

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON AUGUST 7TH, 2017, AT THE COMMUNITY CENTER, 30 LINCROFT ROAD, AT 8:00 P.M.

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

ABSENT IN THE BEGINNING OF THE MEETING: Councillors Karen Zajdman, Leon Elfassy and Michael Goldwax.

ALSO PRESENT: Mr. Richard Sun, Director General and Mrs. Simona Sonnenwirth, Assistant Town Clerk, acting as Secretary of the meeting.

OPENING OF MEETING

The Mayor called the meeting to order at 8:27 p.m.

Councillor Leon Elfassy took his seat at 8:28 p.m.

Councillors Karen Zajdman and Michael Goldwax took their seat at 8:29 p.m.

PUBLIC QUESTION PERIOD

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

- Questions were asked by residents and answered by the Mayor and the Councillors.

2017-150

ADOPTION OF THE AGENDA

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

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

Adopted

2017-151

ADOPTION OF THE MINUTES

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

- THAT the Minutes of the Regular Council meeting of July 4th, 2017, and of the Special Council Meeting of July 17th, 2017 are hereby approved as submitted.

Adopted

2017-152

ADOPTION – SCHEDULE MODIFICATION OF THE REGULAR COUNCIL MEETING OF SEPTEMBER 2017

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

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

- THAT the Regular Council Meeting, scheduled for Tuesday, September 5th, 2017, will be held on Tuesday, September 12th, 2017 at 8:00 pm at the Community Centre, 30 Lyncroft Road.

Adopted

2017-153

ADOPTION OF BY-LAW NO. 1015 ON THE PUBLICATIONS OF THE LEGAL NOTICES BY THE TOWN OF HAMPSTEAD.

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WHEREAS the Members of Council have received a copy of By-law No. 1015, regarding the publications of the legal public notices by the Town of Hampstead, and declare to have read it;

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

- TO approve By-law No. 1015 to be entitled: "By-law on the publication of the legal notices by the Town of Hampstead."

Adopted

2017-154

ADOPTION OF BY-LAW NO. 1014-1 MODIFYING BY-LAW NO. 1014 ON THE PLANNING ADVISORY COMMITTEE.

WHEREAS the Members of Council have received a copy of By-law No. 1014-1, regarding the Planning Advisory Committee members' remuneration, and declare to have read it;

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

- TO approve By-law No. 1014-1 to be entitled: "By-law modifying By-law No. 1014 on the Planning Advisory Committee."

Adopted

2017-155

NOTICE OF MOTION OF BY-LAW NO. 795-7 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 No. 795-7 modifying By-law No. 795-2 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law No. 795-7 and a motion to dispense with the reading of the said By-law was made.

2017-156

ADOPTION OF DRAFT BY-LAW NO. 795-7 MODIFYING BY-LAW NO. 795-2 ON NUISANCES.

WHEREAS the Members of Council have received a copy of By-law No. 795-7 modifying By-law No. 795-2, regarding the nuisances, and declare to have read it;

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

- TO approve the *Draft* By-law No. 795-7 modifying By-law No. 795-2 on nuisances.

Adopted

2017-157

NOTICE OF MOTION OF BY-LAW NO. 793-1 MODIFYING BY-LAW NO. 793 CONCERNING FIRE SAFETY

NOTICE OF MOTION was given by Councillor Harvey Shaffer that, at a subsequent meeting of Council, By-law No. 793-1 modifying By-law No. 793 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law No. 793-1 and a motion to dispense with the reading of the said By-law was made.

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2017-158

ADOPTION OF DRAFT BY-LAW NO. 793-1 MODIFYING BY-LAW NO. 793 ON FIRE SAFETY

WHEREAS the Members of Council have received a copy of Draft By-law No. 793-1 modifying By-law No. 793, regarding fire safety, and declare to have read it;

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

- TO approve the Draft By-law No. 793-1 modifying By-law No. 793 on fire safety.

