

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON JULY 6<sup>TH</sup>, 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 8:05 p.m.

**FIRST QUESTION PERIOD**

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

- Questions were asked by residents and answered by Mayor and members of Council.
- Two letters were deposited to the Council.

2015-132

**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:
  - 7.6 - Approval of payment concerning an insurance claim

Adopted

2015-132A

**ADOPTION OF THE AGENDA**

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

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

Adopted

2015-133

**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 June 15<sup>th</sup>, 2015 are hereby approved as submitted.

Adopted

2015-134

**ADOPTION OF BY-LAW NO. 815 REGULATING THE AUTHORIZATION, MANAGEMENT, INSTALLATION AND MAINTENANCE OF COLLECTION BOXES, CONTAINERS, SERVICE LOCKERS IN THE TERRITORY OF THE TOWN OF HAMPSTEAD**

CONSIDERING THAT notice of motion of By-law N<sup>o</sup> 815 was given at the Regular Council meeting of June 15<sup>th</sup>, 2015 and that Council members received

## Minutes of Town of Hampstead

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, it was UNANIMOUSLY RESOLVED:

- TO approve By-law N° 815 entitled By-law to regulate the authorization, management, installation and maintenance of collection boxes, containers, service lockers in the territory of the town of Hampstead.

Adopted

2015-135

### **NOTICE OF MOTION – BY-LAW N° 811-2 AMENDMENT TO BY-LAW N° 811 TO DECREE THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE (ACTIVITIES FOR FALL/WINTER 2015/2016)**

NOTICE OF MOTION was given by Councillor Karen Zajdman that, at a subsequent meeting of Council, By-law N° 811-2 to decree the fee schedule for cultural, sports and leisure will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 811-2 and a motion to dispense with the reading of the said By-law was made.

2015-136

### **NOTICE OF MOTION OF BY-LAW NO. 816 CONCERNING SWIMMING POOLS AND REPEALING BY-LAW 760 AND ITS AMENDMENTS**

NOTICE OF MOTION was given by Councillor Warren Budning that, at a subsequent meeting of Council, By-law N° 816 entitled By-law concerning swimming pools by repealing By-law 760 and its amendments.

All Council members have received a draft copy of By-law N° 816 and a motion to dispense with the reading of the said By-law was made.

2015-137

### **NOTICE OF MOTION - 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.**

NOTICE OF MOTION was given by Councillor Warren Budning that, at a subsequent meeting of Council, 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.

All Council members have received a draft copy of By-law N° 727-19 and a motion to dispense with the reading of the said By-law was made.

2015-138

### **ADOPTION - FIRST 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 first 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 Karen Zajdman and UNANIMOUSLY RESOLVED:

## Minutes of Town of Hampstead

- TO approve first 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

2015-139

### **APPROVAL OF PAYMENT CONCERNING AN INSURANCE CLAIM**

WHEREAS the Town of Hampstead is a Defendant in a court case bearing number 500-17-084658-148 before the Superior Court (Civil chamber) of the District of Montreal;

WHEREAS *AIG Insurance Company of Canada*, the plaintiff in this case, is claiming from the Town an amount of \$405,796.22 plus interest at the legal rate and additional indemnity pursuant to article 1619 C.c.Q.;

WHEREAS the parties have agreed to settle this case out of court, without admission;

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

- THAT the Town pays to *BFL Canada Risk and Insurance services Inc.*, the amount of \$91,894.41 in addition of the amount of \$105,598 already paid for the total of \$100,000 in capital, interest costs and legal fees to settle the aforesaid case out of court, for the amount of \$335,000.00;
- THAT *Groupe Mission Expert* and *BFL Canada Risk and Insurance services Inc.* be authorized to sign all necessary documents required by the parties to the aforesaid court case, if any.
- THAT Resolution 2015-116, dated June 15<sup>th</sup>, 2015 and entitled "Approval of payment concerning an insurance claim", be and is hereby repealed.

The Treasurer's certificate N° 15-19, dated June 15<sup>th</sup>, 2015, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2015-140

### **DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON JUNE 22<sup>ND</sup> 2015**

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on June 22<sup>nd</sup>, 2015.

