

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON AUGUST 3RD, 2015, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

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

ABSENT: Councillor Jack Edery

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 8:17 p.m.

FIRST QUESTION PERIOD

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

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

2015-157

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 item:
 - 6.2 - Authorization to present a project in accordance with the requirements of the "Programme de Soutien aux installations sportives & recreative Phase III".

Adopted

2015-157A

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

2015-158

ADOPTION OF THE MINUTES

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

- THAT the Minutes of the Regular Council Meeting of July 6th, 2015 are hereby approved as submitted.

Adopted

2015-159

AUTHORIZATION FOR ATTENDANCE 2015 NRPA CONGRESS

WHEREAS the 2015 Congress and exposition of the NRPA (National Recreation and Park Association) will be held in Las Vegas Nevada, from September 15 to September 17, 2015;

Minutes of Town of Hampstead

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

- THAT Council authorizes Councillor Leon Elfassy to attend the 2015 Congress and exposition of the NRPA that will be held in Las Vegas, Nevada, from September 15 to September 17, 2015;
- THAT expenses related to the congress for Councillor Leon Elfassy are estimated at \$2,700 USD, plus reasonable expenses.

Treasurer's Certificate No 15-17, dated June 11, 2015, has been issued, attesting to the availability of funds to cover the described expenses.

Adopted

2015-160

AUTHORIZATION TO PRESENT A PROJECT IN ACCORDANCE WITH THE REQUIREMENTS OF THE "PROGRAMME DE SOUTIEN AUX INSTALLATIONS SPORTIVES & RECREATIVE PHASE III"

CONSIDERING THAT the Government of Québec had launched a *Programme de soutien aux installations sportives et récréatives* Phase III;

WHEREAS the Town of Hampstead has planned to improve its sports and leisure equipment and installation project in 2016;

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

THAT the Town of Hampstead authorizes the presentation of the sports and leisure equipment and installation project to the Ministère de l'Éducation, de l'Enseignement Supérieur et de la Recherche for the *Programme de soutien aux installations sportives et récréatives* – Phase III;

THAT the Town of Hampstead confirms that it will pay its share of the admissible costs and take charge for the operating costs of this project;

THAT the Town of Hampstead designates Mr. Yves Tedom, CPA, Town Comptroller, as the person authorized to sign in its name all the documents relating to the aforementioned project.

Adopted

2015-161

ADOPTION – BY-LAW N° 811-2 AMENDING BY-LAW N° 811 TO DECREE THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE (ACTIVITIES FOR FALL/WINTER 2015/2016)

CONSIDERING THAT notice of motion of By-law N° 811-2 was given at the regular council meeting of July 6th, 2015 and that Council members received 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 Karen Zajdman, seconded by Councillor Warren Budning and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 811-2 modifying By-law N° 811 to decree the Fee Schedule for Cultural, Sports and Leisure Activities for Fall/Winter 2015/2016.

Adopted

2015-162

ADOPTION OF BY-LAW NO. 816 CONCERNING SWIMMING POOLS, HOT TUBS AND SPAS

Minutes of Town of Hampstead

CONSIDERING THAT notice of motion of By-law N° 816 was given at the Regular Council meeting of July 6th, 2015 and that Council members received a copy of the By-law within the required delay and they declare to have read it and waive the reading thereof;

CONSIDERING THAT the present By-law repeals By-law 760 and its amendments;

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

- TO approve By-law N° 816 entitled By-law no. 816 concerning swimming pools, hot tubs and spas.

Adopted

2015-163

ADOPTION - SECOND DRAFT OF BY-LAW N° 727-19 ENTITLED BY-LAW TO MODIFY ZONING BY-LAW N° 727 IN ORDER TO ESTABLISH A DISTANCE BETWEEN A POOL AND A FENCE.

WHEREAS the Members of Council have received a copy of the second draft of By-law N° 727-19 entitled By-law to modify zoning by-law n° 727 in order to establish a distance between a pool and a fence, and declare to have read it;

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

- TO approve second draft of By-law N° 727-19 entitled By-law to modify Zoning By-law n° 727 in order to establish a distance between a pool and a fence.”

Adopted

2015-164

DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON JULY 13TH 2015

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on July 13th, 2015.

