

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON APRIL 4<sup>TH</sup>, 2011, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.**

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**THOSE PRESENT WERE:** Mayor William Steinberg, Councillors Abraham Gonshor, Jack Edery, Leon Elfassy, Michael Goldwax, Bonnie Feigenbaum and Harvey Shaffer, forming a quorum with Mayor Steinberg presiding.

**ALSO PRESENT:** Mr. Charles Ohayon, Acting 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.

2011-726

**ADOPTION OF THE AGENDA**

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

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

Adopted

*Councillor Bonnie Feigenbaum temporarily left the meeting at 9:45 p.m. and returned back at 9: 50 p.m.*

2011-727

**ADOPTION OF THE MINUTES**

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

- THAT the Minutes of the Regular Council Meeting of March 7<sup>th</sup>, 2011 be and are hereby approved as submitted.

Adopted

2011-728

**DEPOSIT OF THE CERTIFICATE FOLLOWING THE REGISTRATION PROCEDURE FOR VOTING ON THE BY-LAW NO. 785 ENTITLED: "BY-LAW AMENDING THE PLANNING PROGRAM NO. 04-047 OF THE TOWN OF HAMPSTEAD"**

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The Town Clerk deposits the certificate following the registration procedure for voting on the By-law no.785 held on March 28<sup>th</sup>, 2011.

2011-729

**ADOPTION OF BY-LAW NO. 785 ENTITLED BY-LAW AMENDING THE PLANNING PROGRAM NUMBER 04-047 OF THE TOWN OF HAMPSTEAD**

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CONSIDERING THAT notice of motion of By-law N<sup>o</sup> 785 was given at the Regular Council meeting of March 7, 2011 and that Council members received a copy of the By-law within the required delay and they declare to have read it and waive the reading thereof;

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This By-law will modify and add several new guidelines to the planning program. It will also provide for specific orientations pertaining to the possible re-development of:

- the site of the Municipal Yard located on Cleve Road;
- the site of Hampstead Elementary School located on Thurlow Road ;  
and
- the site of the former Fire Station located on MacDonald Avenue.

It was proposed by Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer and UNANIMOUSLY RESOLVED:

- TO approve By-law n° 785 entitled: “By-law amending the planning program number 04-047 of the Town of Hampstead”.

Adopted

2011-730

### **NOTICE OF MOTION – BY-LAW NO. 752-2 ENTITLED BY-LAW AMENDING BY-LAW 752 CONCERNING TARIFFS**

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NOTICE OF MOTION was given by Councillor Harvey Shaffer that By-law N° 752-2 entitled By-law amending By-law 752 concerning tariffs is to be presented for adoption at a subsequent meeting of the Town Council.

All Council members have received a draft copy of By-law N° 752-2 and a motion to dispense with the reading of the said By-law was made.

2011-731

### **NOTICE OF MOTION – BY-LAW NO. 705-6 ENTITLED BY-LAW REPLACING BY-LAW 705-4 CONCERNING THE COLLECTION, REMOVAL AND DISPOSAL OF WASTE MATERIAL**

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NOTICE OF MOTION was given by Councillor Harvey Shaffer that By-law N° 705-6 entitled By-law replacing By-law 705-4 concerning the collection, removal and disposal of waste material is to be presented for adoption at a subsequent meeting of the Town Council.

All Council members have received a draft copy of By-law N° 705-6 and a motion to dispense with the reading of the said By-law was made.

2011-732

### **NOTICE OF MOTION – BY-LAW NO. 790 ENTITLED CONCORDANCE BY-LAW MODIFYING ZONING BY-LAW NUMBER 727, SUBDIVISION BY-LAW NUMBER 728 AND SPIAIP BY-LAW NUMBER 775 OF THE TOWN OF HAMPSTEAD**

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NOTICE OF MOTION is given by Councillor Leon Elfassy that By-law N° 790 entitled **CONCORDANCE BY-LAW MODIFYING ZONING BY-LAW NUMBER 727, SUBDIVISION BY-LAW NUMBER 728 AND SPIAIP BY-LAW NUMBER 775 OF THE TOWN OF HAMPSTEAD** is to be presented for adoption at a subsequent meeting of the Town Council.

This By-law will modify these by-laws in order to provide standards regarding the specific orientations of the Planning Program pertaining to the possible re-development of:

- the site of the Municipal Yard located on Cleve Road;
- the site of Hampstead Elementary School located on Thurlow Road ;  
and
- the site of the former Fire Station located on MacDonald Avenue.

