

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON NOVEMBER 7TH, 2016, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

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

ABSENT: Councillor Jack Edery

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 8:09 p.m.

FIRST QUESTION PERIOD

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

- No question was asked.

2016-282

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

2016-283

ADOPTION OF THE MINUTES

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

- THAT the Minutes of the Regular Council meeting of October 5th, 2016 are hereby approved as submitted.

Adopted

2016-284

DEPOSIT – STATEMENTS OF PECUNIARY INTERESTS OF MEMBERS OF COUNCIL

Written Statements of Pecuniary Interests of Mayor William Steinberg and Councillors Karen Zajdman, Jack Edery, Leon Elfassy, Michael Goldwax, Warren Budning, and Harvey Shaffer have been deposited at this Council Meeting, in accordance with Section 358 of the *Act respecting elections and referendums in municipalities* (R.S.Q., c.E-2.2).

2016-285

ADOPTION–SCHEDULE OF REGULAR SITTINGS OF COUNCIL FOR YEAR 2017

CONSIDERING Section 319 of the *Cities and Towns Act* and Section 1 of By-law N° 740-3;

On motion of Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer, it is UNANIMOUSLY RESOLVED:

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- THAT the following schedule of the Regular Sitzings of the Town Council for the year 2017 is to be held at 8:00 p.m. at the Community Center, 30 Lyncroft Road in Hampstead:

| | |
|----------------------------|-----------------------------|
| January 16 th ; | July 4 th ; |
| February 6 th ; | August 7 th ; |
| March 6 th ; | September 5 th ; |
| April 3 rd ; | October 2 nd ; |
| May 1 st ; | November 20 th ; |
| June 5 th ; | December 4 th ; |

Adopted

2016-286

NOTICE OF MOTION OF BY-LAW N^o 1011 ENTITLED BY-LAW DECREERING AND IMPOSING THE TAX RATES TO COVER THE TOWN'S EXPENSES FOR THE YEAR 2017

NOTICE OF MOTION was given by Councillor Karen Zajdman that, at a subsequent meeting of Council, By-law N^o 1011 entitled By-law decreeing and imposing the tax rates to cover the Town's Expenses for the Year 2017, will be submitted to Council for adoption.

2016-287

NOTICE OF MOTION – BY-LAW NO. 799-1 ENTITLED BY-LAW MODIFYING BY-LAW 799 REGARDING THE ADOPTION OF A CODE OF ETHICS AND CONDUCT FOR THE MUNICIPAL EMPLOYEES OF THE TOWN OF HAMPSTEAD

NOTICE OF MOTION was given by Councillor Harvey Shaffer that, at a subsequent meeting of Council, By-law n^o 799-1 entitled "By-law modifying By-law no. 799 regarding the adoption of a Code of Ethics and Conduct for the Municipal Employees of the Town of Hampstead" will be submitted to Council for adoption.

TAKE FURTHER NOTICE THAT all Council members have received a draft copy of By-law no. 799-1 entitled "By-law modifying By-law no. 799 regarding the adoption of a Code of Ethics and Conduct for the Municipal Employees of the Town of Hampstead" prior to this Council meeting and that the Mayor proceeded to the reading of the said draft copy of the Code before the notice of motion was given.

2016-288

ADOPTION OF BY-LAW N^o 1001-2 ENTITLED BY-LAW MODIFYING ZONING BY-LAW N^o 1001-1

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

- TO defer this resolution to a subsequent Council Meeting.

Adopted

2016-289

ADOPTION OF THE TABLE OF RATES FOR THE ELECTION STAFF FOR ELECTIONS OR REFERENDUM.

WHEREAS general municipal elections will be held on November 5th, 2017 throughout the province;

WHEREAS, conforming to the *Act Respecting Elections and Referendums in Municipalities*, the Returning Officer of the Town will need to hire personnel for these general elections;

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WHEREAS it is in the interest of the Town to provide a competitive remuneration which compares with the neighbouring cities to ensure a qualified, efficient and trustworthy personnel;

It was proposed by Councillor Karen Zajdman, seconded by Councillor Harvey Shaffer and is UNANIMOUSLY RESOLVED:

- THAT the Town Council adopt the rates of remuneration for electoral personnel as specified in the attached Annexes A and B, forming an integral part of this resolution.

Adopted

2016-290

DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON OCTOBER 19TH 2016

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on October 19th, 2016.

