

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON DECEMBER 3RD, 2018, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

THOSE PRESENT WERE: Mayor William Steinberg, Councillors Leon Elfassy, Michael Goldwax, Harvey Shaffer, Jack Edery, Warren Budning, and Cheryl Weigensberg, and 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 8:20 p.m.

PUBLIC QUESTION PERIOD

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

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

2018-341

MODIFICATION OF THE AGENDA

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

- **TO** amend the agenda as proposed to add thereto item **6.1**:

6.1 Remuneration of management personnel - 2019

Adopted

2018-342

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 amended.

Adopted

2018-343

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 5th, 2018, are hereby approved as submitted.

Adopted

2018-344

REMUNERATION OF MANAGEMENT PERSONNEL - 2019

It was proposed by Councillor Cheryl Weigensberg, seconded by Councillor Jack Edery and UNANIMOUSLY RESOLVED:

- **TO** ratify the recommendations of the Director General regarding the adjustments of the remuneration of Management personnel for the year 2019, effective as of January 1st, 2019, 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's Office;

Adopted

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At 8:53 p.m. Councillor Leon Elfassy temporarily left his seat.

2018-345

NOTICE OF MOTION OF BY-LAW NO. 1023 ESTABLISHING THE REMUNERATION OF THE TOWN COUNCIL MEMBERS

NOTICE OF MOTION was given by Councillor Harvey Shaffer that, at a subsequent meeting of Council, By-law no. 1023 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law no. 1023 and a motion to dispense with the reading of the said By-law was made.

2018-346

ADOPTION OF DRAFT BY-LAW NO. 1023 ESTABLISHING THE REMUNERATION OF THE TOWN COUNCIL MEMBERS

WHEREAS the Members of Council have received a copy of Draft By-law no. 1023 establishing the remuneration of the Town Council members, and declare to have read it;

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

- **TO** approve the Draft By-law no. 1023 establishing the remuneration of the Town Council members.

Mayor William Steinberg called for a vote.

Voted in favor

Councillor Cheryl Weigensberg
 Councillor Jack Edery
 Councillor Michael Goldwax
 Councillor Warren Budning
 Councillor Harvey Shaffer
 Mayor William Steinberg

In favor: 6

Absent during vote

Councillor Leon Elfassy

Absent: 1

Adopted on division

2018-347

NOTICE OF MOTION OF BY-LAW NO. 1010-8 MODIFYING BY-LAW NO. 1010 CONCERNING TARIFFS

NOTICE OF MOTION was given by Councillor Jack Edery that, at a subsequent meeting of Council, By-law no. 1010-8 modifying By-law no. 1010 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law no. 1010-8 and a motion to dispense with the reading of the said By-law was made.

2018-348

ADOPTION OF DRAFT BY-LAW NO. 1010-8 MODIFYING BY-LAW NO. 1010 CONCERNING TARIFFS

WHEREAS the Members of Council have received a copy of Draft By-law no. 1010-8 modifying By-law no. 1010 regarding tariffs, and declare to have read it;

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

- **TO** approve the Draft By-law no. 1010-8 modifying By-law no. 1010 on tariffs.

Adopted

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At 8:55 p.m. Councillor Leon Elfassy took his seat.

2018-349

ADOPTION OF BY-LAW NO. 1010-7 MODIFYING BY-LAW NO. 1010 CONCERNING TARIFFS

WHEREAS the Members of Council have received a copy of Draft By-law no. 1010-7 modifying By-law no. 1010 concerning Tariffs, and declare to have read it;

On motion of Councillor Jack Edery, seconded by Councillor Cheryl Weigensberg, it is UNANIMOUSLY RESOLVED:

- TO approve By-law no. 1010-7 modifying By-law no. 1010 concerning Tariffs.

Adopted

2018-350

ADOPTION OF BY-LAW NO. 1003-2 MODIFYING BY-LAW NO. 1003 CONCERNING BUILDINGS

WHEREAS the Members of Council have received a copy of Draft By-law no. 1003-2 modifying By-law no. 1003 concerning buildings, and declare to have read it;

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

- TO approve By-law no. 1003-2 modifying By-law no. 1003 concerning buildings.

Adopted

2018-351

ADOPTION OF BY-LAW NO. 1021 CONCERNING PARKS AND PUBLIC PLACES

WHEREAS the Members of Council have received a copy of Draft By-law no. 1021 concerning the parks and public places, and declare to have read it;

On motion of Councillor Cheryl Weigensberg, seconded by Councillor Jack Edery, it is UNANIMOUSLY RESOLVED:

- TO approve By-law no. 1021 concerning parks and public places.

