

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON MAY 4TH, 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, Warren Budning and Harvey Shaffer, 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 8:07 p.m.

FIRST QUESTION PERIOD

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

- No question.

2015-083

MODIFICATION OF THE AGENDA

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

- TO amend the agenda as proposed in order to add thereto the following items:
 - 8.9** - Tabling of decision rendered by the demolition committee concerning 28 Thurlow Road.
 - 8.10** - Tabling of decision rendered by the demolition committee concerning 111 Stratford Road.
 - 11.5** - Suspension of Employee # 1552.

Adopted

2015-083A

ADOPTION OF THE AGENDA

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

- THAT the amended agenda of the regular meeting is hereby adopted.

Adopted

2015-084

ADOPTION OF THE MINUTES

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

- THAT the Minutes of the Regular Council Meeting of April 13th, 2015 be and are hereby approved as submitted.

Adopted

2015-085

ADOPTION OF BY-LAW 814 CONCERNING LANDSCAPING, GARDENING & EARTHMOVING BY A PRIVATE CONTRACTOR

CONSIDERING THAT notice of motion of By-law N^o 814 was given at the regular council meeting of April 13th, 2015 and that Council members received

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a copy of the By-law within the required delay and they declare to have read it and waive the reading thereof;

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

- TO approve By-law N^o 814 concerning landscaping, gardening & earthmoving by a private contractor.

Adopted

2015-086

NOTICE OF MOTION – BY-LAW N^o 795-5 MODIFYING BY-LAW NO. 795-2 CONCERNING NUISANCE

NOTICE OF MOTION was given by Councillor Leon Elfassy that, at a subsequent meeting of Council, By-law N^o 795-5 modifying By-law N^o 795-2 concerning nuisance will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N^o 795-5 and a motion to dispense with the reading of the said By-law was made.

2015-087

DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON APRIL 20TH 2015

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on April 20th, 2015.

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

2015-088

RESOLUTION TO REPEAL RESOLUTION 2015-073 DATED APRIL 13TH, 2015 AND ENTITLED “REQUEST TO AUTHORIZE A SECOND FLOOR ADDITION IN THE REAR YARD TO A DETACHED SINGLE FAMILY DWELLING (ON THE EXISTING FOOTPRINT) AT 15 HEATH ROAD, LOT NO.: 2 089 008, ZONE RA-1 (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO.775)”

WHEREAS the PAC has review the file regarding the request to authorize a second floor addition in the rear yard to a detached single family dwelling (on the existing footprint) at 15 Heath Road, lot no.: 2 089 008, Zone RA-1;

WHEREAS changes need to be made to the adopted resolution;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Warren Budning and UNANIMOUSLY RESOLVED:

- "THAT Resolution 2015-073, dated April 13th, 2015 and entitled “Request to authorize a second floor addition in the rear yard to a detached single family dwelling (on the existing footprint) at 15 Heath Road, lot no.: 2 089 008, Zone RA-1 (Zoning By-law no. 727) (SPAIP By-law no.775)”, be and is hereby repealed."

Adopted

2015-089

REQUEST TO AUTHORIZE A SECOND FLOOR ADDITION IN THE BACK OF A DETACHED SINGLE FAMILY DWELLING (ON THE EXISTING FOOTPRINT) AT 15 HEATH ROAD, LOT NO.: 2 089 617, ZONE RA-1 (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO.775)

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

- THAT the site planning and architectural integration program showing modification to the plans and elevations to authorize a second floor addition in the back of a detached single family dwelling located at 15, Heath Road, submitted to the Planning Advisory Committee meeting of April 20th, 2015 is **conditionally approved**. The modifications 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:
 - The mansard roof is carried out on the sides (the roof can be flat in the back and constructed as per the proposed rear elevation);
 - The thickness of the exterior cladding is conform to the Zoning By-law.