Adopted

2017-159

DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON JULY 10TH, 2017

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on July 10th, 2017.

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

2017-160

REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2, FOR THE FRONT AND REAR SETBACKS FOR A DETACHED MULTI-FAMILY DWELLING LOCATED AT 5763 CÔTE-ST-LUC ROAD, LOT NO. 2 088 777, ZONE RC-1, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013)

WHEREAS the members of Council have reviewed the request for a minor exemption to Zoning By-law no. 1001-2, Section 65, Schedule B, to allow the front setback at 4.38 meters (14.37 feet) instead of 5.2 meters (17 feet) and to allow the rear setback at 8.92 meters (29.26 feet) instead of 10.6 meters (35 feet) for the proposed project;

WHEREAS THE Planning Advisory Committee, at its meeting held on July 10th, 2017, recommended *to refuse* the aforementioned request for a minor exemption of the setbacks;

No intervention was made to the Council;

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

- THAT the request for the minor exemption for the property located at **5763 Côte-St-Luc Road**, lot no. 2 088 777, Zone RC-1 is ***refused***. The modifications only partially meet 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

2017-161

REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2, FOR THE DISTANCE BETWEEN THE POOL AND THE FENCE AND THE POOL AND THE PROPERTY LINES FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 11 MINDEN ROAD, LOT NO. 2 089 798, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013)

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WHEREAS the members of Council have reviewed the request for a minor exemption to Zoning By-law No. 1001-2, Section 84, Paragraph 2, to allow the distance between the pool and the fence and the distance between the pool and the property lines at 1.55 meters (5.08 feet) instead of 2 meters (6.56 feet) to allow the proposed pool project that is currently under construction;

WHEREAS the Planning Advisory Committee did not make any recommendations;

No intervention was made to the Council;

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

- THAT the request for the minor exemption for the property located at **11 Minden Road**, lot No. 2 089 798, Zone RA-2 and submitted to the Planning Advisory Committee meeting on July 11th, 2017 is approved notwithstanding the position of the Planning Advisory Committee.

Adopted

2017-162

REQUEST TO AUTHORIZE THE CONSTRUCTION OF A MULTIFAMILY BUILDING LOCATED AT 5763 CÔTE-ST-LUC ROAD, LOT NO. 2 088 777, ZONE RC-1 (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

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

- THAT the construction of a multifamily building located at **5763 Côte-St-Luc Road** and submitted to the Planning Advisory Committee meeting on July 10th, 2017 is refused. The construction only partially 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

2017-163

REQUEST TO AUTHORIZE A PARTIAL RECONSTRUCTION AND MODIFICATIONS TO FACADES FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 42 HEATH ROAD, LOT NO. 2 089 595, ZONE RA-1 (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

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

- THAT the partial reconstruction and modifications to facades for a detached single family dwelling located at **42 Heath Road** and submitted to the Planning Advisory Committee meeting on July 10th, 2017 is refused as recommended by the PAC. The reconstruction and modifications meet the prescribed standards of the Zoning By-law No. 1001-2 and only partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law No. 775.

Adopted

2017-164

REQUEST TO AUTHORIZE THE MODIFICATION TO A FACADE FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 6 ALBION ROAD, LOT NO. 2 089 753, ZONE RA-1 (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

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

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- THAT the modification to a facade for a detached single family dwelling located at **6 Albion Road** and submitted to the Planning Advisory Committee meeting on July 10th, 2017 is approved as recommended by the PAC. The modification 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

2017-165

REQUEST TO AUTHORIZE MODIFICATIONS TO FACADES FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 41 HOLTHAM ROAD, LOT NO. 2 090 422, ZONE RA-2 (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

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

- THAT the modifications to facades for a detached single family dwelling located at **41 Holtham Road** and submitted to the Planning Advisory Committee meeting on July 10th, 2017 is approved as recommended by the PAC. The modifications meet the prescribed standards of the Zoning By-law No. 1001-2 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law No. 775.