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

2015-165

TABLING OF DECISION RENDERED BY THE DEMOLITION COMMITTEE CONCERNING 5567 QUEEN MARY ROAD

In accordance with Article 5.1 of By-law N° 759 Concerning the Demolition of Buildings, the Town Council acknowledges the decision rendered by the Demolition Committee at their meeting of June 15th, 2015 in which they approved the demolition of the detached single family residence located at 5567, Queen Mary Road, lot no. 2 088 742.

No resident voiced their concerns to the Demolition Committee of the Town regarding the demolition. The Council received one (1) objection to the decision of the Demolition Committee during the thirty (30) day period required by Law. Said opposition was made by Mr. Robert K. Soden, resident of Montreal-West. Town Council has carefully considered the opposition and after review of the facts and file, decided not to oppose the decision rendered by the Demolition Committee.

Minutes of Town of Hampstead

2015-166

TABLING OF DECISION RENDERED BY THE DEMOLITION COMMITTEE CONCERNING THE MODIFICATION TO THE CONDITION CONCERNING THE REQUEST TO AUTHORIZE THE DEMOLITION OF THE EXISTING BUILDING IN ORDER TO BUILD A NEW DETACHED SINGLE FAMILY DWELLING AT 28, THURLOW ROAD, LOT NO.: 2 088 845, ZONE RA-1

WHEREAS the submitted project respects the necessary standards under the terms of the Demolition of buildings By-law number 759, 759-1, 791, 804, 804-1;

WHEREAS no resident voiced their concerns regarding the demolition and the committee had rendered their decision allowing the building at 28 Thurlow Road to be demolished on February 17th, 2015;

WHEREAS the decision of the Demolition Committee dated February 17th, 2015 was submitted to the council on May 4, 2015;

WHEREAS after review of the project, the members of the Demolition Committee decided to set aside the following condition:

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

In accordance with Article 7.6 of By-law no 759 concerning the Demolition of buildings, the Town Council acknowledges the modification to the decision rendered by the Demolition Committee at their meeting of July 13th, 2015 concerning the demolition project of the detached single family residence located at 28 Thurlow Road, lot no. 2 089 312.

2015-167

TABLING OF DECISION RENDERED BY THE DEMOLITION COMMITTEE CONCERNING 57 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 July 13th, 2015 in which they approved the demolition of the detached single family residence located at 57, Thurlow Road, lot no. 2 088 742.

2015-168

REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW 727, ART. 6.5.1, TO PERMIT THE RIGHT SIDE SETBACK AT 5.56 M (18.25 FEET) FROM THE LOT LINE INSTEAD OF 6.10 M (20.00 FEET) TO LEGALIZE THE EXISTING ENCROACHMENT (COLUMN AND SECOND FLOOR) IN THE SECONDARY FRONT SETBACK OF A DETACHED SINGLE FAMILY DWELLING AT 5 NORTHCOTE ROAD, LOT NO.: 2 089 090, ZONE RA-1 (ZONING BY-LAW NO. 727) (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005)

WHEREAS the members of Council have reviewed the request for approval of minor exemption to Zoning By-law number 727 art. 6.5.1., to permit the right side setback at 5.56 m (18.25 feet) from the lot line instead of 6.10 m (20.00 feet) to legalize the existing encroachment (column and second floor) in the secondary front setback of a detached single family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on June 22nd, 2015, recommended *to conditionally approve* the aforementioned request for minor exemption **provided that** Urban Planning carefully examines the 2006 construction file, to verify what happened with the location of the house in regards to the said setback, in order to justify the minor exemption request;

Minutes of Town of Hampstead

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

- THAT the aforementioned request for minor exemption for the property located at 5 Northcote Road, lot no. : 2 089 090, Zone RA-1 is **approved**.