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

2015-141

### **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

## Minutes of Town of Hampstead

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 22<sup>nd</sup>, 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;

On motion of Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer and 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

### *Intervention of interested persons concerning the request for Minor Exemption for project located at 5 Northcote Road.*

*No intervention.*

2015-142

### **REQUEST TO AUTHORIZE AN ADDITION IN THE REAR YARD OF A DETACHED SINGLE FAMILY DWELLING AT 5 MERTON ROAD LOT NO. : 2 088 872, 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 an addition in the rear yard of a detached single family dwelling located at 5, Merton Road, submitted to the Planning Advisory Committee meeting of June 22<sup>nd</sup>, 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

2015-143

### **REQUEST TO AUTHORIZE THE CONSTRUCTION OF A DETACHED SINGLE FAMILY DWELLING AT 57 THURLOW ROAD, LOT NO.: 2 088 997, ZONE RA-1, (ZONING BY-LAW NO. 727) (SPAIP BY-LAW NO.775) (DEMOLITION BY-LAW 759 )**

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

- THAT the site planning and architectural integration program showing plans and elevations for the construction of a new detached single family dwelling located at 57 Thurlow Road, submitted to the Planning Advisory Committee meeting of June 22<sup>nd</sup>, 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

2015-144

### **APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF JUNE 2015**

**Minutes of Town of Hampstead**

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

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

- THAT the disbursements for the period from May 21<sup>st</sup>, 2015 to June 20<sup>th</sup>, 2015, in the total amount of \$ 6,120,671.32 are hereby approved (\$864,145.37 for cheques and \$5,256,525.95 for on line payments).

Adopted

2015-145

**DEPOSIT OF THE FINANCIAL REPORT AND THE EXTERNAL AUDITOR'S REPORT FOR THE 2014 FISCAL YEAR**

In accordance with Section 105.1 of the *Cities and Towns Act*, the Town Treasurer hereby deposited at the Meeting the following:

- 1) the financial report of the Town for the fiscal year 2014; and
- 2) the report of the Town's external auditor, Goudreau Poirier S.E.N.C.R.L., for the fiscal year 2014.

2015-146

**PER 2015 BUDGETARY ALLOCATIONS -TRANSFER OF FUNDS FROM UNAPPROPRIATED SURPLUS TO COVER FUTURE EXPENSES FOR THE PURCHASE OF A PUBLIC SECURITY VAN IN 2017, AND THE 2017 MUNICIPAL ELECTIONS.**

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

- THAT the Town Council approves the transfer of funds, as further detailed in the following table, in the amount of \$35,000 from Unappropriated Surplus to Appropriated Surplus Account 55-992-00-000.

<b>Details</b>	<b>2015 allocation</b>
2017 Municipal elections	20,000
Public security van	15,000

Adopted

2015-147

**TRANSFER OF FUNDS FROM APPROPRIATED SURPLUS TO COVER EXPENSES INCURRED IN THE 2015 FISCAL PERIOD**

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

- THAT the Town Council approves the transfer of funds for an amount of \$ 15,000 from the Appropriated Surplus Account 55-992-00-000 to cover the purchase of a Public security vehicle incurred in the 2015 fiscal period under P/O 19155.

Adopted

2015-148

**MANDATE TO THE UMQ FOR THE PURCHASE OF TIRES**

WHEREAS the Town of Hampstead has received a proposal from the Union des Municipalités du Québec (UMQ) to form on its behalf and on behalf of

## Minutes of Town of Hampstead

several other municipalities, RCM or interested inter municipal agreement, a buying group for group purchases of tires;

WHEREAS sections 29.9.1 of the *Cities and Towns Act* and section 14.7.1 of the *Municipal Code* allow a municipal organization to conclude an agreement with the UMQ aiming to purchase products on its behalf;

WHEREAS sections 29.9.2 of the *Cities and Towns Act* and section 14.7.2 of the *Municipal Code* allow the UMQ to delegate, by agreement, part of the execution of the contracting process to the Centre de services partagés du Québec (CSPQ);

