

## Minutes of Town of Hampstead

### MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON SEPTEMBER 12<sup>TH</sup>, 2017, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

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

**ABSENT:** Councillor Karen Zajdman.

**ABSENT IN THE BEGINNING OF THE MEETING:** Councillor Leon Elfassy

**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 8:26 p.m.

*Councillor Leon Elfassy took his seat at 8:30 p.m.*

#### **PUBLIC QUESTION PERIOD**

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

- No question was asked.

2017-182

#### **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:

8.13- Request to authorize the modification to a facade of a detached single family dwelling located at **77 Finchley Road**, lot no. 2 088 751, zone RA-1 (Zoning By-law no. 1001-2), (SPAIP By-law no. 775).

Adopted

2017-183

#### **ADOPTION OF THE AGENDA**

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

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

Adopted

2017-184

#### **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 August 7<sup>th</sup>, 2017, and of the Special Council Meeting of August 24<sup>th</sup>, 2017 are hereby approved as submitted.

Adopted

**Minutes of Town of Hampstead**

2017-185

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

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

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

Adopted

2017-186

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

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WHEREAS the Members of Council have received a copy of 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 By-law no. 793-1 modifying By-law no. 793 on fire safety.

Adopted

2017-187

**DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON AUGUST 15<sup>TH</sup>, 2017 AND AN EXTRACT OF THE MINUTES OF SEPTEMBER 11<sup>TH</sup>, 2017**

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Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on August 15<sup>th</sup>, 2017 and an extract of the minutes of September 11<sup>th</sup>, 2017.

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

2017-188

**REQUEST TO AUTHORIZE THE CONVERSION TO CONDOMINIUMS FOR A DETACHED BI-FAMILY DWELLING LOCATED AT 6216-6218 MACDONALD AVENUE, LOT NO. 2 088 519, ZONE RB-2, (ZONING BY-LAW NO. 1001-2) AND (CONDO CONVERSION BY-LAW NO.713)**

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

- THAT the conversion to condominiums for a detached bi-family dwelling located at **6216-6218 MacDonald Avenue** and submitted to the Planning Advisory Committee meeting on July 10<sup>th</sup>, 2017 is approved as recommended by the PAC. The conversion meets the prescribed standards of the Zoning By-law No. 1001-2.

Adopted

2017-189

**REQUEST TO AUTHORIZE A PARTIAL RECONSTRUCTION AND MODIFICATIONS TO FACADES OF 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)**

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## Minutes of Town of Hampstead

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

- THAT the partial reconstruction and modifications to facades of a detached single family dwelling located at **42 Heath Road** and submitted to the Planning Advisory Committee meeting on August 15<sup>th</sup>, 2017 are approved as recommended by the PAC. The reconstruction and 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.

Adopted

2017-190

**REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2 FOR THE REAR SETBACK OF A DETACHED SINGLE FAMILY DWELLING LOCATED AT 22 BRIARDALE ROAD, LOT NO. 2 090 023, 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 65 schedule B, to allow the rear setback at 6.13 meters (20.11 feet) instead of 9.8 meters (32.15 feet) to legalize the current situation;

WHEREAS the Planning Advisory Committee, at its meeting held on August 15<sup>th</sup>, 2017, recommended *to approve* the aforementioned request for minor exemption on setbacks;

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 **22 Briardale Road**, lot no. 2 090 023, Zone RA-2 is approved.

*Intervention of interested persons concerning the request for Minor Exemption for project located at 22 Briardale Road.*

*No intervention.*

Adopted

2017-191

**REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2 FOR THE SIDE SETBACK OF A SEMI-DETACHED SINGLE FAMILY DWELLING LOCATED AT 40 DUFFERIN ROAD, LOT NO. 2 088 389, ZONE RB-5, (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 65 schedule B, to allow the side setback at 1.83 meters (6 feet) instead of 2.3 meters (7.55 feet) for the proposed project;

WHEREAS the Planning Advisory Committee, at its meeting held on August 15<sup>th</sup>, 2017, recommended *to approve* the aforementioned request for minor exemption on setbacks;

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 **40 Dufferin Road**, lot no. 2 088 389, Zone RB-5 is approved.

