

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON FEBRUARY 2ND, 2015, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

THOSE PRESENT WERE: Mayor William Steinberg, Councillors Karen Zajdman, Jack Edery, Leon Elfassy, Michael Goldwax and Warren Budning, forming a quorum with Mayor Steinberg presiding.

ABSENT: Councillor Harvey Shaffer

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 8:23 p.m.

FIRST QUESTION PERIOD

The Mayor invited those persons in attendance to ask their questions.

- Question was asked by a citizen, answers were given by the Mayor and members of the Council.

At 8.50 p.m. Councillor Warren Budning left temporarily his seat.

2015-001

ADOPTION OF THE AGENDA

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

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

Adopted

2015-002

ADOPTION OF THE MINUTES

On motion of Councillor Michael Goldwax, seconded by Councillor Karen Zajdman, it was UNANIMOUSLY RESOLVED:

- THAT the Minutes of the Regular Council Meeting of January 12th, 2015 are hereby approved as submitted.

Adopted

2015-003

TOWN OF HAMPSTEAD'S PARTICIPATION IN 'EARTH HOUR'

WHEREAS the Town of Hampstead wishes to take a stand concerning one of the largest unaddressed threats to our planet, that of global warming;

WHEREAS the reduction of carbon emissions, which contribute to the greenhouse effect, is a responsibility in which all municipalities must become involved and which necessitates the effort of each person, enterprise and community;

WHEREAS, at 8:30 p.m. on Saturday, March 28th, 2015 ('Earth Hour'), many large metropolitan cities around the world will participate by turning off their lights for a period of one hour in an effort to combat global warming;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Karen Zajdman and UNANIMOUSLY RESOLVED:

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- THAT the Town of Hampstead will extinguish all non-essential lights for a period of one hour at 8:30 p.m. on Saturday, March 28th, 2015;
- THAT all Hampstead residents are encouraged to participate in this initiative on March 28th; and
- THAT all municipalities of the Montreal Agglomeration are encouraged to join the Town of Hampstead and participate in 'Earth Hour' on March 28th, 2015.

Adopted

2015-004

NOTICE OF MOTION – BY-LAW N° 741-5 MODIFYING BY-LAW NO. 741-1 RESPECTING THE DELEGATION OF POWERS TO OFFICERS AND EMPLOYEES TO AUTHORIZE THE SPENDING OF MONEY AND TO MAKE CONTRACTS IN THE NAME OF THE MUNICIPALITY

NOTICE OF MOTION was given by Councillor Jack Edery that, at a subsequent meeting of Council, By-law N° 741-5 modifying By-law no. 741-1 respecting the delegation of powers to officers and employees to authorize the spending of money and to make contracts in the name of the Municipality will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 741-5 and a motion to dispense with the reading of the said By-law was made.

2015-005

RESOLUTION TO REPEAL RESOLUTION 2015-336 DATED JANUARY 12TH, 2015 AND ENTITLED “ADOPTION – SECOND DRAFT OF BY-LAW N° 727-18- FURTHER MODIFYING ZONING BY-LAW N° 727 (TO CREATE ZONE RA-3 WITHIN THE ZONES RA-1 AND RB-1 AND TO DEFINE AUTHORIZED USES THEREIN (H1 AND H2))”

WHEREAS the Town of Hampstead is presently working on the revision of its Zoning By-law 727;

WHEREAS a second draft By-law no.727-18 was presented and adopted at the regular council meeting of January 12th, 2015 by Resolution no. 2015-336;

WHEREAS a Public Consultation was not held prior to the 12th of January 2015 to explain the draft By-law and the consequences of its adoption;

WHEREAS in virtue of the Law, the second draft of the said Zoning By-law has to be adopted only after a public consultation;

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

"THAT Resolution 2015-336, dated January 12th, 2015 and entitled 'Resolution to adopt the second draft by-law entitled " Adoption – second draft of By-law n° 727-18- further modifying zoning By-law n° 727 (to create zone RA-3 within the zones RA-1 and RB-1 and to define authorized uses therein (H1 and H2))", be and is hereby repealed."