Adopted

2015-090

TO AUTHORIZE MODIFICATIONS TO A PREVIOUSLY APPROVED PROJECT CONCERNING AN ADDITION IN THE REAR YARD TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 58, CLEVE ROAD, LOT NO. : 3 021 908, ZONE RB-3, (ZONING BYLAW NUMBER 727), (SPAIP BY-LAW NUMBER 775)

WHEREAS the project was previously approved by the PAC and adopted by the Council;

WHEREAS the original request was modified several times and approved by PAC and the Council;

WHEREAS new modifications must be made;

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

- THAT the site planning and architectural integration program showing modifications to a previously submitted plans and elevations to authorize an addition in the rear yard of a detached single family dwelling located at 58, Cleve Road, submitted to the Planning Advisory Committee meeting of April 20th, 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

2015-091

REQUEST TO AUTHORIZE A FAÇADE MODIFICATION (REMOVE THE BAY WINDOW) OF A DETACHED SINGLE FAMILY DWELLING AT 205 FINCHLEY ROAD, LOT NO.: 2 089 159, ZONE RA-2 (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO.775)

On motion of Councillor 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 a façade modification (remove the bay window) of a detached single family dwelling located at 205, Finchley Road, submitted to the Planning Advisory Committee meeting of April 20th, 2015 is **conditionally approved**. The modifications meet the prescribed standards of the Zoning By-law number 727 and meet the

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prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:

- The siding under the window to be modified matches the siding below the existing windows (vertical slats).

Adopted

2015-092

REQUEST TO AUTHORIZE AN ADDITION IN THE REAR YARD (BASEMENT AND DECK) AND FACADE MODIFICATION TO A DETACHED SINGLE FAMILY DWELLING AT 244 NETHERWOOD CRESCENT, LOT NO.: 2 089 935, 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 (basement and deck) and façade modification to a detached single family dwelling located at 244, Netherwood Crescent, submitted to the Planning Advisory Committee meeting of April 20th, 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

2015-093

REQUEST TO AUTHORIZE A FAÇADE MODIFICATION TO A DETACHED SINGLE FAMILY DWELLING AT 5699 QUEEN MARY ROAD, LOT NO.: 2 089 437, ZONE RA-1 (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO.775)

On motion of Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize a façade modification to a detached single family dwelling located at 5699, Queen Mary Road, submitted to the Planning Advisory Committee meeting of April 20th, 2015 is *conditionally approved*. The modifications meet the prescribed standards of the Zoning By-law number 727 and meet partially the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:
 - The paved area in the front yard is kept to a minimum and cannot be increased;
 - Parking spaces are planned as to minimize their visual impact and bordered by landscape improvements.

Adopted

2015-094

REQUEST TO AUTHORIZE A FAÇADE MODIFICATION OF A DETACHED SINGLE FAMILY DWELLING AT 56 HEATH ROAD, LOT NO.: 2 090 388, ZONE RA-1 (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 a façade modification

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of a detached single family dwelling located at 56, Heath Road, submitted to the Planning Advisory Committee meeting of April 20th, 2015 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 percentage of flat roof is confirmed and respects the requirements of the Zoning By-law 727.

Adopted

2015-095

TABLING OF DECISION RENDERED BY THE DEMOLITION COMMITTEE CONCERNING 28 THURLOW ROAD

In accordance with Article 7.6 of By-law N^o 759 Concerning the Demolition of Buildings, the Town Council acknowledges the decision rendered by the Demolition Committee at their meeting of February 17th, 2015 in which they approved the demolition of the detached single family residence located at 28, Thurlow Road, lot no. 2 089 312 subject to the following condition:

- The private tree on the right side of the lot must be kept.

The Council has not received any objection to the decision of the Demolition Committee during the thirty (30) day period required by Law.

2015-096

TABLING OF DECISION RENDERED BY THE DEMOLITION COMMITTEE CONCERNING 111 STRATFORD ROAD

In accordance with Article 7.6 of By-law N^o 759 Concerning the Demolition of Buildings, the Town Council acknowledges the decision rendered by the Demolition Committee at their meeting of February 17th, 2015 in which they approved the demolition of the detached single family residence located at 111, Stratford Road, lot no. 2 088 977.