*Intervention of interested persons concerning the request for Minor Exemption for project located at 40 Dufferin Road.*

*No intervention.*

Adopted

**Minutes of Town of Hampstead**

2017-192

**REQUEST TO AUTHORIZE AN ADDITION TO A SEMI-DETACHED SINGLE FAMILY DWELLING LOCATED AT 40 DUFFERIN ROAD, LOT NO. 2 088 389, ZONE RB-5 (ZONING BY-LAW NO. 1001-2), (SPAIP BY-LAW NO. 775).**

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

- THAT the addition to a semi-detached single family dwelling located at **40 Dufferin Road** and submitted to the Planning Advisory Committee meeting on August 15<sup>th</sup>, 2017 is ***conditionally approved***. The addition only partially 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 and as recommended by the PAC provided that:

- The proposed cladding must be horizontal and slightly recessed from the brick wall for aesthetic and construction purposes.

Adopted

2017-193

**REQUEST TO AUTHORIZE THE MODIFICATION TO THE FRONT DECK OF A DETACHED BI-FAMILY DWELLING LOCATED AT 89 HARROW ROAD, LOT NO. 2 090 119, ZONE RB-4 (ZONING BY-LAW NO. 1001-2), (SPAIP BY-LAW NO. 775).**

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

- THAT the modification to the front deck of a detached bi-family dwelling located at **89 Harrow Road** and submitted to the Planning Advisory Committee meeting on August 15<sup>th</sup>, 2017 is ***conditionally approved***. 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 and as recommended by the PAC provided that:

- The two sets of stairs must be of same or similar materials.

Adopted

2017-194

**REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2 FOR THE FRONT SETBACK OF A SEMI-DETACHED BI-FAMILY DWELLING LOCATED AT 140-142 DUFFERIN ROAD, LOT NO. 2 088 629, ZONE RB-1, (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 65 schedule B, to allow the front setback at 4.29 meters (14.07 feet) instead of 6.1 meters (20 feet) to legalize the current situation;

WHEREAS the Planning Advisory Committee, at its meeting held on August 15<sup>th</sup>, 2017, recommended ***to approve*** the aforementioned request for minor exemptions on setbacks;

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 **140-142 Dufferin Road**, lot no. 2 088 629, Zone RB-1 is ***approved***.

**Intervention of interested persons concerning the request for Minor Exemption for project located at 140-142 Dufferin Road.**  
***No intervention.***

Adopted

**Minutes of Town of Hampstead**

2017-195

**REQUEST TO AUTHORIZE THE MODIFICATIONS TO THE FACADES OF A DETACHED SINGLE FAMILY DWELLING LOCATED AT 199 NETHERWOOD ROAD, LOT NO. 2 089 497, ZONE RA-2 (ZONING BY-LAW NO. 1001-2), (SPAIP BY-LAW NO. 775).**

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

- THAT the modifications to the facades of a detached single family dwelling located at **199 Netherwood Road** and submitted to the Planning Advisory Committee meeting on August 15<sup>th</sup>, 2017 are *refused* and the request for the modification of the roof material is *approved* as recommended by the PAC. 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

2017-196

**REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2 FOR THE FRONT SETBACK OF A SEMI-DETACHED SINGLE FAMILY DWELLING LOCATED AT 387 DUFFERIN ROAD, LOT NO. 2 088 509, ZONE RB-6, (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 65 schedule B, to allow the front setback at 4 meters (13.09 feet) instead of 4.5 meters (14.76 feet) to legalize the current situation;

WHEREAS THE Planning Advisory Committee, at its meeting held on August 15<sup>th</sup>, 2017, recommended *to approve* the aforementioned request for minor exemption on setbacks;

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 **387 Dufferin Road**, lot no. 2 088 509, Zone RB-6 is *approved*.