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

2016-291

REQUEST TO AUTHORIZE MINOR EXEMPTIONS TO ZONING BY-LAW 1001 ARTICLE 75 TO ALLOW THE INSTALLATION OF A PROPANE TANK IN THE SECONDARY FRONT AND SECTION 65, ANNEX B, TO PERMIT THE REAR SETBACK AT 4.82M (15.81FT) INSTEAD OF 5.18M (17FT) TO LEGALIZE THE EXISTING DETACHED SINGLE FAMILY DWELLING AT **34 BELSIZE ROAD, LOT NO.: 2 089 684, ZONE RA-2, (ZONING BY-LAW NO. 1001), (SPAIP BY-LAW NO.775), (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005)**

WHEREAS the members of Council have reviewed the request for approval of minor exemptions to Zoning By-law 1001 Section 75 to allow the installation of a propane tank in the secondary front and Article 65, Annex B, to allow the rear setback at 4.82m (15.81ft) instead of 5.18m (17ft) to legalize the existing detached single family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on September 19th, 2016, recommended the aforementioned request for minor exemptions as follows:

- The minor exemption to allow the installation of a propane tank in the secondary front (Zoning By-law 1001, Article 75) should be ***refused***;
- The minor exemption to allow the rear setback at 4.82m (15.81ft) instead of 5.18m (17ft) to legalize the existing building (Zoning By-law 1001, Article 65, Annex B) should be ***approved***;

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

- THAT the minor exemption to allow the installation of a propane tank in the secondary front is ***refused*** (Zoning By-law 1001, Article 75);
- THAT the minor exemption to allow the rear setback at 4.82m (15.81ft) instead of 5.18m (17ft) to legalize the existing building is ***approved*** (Zoning By-law 1001, Article 65, Annex B).

Adopted

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2016-292

REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW 1001 ARTICLE 65, ANNEX B, TO PERMIT THE LEFT SIDE SETBACK AT 2.05M (6.72 FT) INSTEAD OF THE REQUIRED 3.74M (12.27 FT) TO LEGALIZE THE EXISTING DETACHED SINGLE FAMILY DWELLING LOCATED AT 122 FINCHLEY ROAD, LOT NO.: 2 088 954, ZONE RA-2 (ZONING BY-LAW NO. 1001) (BY-LAW CONCERNING MINOR EXEMPTIONS N^O 18 G-0005)

WHEREAS the members of Council have reviewed the request for approval of a minor exemption to Zoning By-law 1001 Article 65, Annex B, to allow the left side setback at 2.05m (6.72 ft) instead of the required 3.74m (12.27 ft) to legalize the existing detached single family dwelling;

WHEREAS the Planning Advisory Committee, at its meeting held on September 19th, 2016, recommended the aforementioned request for the minor exemption as follows:

- The minor exemption request to allow the left side setback at 2.05m (6.72 ft) instead of the required 3.74m (12.27 ft) should be ***approved*** (Zoning By-law 1001, Article 65, Annex B)

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

- THAT the aforementioned request for the minor exemption for the property located at 122 Finchley Road, lot no. : 2 088 954, Zone RA-2 is ***approved***.

Adopted

2016-293

REQUEST TO AUTHORIZE MODIFICATIONS OF THE FACADES OF A DETACHED SINGLE FAMILY DWELLING LOCATED AT 113 FINCHLEY ROAD, LOT NO.: 2 089 122, ZONE RA-2 (ZONING BY-LAW NO. 1001) (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 October 19th, 2016 showing modifications to the facades of a detached single family dwelling located at 113 Finchley Road are ***conditionally approved***. The modifications meet the prescribed standards of the Zoning By-law number 1001 and partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:

- The proposed material on the front façade must be extended to the left over the garage door and under the window all the way around the left corner of the house, including a sill.

Adopted

2016-294

REQUEST TO AUTHORIZE MODIFICATIONS OF THE FACADES OF A DETACHED SINGLE FAMILY DWELLING LOCATED AT 2 ALBION ROAD, LOT NO.: 2 089 554, ZONE RA-1 (ZONING BY-LAW NO. 1001) (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 October 19th, 2016 showing modifications to the facades of a detached single family dwelling located at 2 Albion Road are ***conditionally approved***. The modifications meet the prescribed standards of the Zoning By-law number

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1001 and partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:

The narrow window besides the stone panels must have black aluminum underneath it instead of stone in order to have the same appearance as the other windows of similar size

Adopted

2016-295

REQUEST TO AUTHORIZE MODIFICATION OF THE RIGHT FACADE OF A DETACHED SINGLE FAMILY DWELLING LOCATED AT 336 DUFFERIN ROAD, LOT NO.: 2 088 589, ZONE RB-6 (ZONING BY-LAW NO. 1001) (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 October 19th, 2016 showing modification of the right facade of a detached single family dwelling located at 336 Dufferin Road are ***approved*** as recommended by the PAC. The modification meets the prescribed standards of the Zoning By-law number 1001 and meets the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

2016-296

REQUEST TO AUTHORIZE AN ADDITION AND MODIFICATIONS TO THE FACADES OF A DETACHED APARTMENT BUILDING LOCATED AT 5763 COTE ST LUC ROAD, LOT NO.: 2 088 777, ZONE RC-1 (ZONING BY-LAW NO. 1001) (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 October 19th, 2016 showing an addition and modifications to the facades of a detached apartment building located at 5763 Cote St Luc Road are ***approved*** as recommended by the PAC. The modifications meet the prescribed standards of the Zoning By-law number 1001 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775.

