

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR COUNCIL MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON JUNE 13<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. 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.

2011-772

**ADOPTION OF THE AGENDA**

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

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

Adopted

2011-773

**ADOPTION OF THE MINUTES**

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

- THAT the Minutes of the Regular Council Meeting of May 9<sup>th</sup>, 2011 be and are hereby approved as submitted.

Adopted

2011-774

**AUTHORIZATION FOR ATTENDANCE 2011 APWA CONFERENCE**

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WHEREAS the 2011 APWA (American public Works association) Congress and exposition will be held in Denver, Colorado, from September 18 to September 21, 2011;

On motion of Councillor Bonnie Feigenbaum, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- THAT Council authorizes Councillor Michael Goldwax to attend the 2011 APWA Congress and exposition that will be held in Denver, Colorado, from September 17 to September 21, 2011;
- THAT expenses related to the congress for Councillor Goldwax are estimated at \$2,000 USD, plus reasonable expenses; and
- THAT Treasurer's Certificate No 11-026, dated June 1<sup>st</sup>, 2011, has been issued, attesting to the availability of funds to cover the described expenses.

Adopted

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2011-775

**WAIVER OF PRIVILEGE**

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WHEREAS the Town has obtained legal opinions dated December 21<sup>st</sup>, 2010 and May 27<sup>th</sup>, 2011 regarding property titles of lot number 2 088 440, cadastre du Québec;

WHEREAS the content of these opinions are confidential and are protected by attorney-client privilege;

WHEREAS is it in the best interest of the Town to provide a copy of these opinions for the purpose of public information;

On motion of Councillor Harvey Shaffer, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

That council, for the above-mentioned purpose, waive the confidentiality of the legal opinions dated December 21<sup>st</sup>, 2010 and May 27<sup>th</sup>, 2011 regarding property titles of lot number 2 088 440, cadastre du Québec;

That the Town clerk be authorized to provide a copy of these legal opinions for public information;

Adopted

2011-776

**DEPOSIT OF THE LETTER SENT TO RESIDENTS OF 71 STRATFORD DATED JUNE 9 2011.**

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Each member of the Council having received a copy, the Town Clerk deposits letter sent to Residents of 71 Stratford dated June 9 2011.

2011-777

**ADOPTION OF BY-LAW N° 786 – LOAN FOR PARK IMPROVEMENTS**

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CONSIDERING THAT notice of motion of By-law N° 786 was given at the Regular Council meeting of May 9<sup>th</sup>, 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;

It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Harvey Shaffer and UNANIMOUSLY RESOLVED:

- TO approve By-law n° 786 entitled: “By-law regarding the use of the available balance of closed loan By-law no. 749”.

Adopted

2011-778

**ADOPTION OF BY-LAW N° 787 – LOAN FOR THE REHABILITATION OF THE MUNICIPAL YARD**

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CONSIDERING THAT notice of motion of By-law N° 787 was given at the Regular Council meeting of May 9<sup>th</sup>, 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;

It was proposed by Councillor Harvey Shaffer, seconded by Councillor Jack Edery and UNANIMOUSLY RESOLVED:

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- TO approve By-law n° 787 entitled: “By-law regarding the use of the available balance of closed loan By-law no. 749”

Adopted

2011-779

### **NOTICE OF MOTION – BY-LAW N° 747-17 – AMENDMENT TO BY-LAW N° 747 TO DECREE THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE ACTIVITIES FOR FALL 2011/WINTER 2012**

NOTICE OF MOTION was given by Councillor Bonnie Feigenbaum that, at a subsequent meeting of Council, By-law N° 747-17 modifying By-law N° 747, to decree the fee schedule for cultural, sports and leisure activities for fall 2011/winter 2012 will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 747-17 and a motion to dispense with the reading of the said By-law was made.

2011-780

### **DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON MAY 16<sup>TH</sup> 2011**

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on May 16<sup>th</sup>, 2011.