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2011-733

**DISPENSE OF READING OF - BY-LAW NO. 790 ENTITLED  
CONCORDANCE BY-LAW MODIFYING ZONING BY-LAW NUMBER  
727, SUBDIVISION BY-LAW NUMBER 728 AND SPIAIP BY-LAW  
NUMBER 775 OF THE TOWN OF HAMPSTEAD**

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**WHEREAS** the aforesaid By-law was given to all council members on April 1st, 2011;

**WHEREAS** all Council members declare, by these presents, that they have read the said By-law and that they renounce to its reading;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer and UNANIMOUSLY RESOLVED:

« THAT, the municipal council of the Town of Hampstead unanimously renounces to the reading of By-law no. 790 entitled “**CONCORDANCE BY-LAW MODIFYING ZONING BY-LAW NUMBER 727, SUBDIVISION BY-LAW NUMBER 728 AND SPIAIP BY-LAW NUMBER 775 OF THE TOWN OF HAMPSTEAD**”.

Adopted

2011-734

**ADOPTION –DRAFT BY-LAW N<sup>o</sup> 790 ENTITLED CONCORDANCE  
BY-LAW MODIFYING ZONING BY-LAW NUMBER 727,  
SUBDIVISION BY-LAW NUMBER 728 AND SPIAIP BY-LAW  
NUMBER 775 OF THE TOWN OF HAMPSTEAD**

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It was proposed by Councillor Leon Elfassy, seconded by Councillor Harvey Shaffer and UNANIMOUSLY RESOLVED:

**THAT**, in accordance with an *Act Respecting Land Use Planning and Development*, the municipal council of the Town of Hampstead hereby adopts by these presents the draft By-law no.790 to be entitled “**CONCORDANCE BY-LAW MODIFYING ZONING BY-LAW NUMBER 727, SUBDIVISION BY-LAW NUMBER 728 AND SPIAIP BY-LAW NUMBER 775 OF THE TOWN OF HAMPSTEAD**”;

**THAT**, in accordance with section 125 (2) of an *Act Respecting Land Use Planning and Development*, the municipal council of the Town of Hampstead delegates to the Town Clerk the power to fix the date and time of the public consultation meeting to be held.

Adopted

2011-735

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF  
MARCH 2011**

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**WHEREAS** Council reviewed the list of payments for the month of March 2011;

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

- THAT the disbursements for the period from March 1<sup>st</sup>, 2011 to March 30<sup>th</sup>, 2011, in the total amount of \$ 5 645 188.07 are hereby approved (\$ 491 465.63 for cheques and \$5 153 722.44 for on line payments).

Adopted

*Councillor Michael Goldwax temporarily left the meeting at 9:59 p.m.*

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2011-736

**ADJUDICATION OF BONDS IN THE AMOUNT OF \$ 4,224,000**

WHEREAS, in accordance with loan by-laws number 701 and 2006-47, the Town of Hampstead wishes to issue a series of bonds, at the rate of one bond issue per maturity date;

WHEREAS, using the electronic system “*Service d’Adjudication et de Publication des Résultats de Titres d’emprunts Émis aux fins du Financement Municipal*”, the Town of Hampstead has called for offers, in this regard, for the sale of a bond issue, dated April 18<sup>th</sup>, 2011, in the amount of \$4,224,000;

WHEREAS following this call, the Town of Hampstead has received offers detailed in **Appendix A**;

WHEREAS the offer made by *Valeurs Mobilières Banque Laurentienne Inc.* is the one representing the best value.

It is moved by Councillor Jack Edery, seconded by Councillor Harvey Shaffer and UNANIMOUSLY RESOLVED:

THAT the bond issue by the Town of Hampstead for an amount of \$4,224,000 be adjudicated to *Valeurs Mobilières Banque Laurentienne Inc.*;

THAT a request be put to the latter to mandate the “Services de dépôt et de compensation CDS inc.” (CDS) to register this issue in their book-entry services;

THAT the Mayor, Treasurer or Assistant Treasurer be authorized to sign the bonds covered by the current issue, i.e. one bond issue per maturity date;

THAT the CDS act as the book-entry agent, bond holder and disbursing agent in charge of the transactions to be carried out for its participants and the Council authorize CDS to act as financial authenticator agent as indicated in the memorandum of understanding signed between the Quebec Minister of Municipal Affairs, Regions and Land Occupancy and the CDS;

THAT CDS transfer the funds in accordance with the legal requirements of the bond issue and in this regard, the Council authorize the Treasurer or Assistant Treasurer to sign the document required by the Canadian banking system entitled «Autorisation pour le plan de débits pré-autorisés destiné aux entreprises».