Adopted

2015-006

ADOPTION – SECOND DRAFT OF BY-LAW N° 727-18- FURTHER MODIFYING ZONING BY-LAW N° 727 (TO CREATE ZONE RA-3 WITHIN THE ZONES RA-1 AND RB-1 AND TO DEFINE AUTHORIZED USES THEREIN (H1, H2, H3, PB-2 & R)

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WHEREAS the Members of Council have received a copy of the Second Draft of By-law N° 727-18 further modifying Zoning By-law N° 727, regarding the creation of zone RA-3 within the zones RA-1 and RB-1 and to define authorized uses therein (H1, H2, H3, PB-2 and R), and declare to have read it;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Karen Zajdman and UNANIMOUSLY RESOLVED:

- TO approve Second Draft By-law N° 727-18 to be entitled: "By-law n° 727-18- further modifying Zoning By-law n° 727 regarding the creation of zone RA-3 within the zones RA-1 and RB-1 and to define authorized uses therein (H1, H2, H3, PB-2 and R)."

Adopted

2015-007

RESOLUTION TO REPEAL RESOLUTION 2015-337 DATED JANUARY 12TH, 2015 AND ENTITLED "ADOPTION - SECOND DRAFT OF BY-LAW N° 804-2 - FURTHER AMENDING BY-LAW N° 804 CONCERNING CADASTRAL OPERATION"

WHEREAS the Town of Hampstead is presently working on the revision its By-law concerning cadastral operation;

WHEREAS a second draft By-law no.804-2 was presented and adopted at the regular council meeting of January 12th, 2015 by Resolution no. 2015-337;

WHEREAS a Public Consultation was not held prior to the 12th of January 2015 to explain the draft By-law and the consequences of its adoption;

WHEREAS in virtue of the Law, the second draft of the said By-law has to be adopted only after a public consultation;

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

"THAT Resolution 2015-337, dated January 12th, 2015 and entitled 'Resolution to adopt the second draft By-law entitled "Adoption - second draft of By-law n° 804-2 - further amending By-law n° 804 concerning cadastral operation", be and is hereby repealed."

Adopted

2015-008

ADOPTION - SECOND DRAFT OF BY-LAW N° 804-2 - FURTHER AMENDING BY-LAW N° 804 CONCERNING CADASTRAL OPERATION

WHEREAS the Members of Council have received a copy of the Second Draft of By-law N° 804-2 further amending By-law N° 804, concerning cadastral operation, and declare to have read it;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Jack Edery and UNANIMOUSLY RESOLVED:

- TO approve Second Draft By-law N° 804-2 to be entitled: "By-law n° 804-2 - further amending By-law N° 804, concerning cadastral operation."

Adopted

2015-009

DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON JANUARY 19TH 2015

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on January 19th, 2015.

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

2015-010

REQUEST TO AUTHORIZE THE CONSTRUCTION OF A NEW 2 STOREYS DETACHED SINGLE FAMILY DWELLING AT 28 THURLOW ROAD, LOT NO. : 2 088 845, ZONE RA-1 (ZONING BY-LAW NUMBER 727) (SPAIP BY-LAW NO.775)

On motion of Councillor Leon Elfassy, seconded by Councillor Jack Edery and UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing plans and elevations to authorize the construction of a new 2 storeys detached single family dwelling located at 28, Thurlow Road, submitted to the Planning Advisory Committee meeting of January 19th, 2015 is *conditionally approved*. The project partially meets the prescribed standards of the Zoning By-law number 727 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:
 - The location of the basement windows (left side) be reconsidered as they are too close to the driveway surface.

Adopted

2015-011

REQUEST TO AUTHORIZE AN ADDITION, IN THE REAR YARD, TO A TWO STOREY DETACHED SINGLE-FAMILY DWELLING AT 31 STRATFORD ROAD, LOT NO. : 2 088 719, ZONE RA-1(ZONING BY-LAW NO. 727 AND SPAIP BY-LAW NO.775)

On motion of Councillor Leon Elfassy, seconded by Councillor Karen Zajdman and UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize an addition, in the rear yard, to a two storey detached single-family dwelling located at 31 Stratford Road, submitted to the Planning Advisory Committee meeting of January 19th, 2015 is *conditionally approved*. The modifications meet the prescribed standards of the Zoning By-law number 727 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:
 - A geotechnical study should be performed by an engineer;
 - A security guard rail is installed for the proposed driveway.

