

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON OCTOBER 6, 2008, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 9:00 P.M.

THOSE PRESENT WERE: Mayor William Steinberg, Councillors Bonnie Feigenbaum, Clifford Borden, Leon Elfassy, Michael Goldwax, Abraham Gonshor and David Sternthal, forming a quorum with Mayor Steinberg presiding

ALSO PRESENT: Mr. Richard Sun, Director General and Me Chantal Bergeron, Town Clerk acting as Secretary of the Meeting

FIRST QUESTION PERIOD

Mr. Paul Steinberg

- Informed the Council of the very bad condition of the road on Fleet – big vibration due to the passage of trucks and buses.

Mrs. Beth Robinson

- Discussion about the application of a demolition permit.
- Asked if she could receive a copy of the next proposed budget before its adoption.

Mr. Dan Miller

- Asked for explanation concerning the procedure of the question period.

Mrs. Genziuk

- Asked for information about the amendments in By-law 729-2.
- Asked how many communications officers there is for the Town.

Mrs. Miller

- Asked if the Council took any decision about the use of the former fire station.

2008-213

ADOPTION OF THE AGENDA

On motion of Councillor Feigenbaum, seconded by Councillor Elfassy, it was UNANIMOUSLY RESOLVED:

- THAT the agenda of the regular meeting is hereby adopted as submitted.

Adopted

2008-214

ADOPTION OF THE MINUTES

On motion of Councillor Gonshor, seconded by Councillor Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the Minutes of the Regular Council Meeting of September 2 and of the Special Council Meeting of September 15, 2008 be and are hereby approved as submitted.

Adopted

10:07 p.m. – Councillor Sternthal temporarily left the meeting.

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2008-215

APPROVAL – ACTIVITIES PLAN 2008-2009 AND BUDGET PLAN 2008-2009 FOR CLD CENTRE- OUEST / CENTRE WEST

WHEREAS Council has reviewed the documents sent on August 25, 2008 by the Borough Director of Saint-Laurent concerning CLD Centre- Ouest / Centre West;

On motion of Councillor Elfassy, seconded by Councillor Gonshor, it was UNANIMOUSLY RESOLVED:

- THAT the Town Council of Hampstead approves the Activities Plan 2008-2009 and the Budget Plan 2008-2009 of the CLD Centre-Ouest / Centre West.

Adopted

2008-216

REQUEST TO THE GOVERNMENT OF QUEBEC TO AUTHORIZE THE TOWN OF HAMPSTEAD TO FINANCE THE WATER INFRASTRUCTURE LONG-TERM DEBT DUE TO THE CITY OF MONTREAL

WHEREAS, under section 47 of the Quebec Government Decree 1229-2005, the expenses related to any debt contracted by the former City of Montreal prior to January 1, 2002 and pertaining to the distribution of drinking water on the territory of the municipalities of Côte-Saint-Luc, Hampstead, Mount Royal, Montréal-Est, Montreal West and Westmount are divided among these municipalities in accordance with Commission municipale du Québec ruling CMQ-56171 of October 26, 2001;

WHEREAS the Town of Hampstead is in debt to the City of Montreal for the amount of \$1,477,437, which is Hampstead's share of the total debt pertaining to the drinking water production and distribution facilities;

WHEREAS the Town of Hampstead wishes to pay off the entire debt to the City of Montreal and to finance it through a long-term loan;

WHEREAS, while section 50 of Decree 1229-2005 authorizes reconstituted municipalities to finance outstanding debt due to the City of Montreal, it excludes the possibility of financing the water infrastructure debt;

It was proposed by Councillor Borden, seconded by Councillor Elfassy and UNANIMOUSLY RESOLVED:

- TO request the Government of Quebec to adopt a statutory provision authorizing the Town of Hampstead to borrow up to a maximum of \$1,477,437 to finance repayment of the water infrastructure debt due to the City of Montreal in conformity with section 47 of the Quebec Government Decree 1229-2005; and
- To send a copy of this resolution to the Minister of Municipal Affairs and Regions and to the Minister of Finance.