Adopted

2016-297

REQUEST TO AUTHORIZE MODIFICATION OF THE REAR FACADE OF A DETACHED SINGLE FAMILY DWELLING LOCATED AT 30 COLCHESTER ROAD, LOT NO.: 2 090 075, ZONE RA-2 (ZONING BY-LAW NO. 1001) (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 October 19th, 2016 showing modification of the rear facade of a detached single family dwelling located at 30 Colchester Road, 2016 are ***conditionally approved***. The modification meets the prescribed standards of the Zoning By-law number 1001 and partially meets the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:

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- A different type of metal cladding of wood imitation, but more resistant and thicker, must be submitted to Urban Planning for approval.

Adopted

2016-298

REQUEST TO AUTHORIZE MODIFICATIONS OF THE FACADES OF A DETACHED SINGLE FAMILY DWELLING LOCATED AT 59 HEATH ROAD, LOT NO.: 2 090 394, ZONE RA-2 (ZONING BY-LAW NO. 1001) (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 October 19th, 2016 showing modifications to the facades of a detached single family dwelling located at 59 Heath Road, 2016 are *conditionally approved*. The modifications meet the prescribed standards of the Zoning By-law number 1001 and partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:

- The windows must be kept but can be modified.

Adopted

2016-299

REQUEST TO AUTHORIZE MODIFICATIONS OF THE FACADES OF A SEMI DETACHED SINGLE FAMILY DWELLING LOCATED AT 5556 QUEEN MARY ROAD, LOT NO.: 2 088 393, ZONE RA-3 (ZONING BY-LAW NO. 1001) (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 October 19th, 2016 showing modifications to the facades of a semi detached single family dwelling located at 5556 Queen Mary Road, 2016 are *conditionally approved*. The modifications meet the prescribed standards of the Zoning By-law number 1001 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:

- All railings must be changed for the whole property with the same model.

Adopted

2016-300

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF OCTOBER 2016

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

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

- THAT the disbursements for the period from September 21st, 2016 to October 20th, 2016, in the total amount of \$1 452 912.45 are hereby approved (\$763 747.73 for cheques and \$689 164.72 for online payments).

Adopted

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2016-301

FILING OF THE SECOND COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR 2016

In accordance with Section 105.4 of the *Cities and Towns Act*, the Town Treasurer hereby deposited the following:

- 1) Statement of revenues and expenditures as at September 30, for the fiscal year 2016, compared with the same period for the fiscal year 2015; and
- 2) Statement of projected revenues and expenditures for the fiscal year 2016, at the time of the statement's preparation, compared with those provided for in the budget for the year 2016.

2016-302

PUBLICATION OF THE MAYOR'S REPORT ON THE FINANCIAL POSITION OF THE MUNICIPALITY

WHEREAS the Mayor has presented, to this Meeting, his report on the financial position of the Town of Hampstead;

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

- THAT the Mayor's report on the financial position of the municipality for the year 2016 be distributed free of charge to every civic address in the Town of Hampstead.

Adopted

2016-303

RESOLUTION OF CONCORDANCE AND SHORT MATURITY DATE -LOAN BY MEANS OF NOTES IN THE AMOUNT OF \$1,124,000

WHEREAS in compliance with the following borrowing By-Laws and for the amounts indicated relative to each; the Town of Hampstead intends to borrow, by means of notes, an amount of \$1,124,000;

| By-Law No | Amount \$ |
|------------------|------------------|
| 749 | 1,124,000 |

WHEREAS for the purposes of said issue, it is necessary to modify the borrowing By-laws pursuant to which these notes are issued;

On motion of Councillor Karen Zajdman seconded by Councillor Warren Budning, it is UNANIMOUSLY RESOLVED:

- THAT the preamble of the present resolution becomes an integral part of the resolution as if it was herewith reproduced in its entirety;
- THAT a loan by means of notes in the amount of \$1,124,000 under borrowing By-law number 749 is realized;
- THAT the notes will be signed by the Mayor and the Treasurer;
- THAT the notes will be dated November 24, 2016;
- THAT the interest on the notes will be payable semi-annually;
- THAT the capital of the notes will be reimbursed as follows:

| | |
|-------------|-------------------|
| 2017 | 100 100 \$ |
| 2018 | 102 600 \$ |

