

Minutes of Town of Hampstead

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

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

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

FIRST QUESTION PERIOD

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

2009-222

ADOPTION OF THE AGENDA

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

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

4.1 Distribution of the Town of Hampstead's Response to a Letter Tabled at the Regular Council Meeting of September 8, 2009

Mayor Steinberg called for a vote.

Voted in favour:

Councillor Feigenbaum
Councillor Borden
Councillor Elfassy
Councillor Goldwax
Councillor Gonshor

In favour: 5

Voted against:

Councillor Sternthal

Against: 1

Adopted on Division

2009-227

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 2 ALBION 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 2 Albion Road** submitted to the Planning Advisory Committee meeting of September 10, 2009, is **refused**, the whole in conformity with the provisions of the Site Planning and Architectural Integration Program By-law No 775 and as recommended by the PAC.

Adopted

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At 8:40 p.m. Councillor Elfassy temporarily left the meeting.

2009-228

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) – 468 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 detached single family dwelling at 468 Dufferin Road** submitted to the Planning Advisory Committee meeting of September 10, 2009, is **approved**, the whole in conformity with the provisions of the Site Planning and Architectural Integration Program By-law No 775 and as recommended by the PAC.

Adopted

At 8:42 p.m. Councillor Elfassy returned to the meeting.

2009-229

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) 165 FINCHLEY ROAD

On motion of Councillor Gonshor, seconded by Councillor Goldwax, 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 165 Finchley Road** submitted to the Planning Advisory Committee meeting of September 10, 2009, is **approved**, the whole in conformity with the provisions of the Site Planning and Architectural Integration Program By-law No 775 and as recommended by the PAC.

Adopted

2009-230

URBAN PLANNING AND BUILDING INSPECTIONS – SITE PLANNING PROJECTS AND ARCHITECTURAL INTEGRATION PROGRAMS (PIIA) 166 FINCHLEY ROAD

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

- THAT the site planning and architectural integration programs showing **plans and elevations for a façade modification and the installation of new windows and doors to a detached single family dwelling at 166 Finchley Road** submitted to the Planning Advisory Committee meeting of September 10, 2009, is **approved**, the whole in conformity with the provisions of the Site Planning and Architectural Integration Program By-law No 775 and as recommended by the PAC.

Adopted

2009-231

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**REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT
468 DUFFERIN ROAD**

WHEREAS the members of Council have reviewed the request for approval for a minor exemption to Zoning By-law N^o 727-4, article 7.6.3, for the property located at 468 Dufferin Road, lot 2088558, to permit the garage threshold to be 3.6 feet below the sidewalk level instead of the required maximum allowable depth of 2 feet;

WHEREAS the Planning Advisory Committee, at its meeting held on September 10, 2009, recommended to approve the aforementioned request for minor exemption;

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

- THAT the aforementioned request for minor exemption for the property located at 468 Dufferin Road, lot 2088558, is **approved**.

Adopted

2009-232

**REQUEST FOR MINOR EXEMPTION - PROPERTY LOCATED AT
85 HAMPSTEAD ROAD**

WHEREAS the members of Council have reviewed the request for approval of a minor exemption to Zoning By-law N^o 727-3 Part 'A' for the property located at 85 Hampstead Road, lot 2089759, to permit the removal of one (1) tree with a trunk diameter exceeding 10 cm (4") in diameter, within the side building setback.

WHEREAS the Planning Advisory Committee, at its meeting held on September 10, 2009, recommended not approving the aforementioned request for minor exemption;

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

- THAT the aforementioned request for minor exemption for the property located at 85 Hampstead Road, lot 2089759, is approved on condition that the removal of the tree be replaced, elsewhere on the lot, with a tree having a trunk measuring a minimum of 4" in diameter measured at 4' above ground level.

Adopted

2009-223

ADOPTION OF THE MINUTES

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

- THAT the Minutes of the Regular Council Meeting of September 8, 2009, be and are hereby approved as submitted.

Adopted

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2009-224

DISTRIBUTION OF THE TOWN OF HAMPSTEAD'S RESPONSE TO A LETTER TABLED AT THE REGULAR COUNCIL MEETING OF SEPTEMBER 8, 2009

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

- THAT the Town of Hampstead mail, to every residence in the Town, a response to the letter dated September 8, 2009 from Caligiuri, ca addressed to Mr. Daniel Miller, et al and tabled at the Regular Council Meeting of September 8, 2009 and that the response be placed on the Town's web site and be e-mailed to all residents who are registered on eHampstead; and
- THAT the response will consist of the letter from the Town Treasurer dated October 1, 2009, the letter from Goudreau Poirier dated October 1, 2009 and the letter from Mercer dated September 30, 2009. The mailing will also include the letter dated September 8, 2009 from Caligiuri, ca addressed to Mr. Daniel Miller, et al and tabled at the September 8, 2009 Council Meeting to which the response refers.

