

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON DECEMBER 5TH, 2016, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

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

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

OPENING OF MEETING

The Mayor called the meeting to order at 8:15 p.m.

FIRST QUESTION PERIOD

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

- No question was asked.

2016-317

MODIFICATION OF THE AGENDA

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

- THAT the amended agenda as proposed in order to add thereto the following item:

11.3- Remuneration of Management Personnel 2017.

Adopted

2016-318

ADOPTION OF THE AGENDA

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

- THAT the amend agenda of the Regular Council Meeting is hereby adopted as submitted.

Adopted

2016-319

ADOPTION OF THE MINUTES

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

- THAT the Minutes of the Regular Council meeting of November 7th, 2016 and of the Special Council meeting of November 23rd, 2016 are hereby approved as submitted.

Adopted

2016-320

APPOINTMENT OF ACTING MAYORS FOR THE YEAR 2017

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

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- 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 Jack Edery
January 1, 2017 to February 28, 2017

Councillor Harvey Shaffer
March 1, 2017 to April 30, 2017

Councillor Michael Goldwax
May 1, 2017 to June 30, 2017

Councillor Leon Elfassy
July 1, 2017 to August 31, 2017

Councillor Warren Budning
September 1, 2017 to October 31, 2017

Councillor Karen Zajdman
November 1, 2017 to December 31, 2017

Adopted

2016-321

REGISTRATION OF DELEGATES TO ATTEND THE 2017 ANNUAL CONFERENCE OF THE FEDERATION OF CANADIAN MUNICIPALITIES (FCM) IN OTTAWA

WHEREAS the 2017 Annual Conference of the Federation of Canadian Municipalities (FCM) will be held in Ottawa from June 1st to June 4th, 2017;

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

- THAT Council authorizes the following delegates to attend the 2017 Annual Conference of the FCM to be held in Ottawa from June 1st to June 4th, 2017;
 - Mayor William Steinberg
 - Director General Richard Sun
 - Councillor Karen Zajdman

Adopted

2016-322

REGISTRATION OF DELEGATES TO ATTEND THE 2017 ANNUAL CONFERENCE OF THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA)

WHEREAS the 2017 Annual Conference of the Government Finance Officers Association (GFOA) will be held in Denver, Colorado from May 21st to May 24th, 2017;

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

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- THAT Council authorizes the following delegates to attend the 2017 Annual Conference of the Government Finance Officers Association (GFOA) held in Denver, Colorado from May 21st to May 24th, 2017:
 - Director General Richard Sun
 - Councillor Jack Edery
 - Treasurer Armin Klaus
 - Comptroller Yves Tedom

Adopted

2016-323

RESOLUTION AUTHORIZING THE DIRECTOR GENERAL TO RENEW THE AGREEMENT EXISTING WITH THE TOWN OF MOUNT ROYAL REGARDING THE CALL DISPATCHING SERVICES

WHEREAS the Town of Mount Royal offers call dispatching services to other municipalities;

WHEREAS an agreement was entered between the Town of Hampstead and the Town of Mount Royal in August 2009;

WHEREAS this agreement is still in force;

WHEREAS new tariffs have been established for the period from July 2016 to July 2021;

WHEREAS for the year 2016-2017, the share of the Town of Hampstead will be \$ 26, 943.36, plus taxes;

WHEREAS for subsequent years, this amount will be increased by 2.5% per year until July 2021;

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

- THAT the Director General or in his absence, the Town Clerk, is hereby authorized to inform the Town of Mount Royal of the renewal of the initial agreement between the parties at the aboved mentioned rates.

Adopted

2016-324

ADOPTION OF BY-LAW NO. 1001-2 ENTITLED BY-LAW MODIFYING ZONING BY-LAW NO. 1001-1

WHEREAS the Members of Council have received a copy of By-law no. 1001-2 entitled By-law modifying Zoning By-law no. 1001-1, and declare to have read it;

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

- TO approve By-law no. 1001-2 entitled By-law modifying Zoning By-law no. 1001-1.

Adopted

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2016-325

NOTICE OF MOTION OF BY-LAW NO. 1010-1 MODIFYING TARIFF BY-LAW NO. 1010

NOTICE OF MOTION was given by Councillor Karen Zajdman, that, at a subsequent meeting of Council, By-law no. 1010-1 modifying Tariff By-law no.1010 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law no. 1010-1 and a motion to dispense with the reading of the said By-law was made.