Adopted

2018-352

ADOPTION OF BY-LAW NO. 1022 DECREERING AND IMPOSING THE TAX RATES TO COVER THE TOWN'S EXPENSES FOR THE YEAR 2019

By-law no. 1022 decreeing and imposing the tax rates to cover the Town's Expenses for the Year 2019, and declare to have read it;

On motion of Councillor Jack Edery, seconded by Councillor Cheryl Weigensberg, it is UNANIMOUSLY RESOLVED:

- TO approve By-law no. 1022 decreeing and imposing the tax rates to cover the Town's Expenses for the Year 2019

Adopted

2018-353

DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON NOVEMBER 12TH, 2018

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on November 12th 2018.

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

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2018-354

REQUEST TO AUTHORIZE MINOR EXEMPTIONS TO ZONING BY-LAW NO. 1001-2 FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 2 FALLBROOK ROAD, LOT NO. 2 089 711, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013)

WHEREAS the members of Council have reviewed the following request for minor exemptions to Zoning By-law No. 1001-2:

1. To Section 65, schedule B, to allow the front setback at 5.39m (17.17 ft.) instead of 6.1m (20 ft.);
2. To Section 65, schedule B, to allow the secondary front setback at 4m (13.1 ft.) instead of 6.1m (20 ft.);
3. To Section 65, schedule B, to allow the right side setback at 2.06m (6.8 ft.) instead of 4m (13.1 ft.);

WHEREAS the Planning Advisory Committee, at its meeting held on November 12th, 2018, recommended to approve the request for minor exemptions;

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

- THAT the request for minor exemptions for the property located at **2 Fallbrook Road**, lot no. : 2 089 711, Zone RA-2 is approved.

Adopted

2018-355

REQUEST TO AUTHORIZE THE MODIFICATION OF A FAÇADE FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 11 BRIARDALE ROAD, LOT NO. 2 089 996, ZONE RA-1, (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 to the facade of a detached single family dwelling located **11 Briardale Road** and submitted to the Planning Advisory Committee meeting on November 12th, 2018 are approved as recommended by the PAC. The modification meets the prescribed standards of the Zoning By-law no. 1001-2 and the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

2018-356

REQUEST TO AUTHORIZE MINOR EXEMPTIONS TO ZONING BY-LAW NO. 1001-2 FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 20 COLCHESTER ROAD, LOT NO. 2 089 847, ZONE RA-2, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013)

WHEREAS the members of Council have reviewed the following request for minor exemptions to Zoning By-law No. 1001-2:

1. To Section 65, schedule B, to allow the right side setback at 1.89m (6.2 ft.) instead of 2.89m (9.48 ft.);
2. To Section 76, table 13, to allow the setback for mechanical equipment at 1.32m (4.33 ft.) instead of 1.5m (4.92 ft.);

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3. To Section 84, paragraph 2, to allow the distance between the pool and the property line at 1.5m (4.92 ft.) instead of 2m (6.56 ft.);

WHEREAS the Planning Advisory Committee, at its meeting held on November 12th, 2018, recommended to approve the request for minor exemptions;

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

- THAT the request for minor exemptions for the property located at **20 Colchester Road**, lot no. : 2 089 847, Zone RA-2 is approved.

Adopted

2018-357

REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2 FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 21 HEATH ROAD, LOT NO. 2 089 580, ZONE RA-1, (ZONING BY-LAW NO. 1001-2) AND (BY-LAW CONCERNING MINOR EXEMPTIONS NO. 1013)

WHEREAS the members of Council have reviewed the following request for minor exemptions to Zoning By-law No. 1001-2:

1. To Section 107, paragraph 3, to allow the setback of a retaining wall at 0m (0 ft.) instead of 1m (3.28 ft.);

WHEREAS the Planning Advisory Committee, at its meeting held on November 12th, 2018, recommended to refuse the request for minor exemption;

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

- THAT the request for a minor exemption for the property located at **21 Heath Road**, lot no. : 2 089 580, Zone RA-1 is refused.

Adopted

2018-358

REQUEST TO AUTHORIZE THE CONSTRUCTION OF A SINGLE FAMILY DWELLING LOCATED AT 25 CRESSY ROAD, LOT NO. 2 089 762, ZONE RA-1, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

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

- THAT the construction of a detached single family dwelling located at **25 Cressy Road** and submitted to the Planning Advisory Committee meeting on November 12th, 2018 is approved, and this notwithstanding the recommendation by the PAC to conditionally approve the project. The construction 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

2018-359

REQUEST TO AUTHORIZE THE CONSTRUCTION OF A SINGLE FAMILY DWELLING LOCATED AT 91 STRATFORD ROAD, LOT NO. 2 088 943, ZONE RA-1, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

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

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- THAT the construction of a detached single family dwelling located at **91 Stratford Road** and submitted to the Planning Advisory Committee meeting on November 12th, 2018 is approved as recommended by the PAC. The construction meets the prescribed standards of the Zoning By-law No. 1001-2 as well as the prescribed standards of the Site Planning and Architectural Integration Program By-law No. 775.