The Council has not received any objection to the decision of the Demolition Committee during the thirty (30) day period required by Law.

2015-097

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF APRIL 2015

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

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

- THAT the disbursements for the period from March 28th, 2015 to April 20th, 2015, in the total amount of \$ 1,354,541.11 are hereby approved (\$387,244.86 for cheques and \$ 967,296.25 for on line payments).

Adopted

2015-098

DEPOSIT OF THE FIRST COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR 2015

In accordance with Section 105.4 of the *Cities and Towns Act*, the Town Treasurer hereby deposited the statement of revenues and expenditures as at March 31, for the fiscal year 2015, compared with the same period for the fiscal year 2014.

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2015-099

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

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

- THAT the Town of Hampstead pays the second instalment dated June 1, 2015 in the amount of \$4,976,614.72 for their share of expenses for the 2015 operations of the Montréal Agglomeration; and

The Treasurer's certificate N° 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

2015-100

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

On motion of Councillor Jack Edery, seconded by Councillor Karen Zajdman, it was RESOLVED:

- THAT the Town of Hampstead pays the second instalment dated July 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° 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.

Mayor William Steinberg called for a vote.

Voted in favour:

Councillor Karen Zajdman
Councillor Jack Edery
Councillor Leon Elfassy
Councillor Warren Budning
Councillor Harvey Shaffer

Voted against:

Councillor Michael Goldwax

In favour: 5

Against: 1

Adopted on division

2015-101

REQUEST FOR FINANCIAL ASSISTANCE UNDER THE GAS TAX TRANSFER PROGRAM AND CONTRIBUTION FROM QUEBEC

WHEREAS the Town of Hampstead has read the *Guide for terms of payment of government contributions under the program of the gas tax and the contribution of Quebec (TECQ) for the years 2014 to 2018;*

WHEREAS the Town must respect the applicable terms and conditions of this Guide that apply to it in order to receive the government contributions confirmed to it in a letter from the Minister of Municipal Affairs and Land Occupancy;

It was proposed by Councillor Jack Edery, seconded by Councillor Michael Goldwax, and UNANIMOUSLY RESOLVED:

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- THAT the Town of Hampstead hereby undertakes to comply with the applicable terms and conditions of this Guide that apply to it;
- THAT the Town hereby undertakes to be solely liable for and save harmless Canada and Quebec as well as their ministers, senior officers, employees and agents from all liability for claims, requirements, losses, damages and costs of any kind stemming from an injury to or death of an individual or damages to or loss of assets attributable to a deliberate act or negligence resulting directly or indirectly from investments made through financial assistance obtained through the program TECQ 2014-2018;
- THAT the Town hereby approves the content and authorizes the submission of the work schedule starting (Date), and all other documents required by the Ministry to the Management of Infrastructures Department of the Ministry of Municipal Affairs and Land Occupancy, in order to receive the governmental contribution confirmed to the Town in a letter from the Minister of Municipal Affairs and Land Occupancy; and
- The Town of Hampstead is committed to achieving the minimum capital municipal infrastructure set at \$ 28 per capita per year, a total of \$ 140 per capita for all five years of the program;
- THAT the Town hereby undertakes to inform the Management of Infrastructures Department of the Ministry of Municipal Affairs and Land Occupancy of any changes to be made to the work schedule approved herein.