Mayor Steinberg called for a vote.

Voted in favour:

Councillor Feigenbaum
Councillor Borden
Councillor Elfassy
Councillor Goldwax

In favour: 4

Voted against:

Councillor Gonshor
Councillor Sternthal

Against: 2

Adopted on Division

2009-225

SIGNING OF REVISED LEASING CONTRACT FOR THE CAFÉ AT THE COMMUNITY CENTER – HAMPSTEAD PARK

WHEREAS Council has received a copy of the proposed revised leasing contract between the Town of Hampstead and Iris Cohen for the premises at the Community Center which will be use as a café;

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

- THAT the Director General and the Town Clerk are authorized to sign the revised leasing contract between The Town of Hampstead and Iris Cohen, wherein the terms of the original contract remain unchanged with the following exceptions:

Article 3. Loyer - The second paragraph of article 3 is replaced with the following:

« Le loyer du 31 mai 2009 au 31 décembre 2009 sera d'un montant total de 3 000,00 \$. »

Article 19. Durée – Article 19 is replaced with the following:

« Ce bail débutera le 31 mai 2008 et se terminera le 31 décembre 2009. »

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Mayor Steinberg called for a vote.

Voted in favour:

Councillor Feigenbaum
Councillor Borden
Councillor Elfassy
Councillor Goldwax

In favour: 4

Voted against:

Councillor Gonshor
Councillor Sternthal

Against: 2

Adopted on Division

2009-226

**ADOPTION – SECOND DRAFT BY-LAW N° 727-7 FURTHER
MODIFYING ZONING BY-LAW N° 727**

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

Deferred

2009-233

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF
SEPTEMBER 2009**

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

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

- THAT the disbursements for the period from September 1, 2009 to September 30, 2009, in the amount of \$432,659.71, are hereby approved.

Adopted

2009-234

ADJUDICATION OF NOTES IN THE AMOUNT OF \$ 598,200

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

- THAT the Town of Hampstead accept the offer made by the Royal Bank of Canada for a loan of \$598,200 by means of notes, by virtue of By-law N° 767, at a cost of 100.00000 to mature over a period of five years as follows:

\$ 19,700	3.67 %	October 8, 2010
\$ 20,500	3.67 %	October 8, 2011
\$ 21,300	3.67 %	October 8, 2012
\$ 22,300	3.67 %	October 8, 2013
\$514,400	3.67 %	October 8, 2014; and

- THAT the notes, capital and interest will be payable, by cheque, to the order of the registered holder.

Mayor Steinberg called for a vote.

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Voted in favour:

Councillor Feigenbaum
Councillor Borden
Councillor Elfassy
Councillor Goldwax

In favour: 4

Voted against:

Councillor Gonshor
Councillor Sternthal

Against: 2

Adopted on Division

2009-235

CONCORDANCE RESOLUTION – LOAN BY MEANS OF NOTES IN THE AMOUNT OF \$598,200

WHEREAS the Town of Hampstead, by virtue of By-law N^o 767, intends to borrow, by means of notes, an amount of \$598,200;

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

- THAT the preamble becomes an integral part of the entire resolution;
- THAT the notes will be signed by the Mayor and the Treasurer;
- THAT the notes will be dated October 8, 2009;
- THAT the interest on the notes will be payable semi-annually; and
- THAT the capital of the notes will be reimbursed as follows:

2010	\$ 19,700
2011	\$ 20,500
2012	\$ 21,300
2013	\$ 22,300
2014	\$ 23,200
2014	\$ 491,200 (to be renewed); and

- 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 years (beginning October 8, 2009); instead of the term prescribed for the annual capital amortizations for the year 2015 and subsequent years for By-law number 767, each subsequent loan must be for the balance or part of the balance of the loan.

Mayor Steinberg called for a vote.

Voted in favour:

Councillor Feigenbaum
Councillor Borden
Councillor Elfassy
Councillor Goldwax

In favour: 4

Voted against:

Councillor Gonshor
Councillor Sternthal

Against: 2

Adopted on Division

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2009-236

AUTHORIZATION FOR THE SALE OF VEHICLES AND EQUIPMENT

WHEREAS the Town wishes to dispose of certain vehicles and equipment which no longer serve useful purposes for the Town's operations;

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

- THAT the items listed in the attached Annex 'A' be sold for the best possible return.

Adopted

2009-237

HIRING OF MS. SANKA KANGUDI AS PART TIME "SECRETARIAL CLERK" AT THE RECREATION & COMMUNITY SERVICES DEPARTMENT

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

- TO hire Ms. Sanka Kangudi as part-time "Secretarial Clerk" not later than October 13, 2009, 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
- THAT Treasurer's certificate no 09-039, dated October 1st, 2009, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

SECOND QUESTION PERIOD

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

2009-238

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

Me Nathalie Lauzière, Town Clerk