**Intervention of interested persons concerning the request for Minor Exemption for project located at 387 Dufferin Road.**

*No intervention.*

Adopted

2017-197

**REQUEST TO AUTHORIZE AN ADDITION TO A DETACHED SINGLE FAMILY DWELLING LOCATED AT 5659 QUEEN-MARY ROAD, LOT NO. 2 089 471, ZONE RA-1 (ZONING BY-LAW NO. 1001-2), (SPAIP BY-LAW NO. 775).**

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

- THAT the addition to a detached single family dwelling located at **5659 Queen-Mary Road** and submitted to the Planning Advisory Committee meeting on August 15<sup>th</sup>, 2017 is *refused* as recommended by the PAC. The addition meets the prescribed standards of the Zoning By-law no. 1001-2 and partially meets the prescribed standards of the Site Planning and Architectural Integration Program By-law no. 775.

Adopted

**Minutes of Town of Hampstead**

2017-198

**REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW NO. 1001-2 FOR THE CONSTRUCTION OF AN OUTDOOR SHOWER FOR A DETACHED SINGLE FAMILY DWELLING LOCATED AT 5666 QUEEN-MARY ROAD, LOT NO. 2 089 564, ZONE RA-1, (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, Chapter 5, Division 2, to allow the construction of an outdoor shower as an accessory building Section 69, Paragraph 2, to allow plumbing elements, Section 69, Paragraph 4b, to allow a distance of 1 meter between accessory buildings instead of 2 meters for the proposed project;

WHEREAS the Planning Advisory Committee, at its meeting held on September 11<sup>th</sup>, 2017, recommended *to approve* the aforementioned request for minor exemptions;

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

- THAT the request for the minor exemptions for the property located at **5666 Queen-Mary Road**, lot no. 2 089 564, Zone RA-1 is approved.

*Intervention of interested persons concerning the request for Minor Exemption for project located at 5666 Queen Mary Road.*

*No intervention.*

Adopted

2017-199

**REQUEST TO AUTHORIZE THE MODIFICATION TO A FACADE OF A DETACHED SINGLE FAMILY DWELLING LOCATED AT 77 FINCHLEY ROAD, LOT NO. 2 088 751, ZONE RA-1 (ZONING BY-LAW NO. 1001-2), (SPAIP BY-LAW NO. 775).**

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WHEREAS the modification to a facade of a detached single family dwelling located at **77 Finchley Road** and submitted to the Planning Advisory Committee meeting on September 11<sup>th</sup>, 2017 is conditionally approved. 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 and as recommended by the PAC provided that:

- The proposition on page 14 must be chosen.

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 **77 Finchley Road**, lot no. 2 088 751, Zone RA-1 is approved notwithstanding the recommendation by the PAC.

Adopted

2017-200

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF AUGUST 2017**

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

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

**Minutes of Town of Hampstead**

- THAT the disbursements for the period from July 16<sup>th</sup>, 2017 to August 15<sup>th</sup>, 2017, in the total amount of \$1,381,505.23 are hereby approved (\$542,076.92 for cheques and \$839,428.31 for online payments).

Adopted

2017-201

**PUBLIC AUCTION FOR NON-PAYMENT OF MUNICIPAL TAXES**

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

THAT, in compliance with article 512 of the Cities and Towns Act, the Council for the Town of Hampstead orders the sale by public auction of the immovables specified in the following table, for unpaid 2015-2016-2017 municipal taxes or property transfer duties including all legal and notary costs as well as disbursements incurred with an interest rate applicable of 12%. This sale will occur at a later date as prescribed by law, and will be held at the Town of Hampstead’s Town Hall at 5569 Queen Mary road. An announcement in the form of a final notice will be sent to all concerned parties.

Matricule	Lot	Location	Amount in capital (net of interest)
9238-92-7185-6-000-0000	2089199	5832 Ferncroft	\$20 902,01
9337-53-6981-1-000-0000	2089742	38 Cressy	\$25 603,32

THAT, in compliance with article 536 of the Cities and Towns Act, the Council for the Town of Hampstead mandates Mr. Armin Klaus, Treasurer, to bid and purchase in the name of the Town, any immovable up for sale during the Town of Hampstead’s public auction for non-payment of taxes held in accordance to the present resolution. The person mandated by the Town is authorized to sign all documents related to the sale.