Adopted

2015-169

REQUEST TO AUTHORIZE AN ADDITION IN THE FRONT YARD AND FAÇADE MODIFICATION TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 2 BRIARDALE ROAD, LOT NO.: 2 090 008, ZONE RA-1 (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO.775)

WHEREAS the members of the PAC are concerned about the design of the roof in regards to possible future damages due to water infiltration;

WHEREAS the members of the PAC are also concerned about the design of the eavestrough as the details of this specific type of eavestrough (gutters) are complicated and they must be cleaned and properly maintained (high maintenance);

WHEREAS the members of the PAC, having expressed those concerns, strongly recommend the owner hire an architect to review the project and the details of the design;

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 front yard and façade modification to a detached single family dwelling located at 2 Briardale Road, submitted to the Planning Advisory Committee meeting of July 13th, 2015 is **conditionally approved**. The modifications 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 flat roof section on top of entrance with masonry around is not acceptable and must be replaced by the previous design submitted to the PAC on June 22nd 2015;
 - The roof junction between the second floor wall and the existing roof on rear side must be reworked to improve drainage;
 - The gutter design must be reworked to eliminate the flat section underneath;
 - The roof slope must be reduced to conform with maximum height requirement for that house;
 - The sample of the masonry (St-Marc Stone) must be submitted to the PAC for approval.

Adopted

2015-170

REQUEST TO AUTHORIZE A FAÇADE MODIFICATION TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 14 GAYTON ROAD, LOT NO.: 2 089 899, ZONE RA-2 (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO.775)

Minutes of Town of Hampstead

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

- THAT the site planning and architectural integration program showing plans and elevations for the a façade modification to a detached single family dwelling located at 14 Gayton Road, submitted to the Planning Advisory Committee meeting of July 13th, 2015 is *approved* as recommended by the PAC. The project meets the prescribed standards of the Zoning By-law number 727 and meets the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

2015-171

REQUEST TO AUTHORIZE AN ADDITION IN THE REAR YARD OF A DETACHED SINGLE FAMILY DWELLING AT 58 CLEVE ROAD LOT NO. : 3 021 908, ZONE RB-3 (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO.775)

On motion of Councillor Leon Elfassy, seconded by Councillor Karen Zajdman, it was 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 detached single family dwelling located at 58 Cleve Road, submitted to the Planning Advisory Committee meeting of July 13th, 2015 is *conditionally approved*. The modifications 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 sloped portion of the proposed roof must be reviewed and removed;
- The bay windows on the second floor must be removed and replaced by simple windows.

Mayor William Steinberg called for a vote.

Voted in favour:

Councillor Karen Zajdman
Councillor Michael Goldwax
Councillor Leon Elfassy

Voted against:

Councillor Warren Budning
Councillor Harvey Shaffer

In favour: 3

Against: 2

Adopted on division

2015-172

REQUEST TO AUTHORIZE A FAÇADE MODIFICATION TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 9 FINCHLEY ROAD, LOT NO.: 2 088 686, ZONE RA-4 (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 to a detached single family dwelling located at 9 Finchley Road, submitted to the Planning Advisory Committee meeting of July 13th, 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:

- Brackets must be added to respect the proposed Tudor style;

Adopted

Minutes of Town of Hampstead

2015-173

APPROVAL OF MODIFICATIONS TO PRELIMINARY PLANS CONCERNING THE CONSTRUCTION OF A NEW TENNIS CLUB HOUSE IN HAMPSTEAD PARK

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

- THAT the site planning and architectural integration program showing modifications to the preliminary plans for the construction of a new tennis club house in Hampstead Park, submitted to the Planning Advisory Committee meeting of July 13th, 2015 is *approved at the following conditions:*
 - The design must be done in such way as to allow the building to be properly ventilated;
 - The exterior cladding must be of a lighter color (the rendering with the grey cladding is preferred).

Adopted

2015-174

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF JULY 2015

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

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

- THAT the disbursements for the period from June 21st, 2015 to July 20th, 2015, in the total amount of \$ 792,419.32 are hereby approved (\$584,817.44 for cheques and \$207,601.88 for on line payments).

Adopted

2015-175

THIRD RENEWAL OF INTERMUNICIPAL AGREEMENT FOR THE DUMPING OF SNOW BETWEEN THE TOWN OF HAMPSTEAD AND CITY OF CÔTE SAINT-LUC

WHEREAS Council has received a copy of the proposed third Renewal of Agreement for the Dumping of Snow, since the end of the term of the agreement of 2009, with an effective date of July 22nd, 2015, between the City of Côte Saint-Luc and the Town of Hampstead;