Adopted

10:12 p.m. – Councillor Goldwax temporarily left the meeting.

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2008-217

ADOPTION – DRAFT BY-LAW N° 729-2 FURTHER AMENDING BUILDING BY-LAW N° 729

WHEREAS the Members of Council have received a copy of Draft By-law N° 729-2 further amending Building By-law N° 729 and declare to have read it;

It was proposed by Councillor Borden, seconded by Councillor Feigenbaum and UNANIMOUSLY RESOLVED:

- TO approve Draft By-law N° 729-2 to be entitled: “By-law further amending Building By-law N° 729 (Construction & Plumbing Codes and Wood Burning Appliance)”.

Adopted

2008-218

NOTICE OF MOTION – BY-LAW N° 729-2 – MODIFYING BUILDING BY-LAW N° 729

NOTICE OF MOTION was given by Councillor Gonshor that, at a subsequent meeting of Council, By-law N° 729-2 further modifying Building By-law N° 729 concerning the Construction Code of Quebec, the Plumbing Code and Wood Burning Appliance, will be submitted to Council for adoption.

All Council members have received a copy of Draft By-law N° 729-2 prior to this Council Meeting and a motion to dispense with the reading of the said By-law was made.

2008-219

TAX RELIEF MEASURES AND PROGRAMME OF INTEREST SUBSIDY (GOVERNMENT OF QUEBEC DECREE 1210-2005, ARTICLE 3 OF DECEMBER 7, 2005) - FISCAL YEAR 2009

WHEREAS the fiscal burden of immovables in the category of immovables consisting of six or more dwellings and the residual category situated in the territory of the Town of Hampstead exceeds 105% of the fiscal burden established for these categories for the 2005 fiscal year;

WHEREAS the Council of the Town of Hampstead wishes to ease the impact of this budget on the taxes of the owners of these immovables; and

WHEREAS decree 1210-2005 was enacted on December 7, 2005;

It was proposed by Councillor Elfassy, seconded by Gonshor and UNANIMOUSLY RESOLVED:

- THAT the Town Council takes advantage, under the prescribed provisions of sections 2 to 9 of Decree 1210-2005, toward the category of immovables consisting of six or more dwellings and the residual category in order to diminish the amount of taxes for 2009 to be imposed on the immovables of each of the following categories situated in the Town of Hampstead as detailed below:

<u>Category</u>	<u>Amount</u>
Category of immovables consisting of six or more dwellings	\$ 13,190
Residual category	\$ 573,340

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- THAT a certified copy of this resolution be sent to the Minister of Municipal Affairs and Regions.

Adopted

10:22 p.m. – Councillor Goldwax and Councillor Sternthal returned to the meeting.

10:22 p.m. – Councillor Feigenbaum temporarily left the meeting.

2008-220

NOTICE OF MOTION – BY-LAW N° 767 – LOAN TO REDUCE THE RATE OF TAXES, BY VIRTUE OF SECTIONS 3 AND THOSE FOLLOWING OF DECREE 1210-2005

NOTICE OF MOTION was given by Councillor Borden that, at a subsequent meeting of Council, By-law N° 767 authorizing a loan, by virtue of sections 3 and those following of decree 1210-2005, to reduce the taxes for 2009 to be imposed toward the category of immovables consisting of six or more dwellings and the residual category situated in the Town of Hampstead, will be submitted to Council for adoption.

All Council members have received a copy of Loan By-law N° 767 prior to this Council Meeting and a motion to dispense with the reading of the said by-law was made.

10:25 p.m. – Councillor Feigenbaum returned to the meeting.

2008-221

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 23 FALLBROOK ROAD

On motion of Councillor Elfassy, seconded by Councillor Borden, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration programs received on September 10, 2008 showing **plans and elevations to modify the front façade of the detached single family dwelling at 23 Fallbrook Road** and prepared by **Geiger & Huot, Architects** for the Planning Advisory Committee meeting of September 8, 2008, is **approved**, according to the provisions of Chapter 12 of Zoning By-law N° 727 and as recommended by the PAC.