2011-781

### **REQUEST TO AUTHORIZE MODIFICATIONS TO THREE FACADES ON A DETACHED DUPLEX AT 80-82 HARROW ROAD, LOT NO.: 2 090 098 ZONE RB-4 (SPAIP BY-LAW NUMBER 775)**

On motion of Councillor Leon Elfassy, seconded by Councillor Michael Goldwax, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing **plans and elevations** of a modification to three façades on a detached duplex dwelling at 80-82 Harrow Road, submitted to the Planning Advisory Committee meeting of May 16<sup>th</sup>, 2011 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

2011-782

### **REQUEST TO AUTHORIZE AN ADDITION IN THE REAR YARD TO A DETACHED SINGLE FAMILY DWELLING AT 5679 QUEEN MARY ROAD, LOT NO.: 2 089 541 ZONE RA-1 (SPAIP BY-LAW NUMBER 775)**

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

- THAT the site planning and architectural integration program showing **plans and elevations** for an addition in the rear yard to a detached single family dwelling at 5679 Queen Mary Road, submitted to the Planning Advisory Committee meeting of May 16<sup>th</sup>, 2011 is *approved*, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

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2011-783

**REQUEST TO AUTHORIZE A SECOND STOREY ADDITION TO A DETACHED SINGLE FAMILY DWELLING AT 7 COLCHESTER ROAD, LOT NO.: 2 089 852 ZONE RA-2 (SPAIP BY-LAW NUMBER 775)**

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

- THAT the site planning and architectural integration program showing **plans and elevations** for a second storey addition to a detached single family dwelling at 7 Colchester Road, submitted to the Planning Advisory Committee meeting of May 16<sup>th</sup>, 2011 is **approved**, the whole in conformity with the provisions of the Zoning By-law number 727 and of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Not Adopted  
\* Mayor's Veto

2011-784

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

WHEREAS Council reviewed the list of payments for the month of May 2011;

On motion of Councillor Jack Edery, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the disbursements for the period from May 1<sup>st</sup>, 2011 to May 31<sup>st</sup>, 2011, in the total amount of \$ 988,210.08 are hereby approved (\$567,255.80 for cheques and \$420,954.28 for on line payments).

Adopted

2011-785

**PAYMENT OF SECOND INSTALMENT OF HAMPSTEAD'S SHARE TO THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL FOR 2011**

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

- THAT the Town of Hampstead pays the second instalment, in the amount of \$91,248.87 for their share for 2011, to the 'Communauté métropolitaine de Montréal'.

Mayor William Steinberg called for a vote.

**Voted in favour:**

Councillor Jack Edery  
Councillor Leon Elfassy  
Councillor Harvey Shaffer  
Councillor Abe Gonshor

**In favour: 4**

**Voted against:**

Councillor Bonnie Feigenbaum  
Councillor Michael Goldwax

**Against: 2**

Adopted on division

*Councillor Abe Gonshor left the meeting.*

2011-786

**DEPOSIT OF THE FINANCIAL REPORT AND THE EXTERNAL AUDITOR'S REPORT FOR THE 2010 FISCAL YEAR**

In accordance with Section 105.1 of the *Cities and Towns Act*, the Town Treasurer hereby deposited at the Meeting the following:

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- 1) the financial report of the Town for the fiscal year 2010; and
- 2) the report of the Town's external auditor, Goudreau Poirier S.E.N.C.R.L., for the fiscal year 2010.

2011-787

### **TRANSFER OF FUNDS FROM UNAPPROPRIATED SURPLUS TO INFRASTRUCTURE PROJECTS**

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On motion presented by Councillor Jack Edery, seconded by Councillor Harvey Shaffer, it is UNANIMOUSLY RESOLVED:

- THAT the Town Council approves the transfer of funds in the amount of \$ 250,000 from Unappropriated Surplus to the Infrastructure Projects Budget 02-995-00-800.

Adopted

2011-788

### **PAYMENT OF THE SECOND INSTALMENT OF HAMPSTEAD'S SHARE OF MONTREAL AGGLOMERATION 2011 ANNUAL EXPENSES**

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On motion of Councillor Jack Edery, seconded by Councillor Bonnie Feigenbaum, it was UNANIMOUSLY RESOLVED:

- THAT the Town of Hampstead pays the second instalment, in the amount of \$ 4,610,250.57 for their share of expenses for the 2011 operations of the Montréal Agglomeration; and
- THAT Treasurer's certificate N° 11-24 dated June 1<sup>st</sup>, 2011 has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2011-789

### **APPROVAL FOR FINANCING FROM THE TOWN'S WORKING FUND OF THE PURCHASE PRICE FOR PERENNIALS, SHRUBS AND TREES.**

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On motion of Councillor Jack Edery, seconded by Councillor Michael Goldwax, it was UNANIMOUSLY RESOLVED:

THAT resolution no. 2011-660 be modified by rescinding the following paragraph:

“The Treasurer's certificate 11-03, dated December 21<sup>st</sup> 2010, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.”

