281

Adopted

2019-339

GRANTING OF CONTRACT – JANITORIAL SERVICES FOR TOWN HALL AND PUBLIC WORKS GARAGE

WHEREAS there has been a call for tenders by way of written invitation, for the supply of janitorial services for a two-year contract, for the Town hall and the Public Works garage;

WHEREAS, after analyzing the tenders opened on November 18th, 2019, the lowest bidder conforming to the requirements of the tender invitation is Service d’Entretien Carlos Inc.;

On motion of Councillor Harvey Shaffer, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT, the two-year contract, for the period from February 1st, 2020 to January 31st, 2022, be and is hereby approved, the whole as more amply delineated hereunder:

Service d’Entretien Carlos Inc.

Supply of janitorial services for Town Hall and Public Works Garage from February 1 st , 2020 to January 31 st , 2022	\$ 75 712.00
G.S.T. (5%):	\$ 3 785.60
Q.S.T. (9.975%):	\$ 7 552.27
Grand total taxes included:	\$ 87 049.87

Treasurer’s certificate no. 19-23, dated November 18th, 2019, has been issued by the Town’s Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2019-340

APPROVAL OF HIRING OF MR. ROMAN GRANT AS “AUXILIARY PUBLIC SECURITY OFFICER”

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CONSIDERING THAT the Town of Hampstead requires the hiring of a Public Security Officer as additional personnel to replace vacation periods and sporadic absences;

CONSIDERING THAT the Director General, the Human Resources Director and the Chief of Operations Public Security are recommending the hiring of **MR. ROMAN GRANT** to fill such position;

CONSIDERING THAT Resolution 2006-344 delegates, jointly to the Director General and to the Director of Human Resources the authority to hire non-regular officers and employees for a term of not more than five hundred and twenty (520) hours;

CONSIDERING THAT **MR. ROMAN GRANT** begun his assignment on November 14th, 2019;

On motion of Councillor Harvey Shaffer, seconded by Councillor Jack Edery, it is UNANIMOUSLY RESOLVED:

- TO APPROVE the temporary hiring of **MR. ROMAN GRANT** as “**AUXILIARY PUBLIC SECURITY OFFICER**” starting November 14th, 2019 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

2019-341

APPROVAL OF HIRING OF MR. SOPHAL SOU AS “AUXILIARY PUBLIC SECURITY OFFICER”

CONSIDERING THAT the Town of Hampstead requires the hiring of a Public Security Officer as additional personnel to replace vacation periods and sporadic absences;

CONSIDERING THAT the Director General, the Human Resources Director and the Chief of Operations Public Security are recommending the hiring of **MR. SOPHAL SOU** to fill such position;

CONSIDERING THAT Resolution 2006-344 delegates, jointly to the Director General and to the Director of Human Resources the authority to hire non-regular officers and employees for a term of not more than five hundred and twenty (520) hours;

CONSIDERING THAT **MR. SOPHAL SOU** begun his assignment on November 14th, 2019;

On motion of Councillor Harvey Shaffer, seconded by Councillor Jack Edery, it is UNANIMOUSLY RESOLVED:

- TO APPROVE the temporary hiring of **MR. SOPHAL SOU** as “**AUXILIARY PUBLIC SECURITY OFFICER**” starting November 14th, 2019 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

2019-342

APPROVAL OF TEMPORARY HIRING OF MS. MARIE-JOSÉ PHANORD AS “ADMINISTRATIVE SECRETARY”

CONSIDERING THAT the Town of Hampstead requires the hiring of a temporary Administrative Secretary, salary grade 8, with the Director General Office due to an absence;

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CONSIDERING THAT the Director General and the Human Resources Director are recommending the hiring of **MS. MARIE-JOSÉ PHANORD** to fill such position;

On motion of Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer, it is UNANIMOUSLY RESOLVED:

- TO APPROVE the temporary hiring of **MS. MARIE-JOSÉ PHANORD** as “**ADMINISTRATIVE SECRETARY**” with the Director General Office 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

2019-343

APPROVAL OF TEMPORARY HIRING OF MS. SUZANNE BERGERON AS “OFFICE AGENT”

CONSIDERING THAT the Town of Hampstead requires the hiring of a temporary Office Agent, salary grade 6, with the Community Center and Recreation Department due to an absence;

CONSIDERING THAT the Director General and the Human Resources Director are recommending the hiring of **MS. SUZANNE BERGERON** to fill such position;

On motion of Councillor Michael Goldwax, seconded by Councillor Cheryl Weigensberg, it is UNANIMOUSLY RESOLVED:

- TO APPROVE the temporary hiring of **MS. SUZANNE BERGERON** as “**OFFICE AGENT**” with the Community Center and Recreation Department 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

2019-344

ABOLITION OF THE PERMANENT FULL TIME POSITION OF “RESSUPPLYING AGENT”

On motion of Councillor Warren Budning, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT the permanent full-time position of “**RESSUPPLYING AGENT**” with the Material Resources Department be, and is hereby, abolished in accordance with the provisions of the applicable collective agreement.

Adopted

2019-345

REMUNERATION OF MANAGEMENT PERSONNEL - 2020

On motion of Councillor Michael Goldwax, seconded by Councillor Cheryl Weigensberg, it is UNANIMOUSLY RESOLVED:

- TO ratify the recommendations of the Director General regarding the adjustments of the remuneration of Management personnel for the year 2020, effective as of January 1st, 2020, the whole in accordance with the “Management Remuneration Policy” of the Town of Hampstead, adopted April 1st, 2019 under the resolution no. 2019-094 and contained in the confidential “Management Salaries” file in the Human Resources Director’ Office;

Adopted

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2019-346

NOTICE OF MOTION OF BY-LAW NO. 757-4 MODIFYING BY-LAW NO. 757 CONCERNING THE PENSION PLAN FOR THE EMPLOYEES OF THE TOWN OF HAMPSTEAD

NOTICE OF MOTION was given by Councillor Jack Edery, that at a subsequent meeting of Council, By-law no. 757-4 modifying By-law no. 757 will be submitted to Council for adoption.

2019-347

SIGNING OF LEASE CONTRACT FOR THE CAFÉ AT THE IRVING L. ADESSKY COMMUNITY CENTER – HAMPSTEAD PARK

WHEREAS a leasing contract starting on May 1st, 2020 to Sept.30th, 2020, upon the expiration of the current lease, will be signed between the Town of Hampstead and Distributrice Deli-Snacks Inc. for the premises at the Irving L. Adessky Community Center which will be used as a café;

It was proposed by Councillor Cheryl Weigensberg, seconded by Councillor Harvey Sheffer and UNANIMOUSLY RESOLVED:

- To approve the agreement of lease between the Town of Hampstead and Distributrice Deli-Snacks Inc. starting from May 1st, 2020 to Sept. 30th, 2020 and to authorize the Director of Community Services and Recreation to sign the said lease.

Adopted

2019-348

ADJOURNEMENT

On motion of Councillor Michael Goldwax, seconded by Councillor Warren Budning, it is UNANIMOUSLY RESOLVED:

- THAT this Council Meeting be adjourned.

Adopted

SECOND QUESTION PERIOD

No questions

Dr. William Steinberg, Mayor

Me Pierre Tapp, Town Clerk