

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON JUNE 1, 2009, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

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

ABSENT: Councillor Leon Elfassy.

ALSO PRESENT: Mr. Richard Sun, Director General and Charles Ohayon, Assistant Town Clerk, acting as Secretary of the Meeting.

FIRST QUESTION PERIOD

The Mayor invites the persons in attendance to ask their questions.

2009-112

ADOPTION OF THE AGENDA

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

- THAT the agenda of the regular meeting is hereby adopted with the addition of the following item under "Council":

4.4 Support for our Local CTV Television Station.

Adopted

2009-113

ADOPTION OF THE MINUTES

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

- THAT the Minutes of the Regular Council Meeting of May 4, 2009, be and are hereby approved as submitted.

Adopted

2009-114

APPROVAL – ACTIVITIES PLAN 2009-2010 AND BUDGET PLAN 2009-2010 FOR CLD CENTRE- OUEST / CENTRE WEST

WHEREAS Council has reviewed the documents sent on May 19, 2009 by the Borough Director of Saint-Laurent concerning CLD Centre- Ouest / Centre West;

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

- THAT the Town Council of Hampstead approves the Activities Plan 2009-2010 and the Budget Plan 2009-2010 of the CLD Centre-Ouest / Centre West.

Adopted

2009-115

CHANGING OF THE DATE OF THE REGULAR COUNCIL MEETING OF JULY 2009

CONSIDERING that a number of council members are unavailable to attend the Regular Council Meeting on Monday July 6th, 2009;

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

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- THAT the Regular Council Meeting, scheduled for Monday July 6th, 2009, will be held on Tuesday July 7th, 2009 at 8:00 pm at the Community Centre.

Adopted

2009-116

INTERMUNICIPAL AGREEMENT FOR THE DUMPING OF SNOW

WHEREAS Council has received a copy of the proposed "Agreement for the Dumping of Snow with an Effective Date of May 15, 2009", between the City of Côte Saint-Luc and the Town of Hampstead;

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

- THAT the Director General or, in case of his absence, the Town Clerk, are authorized to sign the Intermunicipal "Agreement for the Dumping of Snow with an Effective Date of May 15, 2009", by which the City of Côte Saint-Luc allows the Town of Hampstead to use the Côte Saint-Luc snow dump located at the intersection of Kildare Road and Marc Chagall Avenue during the periods from November 1, 2009 to March 31, 2010; November 1, 2010 to March 31, 2011; November 1, 2011 to March 31, 2012 and November 1, 2012 to March 31, 2013; and
- THAT Treasurer's certificate N° 09-025 dated May 15, 2009 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2009-117

SUPPORT FOR OUR LOCAL CTV TELEVISION STATION

WHEREAS CTV's local television station has been an important service to the communities it serves for over 50 years;

WHEREAS local news is the foundation of the Canadian broadcasting system;

WHEREAS the survival of local television broadcasting is in question during these difficult economic times;

WHEREAS current regulations in Canada allow cable and satellite companies to take local programming without compensation, reaping huge profits at the expense of local Canadian TV stations;

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

- THAT the Hampstead Town Council is in favour of local television broadcasting and believes that local TV stations, like CTV, should receive compensation from cable and satellite companies that carry their local programming;
- THAT a copy of this resolution be sent to the Honourable James Moore, Minister of Heritage; to the Honourable Irwin Cotler, Member of Parliament for Mount-Royal riding; and to all municipalities on the island of Montreal.

Mayor Steinberg called for a vote.

Voted in favour:

Councillor Gonshor
Councillor Feigenbaum
Councillor Sternthal
Councillor Goldwax

Voted against:

Councillor Borden

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In favour: 4

Against: 1

Adopted on Division

2009-118

NOTICE OF MOTION – BY-LAW N° 747-9 – AMENDMENT TO BY-LAW N° 747 TO DECREE THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE ACTIVITIES FOR SPRING/SUMMER 2009

NOTICE OF MOTION was given by Councillor Feigenbaum that, at a subsequent meeting of Council, By-law N° 747-9 further modifying By-law N° 747, as amended by By-law No 747-8 to Decree the Fee Schedule for Cultural, Sports and Leisure Activities for Spring/Summer 2009 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 747-9 and a motion to dispense with the reading of the said By-law was made.