Councillor Warren Budning abstained from participating in the discussions and from voting or attempting to influence the vote considering his relationship with the said owner of 41 Holtham Road.

Adopted

2017-166

REQUEST TO AUTHORIZE THE CONSTRUCTION OF A DETACHED SINGLE FAMILY DWELLING LOCATED AT 73 STRATFORD ROAD, LOT NO. 2 088 923, ZONE RA-1 (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

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

- THAT the construction of a detached single family dwelling located at **73 Stratford Road** and submitted to the Planning Advisory Committee meeting on July 10th, 2017 is deferred to a subsequent Council Meeting.

Adopted

2017-167

REQUEST TO AUTHORIZE THE MODIFICATION OF THE ENTRANCE FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 79 GLENMORE ROAD, LOT NO. 2 090 056, ZONE RA-2 (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 modification of the entrance for a detached single family dwelling located at **79 Glenmore Road** and submitted to the Planning Advisory Committee meeting on July 10th, 2017 is approved as recommended by the PAC. The modification of the entrance 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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2017-168

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF JULY 2017

WHEREAS Council reviewed the list of payments for the month of July 2017;

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

- THAT the disbursements for the period from June 16th, 2017 to July 15th, 2017, in the total amount of \$1,381,612.86 are hereby approved (\$805,675.98 for cheques and \$575,936.88 for online payments).

Adopted

2017-169

PER 2017 BUDGETARY ALLOCATIONS -TRANSFER OF FUNDS FROM UNAPPROPRIATED SURPLUS TO COVER FUTURE EXPENSES FOR THE PURCHASE OF A PUBLIC SECURITY VAN AND THE 2017 MUNICIPAL ELECTIONS.

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

- THAT the Town Council approves the transfer of funds, as further detailed in the following table, in the amount of \$34,000 from Unappropriated Surplus to Appropriated Surplus Account 55-992-00-000.

Details	2017 allocation
2017 Municipal elections	20,000
Public security van	14,000

Adopted

2017-170

REQUEST FOR FINANCING MADE TO THE FEDERATION OF CANADIAN MUNICIPALITIES (FCM) UNDER THE MUNICIPAL ASSET MANAGEMENT PROGRAM.

WHEREAS the Town of Hampstead is entitled to apply for financing under the *Municipal Asset Management Program* of the *Federation of Canadian Municipalities (FCM)* to advance our asset management program, namely *Sidewalk Survey, Traffic Signage and Pavement Marking, utilizing a GIS based software analytics platform*;

WHEREAS there are no financial implications to the making of such an application;

WHEREAS the Town of Hampstead wishes to participate in the *Municipal Asset Management Program* of the *Federation of Canadian Municipalities (FCM)*;

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

- THAT, the Department of Finance of the Town of Hampstead, be permitted to make, without any costs to the Town, an application for financing under the *Municipal Asset Management Program* of the *Federation of Canadian Municipalities (FCM)*;

Adopted

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2017-171

GRANTING OF CONTRACT – PURCHASE OF A SNOW BLOWER ATTACHMENT

WHEREAS there has been a call for tenders by way of public tender, for the purchase of one snow blower attachment;

WHEREAS, after analysing the tenders opened on July 24th, 2017, the lowest bidder conforming to the requirements of the tender is Vohl Inc;

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

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

VOHL INC.

Snow blower attachment: (as per tender specifications)	\$ 106 500.00
G.S.T. 5%	\$ 5 325.00
Q.S.T. 9.975%	<u>\$ 10 623.38</u>
Grand total taxes included	\$ 122 448.38

Treasurer’s Certificate No. 17-14, dated July 25, 2017, issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

RECESS

The Mayor recessed the meeting at 9:16 p.m. and reconvened the meeting at 9:27 p.m., all members of Council present at the beginning of the meeting remaining to form a quorum.