Adopted

2015-102

GRANTING OF CONTRACT – PURCHASE OF ONE DODGE GRAND CARAVAN SE PLUS, YEAR 2015

WHEREAS there has been a call for tenders, by way of written invitations, for the purchase of one Dodge Grand Caravan SE PLUS, year 2015;

WHEREAS, after analysing the tenders opened on April 28th, 2015, the lowest bidder conforming to the requirements of the tender is Montreal Chrysler Dodge Jeep Lasalle;

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

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

MONTREAL CHRYSLER DODGE JEEP LASALLE

Dodge Grand Caravan SE PLUS, year 2015:	\$ 20 634.00
Electric driver seat option:	\$ 572.00
Tire tax	\$ 15.00
G.S.T. 5%	\$ 1 061.05
Q.S.T. 9.975%	\$ 2 116.79
Grand total taxes included	\$ 24 398.84

Treasurer's Certificate N° 15-14, dated April 28, 2015, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

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2015-103

TO MANDATE THE VILLE DE MONTRÉAL TO CARRY OUT GROUP CALL FOR TENDER FOR THE SUPPLY OF ROAD SALT IN BULK

WHEREAS the Ville de Montréal, has offered to orchestrate group call for tender, on behalf of participating municipalities, for the supply of road salt in bulk from September 15 2015 to August 30 2016;

WHEREAS the Director of Material Resources and Information Technologies will act as representative of the Town of Hampstead in this regard;

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

- THAT the Council authorizes the Town of Hampstead's participation in group call for tender for the granting of contracts for the supply of road salt in bulk;
- THAT the Town of Hampstead delegates the Ville de Montréal to prepare the specifications and other tender documents; to proceed with the calls for tender; to receive and to analyze the submissions; and to report the results to the participating municipalities;
- THAT the Town of Hampstead delegates the Ville de Montréal, to adjudicate the proposed contracts.

Adopted

2015-104

APPROVAL OF THE LIST OF AUXILIARY BLUE COLLAR EMPLOYEES FOR THE COMMUNITY SERVICES AND RECREATION DEPARTMENT

CONSIDERING THAT Council members reviewed the report of the Director of Community Services and Recreation, dated April 24, 2015, on the hiring of auxiliary blue collar employees,

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

- THAT the Town Council approves the hiring of auxiliary blue collar employees as detailed on the list for 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

2015-105

APPROVAL OF THE LIST OF STUDENT BLUE COLLAR EMPLOYEES FOR THE COMMUNITY SERVICES AND RECREATION DEPARTMENT

CONSIDERING THAT Council members reviewed the report of the Director of Community Services and Recreation, dated April 20, 2015, on the hiring of student blue collar employees,

It was proposed by Councillor Karen Zajdman, seconded by Councillor Harvey Shaffer, and UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the hiring of student blue collar employees as detailed on the list for 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

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2015-106

APPROVAL OF THE LIST OF AUXILIARY WHITE COLLAR EMPLOYEES FOR THE COMMUNITY SERVICES AND RECREATION DEPARTMENT

CONSIDERING THAT Council members reviewed the report of the Director of Community Services and Recreation, dated April 24, 2015, on the hiring of auxiliary white collar employees,

It was proposed by Councillor Karen Zajdman, seconded by Councillor Warren Budning, and UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the hiring of auxiliary white collar employees as detailed on the list for 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

2015-107

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

CONSIDERING THAT Council members reviewed the report of the Director of Community Services and Recreation, dated April 20, 2015, on the hiring of student white collar employees,

It was proposed by Councillor Karen Zajdman, seconded by Councillor Warren Budning, and UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the hiring of student white collar employees as detailed on the list for 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

At 8.58 p.m. Councillor Karen Zajdman left temporarily her seat.

2015-108

SUSPENSION OF EMPLOYEE #1552

WHEREAS the Director General has reported a one (1) day suspension without pay of employee #1552;

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

- **THAT**, having inquired, Council approves the one (1) day disciplinary suspension without pay of employee #1552 to be imposed by the Director General in accordance with article 113 of the Cities and Towns Act.

Adopted

At 8.59 p.m. Councillor Karen Zajdman came back to his seat.

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SECOND QUESTION PERIOD

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

- No Question was asked.

2015-109

ADJOURNMENT

All the subjects of the Agenda having been discussed, it was proposed by Councillor Warren Budning, seconded by Councillor Harvey Shaffer and unanimously resolved to declare that the meeting be closed at 9.00 p.m.

Adopted

(s) William Steinberg
Dr. William Steinberg, Mayor

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