2016-326

NOTICE OF MOTION OF BY-LAW NO. 694-9 MODIFYING BY-LAW NO. 694 CONCERNING TRAFFIC

NOTICE OF MOTION was given by Councillor Leon Elfassy that, at a subsequent meeting of Council, By-law no. 694-9 modifying By-law no. 694 concerning traffic will be submitted to Council for adoption.

All Council members have received a draft copy of By-law no. 694-9 and a motion to dispense with the reading of the said By-law was made.

2016-327

RENEWAL OF THE DAMAGE INSURANCE CONTRACT 2017-2018, WITH LE REGROUPEMENT DE MUNICIPALITÉS DE L'ÎLE DE MONTRÉAL

WHEREAS the conditions and renewal premiums filed by the BFL Canada broker in respect of the property, machinery and equipment, property and casualty insurance and automobile insurance portfolio for the term 2017-2018;

WHEREAS the recommendations of Mr. Martin Grandchamp, of Fidema Groupe Conseils Inc., consultant to the Union des Municipalités du Québec following the study of conditions and renewal premiums filed;

WHEREAS the direction taken by the members of the Regroupement with respect to the establishment of the guarantee fund for primary civil liability insurance;

WHEREAS the Town of Hampstead accepts the renewal conditions filed by the BFL Canada broker in respect of the property and casualty insurance portfolio for the term 2017-2018 for a total amount of \$ 70,031.00 including taxes, all as per the roll-up table deposited by the consultant Fidema Groupe conseils Inc., and authorizes to this effect the payment of this expenditure from budget item 02-190-00-421 for the year 2017;

WHEREAS the Town authorizes the payment, from budget item no. 02-190-00-421, to the UMQ of an amount of \$ 23 854.00 representing the proportion of the collective deductible of the liability insurance awarded to the Town;

WHEREAS the Town also authorizes the payment, from budget item no. 02-190-00-421, to the UMQ of a sum of \$ 700.35 plus taxes representing the fees of the UMQ to act as agent of the members of the amalgamation, such amount corresponding to 1% of the total including taxes on premiums paid by the Town;

WHEREAS the Town authorizes the payment, from budget item no. 02-190-00-421 to Fidema Groupe Conseils inc., of \$ 700.31 plus taxes, representing the consultant's fees;

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

- **THAT** the renewal of the contract for damage insurance 2017-2018 be authorized to the following insurance companies, according to the type of insurance and premiums mentioned, all in accordance with the analyst's report of the consultant of October 27, 2016, and in accordance with the law:

Type of insurance	Insurer's name	Insurance premium, plus taxes
Goods insurance	Affiliated FM	\$4,774.00
Machine breakdown insurance	Affiliated FM	\$531.00
Crime insurance	AIG	\$681.00
Automobile – private owner responsibility	Northbridge	\$8,128.00
Civil primary responsibility insurance	Lloyd's	\$38,442.00
Complimentary and surplus responsibility insurance	Lloyd's	\$6,002.00
Municipality responsibility insurance	Lloyd's	\$5,378.00

Adopted

2016-328

REQUEST FOR AUTHORIZATION TO INSTALL A THREE-SEASON SOLARIUM ON A NEW GALLERY IN THE REAR YARD FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 37, STRATFORD ROAD, LOT NO. 2 088 722, ZONE RA-1 (ZONING BY-LAW NO. 1001) AND (SPAIP BY-LAW NO. 775)

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

- THAT the plans submitted to the Planning Advisory Committee meeting of November 14th, 2016 showing the installation of a three season solarium on a new gallery in the rear yard for a detached single family dwelling located at **37, Stratford Road** are *conditionally approved*. The modifications meet the prescribed standards of the Zoning By-law no. 1001 and partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775 and as recommended by the PAC provided that:
 - The aluminum must be of a dark color (ex.: black or brown).
 - Elevations plans must be submitted to show how the solarium and balcony will be attached together. The plans must show the guard rails and materials to be used.