WHEREAS the Town of Hampstead would like to join these regrouped purchases to get the different types of tires identified in a specific registration sheet, and in the quantities required for its activities;

WHEREAS the Town of Hampstead has completed for the UMQ, within established timeframes, the registration technical form that aim to estimate annual quantities of various types of required tires;

WHEREAS the Director of Purchasing and information systems, will act as representative of the Town of Hampstead in this case,

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

THAT the Town of Hampstead confirms its membership in the regrouping run by the UMQ to purchase tires for the period of April 1<sup>st</sup>, 2016 to March 31st, 2019;

THAT the Town of Hampstead gives the CSPQ, through the UMQ, the process leading to the awarding of contracts for regrouped purchases of different types of tires for the activities of the Town;

THAT the Town of Hampstead agrees that the UMQ delegates to the CSPQ the execution of this Agreement;

THAT the Town of Hampstead estimates its tire needs for the contract period of three (3) years from about \$ 23,250;

THAT the Town of Hampstead agrees to comply with the terms and conditions herein as if she had contracted directly with the supplier to whom the contract is awarded;

THAT the Town of Hampstead recognizes that, in their administrative policy, CSPQ will receive, directly from supplier contractors, a management fee of 1% (0.6% paid to CSPQ and 0.4% to UMQ) to be included in the sale price of tires.

THAT the Town of Hampstead will have to be a subscriber to CSPQ procurement portal and assume the annual subscription cost of \$ 500.00 per passcode per person to be enrolled in this inter municipal agreement.

Adopted

2015-149

### **GRANTING OF CONTRACT – PROFESSIONAL SERVICES FOR NEGOTIATION (PENSION PLAN AND COLLECTIVE AGREEMENT)**

WHEREAS there has been a call for tenders, by way of written invitations, for professional services for negotiation (pension plan and collective agreement);

WHEREAS, after analysing the offer of services received and the application of the formula to determine the pointing of each bidder, the highest bidder's note

## Minutes of Town of Hampstead

conforming to the requirements of the tender is the one obtained by Bélanger Sauve s.e.n.c.r.l.;

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

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

THAT the supply of professional services for negotiation (pension plan and collective agreement) be granted to Belanger Sauve s.e.n.c.r.l, the whole in conformity with the offer of services dated June 9, 2015.

THAT based on a 200 hours contract, the expense will be \$ 45 990 taxes included;

THAT only the number of hours worked will be paid;

THAT extra hours, if necessary, will be charged at \$ 200.00 plus taxes,

THAT the Treasurer's certificate n° 15-20, dated June 17, 2015, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2015-150

### **EXTENSION OF CONTRACT – SNOW CLEARING OF RINKS AND SKATING AREAS – WINTER SEASONS 2015/2016**

---

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 2013/2014 and 2014/2015, including a clause for an optional season for 2015/2016

WHEREAS resolution number 2013-183, adopted by the Council on August 5, 2013, authorized granting the contract to the lowest bidder conforming to the requirements, Les Entreprises Clifton DRAM inc, for the winter seasons 2013/2014 and 2014/2015;

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

THAT the contract with Les Entreprises Clifton DRAM inc, for the snow clearing of rinks and skating areas, be renewed for the winter season 2015/2016;

THAT the prices will be:

Snow clearing for the two rinks in Hampstead Park:	\$ 16 600.00
Snow clearing for skating area in Applewood Park:	\$ 6 100.00

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

THAT the Treasurer's Certificate N° 15-21, dated June 18, 2015, has been issued by the Town's treasurer assistant, attesting to the availability of funds to cover the described expenses.