Adopted

2011-737

**RESOLUTION OF CONCORDANCE AND SHORT MATURITY DATE — BOND LOAN IN THE AMOUNT OF \$ 4, 224,000**

WHEREAS, in accordance with the following loan by-laws and for the amounts indicated against each of them, the Town of Hampstead wishes to issue a series of bonds, at the rate of one bond issue per maturity date for a total amount of \$4,224,000:

<b>Loan By-law #</b>	<b>For an amount of</b>
701	154,000
2006-47	4,070,000

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

It is moved by Councillor Jack Edery, seconded by Councillor Bonnie Feigenbaum and UNANIMOUSLY RESOLVED:

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THAT the previously mentioned loan by-law(s) be amended, if necessary, in order for it/them to comply with what is stipulated below regarding the amounts of the above-mentioned bond issues against each of the by-law(s) comprising the \$4,224,000 issue;

THAT the bonds, i.e. one bond issue per maturity date, be dated April 18<sup>th</sup>, 2011;

THAT these bonds be registered in the name of the “Services de dépôt et de compensation CDS inc.” (CDS) and be deposited at CDS;

THAT CDS act, in the name of its participants, as the book-entry agent, bond holder and disbursing agent in charge of the transactions to be carried out for its participants, as described in the memorandum of understanding signed between the Quebec Minister of Municipal Affairs, Regions and Land Occupancy and the CDS;

THAT, in order to make the payments to the participants by electronic funds transfer, CDS be authorized to directly debit the account at the following financial institution: National Bank of Canada, 5469 Queen Mary Road, in Montréal, Province of Quebec, H3X 1V4, to pay off the capital and the interest;

THAT the interest be payable semi-annually on April 18<sup>th</sup> and October 18<sup>th</sup>, of every year;

THAT the bonds not be redeemable in advance, even though they may be redeemed with holder consent in accordance with the *Act Respecting Municipal Debts and Loans* (R.S.Q c.D-7);

THAT the bonds be signed by the Mayor, Treasurer or Assistant Treasurer. As allowed by the law, the Town of Hampstead has mandated CDS to act as financial authenticator agent and the bonds will come into effect only after they have been authenticated;

THAT to obtain the total amount of the \$4,224,000 loan, pursuant to by-laws 701 and 2006-47, the Town of Hampstead issue bonds for a shorter term than that provided for in the loan by-law, i.e. for a term of:

**Five (5) years** (starting on April 18<sup>th</sup>, 2011); regarding the yearly projected amortization of the capital for the years 2017 et seq. instead of the term prescribed for said amortizations of loan by-law 2006-47, with every subsequent issue being made to cover the balance or partial balance due on the loan.

Adopted

*Councillor Michael Goldwax returned back to the meeting at 10: 02 p.m.*

2011-738

### **GRANTING OF CONTRACT – PURCHASE OF ONE LAWNMOWER**

WHEREAS there has been a call for tenders, by way of written invitation, for the supply of one lawnmower;

WHEREAS, after analysing the tenders opened on March 22, 2011, the lowest bidder conforming to the requirements of the tender invitation is Lavaltrac Equipement; and

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

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- THAT, as recommended by the Division Chief of Purchasing, the following quotation for the following contract be and is hereby approved, the whole as more amply delineated hereunder:

**LAVALTRAC EQUIPEMENT**

Supply of one lawnmower (as per quotation specifications)	\$ 33,985.00
TIRE TAX	\$ 18.00
G.S.T. 5%	\$ 1,700.15
Q.S.T. 8.5%	\$ 3,034.77
<b>GRAND TOTAL</b>	<b>\$ 38,737.92</b>

The Treasurer's certificate 11-017, dated March 24 2011, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2011-739

**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 March 2011, with regard to hiring auxiliary employees;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Bonnie Feigenbaum, 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 April 2011, prepared by the Director of Community Services.

Adopted

2011-740

**ABOLITION OF THE POSITION OF "EXECUTIVE ASSISTANT" IN THE DIRECTOR GENERAL'S DEPARTMENT**

WHEREAS the Town of Hampstead wishes to abolish the position of "Executive Assistant" as a permanent full-time position;

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

- THAT the Town Council hereby abolishes the position of "Executive Assistant" as a permanent full-time position in the Director General's Department;

Adopted

2011-741

**RATIFICATION OF DEPARTURE AGREEMENT WITH THE "EXECUTIVE ASSISTANT"**

WHEREAS the Town of Hampstead has abolished the position of "Executive Assistant" as a permanent full-time position;

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

- THAT the Town Council ratifies the departure agreement of the incumbent **“Executive Assistant”** contained in the confidential **“Personnel”** file in the Director of Human Resources’ Office, reached between the Director of Human Resources and the **“Executive Assistant”**, Ms Zelia Craveiro. This takes effect retroactively to March 11, 2011; and
- THAT Treasurer’s Certificate no 11-019, dated April 4, 2011, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2011-742