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| | |
|-------------|-----------------------------------|
| 2019 | 105 300 \$ |
| 2020 | 108 000 \$ |
| 2021 | 108 000 \$ (paid in 2021) |
| 2021 | 597 300 \$ (to be renewed) |

- THAT in order to realize this loan, the Municipality must issue notes for a term shorter than the term provided for in the loan By-law, that is for a term of **five (5) years** (as of November 24, 2016), as concerns the annual amortization of capital provided for the years 2022 and following, instead of the term prescribed for the annual capital amortization per By-law number 749, each subsequent loan must be for the balance or part of the balance owing of the loan.

Adopted

2016-304

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

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 Warren Budning, it is UNANIMOUSLY RESOLVED:

THAT the annual renewal contract be awarded to PG Solutions Inc for the amount of \$ \$ 58 666 taxes included;

THAT the Treasurer’s Certificate No 16-30 dated October 12, 2016, has been issued, attesting to the availability of funds to cover the described expenses.

Adopted

2016-305

GRANTING OF CONTRACT – PURCHASE OF ONE UTILITY VEHICLE FORD ESCAPE S, YEAR 2017

WHEREAS there has been a call for tenders, by way of written invitations, for the purchase of one utility vehicle Ford Escape S, year 2017;

WHEREAS, after analysing the tenders opened on October 14, 2016, the lowest bidder conforming to the requirements of the tender is Fortier Auto Montréal Limitée;

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:

FORTIER AUTO MONTRÉAL LIMITÉE

| | |
|---|--------------------|
| One Ford Escape S year 2017 : (as per tender specifications) | \$ 24 151.00 |
| Tire Tax | \$ 15.00 |
| G.S.T. 5% | \$ 1 208.30 |
| Q.S.T. 9.975% | \$ <u>2 410.56</u> |

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Grand total taxes included \$ 27 784.86

Treasurer's Certificate N° 16-31, dated October 18, 2016, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2016-306

GRANTING OF CONTRACT – PURCHASE OF VMWARE LICENCES

WHEREAS there has been a call for tenders, by way of written invitation, for the purchase of VMWARE licences;

WHEREAS, after analyzing the tenders opened on Friday, October 17, 2016, the lowest bidder conforming to the requirements of the tender invitation is Prival ODC Inc.;

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

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

PRIVAL ODC INC.

| | |
|--|--------------------|
| VMWARE licences: | \$ 28 122.47 |
| One year support: (as per specifications in tender documents) | \$ 7 335.73 |
| G.S.T. (5%): | \$ 1 772.91 |
| Q.S.T. (9.975%): | <u>\$ 3 536.96</u> |
| Grand total taxes included: | \$ 40 768.07 |

Treasurer's certificate n° 16-32, dated October 19, 2016, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2016-307

GRANTING OF CONTRACT – PURCHASE AND INSTALLATION OF ONE SNOW-PLOW ATTACHMENT

WHEREAS, following a request for prices for the purchase and installation of a snow-plow attachment, the lowest quote receive is the one from W. Cote et Fils Lte ;

WHEREAS, the quote submitted by W. Cote et Fils Lte is conforming to our requirements;

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:

W. COTE ET FILS LIMITEE

| | |
|--|--------------------|
| Supply and installation of one snow-plow attachment : | \$ 14 504.53 |
| G.S.T. 5% | \$ 725.24 |
| Q.S.T. 9.975% | <u>\$ 1 446.82</u> |
| Grand total taxes included | \$ 16 676.59 |

Adopted

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2016-308

APPROVAL OF HIRING OF MS. GABRIELLE RIEL-ALLARD AS “ADMINISTRATIVE SECRETARY - TOWN CLERK”

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, the Town Clerk and the Human Resources Counsellor are recommending the hiring of **MS. GABRIELLE RIEL-ALLARD** to fill such position;

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

- TO APPROVE the temporary hiring of **MS. GABRIELLE RIEL-ALLARD** as “**ADMINISTRATIVE SECRETARY - TOWN CLERK**” to start no later than November 14th, 2016 for a period not to exceed May 31st, 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; and subject to the satisfactory results from the medical examination attesting to the capability to accomplish the duties of the function.

Adopted

SECOND QUESTION PERIOD

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

- No question was asked.

2016-309

ADJOURNMENT

All the subjects of the agenda having been discussed, it was proposed by Councillor Michael Goldwax, seconded by Councillor Warren Budning and unanimously resolved to declare that the meeting be closed at 8.55 p.m.

Adopted

Dr. William Steinberg, Mayor

M^c Pierre Tapp, Town Clerk