Adopted

RECESS

At 10:29 p.m., it was proposed by Mayor Steinberg and unanimously resolved, to recess the meeting.

At 10:44 p.m., the meeting was resumed. All Council members were still present.

2008-222

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 28 BELSIZE ROAD

On motion of Councillor Elfassy, seconded by Councillor Borden, it was UNANIMOUSLY RESOLVED:

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- THAT the site planning and architectural integration programs received on August 13, 2008 showing **plans and elevations to modify the façade of the detached single family dwelling at 28 Belsize Road** and prepared by **Construction Triad APG Inc.** for the Planning Advisory Committee meeting of September 8, 2008, is **not approved**, according to the provisions of Chapter 12 of Zoning By-law N° 727 and as recommended by the PAC.

Adopted

2008-223

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 42 THURLOW ROAD

On motion of Councillor Elfassy, seconded by Councillor Borden, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration programs received on September 8, 2008 showing **plans and elevations to modify the previous approved design for a two storey rear addition to the detached single family dwelling at 42 Thurlow Road** and prepared by **Geiger & Hout, Architects** for the Planning Advisory Committee meeting of September 8, 2008, is **approved**, according to the provisions of Chapter 12 of Zoning By-law N° 727 and as recommended by the PAC.

Adopted

2008-224

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF SEPTEMBER 2008

WHEREAS Council reviewed the list of payments for the month of September 2008;

Council discussed the matter and, on motion of Councillor Borden, seconded by Councillor Sternthal, it was UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from September 1st to September 30, 2008, in the amount of \$ 1,053,650.59, are hereby approved.

Adopted

2008-225

EXTENSION OF CONTRACT FOR GARBAGE COLLECTION - YEAR 2009

WHEREAS in December 2006 there was a public call for tenders, for a two years contract including a clause for two optional one-year renewals, 2009 and 2010, for the garbage collection;

WHEREAS, Resolution number 2006-389, adopted by the Council on December 20, 2006, authorized granting the contract for the years 2007 and 2008 to the lowest bidder conforming to the requirements of the public tender, Camille Fontaine et Fils Inc;

WHEREAS the Division Chief of Purchasing recommends exercising the renewal option for the year 2009;

On motion of Councillor Feigenbaum, seconded by Councillor Gonshor, it was UNANIMOUSLY RESOLVED:

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- THAT the contract with Camille Fontaine & Fils Inc. for garbage collection be renewed for the year 2009 at the cost outlined below:

CAMILLE FONTAINE & FILS INC.

Garbage collection : From January 1, 2009 to December 31, 2009 (as per specifications)	\$ 252,843.06
G.S.T. 5%	\$ 12,642.15
Q.S.T. 7.5%	\$ <u>19,911.39</u>
Grand total, taxes included:	\$ 285,396.60

- THAT Treasurer's certificate N° 08-038, dated September 11, 2008, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2008-226

GRANTING OF CONTRACT – CONSTRUCTION OF A SHED AT HAMPSTEAD PARK

WHEREAS there has been a call for tenders, by way of written invitation, for the construction of a garage;

WHEREAS, after analysing the tenders opened on September, 15, 2008, the lowest bidder conforming to the requirements of the tender invitation is Corporation Bâtiment Construx;

On motion of Councillor Feigenbaum, seconded by Councillor Sternthal, it was proposed:

- THAT, as recommended by the Division Chief of Purchasing, the contract for the construction of a shed at Hampstead Park is hereby granted to the following contractor for the following quotation:

CORPORATION BÂTIMENT CONSTRUX

Construction of a shed: (as per specifications)	\$ 85,600.00
G.S.T. 5%	\$ 4,280.00
Q.S.T. 7.5%	\$ <u>6,741.00</u>
Grand total, taxes included:	\$ 96,621.00

- THAT Treasurer's certificate N° 08-039 dated September 15, 2008, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Mayor William Steinberg called for a vote.