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

- THAT the Director General or, in case of his absence, the Town Clerk, are authorized to sign the Third Renewal of the intermunicipal agreement for the dumping of snow, with an effective Date of October 1st, 2015, by which the City of Côte Saint-Luc allows the Town of Hampstead to use the Côte Saint-Luc snow dump located at the intersection of Kildare Road and Marc Chagall Avenue during the period of November 1st, 2015 to March 31st, 2016;

Treasurer's certificate No 15-27, dated July 23, 2015, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

Minutes of Town of Hampstead

2015-176

GRANTING OF CONTRACT – PURCHASE OF ONE SIX WHEELS TRUCK YEAR 2016 EQUIPPED WITH A DUMP BOX, A SNOW PLOW AND A SALT SPREADER TO GLOBOCAM (MONTREAL INC), THE LOWEST COMPLIANT BIDDER, FOR THE AMOUNT OF \$ 217 517.75 TAXES INCLUDED

WHEREAS there has been a call for tenders by way of public tender, for the purchase of one six wheels truck equipped with a dump box, a snow plow and a salt spreader;

WHEREAS, after analysing the tenders opened on July 27 20th, 2015, the lowest bidder conforming to the requirements of the tender is Globocam (Montreal) Inc;

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

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

GLOBOCAM (MONTREAL INC)	
Six wheels truck, year 2016 equipped with a: dump box, a snow plow and a salt spreader (as per tender specifications)	\$ 189 169.00
Tire tax	\$ 18.00
G.S.T. 5%	\$ 9 459.35
Q.S.T. 9.975%	<u>\$ 18 871.40</u>
Grand total taxes included	\$ 217 517.75

Treasurer's Certificate N° 15-26, dated July 27, 2015, has been issued by the Comptroller Finance, attesting to the availability of funds to cover the described expenses.

Adopted

2015-177

APPROVAL OF THE AGREEMENT RELATIVE TO THE JOB DESCRIPTION AND JOB EVALUATION OF "FINANCE AGENT" BETWEEN THE TOWN OF HAMPSTEAD AND LE SYNDICAT DES FONCTIONNAIRES MUNICIPAUX DE MONTRÉAL (SCFP-LOCAL 429)

CONSIDERING THAT the Union claimed a reclassification of the job of Revenue Agent;

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

- TO APPROVE the agreement between the Town of Hampstead with "Le Syndicat des fonctionnaires municipaux de Montréal" (SCFP-local 429) relative to the job description and the job evaluation (salary grade 9);
- TO AUTHORIZE the Director of Human Resources to sign the necessary documents to execute such agreement.

Adopted

2015-178

APPROVAL OF HIRING OF MS. OUASSILA FATHI AS "BUILDING INSPECTOR - URBAN PLANNING AND BUILDING INSPECTION"

CONSIDERING THAT the Town of Hampstead requires the hiring of a Building Inspector as temporary additional staff;

Minutes of Town of Hampstead

CONSIDERING THAT the Director General, the Section Chief of Urban Planning and Building Inspection, and the Human Resources Director are recommending the hiring of **MS. OUASSILA FATHI** 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 fixed term of less than five hundred and twenty (520) hours;

CONSIDERING THAT **MS. OUASSILA FATHI** has begun her assignment on July 21st, 2015;

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

- TO APPROVE the temporary hiring of **MS. OUASSILA FATHI** as **“BUILDING INSPECTOR - URBAN PLANNING AND BUILDING INSPECTION”** for a period not to exceed December 31st, 2015, subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 429 and the Town of Hampstead; and

Treasurer’s certificate no 15-25, dated July 21st, 2015, has been issued by the Comptroller, attesting the availability of funds to cover this expense.

Adopted

2015-179

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 Supervising Manager of Community Services and Recreation, dated July 24, 2015, on the hiring of auxiliary blue collar employees,

It was proposed by Councillor Leon Elfassy, seconded by Councillor Karen Zajdman, 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

SECOND QUESTION PERIOD

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

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

2015-180

ADJOURNMENT

All the subjects of the Agenda having been discussed, it was proposed by Councillor Harvey Shaffer, seconded by Councillor Michael Goldwax and unanimously resolved to declare that the meeting be closed at 9.24 p.m.

Adopted

(s) William Steinberg
Dr. William Steinberg, Mayor

(s) Simona Sonnenwirth
Simona Sonnenwirth, Assistant Town Clerk