Adopted

2015-012

REQUEST TO AUTHORIZE THE CONSTRUCTION OF A NEW TWO STOREY DETACHED SINGLE FAMILY DWELLING AT 111 STRATFORD ROAD, LOT NO.: 2 088 977, ZONE RA-1, (ZONING BY-LAW NUMBER 727) (SPAIP BY-LAW NUMBER 775)

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

- THAT the site planning and architectural integration program showing the plans and elevations to authorize the construction of a new two storey detached single family dwelling located at 111 Stratford Road, submitted to the Planning Advisory Committee meeting of January 19th, 2015 is *conditionally approved*. The project partially meet the prescribed standards of the Zoning By-law number 727 and partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:

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- A security guard rail is installed on the retaining wall for the proposed driveway;
- The roof's colors are dark as approved on the September 8th, 2014, Planning Advisory Committee meeting (RE: **C-2014-87**);
- The stone cladding on the main façade is uniform (no coining).

Adopted

2015-013

REQUEST TO AUTHORIZE A REAR FAÇADE MODIFICATION TO A DETACHED SINGLE FAMILY DWELLING AT 223, NETHERWOOD CRESCENT, LOT NO. : 2 089 783, ZONE RA-2, (SPAIP BY-LAW NUMBER 775) (ZONING BY-LAW NUMBER 727)

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

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize a rear façade modification to a detached single family dwelling located at 223, Netherwood Crescent, submitted to the Planning Advisory Committee meeting of January 19th, 2015 is *approved* as recommended by the PAC. The modifications meet the prescribed standards of the Zoning By-law number 727 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

2015-014

RESOLUTION TO REPEAL RESOLUTION 2015-339 DATED JANUARY 12TH, 2015 AND ENTITLED "REQUEST FOR AN ADDITION, IN THE REAR YARD, TO A 2 STOREY DETACHED SINGLE FAMILY DWELLING AT 1 APPLEWOOD ROAD, LOT NO. : 2 089 823, ZONE RA-2"

WHEREAS Council wishes to repeal Resolution no. 2015-339 entitled "Request for an addition, in the rear yard, to a 2 storey detached single family dwelling at 1 Applewood Road, lot no. : 2 089 823, Zone RA-2" which was adopted at the regular council meeting held on January 12th, 2015;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Jack Edery and UNANIMOUSLY RESOLVED:

- TO repeal Resolution no. 2015-339 adopted by Council at the regular meeting held on January 12th, 2015 and adopt a new Resolution which should read 1 *Crescent* Applewood instead of 1 *Applewood Road*.

Adopted

At 9.01 p.m. Councillor Warren Budning came back to his seat.

2015-015

REQUEST FOR AN ADDITION, IN THE REAR YARD OF A 2 STOREY DETACHED SINGLE FAMILY DWELLING AT 1 APPLEWOOD CRESCENT, LOT NO. : 2 089 823, ZONE RA-2 (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO.775)

On motion of Councillor Leon Elfassy, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize an addition in the rear yard of a two storey detached single family dwelling located at 1,

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Applewood Crescent, submitted to the Planning Advisory Committee meeting of December 8th, 2014 is *conditionally approved*. The modifications partially meet the prescribed standards of the Zoning By-law number 727 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:

- The rear extension respect the Zoning By-law in regards to the thickness of the exterior cladding.

Adopted

2015-016

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF JANUARY 2015

WHEREAS Council reviewed the list of payments for the month of January 2015;

On motion of Councillor Jack Edery, seconded by Councillor Karen Zajdman and UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from January 1st, 2015 to January 27th, 2015, in the total amount of \$ 735 705.64 are hereby approved (\$295 739.52 for cheques and \$ 439 966.12 for on line payments).

Adopted

2015-017

PAYMENT OF THE FIRST INSTALMENT OF HAMPSTEAD'S SHARE OF MONTREAL AGGLOMERATION 2015 ANNUAL EXPENSES

On motion of Councillor Jack Edery, seconded by Councillor Warren Budning and UNANIMOUSLY RESOLVED:

- THAT the Town of Hampstead pays the first instalment March 1st, 2015 , in the amount of \$4,877,195 for its share of expenses in the 2015 operations of the Montréal Agglomeration; and

The Treasurer's certificate N^o 15-03 dated January 12, 2015 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2015-018

PAYMENT OF THE FIRST INSTALMENT OF HAMPSTEAD'S SHARE TO THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL FOR 2015

On motion of Councillor Jack Edery, seconded by Councillor Leon Elfassy and UNANIMOUSLY RESOLVED:

- THAT the Town of Hampstead pays the first instalment dated March 15, 2015 in the amount of \$95,701.58 for their share of expenses for operations of the 'Communauté métropolitaine de Montréal'.