2017-172

RENEWAL OF CONTRACT – COLLECTION AND TRANSPORTATION OF GARBAGE AND ORGANIC WASTE FOR THE YEAR 2017-2018

WHEREAS there has been a public call for tenders for the collection and transportation of garbage and organic waste;

WHEREAS, after analyzing the tenders opened on, September 25, 2015, the lowest bidder conforming to the requirements of the public tender was 9064-3032 Québec Inc (JR Services Sanitaires);

WHEREAS resolution number 2015-223, adopted by the Council in October, 2015, authorized granting the contract to the lowest bidder conforming to the requirements, 9064-3032 Québec Inc (JR Services Sanitaires); for the period from December 1st, 2015 to November 30th, 2017;

WHEREAS, it was specified in the tender document that the contract included three renewal options of one year each;

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

THAT the contract with 9064-3032 Québec Inc (JR Services Sanitaires); for the collection and transportation of garbage and organic waste, be renewed for the period from December 1st, 2017 to November 30th, 2018, at the prices outlined below:

- Collection/transportation of garbage:	\$ 119 411.57/year
- Collection/transportation of organic waste	\$ 61 176.56/year
- Extra collection/transportation of garbage	\$ 2 296.38/each

THAT G.S.T. and Q.S.T. are applicable on above mentioned prices

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THAT, the treasurer's certificate No.17-15, dated July 26, 2017 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2017-173

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

CONSIDERING THAT Council members reviewed the list of the Director of Community Services and Recreation, submitted July 17, 2017, on the hiring of white collar student employees;

It was proposed by Councillor Warren Budning, seconded by Councillor Michael Goldwax, and it is 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

2017-174

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

CONSIDERING THAT Council members reviewed the report of the Director of Community Services and Recreation, dated July 25th, 2017, on the hiring of blue collar student employees;

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

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

2017-175

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 July 27, 2017, on the hiring of auxiliary blue collar employees;

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

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

2017-176

APPROVAL OF THE HIRING OF MR. MAURICIO HENRIQUEZ AS PERMANENT "CARETAKER-DRIVER" FOR THE COMMUNITY SERVICES AND RECREATION DEPARTMENT

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CONSIDERING THAT one (1) permanent “Caretaker-Driver” position, salary grade 6, with the Community Services and Recreation Department is presently vacant;

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

- TO HIRE MR. MAURICIO HENRIQUEZ as a permanent “Caretaker-Driver.” 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

2017-177

AUTHORIZATION TO PAY IN INSTALLMENTS THE EXPENSES COVERING HAMPSTEAD’S SHARE OF MONTREAL WEST / HAMPSTEAD 2017-2018 SEASON OF MINOR HOCKEY EXPENSES AND ICE TIME

WHEREAS the Town of Hampstead participates in the hockey program housed in Montreal West under the supervision of the Montreal West Civic Recreation Association;

WHEREAS, based on the anticipated number of Hampstead residents who will participate in the hockey program, the expected expense for the fall 2017 / winter 2018 is approximately \$125,000;

WHEREAS, based on the recommendation of the Director of Community Services, an advance partial payment at the beginning of the season is deemed justified given Hampstead’s rate of participation in a non-profit organization’s services;

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

THAT Council approves the payment of this expense in three installments as follows:

- 1st Installment: No later than October 31, 2017 - A portion of the registration user fees - \$25,000;
- 2nd Installment: No later than December 31, 2017 – A second portion of the registration user fees \$25,000;
- 3rd Installment: At the end of the season - The balance of the program costs but not exceeding \$75,000.

Adopted

SECOND QUESTION PERIOD

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

- No question was asked.

2017-178

ADJOURNMENT

All the subjects of the Agenda having been discussed, it was proposed by Councillor Michael Goldwax, seconded by Councillor Harvey Shaffer and unanimously resolved to declare that the meeting be closed at 9:30 p.m.

Adopted

(s) William Steinberg
Dr. William Steinberg, Mayor

(s) Simona Sonnenwirth
Simona Sonnenwirth, Assistant Town Clerk