2009-119

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 54 MERTON ROAD

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

- THAT the site planning and architectural integration programs, Option “B”, showing **plans and elevations for an addition and renovation to a detached single family dwelling at 54 Merton Road** submitted to the Planning Advisory Committee meeting of May 11, 2009, is **approved**, the whole in conformity with the provisions of Chapter 12 of the Zoning By-law N° 727 and as recommended by the PAC.

Adopted

2009-120

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 69 GLENMORE ROAD

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

- THAT the site planning and architectural integration programs showing **plans and elevations for an addition and renovation to a detached single family dwelling at 69 Glenmore Road** submitted to the Planning Advisory Committee meeting of May 11, 2009, is **refused**, the whole in conformity with the provisions of Chapter 12 of the Zoning By-law N° 727 and as recommended by the PAC.

Adopted

2009-121

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 480 DUFFERIN ROAD

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

- THAT the site planning and architectural integration programs showing **plans and elevations for an addition and renovation to a semi-detached single family dwelling at 480 Dufferin Road** submitted to the Planning Advisory Committee meeting of May 11, 2009, is **approved**, the whole in conformity with the provisions of Chapter 12 of the Zoning By-law N° 727 and as recommended by the PAC.

2009-122

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 2 BRIARDALE ROAD

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

- THAT the site planning and architectural integration programs showing **plans and elevations to demolish the existing home and erect a new detached single family dwelling in its place at 2 Briardale Road** submitted to the Planning Advisory Committee meeting of May 11, 2009, is **refused**, according to the provisions of Chapter 12 of the Zoning By-law No 727 and as recommended by the PAC.

Adopted

2009-123

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 5762 FLEET ROAD

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

- THAT the site planning and architectural integration programs showing **plans and elevations for a modification of façade of a detached single family dwelling at 5762 Fleet Road** submitted to the Planning Advisory Committee meeting of May 11, 2009, is **approved**, the whole in conformity with the provisions of Chapter 12 of the Zoning By-law N° 727 and as recommended by the PAC.

Adopted

2009-124

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 15 KILBURN ROAD

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

- THAT the site planning and architectural integration programs showing **plans and elevations for an addition and renovation to a detached single family dwelling at 15 Kilburn Road** submitted to the Planning Advisory Committee meeting of May 11, 2009, is **refused**, the whole in conformity with the provisions of Chapter 12 of the Zoning By-law N° 727 and as recommended by the PAC.

Adopted

2009-125

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 139 FINCHLEY ROAD

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

- THAT the site planning and architectural integration programs showing **plans and elevations for an addition and renovation to a detached single family dwelling at 139 Finchley Road** submitted to the Planning Advisory Committee meeting of May 11, 2009, is **approved**, the whole in conformity with the provisions of Chapter 12 of the Zoning By-law N° 727 and as recommended by the PAC.

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Adopted

2009-126

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 24 THURLOW ROAD

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

- THAT the site planning and architectural integration programs showing **plans and elevations for an addition and renovation to a detached single family dwelling at 24 Thurlow Road** submitted to the Planning Advisory Committee meeting of May 11, 2009, is **refused**, the whole in conformity with the provisions of Chapter 12 of the Zoning By-law N^o 727 and as recommended by the PAC.

Adopted

2009-127

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 25 ELLERDALE ROAD

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

- THAT the site planning and architectural integration programs showing **plans and elevations for an addition to a detached single family dwelling at 25 Ellerdale Road** submitted to the Planning Advisory Committee meeting of April 14, 2009, is **approved**, the whole in conformity with the provisions of Chapter 12 of the Zoning By-law N^o 727 and as recommended by the PAC.