Adopted

2015-151

### **GRANTING OF CONTRACT FOR SIDEWALKS RECONSTRUCTION, LEVELLING, PAVING AND CRACKS SEALING**

---

WHEREAS there has been a public call for sidewalks reconstruction, levelling, paving and cracks sealing;

**Minutes of Town of Hampstead**

WHEREAS, after analysing the tenders opened on June 29<sup>th</sup>, 2015, the lowest bidder conforming to the requirements of the tender invitation is Les Entreprises Canbec Construction Inc;

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

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

**LES ENTREPRISES CANBEC CONSTRUCTION INC**

Sidewalks reconstruction, levelling, paving and cracks sealing:	\$	
207 077.65		
(as per tender specifications)		
	Contingencies:	\$ 20 707.77
	Sub-Total:	\$ 227 785.42
	G.S.T. (5%):	\$ 11 389.27
	Q.S.T. (9.975%):	\$ 22 721.60
	Grand total taxes included:	\$ 261 896.29

The Treasurer's Certificate N° 15-22, dated June 29, 2015, has been issued by the Town's treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2015-152

**GRANTING OF CONTRACT – PURCHASE OF TWO FORD F-250 CREW CAB EQUIPPED WITH A TAILGATE**

---

WHEREAS there has been a call for tenders, by way of written invitations, for the purchase of two Ford F250 crew cab equipped with a tailgate;

WHEREAS after analysing the tenders opened on June 29<sup>h</sup>, 2015, the lowest bidder conforming to the requirements of the tender is Fortier Auto Montréal Limitée;

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

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

**FORTIER AUTO MONTRÉAL LIMITÉE**

Two Ford F250 crew cab year 2016 :	\$ 65 358.00
equipped with a tailgate, (as per tender specifications)	
G.S.T. 5%	\$ 3 467.90
Q.S.T. 9.975%	\$ 6 918.46
Grand total taxes included	\$ 79 744.36

Treasurer's Certificate N° 15-24, dated June 29, 2015, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

*At 9.35 p.m. Councillor Karen Zajdman left for the rest of the meeting.*

2015-153

**GRANTING OF CONTRACT – COMMUNITY CENTER ASBESTOS REMOVAL**

---

WHEREAS there has been a public call for tenders for the Community Center asbestos removal;



**Minutes of Town of Hampstead**

WHEREAS, after analysing the tenders opened on June 29th, 2015, the lowest bidder conforming to the requirements of the tender is C.F.G. Construction Inc.;

On motion of Councillor Karen Zajdman, 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:

C.F.G. CONSTRUCTION INC.	
Community Center Asbestos Removal :	\$ 29 500.00
(as per tender specifications)	
Contingencies (10%)	2 950.00
G.S.T. 5%	\$ 1 622.50
Q.S.T. 9.975%	<u>\$ 3 236.89</u>
Grand total taxes included	\$ 37 309.39

The Treasurer's Certificate N° 15-23, dated June 29, 2015, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2015-154

**GRANTING OF CONTRACT – PROFESSIONAL SERVICES FOR THE CLEANING AND INSPECTION OF SEWER PIPES**

WHEREAS there has been a public call for tenders, for professional services for the cleaning and inspection of sewer pipes;

WHEREAS, after analysing the offer of services received and the application of the formula to determine the pointing of each bidder, the highest bidder's note conforming to the requirements of the tender is the one obtained by AquaRehab Canada Inc;

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

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

THAT the supply of professional services for the cleaning and inspection of sewer pipes be granted to AquaRehab for an amount of \$ 60 913.11 taxes included, the whole in conformity with the offer of services dated June 29, 2015.

Adopted

2015-155

**APPROVAL OF THE LIST OF WHITE 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 June 30<sup>th</sup>, 2015, on the hiring of white collar student employees,

It was proposed by Councillor Warren Budning, seconded by Councillor Michael Goldwax, and UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the hiring of white collar student employees as detailed on the list for the Community Services and Recreation Department. The hiring is subject to the usual conditions and

**Minutes of Town of Hampstead**

in accordance with the provisions of the collective agreement between CUPE Local 429 and the Town of Hampstead.

Adopted

**SECOND QUESTION PERIOD**

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

- No Question was asked.

2015-156

**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 9.38 p.m.

Adopted

(s) William Steinberg \_\_\_\_\_  
Dr. William Steinberg, Mayor

(s) Pierre Tapp \_\_\_\_\_  
M<sup>c</sup> Pierre Tapp, Town Clerk