Adopted

2017-202

**RENEWAL OF CONTRACT – PREVENTIVE MAINTENANCE FOR AIR CONDITIONING AND VENTILATION SYSTEMS**

WHEREAS there has been a call for tenders by way of written invitation for the preventive maintenance for air conditioning and ventilation systems contract;

WHEREAS, after analyzing the tenders opened on Thursday, November 26 2015, the lowest bidder conforming to the requirements of the tender invitation was 9292-5387 Quebec Inc – Entreprise en Réfrigération et Electricite Snowdon Inc.;

WHEREAS resolution number 2015-272, adopted by the Council in December, 2015, authorized granting the contract to the lowest bidder conforming to the requirements, 9292-5387 Quebec Inc – Entreprise en Réfrigération et Electricite Snowdon Inc; for the period from 2016/01/01 to 2017/12/31;

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

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

THAT the contract with 9292-5387 Quebec Inc – Entreprise en Réfrigération et Electricite Snowdon Inc; for the preventive maintenance for air conditioning and ventilation systems contract, be renewed for the period from January 1<sup>st</sup>, 2018 to December 31<sup>st</sup>, 2018, at the prices outlined below:

- Qualified Technician (regular hour): \$ 82.01 / hour
- Apprentice (regular hour) \$ 38.96 / hour

**Minutes of Town of Hampstead**

- Qualified Technician (evenings) \$ 139.42 / hour
- Apprentice (evenings) \$ 38.96 / hour
- Qualified Technician (nights-weekends) \$ 139.42 / hour
- Apprentice (nights – weekends) \$ 38.96 / hour
- Travelling fee: \$ 41.00 / each
- Profit on parts: 15 %

Both GST and QST are applicable on above rates

THAT, according to the frequency and quantities of work done over the past years and the estimate of work to be done over the next year, the estimate expenditure will be \$ 27 000 plus applicable taxes.

Treasurer’s certificate N° 17-16, dated August 24<sup>th</sup>, 2017 has been issued by the Town’s Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2017-203

**GRANTING OF CONTRACT – SUPPLY OF A COMPACT WHEEL LOADER**

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WHEREAS there has been a call for tenders by way of public tender, for the supply of a compact wheel loader;

WHEREAS, after analysing the tenders opened on August 25<sup>th</sup>, 2017 the lowest bidder conforming to the requirements of the tender is J. Rene Lafond Inc;

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

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

<b>J. RENE LAFOND INC</b>	
One compact wheel loader:	\$ 86 900.00
Tire tax	\$ 12.00
G.S.T. 5%	\$ 4 345.60
Q.S.T. 9.975%	<u>\$ 8 669.47</u>
Grand total taxes included	<u>\$ 99 927.07</u>

Treasurer’s Certificate N° 17-17, dated August 31, 2017, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2017-204

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

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CONSIDERING THAT Council members reviewed the list of the Community Services and Recreation Supervising Manager, submitted August 21, 2017, on the hiring of white collar student employees,

It was proposed by Councillor Warren Budning, and 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

## Minutes of Town of Hampstead

2017-205

### **APPROVAL OF HIRING OF MS. MIREILLE NTOLO AS “ADMINISTRATIVE SECRETARY - OFFICE OF THE DIRECTOR GENERAL”**

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CONSIDERING THAT the Town of Hampstead requires the hiring of an Administrative Secretary as temporary replacement during a probationary period;

CONSIDERING THAT the Director General and the Human Resources Counsellor are recommending the hiring of **MS. MIREILLE NTOLO** to fill such position;

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

- TO APPROVE the temporary hiring of **MS. MIREILLE NTOLO** as “**ADMINISTRATIVE SECRETARY - OFFICE OF THE DIRECTOR GENERAL**” to start no later than September 18<sup>th</sup>, 2017, for a period not to exceed May 31<sup>st</sup>, 2018, 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

### **SECOND QUESTION PERIOD**

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

- No question was asked.

2017-206

### **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 9:23 p.m.

Adopted

(s) William Steinberg  
Dr. William Steinberg, Mayor

(s) Pierre Tapp  
M<sup>e</sup> Pierre Tapp OMA, Town Clerk