Adopted

2009-128

REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT 5727 QUEEN MARY ROAD

WHEREAS the members of Council have reviewed the request for minor exemption of the property located at 5727 Queen Mary Road, lot 2089451, to permit the installation of a fence entirely behind the existing hedge instead of the required minimum allowable setback, as per recommendation of the Planning Advisory Committee and in accordance with the provisions of By-law no. G-18-0005;

WHEREAS the Planning Advisory Committee, at its meeting held on May 11, 2009, recommended to approve the aforementioned request for minor exemption;

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

- THAT the aforementioned request for minor exemption for the property located at 5727 Queen Mary Road, lot 2089451, is **approved**.

Adopted

Intervention of interested persons concerning request for minor exemption at 28 Cleve Road:

Mr. Libman, 26 Cleve, Mr. Burks, 346 Dufferin and Mr. Ben, 16 Aldred asked Council to refuse the request for Minor Exemption of the property located at 28 Cleve Road.

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RECESS

At 8:44 p.m., it was proposed by Mayor Steinberg and unanimously resolved, to recess the meeting.

At 8:55 p.m., the meeting was resumed. All Council members were still present.

2009-129

REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT 28 CLEVE ROAD

It was proposed by Councillor Sternthal, seconded by Councillor Goldwax and unanimously resolved to defer this item to a subsequent council meeting.

Deferred

2009-130

REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT 5 FALLBROOK ROAD

WHEREAS the members of Council have reviewed the requests for minor exemption of the property located at 5 Fallbrook Road, lot 2089720, to permit:

- a) the existing left side setback to be 2.01 metres (6.59 feet) instead of the required minimum allowable setback of 2.13 metres (7.0 feet); and
- b) the existing front setback to be 6.01 metres (19.72 feet) instead of the required minimum allowable of 6.1 metres (20.0 feet).

all in accordance with the provisions of By-law No G-18-0005;

WHEREAS the Planning Advisory Committee, at its meeting held on May 11, 2009, recommended to approve the aforementioned requests for minor exemption;

On motion of Councillor Goldwax, seconded by Councillor Sternthal, it was UNANIMOUSLY RESOLVED:

- THAT the aforementioned requests for minor exemption for the property located at 5 Fallbrook Road, lot 2089720, is **approved**.

Adopted

2009-131

REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT 18 GLENMORE ROAD

WHEREAS the members of Council have reviewed the request for minor exemption of the property located at 18 Glenmore Road, lot 2089887, to permit the existing left side setback to be 2.16 metres (7.1 feet) instead of the required minimum allowable setback of 3.2 metres (10.5 feet), in accordance with the provisions of By-law no.G-18-0005;

WHEREAS the Planning Advisory Committee, at its meeting held on January 19, 2009, recommended to approve the aforementioned request for minor exemption;

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

- THAT the aforementioned request for minor exemption for the property located at 18 Glenmore Road, lot 2089887, is **approved**.

Adopted

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2009-132

REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT 25 ELLERDALE ROAD

WHEREAS the members of Council have reviewed the request for minor exemption of the property located at 25 Ellerdale Road, lot 2088726, to permit the existing front setback to be 4.0 metres (13.12 feet) instead of the required minimum allowable setback of 6.1 metres (20.0 feet), in accordance with the provisions of By-law no. G-18-0005;

WHEREAS the Planning Advisory Committee, at its meeting held on April 14, 2009, recommended to approve the aforementioned request for minor exemption;

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

- THAT the aforementioned request for minor exemption for the property located at 25 Ellerdale Road, lot 2088726, is **approved**.

Adopted

2009-133

TABLING OF DECISION RENDERED ON MAY 27, 2009 BY THE DEMOLITION COMMITTEE CONCERNING 26 CRESSY ROAD

In accordance with Section 7.6 of By-law N^o 759 Concerning the Demolition of Buildings, the Town Council tables the decision rendered by the Demolition Committee at their meeting of May 27, 2009 in which they approved the demolition of the detached single family residence located at 26 Cressy Road.

2009-134

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF MAY 2009

WHEREAS Council reviewed the list of payments for the month of May 2009;

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

- THAT the disbursements for the period from April 29 to May 27, 2009, in the amount of \$476,322.39, are hereby approved.