Adopted

2016-329

REQUEST TO AUTHORIZE MINOR EXEMPTIONS IN ACCORDANCE WITH ZONING BY-LAW NO. 727. TO PERMIT MODIFICATION TO A BUILDING HEIGHT FOR THE CONSTRUCTION OF 3 ADDITIONAL FLOORS, TO PERMIT THE MODIFICATION OF DIFFERENT MARGINS AND SETBACKS, TO PERMIT THE MODIFICATION OF THE AUTHORIZED NUMBER OF PARKING SPACES FOR A DETACHED APARTMENT BUILDING LOCATED AT 5763, COTE ST-LUC ROAD, LOT NO. 2 088 777, ZONE RC-1 (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO. 775) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 18 G-0005)

WHEREAS the Planning Advisory Committee, at its meeting held on October 19th, 2016, reviewed four requests for minor exemptions of a detached apartment building located at 5763, Cote St Luc Road, lot no. 2 088 777, zone RE-1, (Zoning

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By-law no. 727) (SPAIP By-law no. 775) and (By-law concerning minor exemptions NO. 18 G-0005)

WHEREAS the Planning Advisory Committee recommended as follows:

- The request for a minor exemption to permit a building height of 20.73m (68.5 ft.) instead of 15.3m (50.2 ft.) for the construction of 3 additional floors should be **approved** (Zoning By-law no. 727, section 5.1.);
- The request for a minor exemption to permit the front set back margin to 4.38m (14.37 ft.) from the property lot line instead of 5.2m (17 ft.) to legalize the existing and permit for the addition should be **approved**. (Zoning By-law no. 727, section 6.2.1.)
- The request for a minor exemption to permit the rear setback at 8.92m (29.26 ft.) from the property lot line instead of 10.67m (35 ft.) to legalize the existing should be **approved**. (Zoning By-law no. 727, section 6.4.1.);
- The request for a minor exemption to allow only three parking spaces at the rear of the property instead of the following calculation as in the By-law, 1.5 spaces per dwelling unit and 1 visitor parking space per 6 dwelling units, should be **approved**. (Zoning By-law no. 727, section 8.2.)

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

- THAT the aforementioned request for the minor exemptions for the property located at **5763 Cote St-Luc Road**, lot no. : 2 088 777, Zone RC-1 is **approved**.

Adopted

2016-330

REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 645, SECTION 33.3, TO PERMIT THE MODIFICATION OF A REAR SETBACK TO LEGALIZE THE EXISTING ACCESSORY CONSTRUCTION FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 63 HEATH ROAD, LOT NO. 2 090 392, ZONE RA-2 (ZONING BY-LAW NO. 645) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 18 G-0005)

WHEREAS the members of Council have reviewed the request for approval of a minor exemption to Zoning By-law no. 645, section 33.3 to permit the rear setback at 0.71m (28 in) instead of the required 0.76m (30 in) for a detached single family;

WHEREAS the Planning Advisory Committee, at its meeting held on October 19th, 2016 recommended as follows:

- The minor exemption request to permit the rear setback at 0.71m (28 in) instead of the required 0.76m (30 in) to legalize the existing accessory construction be **approved** (Zoning By-law no. 645, section 33.3)

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

- THAT the aforementioned request for the minor exemption for the property located at **63 Heath Road**, lot no. : 2 090 392, Zone RA-2 is **approved**.

Adopted

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2016-331

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF NOVEMBER 2016

WHEREAS Council reviewed the list of payments for the month of November 2016;

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

- THAT the disbursements for the period from October 21st, 2016 to November 20st, 2016, in the total amount of \$737 904.94 are hereby approved (\$286 934.13 for cheques and \$450 970.81 for online payments).

Adopted

2016-332

RENEWAL OF CONTRACT – PROFESSIONAL SERVICES FOR THE ENHANCEMENT OF THE TELECOMMUNICATION FIBER LINKS INFRASTRUCTURE

WHEREAS there has been a public call for tenders for the professional services for a three year contract for the enhancement of the telecommunication fiber links infrastructure;

WHEREAS, after the evaluation made by the Hampstead Section Chief Information Systems, a representative from the firm OS4 Techno and a representative from the firm Cosior, the offer of services provided by Fibre Noire Internet Inc had obtained a rating of 88.5%;

WHEREAS resolution number 2013-258, adopted by the Council in November, 2013, authorized granting the contract to Fibre Noire Internet Inc. for the three year contract;

WHEREAS, it was specified in the tender document that the contract includes two optional renewals of one year each, without any price increase;

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

THAT, the contract with Fibre Noire Internet Inc. be renewed from March 24, 2017 to March 23, 2018 for the amount of \$ 33 600 plus applicable taxes.