Voted in favour:

Councillor Feigenbaum
Councillor Gonshor
Councillor Sternthal
Mayor Steinberg

Voted against:

Councillor Borden
Councillor Elfassy
Councillor Goldwax

In favour: 4

Against: 3

Adopted on Division

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2008-227

APPROVAL OF HIRING CONTRACT OF MR. CHRISTOPHER KEARNEY AS “SECTION CHIEF - LEISURE”

CONSIDERING THAT the Town of Hampstead requires the hiring of a Section Chief – Leisure to replace Ms. Chandra Devenyi during her maternity leave;

CONSIDERING THAT the Director General and the Director of Community Services are recommending the hiring of Mr. Christopher Kearney to fill such position;

CONSIDERING THAT the hiring process has been satisfactorily completed;

It was proposed by Councillor Borden, seconded by Councillor Feigenbaum and UNANIMOUSLY RESOLVED:

- TO approve the temporary hiring of Mr. Christopher Kearney , as “Section Chief - Leisure” under the conditions set forth in the contract entered into between the parties for the duration of the maternity leave beginning on, or about, December 8, 2008 and expected ending on, or about, June 19, 2009.
- THAT Treasurer’s certificate no 08-040, dated October 3, 2008 has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

RECESS

At 10:55 p.m., it was proposed by Mayor Steinberg and unanimously resolved, to recess the meeting.

At 10:58 p.m., the meeting was resumed. All Council members were still present.

2008-228

HIRING OF MRS. PAMELA DAOUST AS “Communications Officer”, TEMPORARY MANAGEMENT POSITION

It was proposed by Councillor Feigenbaum, seconded by Councillor Sternthal:

- TO hire Mrs PAMELA DAOUST as “**Communications Officer**” on, or about, October 14, 2008, for a period of six (6) months which may be extended for another period of six (6) months and in accordance with the conditions contained in the confidential “Personnel” file in the Director General’s Office;
- TO authorize the Director of Human Resources, or his delegate, to sign the necessary documents to execute such contract; and
- THAT Treasurer’s certificate no 08-041, dated October 6, 2008, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Mayor William Steinberg called for a vote.

Voted in favour:

Councillor Feigenbaum
Councillor Gonshor
Councillor Sternthal
Mayor Steinberg

In favour: 4

Voted against:

Councillor Borden
Councillor Elfassy
Councillor Goldwax

Against: 3

Adopted on Division

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2008-229

IMPLEMENTATION OF ALTERNATE PARKING ON SOME PUBLIC STREETS TO FACILITATE SNOW REMOVAL

WHEREAS the winter snow removal on streets is often impeded by parked cars;

It was proposed by Councillor Borden, seconded by Councillor Goldwax and UNANIMOUSLY RESOLVED:

- THAT the Town Council is hereby authorized to implement ALTERNATE PARKING on the streets identified in the plan attached to the present resolution;
- THAT the alternate parking will be on a trial basis from November 1st, 2008 to April 30th, 2009, from 7:00 a.m. to 4:00 p.m. from Monday to Friday.

Adopted

2008-230

MODIFICATION OF THE 2008 IN-HOUSE ROAD RESURFACING PLAN

On motion of Councillor Borden, seconded by Councillor Sternthal, it was proposed:

- THAT, due to budget constraints, all major in-house road resurfacing work by the Town’s asphalt paver on the roads already planned are suspended until spring 2009; and only necessary repairs and spot patching will be done in areas determined by the Director General.

Mayor William Steinberg called for a vote.
Mayor Steinberg chose not to vote.

Voted in favour:
Councillor Borden
Councillor Gonshor
Councillor Sternthal

Voted against:
Councillor Elfassy
Councillor Feigenbaum
Councillor Goldwax

In favour: 3

Against: 3

The vote being equal, the decision is considered as rendered in the negative.

Rejected

SECOND QUESTION PERIOD

Mrs. Beth Robinson

- Made the suggestion that the Demolition By-law be modified so that the period to present an objection would be longer than 10 days.

2008-231

ADJOURNMENT

All the subjects of the Agenda having been discussed, it was proposed by Councillor Goldwax and unanimously resolved to declare the meeting closed.

Adopted