Adopted

2018-360

REQUEST TO AUTHORIZE THE MODIFICATION OF STAIRS FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 172 WEXFORD CRESCENT, LOT NO. 2 089 338, 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 stairs of a detached single family dwelling located at **172 Wexford Road** and submitted to the Planning Advisory Committee meeting on November 12th, 2018 is conditionally approved as recommended by the PAC provided that;

- The black metal railings must have a bolder handrail.

The 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

2018-361

REQUEST TO AUTHORIZE THE ADDITION TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 5706 QUEEN-MARY ROAD, LOT NO. 2 089 605, ZONE RA-1, (ZONING BY-LAW NO. 1001-2) AND (SPAIP BY-LAW NO. 775)

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

- THAT the addition to a detached single family dwelling located at **5706 Queen-Mary Road** and submitted to the Planning Advisory Committee meeting on November 12th, 2018 is approved as recommended by the PAC. The addition 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

2018-362

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF NOVEMBER 2018

WHEREAS Council reviewed the list of payments for the month of November 2018;

On motion of Councillor Jack Edery, seconded by Councillor Michael Goldwax, it is UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from October 16th, 2018 to November 15th, 2018, in the total amount of \$1 266 930.39 are hereby approved.

Adopted

2018-363

AUTHORIZATION TO PROCEED WITH THE CONTRACT RENEWAL FOR MAINTENANCE AND APPLICATIONS SUPPORT WITH PG SOLUTIONS INC. FOR 2019

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WHEREAS the Town proceeded to the purchase of the PG Solutions Inc. applications in 2005;

WHEREAS the PG Solutions applications are those used for the current operations by the employee;

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

- THAT the annual renewal contract for 2019 be awarded to PG Solutions Inc., for the amount of \$ 51 687 taxes included.

Treasurer’s Certificate No 18-17 dated November 27, 2018, has been issued, attesting to the availability of funds to cover the described expenses.

Adopted

2018-364

APPROVAL OF PERMANENT HIRING OF MR. MEGAL JOHNSON AS “PUBLIC SECURITY AGENT”

CONSIDERING THAT the Town of Hampstead currently has a vacant permanent Public Security Agent position;

CONSIDERING THAT the Town Council wishes to maintain a certain level of Public Security Agent positions;

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

- TO APPROVE the permanent hiring of **MR. MEGAL JOHNSON** as “**PUBLIC SECURITY AGENT**”, subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 429 and the Town of Hampstead.

Mayor William Steinberg called for a vote.

Voted in favor

Councillor Cheryl Weigensberg
Councillor Jack Edery
Councillor Michael Goldwax
Councillor Warren Budning
Councillor Harvey Shaffer

In favor: 5

Voted against

Councillor Leon Elfassy

Against: 1

Adopted on division

2018-365

SIGNING OF LEASE FOR THE CAFÉ AT THE IRVING L. ADESSKY COMMUNITY CENTER – HAMPSTEAD PARK

WHEREAS a leasing contract for the period of May 1st, 2019 to September 30th, 2019, upon the expiration of the current lease, will be signed between the Town of Hampstead and Distributrice Deli-Snacks Inc. for the premises at the Irving L. Adessky Community Center used as a café;

On motion of Councillor Cheryl Weigensberg, seconded by Councillor Jack Edery, it is RESOLVED:

- TO approve the lease between the Town of Hampstead and Distributrice Deli-Snacks Inc starting from May 1st, 2019 to September 30th, 2019 and to authorize the Director General to sign the said lease.

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Mayor William Steinberg called for a vote.

Voted in favor

Councillor Cheryl Weigensberg
Councillor Jack Edery
Councillor Leon Elfassy
Councillor Michael Goldwax
Councillor Harvey Shaffer

Voted against

Councillor Warren Budning

In favor: 5

Against: 1

Adopted on division

SECOND QUESTION PERIOD

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

- No questions were asked.

2018-366

ADJOURNMENT

All the subjects of the Agenda having been discussed, it was proposed by Councillor Harvey Shaffer, seconded by Councillor Warren Budning and unanimously resolved to declare that the meeting be closed at 9:15 p.m.

Adopted

Dr. William Steinberg, Mayor

Me Pierre Tapp OMA, Town Clerk