Adopted

2016-333

CONTRACT – SNOW CLEARING OF RINKS AND SKATING AREAS – WINTER SEASON 2016/2017

WHEREAS there has been a call for tenders, by way of written invitation, for the snow clearing of rinks and skating areas for the winter seasons 2016/2017;

WHEREAS after analyzing the tenders opened on September 8, 2016, the lowest bidder conforming to the requirements of the tender is Les Entreprises Clifton DRAM Inc.;

WHEREAS for winter season 2016/2017 the Town wants to clear the snow for the two Hampstead Park rinks;

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WHEREAS Councillor Harvey Shaffer has indicated his business relationship with Les Entreprises Clifton DRAM Inc. and consequently doesn't vote on the present resolution;

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

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

LES ENTREPRISES CLIFTON DRAM INC

Snow clearing for the two rinks in Hampstead Park (\$8 000 each) \$16 000.00

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

THAT, treasurer's Certificate N° 16-34, dated November 16, 2016, has been issued by the Town's treasurer assistant, attesting to the availability of funds to cover the described expenses.

Adopted

2016-334

GRANTING OF CONTRACT – PURCHASE OF TWO PICK-UP TRUCKS FOR THE DEPARTMENT OF PUBLIC WORKS

WHEREAS there has been a call for tenders, by way of written invitations, for the purchase of two pick-up trucks;

WHEREAS, after analysing the tenders opened on November 18, 2016, the lowest bidder conforming to the requirements of the tender is Chartrand Ford Inc;

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

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

CHARTRAND FORD INC

Two pick-up trucks year 2017 : (as per tender specifications)	\$ 75 780.20
Tire Tax	\$ 30.00
G.S.T. 5%	\$ 3 790.51
Q.S.T. 9.975%	<u>\$ 7 562.07</u>
Grand total taxes included	\$ 87 162.78

Treasurer's Certificate no. 16-35, dated November 21, 2016, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2016-335

APPROVAL OF HIRING OF MR. QING YUN FEI AS "OFFICE AGENT (ACCOUNTS PAYABLE) - FINANCE" AS TEMPORARY REPLACEMENT FOR THE PERMANENT INCUMBENT EMPLOYEE ON SICK LEAVE

CONSIDERING THAT the Town of Hampstead requires the hiring of an Office Agent as temporary replacement for the permanent incumbent employee on sick leave;

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CONSIDERING THAT the Director General, the Comptroller and the Human Resources Counselor are recommending the hiring of **MR. QING YUN FEI** 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 **MR. QING YUN FEI** has begun his assignment on November 16th, 2016;

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

- TO APPROVE the temporary hiring of **MR. QING YUN FEI** as “**OFFICE AGENT (ACCOUNTS PAYABLE) - FINANCE**” starting November 16th, 2016, and for the duration of the permanent incumbent employee’s sick leave, 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

2016-336

APPROVAL OF PERMANENT HIRING OF MS. CYNTHIA LANE AS “COMMUNICATIONS OFFICER”

CONSIDERING THAT the Town of Hampstead has the need for a Communications Officer;

CONSIDERING THAT the Council of the Town of Hampstead approved the contractual hiring of Ms. Cynthia Lane by resolution number 2013-092 on April 22nd, 2013;

CONSIDERING THAT the Director General has evaluated the Communications Officer’s performance to be exemplary;

CONSIDERING THAT the Director General and the Human Resources Director are recommending the permanent hiring of **Ms. Cynthia Lane**;

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

- TO APPROVE the permanent hiring of Ms. **CYNTHIA LANE** as “**COMMUNICATIONS OFFICER**” as of December 6th, 2016 in accordance with the conditions described in the *Management Conditions of Employment and Benefits Policy of the Town of Hampstead* and in the *Management Remuneration Policy of the Town of Hampstead*.

Adopted

2016-337

REMUNERATION OF MANAGEMENT PERSONNEL - 2017

It was proposed by councillor Jack Edery, seconded by Councillor Harvey Shaffer, and it is UNANIMOUSLY RESOLVED:

- TO ratify the recommendations of the Director general regarding the adjustments of the remuneration of Management personnel for the year 2017, effective as of January 1st, 2017, the whole in accordance with the “Management Remuneration Policy” of the Town of Hampstead, adopted December 19th, 2011 under the resolution no. 2011-957 and contained in the confidential “Management Salaries” file in the Human Resources Director’ Office;

Adopted

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SECOND QUESTION PERIOD

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

- No question was asked.

2016-338

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 9.04 p.m.

Adopted

(s) Jack Edery _____
Jack Edery, Pro-Mayor

(s) Pierre Tapp _____
Me Pierre Tapp, Town Clerk