The Treasurer's certificate N^o 15-02 dated January 12, 2015 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2015-019

INTEGRATION OF THE TOWN OF HAMPSTEAD TO THE SERAM PROJECT

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

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To notify the City of Montreal of the Town of Hampstead's intention to join the Montreal agglomeration advanced radio communication system project (SERAM);

To inform group ECOM members of the Town's intention to be removed from the group and to proceed with ECOM's dissolution;

To authorize the Director of purchasing and information technologies to sign, in the Town's best interests, the agreement documents concerning the purchasing and installation of user terminals for voice communications with the City of Montreal for an approximate cost of \$ 66 500\$ + applicable taxes;

To authorize the Director of purchasing and information technologies to sign, in the Town's best interests, the agreement documents concerning the maintenance of user terminals for voice communications with the City of Montreal as mentioned in Annex A;

That Treasurer's certificate N° 15-5, dated January 28th 2015, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2015-020

PERMANENT HIRING OF MR. FRANCISCO MARTIN VELA-SUAREZ AS "CARETAKER-DRIVER"

WHEREAS the Council had approved by Resolution no 2014-018 the conditional hiring of Mr. Francisco Martin Vela-Suarez as a "Caretaker-Driver" position, salary grade 6, with the Community Services and Recreation Department;

WHEREAS the conditions described in the letter of agreement signed between the CUPE Local 301 and the Town of Hampstead and contained in the confidential "Personnel" file in the Human Resources Director' Office were respected and fulfilled;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Warren Budning and UNANIMOUSLY RESOLVED:

- TO cancel the resolution no 2014-018;
- TO HIRE MR. FRANCISCO MARTIN VELA-SUAREZ as a permanent "Caretaker-Driver" subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 301 and the Town of Hampstead; and
- THAT this hiring is permanent.

Adopted

2015-021

APPROVAL OF A CONTRACT FOR THE PROFESSIONAL SERVICES AS "CONSULTANT" FOR THE URBAN PLANNING AND BUILDING INSPECTIONS SECTION

CONSIDERING THAT the Town of Hampstead has to rewrite the Municipal Zoning By-law and to implement a new planning program;

CONSIDERING THAT it is suitable for the Town of Hampstead to be represented for the "*Schéma d'aménagement et de développement*" program at the City of Montréal;

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

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- TO authorize the Director General to enter into a service contract with Bishai Duchesne Architectes Inc. to provide professional services as “Consultant” under the conditions set forth in the contract entered into between the parties and contained in a confidential file in the Director General’s Office.

Adopted

2015-022

APPROVAL OF HIRING CONTRACT OF MS. ANNE ROY AS “EXECUTIVE ASSISTANT”

CONSIDERING THAT the Town of Hampstead wishes to hire an Executive Assistant;

CONSIDERING THAT the Director General and the Human Resources Director are recommending the hiring of **Ms. Anne Roy** to fill such position;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Karen Zajdman and RESOLVED:

- TO APPROVE the contractual hiring of Ms. **ANNE ROY** as “**EXECUTIVE ASSISTANT**” as of February 3rd, 2015 in accordance with the conditions described in the contract signed on January 30th, 2015 between Ms. Roy and the Town, as represented by the Director General and contained in the confidential “Personnel” file in the Human Resources Director’ Office; and
- THAT Treasurer’s certificate no 15-04, dated January 28th, 2015, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Mayor William Steinberg called for a vote.

Voted in favour:

Councillor Karen Zajdman
Councillor Leon Elfassy
Councillor Michael Goldwax

Voted against:

Councillor Jack Edery
Councillor Warren Budning

In favour: 3

Against: 2

Adopted on division

SECOND QUESTION PERIOD

The Mayor invited those persons in attendance to ask their questions.

- No Question was asked.

2015-023

ADJOURNMENT

All the subjects of the Agenda having been discussed, it was proposed by Councillor Warren Budning, seconded by Councillor Michael Goldwax and unanimously resolved to declare that the meeting be closed at 9.07 p.m.

Adopted

(s) William Steinberg
Dr. William Steinberg, Mayor

(s) Pierre Tapp
M^c Pierre Tapp, Town Clerk