Adopted

2009-135

ADOPTION OF COLLECTION FOR UNPAID ARREARS POLICY OF THE TOWN OF HAMPSTEAD

WHEREAS the Members of Council deem it expedient to install a policy defining the practices relating to the collection for unpaid arrears which are necessary to ensure the sound administration of the various municipal services;

WHEREAS Council has received, prior to this meeting, a copy of the proposed "Collection Policy" dated May 28th 2009;

WHEREAS no provision in this policy will have precedence over the specific provisions of the *Cities and Towns Act*;

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

- THAT the "Collection Policy" dated May 28th 2009 be and is hereby approved to take effect immediately.

Adopted

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2009-136

DEPOSIT OF THE FINANCIAL REPORT AND THE EXTERNAL AUDITOR'S REPORT FOR THE 2008 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 2008; and
- 2) the report of the Town's external auditor, Goudreau Poirier S.E.N.C.R.L., for the fiscal year 2008.

2009-137

TRANSFER OF FUNDS FROM UNAPPROPRIATED SURPLUS TO INFRASTRUCTURE PROJECTS

On motion presented by Councillor Borden, seconded by Councillor Feigenbaum, it is UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the transfer of funds in the amount of \$375,000 from Unappropriated Surplus to the Infrastructure Projects Budget - 02-995-00-800.

Adopted

2009-138

REQUEST FOR FINANCIAL ASSISTANCE UNDER THE RENEWAL OF POTABLE AND WASTEWATER CONDUITS PROGRAM (PRECO)

WHEREAS the work that the Town of Hampstead wishes to undertake is considered to be a short-term priority (5-year time horizon) under the action plan for the renewal of potable and wastewater conduits approved by the Town Council and by the Ministère des Affaires Municipales, des Régions et de l'Occupation du Territoire;

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

TO authorize the Town of Hampstead to complete and sign a presentation form requesting financial assistance under the Renewal of Potable and Wastewater Conduits Program (PRECO) for each of the following projects:

- Rehabilitation and replacement of potable and wastewater conduits
- Replacement of drinking water conduits

THAT the Town of Hampstead agrees to pay its share of admissible costs for the implementation of these projects;

TO authorize the Mayor and the Assistant Town Clerk to sign all the memorandums of understanding required for the implementation of these infrastructure projects, as the case may be.

Adopted

2009-139

PAYMENT OF SECOND INSTALMENT OF HAMPSTEAD'S SHARE OF COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL 2009 ANNUAL EXPENSES

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

- THAT the Town of Hampstead pays the second instalment, in the amount of \$103,911.25, for their share of expenses for the 2009 operations of the 'Communauté métropolitaine de Montréal'; and

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- THAT Treasurer's certificate N°09-026 dated May 25, 2009 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Mayor Steinberg called for a vote.

Voted in favour:

Councillor Sternthal
Councillor Gonshor
Councillor Borden

Voted against:

Councillor Goldwax
Councillor Feigenbaum

In favour: 3

Against: 2

Adopted on Division

2009-140

APPROVAL OF LIST OF AUXILIARY EMPLOYEES FOR COMMUNITY SERVICES DEPARTMENT

CONSIDERING THAT Council members reviewed the report of the Director of the Community Services dated May 2009, with regard to hiring auxiliary employees;

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

- THAT the Town Council approves the hiring of auxiliary employees with the hourly rates for the Community Services Department, such as enumerated in the list of May 2009, prepared by the Director of Community Services.

Adopted

2009-141

ADOPTION OF REVISED POLICIES CONCERNING WORKING CONDITIONS AND REMUNERATION OF THE TOWN OF HAMPSTEAD'S MANAGERS AND SENIOR MANAGERS

It was proposed by Councillor Goldwax, seconded by Councillor Feigenbaum and unanimously resolved to defer this item to a subsequent council meeting.

Deferred

SECOND QUESTION PERIOD

The Mayor invites the persons in attendance to ask their questions.

2009-142

ADJOURNMENT

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

Adopted

Dr. William Steinberg, Mayor

Charles Ohayon, Assistant Town Clerk