### **APPROVAL OF RENEWAL OF GROUP INSURANCE CONTRACT FOR THE YEAR 2011 - 2012**

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WHEREAS the Town of Hampstead is part of the regrouped municipalities of : Baie d’Urfé, Beaconsfield, Côte Saint-Luc, Dollard-des-Ormeaux, Dorval, Hampstead, Kirkland, Montréal-Est, Montréal-Ouest, Mont-Royal, Pointe-Claire, Senneville, Ste-Anne-de-Bellevue and Westmount for group insurance;

WHEREAS “Groupe Financier AGA inc.” has filed, on March 8, 2011, a report on the renewal of the financial conditions pertaining to the group insurance contract for the Town of Hampstead;

WHEREAS “Groupe Financier AGA inc.” confirms in the said report that the financial conditions proposed by the insurer (SSQ Groupe Financier) for the period of April 1<sup>st</sup> 2011 to March 31, 2012, are justified;

WHEREAS the report of “Groupe Financier AGA inc.” clearly indicates that the insurer completely honours the financial commitments it made in its tender for contract;

WHEREAS this is the third year of a maximum five (5) year contract with the insurer;

WHEREAS “Groupe Financier AGA inc.” recommends acceptance of the terms of renewal proposed by the insurer (SSQ Groupe Financier), for the period of April 1<sup>st</sup>, 2011 to March 31<sup>st</sup>, 2012;

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

- THAT the conditions for renewal of the group insurance contract proposed by the insurer (SSQ Groupe Financier), for the period of April 1<sup>st</sup>, 2011 to March 31<sup>st</sup>, 2012, for an amount not exceeding 158 684.42 \$ including taxes, are approved by the Town Council;
- THAT the Director of Human Resources is authorized to sign, on behalf of the Town of Hampstead, any and all documents required for the above purposes; and
- THAT Treasurer’s certificate n° 11-018, dated March 25, 2011 has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

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2011-743

**APPROVAL OF A CONTRACT FOR SERVICES FOR THE PERSONAL SERVICES OF MR. ROBERT MARTIN AS “DIRECTOR – PUBLIC SECURITY”**

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CONSIDERING THAT Mr. Robert Martin’s contract will be ending on April 30, 2011;

CONSIDERING THAT the Town of Hampstead requires the services of a person to hold the position of Director for its Department of Public Security;

CONSIDERING THAT the Director General and the Director of Human Resources are recommending the extension of Mr. Martin’s contract for services to fill the need;

It was proposed by Councillor Leon Elfassy, seconded by Councillor Jack Edery and UNANIMOUSLY RESOLVED:

- TO approve the contract for services for the provision of the personal services of Mr. Robert Martin under the conditions set forth in the contract entered into between the parties for the period beginning on May 1<sup>st</sup>, 2011 and ending on, April 30<sup>th</sup>, 2012.
- THAT Treasurer’s certificate no 11-020, dated April 4, 2011 has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2011-744

**SUSPENSION OF EMPLOYEE # 1237**

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**WHEREAS** the director general has reported a four day suspension without pay of employee # 1237;

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

- **THAT**, having inquired, Council ratifies the four (4) day disciplinary suspension without pay of employee # 1237, imposed by the director general on March 18, 2011, in accordance with article 113 of the Cities and Towns Act.

Adopted

2011-745

**SUSPENSION OF EMPLOYEE # 1237**

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**WHEREAS** the director general has reported a two day suspension without pay of employee # 1237;

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

- **THAT**, having inquired, Council ratifies the two (2) day disciplinary suspension without pay of employee # 1237, imposed by the director general on March 17, 2011, in accordance with article 113 of the Cities and Towns Act.

Adopted

*Councillor Abraham Gonshor permanently left the meeting at 10:09 p.m.*



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2011-746

### **APPROVAL OF HIRING OF STUDENT AND AUXILIARY EMPLOYEES FOR RECREATION AND COMMUNITY SERVICES DEPARTMENT**

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It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Jack Edery and UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the hiring of Mr. Michael Gizas in the function of “Préposé à l’entretien – chauffeur” with the status of auxiliary employee, as of April 16, 2011.
- THAT the Town Council approves the hiring of
  - o Jeremy Schecter, AND
  - o Jonathan Zairias Student blue collar employees for the period beginning on April 23 and ending on September 9, 2011, approximately.
- THAT the above-mentioned employees be hired subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 301 and the Town of Hampstead; and

Adopted

### **SECOND QUESTION PERIOD**

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

2011-747

### **ADJOURNMENT**

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

Adopted

(s) William Steinberg \_\_\_\_\_  
Dr. William Steinberg, Mayor

(s) Nathalie Lauzière \_\_\_\_\_  
M<sup>c</sup> Nathalie Lauzière, Town Clerk