And replacing it with the following paragraph:

“The purchase of perennials, shrubs and trees will be financed through the Town of Hampstead's working fund, for the sum of \$34,564.09 (net of GST return) to be reimbursed over a period of five (5) years as of the 2012 fiscal year, without applicable taxes or interest.”

Adopted

2011-790

### **APPROVAL FOR FINANCING FROM THE TOWN'S WORKING FUND FOR THE PLANTATION AND MAINTENANCE OF TREES, SHRUBS AND PERENNIALS ON FLEET ROAD**

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

THAT resolution no. 2011-768 be modified by rescinding the following paragraph:

“The Treasurer’s certificate 11-022, dated January 29 2011, has been issued by the Town’s Treasurer, attesting to the availability of funds to cover the described expenses.”

And replacing it with the following paragraph:

“The plantation and maintenance of trees, shrubs and perennials on Fleet road will be financed through the Town of Hampstead’s working fund, for the sum of \$73,038.57 (net of GST return) to be reimbursed over a period of five (5) years as of the 2012 fiscal year, without applicable taxes or interest.”

Adopted

2011-791

**APPROVAL FOR FINANCING FROM THE TOWN’S WORKING FUND OF THE PURCHASE PRICE FOR THE DESIGN AND SURVEILLANCE OF THE PLANTATION OF TREES, SHRUBS AND PERENNIALS AND THE PURCHASE OF FLOWER BULBS ON FLEET ROAD.**

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WHEREAS purchases for the design and surveillance of the plantation of trees, shrubs and perennials and the purchase of flower bulbs on Fleet road were concluded through direct contracts with the Suppliers noted below:

| <b>Suppliers</b>       | <b>Purchase</b>      | <b>Price (Net of GST return)</b> |
|------------------------|----------------------|----------------------------------|
| Design Extérieur Inc   | Design and plans     | \$ 2, 400.22                     |
| Design Extérieur Inc   | Surveillance of work | \$ 10,892.50                     |
| Pépinières Jasmin Ltée | Flower Bulbs         | \$ 7,669.42                      |

WHEREAS the purchases of the above mentioned items for a sum of \$20,962.14 net of GST return;

WHEREAS the Town wishes to finance a portion equivalent to \$20,962.14 from the working fund, said sum to be reimbursed over a period of five years as of the 2012 fiscal year;

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

THAT a sum of \$20,962.14 for the purchases for the design and surveillance of the plantation of trees, shrubs and perennials and the purchase of flower bulbs on Fleet road will be financed through the Town of Hampstead’s working fund.

Adopted

2011-792

**GRANTING OF CONTRACT: GCI SOFTWARE FOR DOCUMENT MANAGEMENT**

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WHEREAS the Members of Council acknowledged the recommendation of the Town clerk, the Section Chief - Information Systems and the Division Chief – Purchasing, dated February 14 and February 23, 2011 for the supply of a document management software;

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

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

**GCI**

|   |              |
|---|--------------|
| ULTIMA Software licenses:                 | \$ 8,700.00  |
| IMPRES, report generator:                 | \$ 2,500.00  |
| Annual technical support contract:        | \$ 1,680.00  |
| Data conversion plan / calendar/ files:   | \$ 3,000.00  |
| Remote software installation (per day):   | \$ 750.00    |
| Training of administrators (per day):     | \$ 2,250.00  |
| Discount granted to the municipal sector: | \$ -2,240.00 |
| G.S.T.                                    | \$ 832.00    |
| P.S.T.                                    | \$ 1,485.13  |

**GRAND TOTAL     \$ 18,957.13**

- THAT resolution no. 2011-707 is revoked and that the treasurer's certificate N° 2011-25, dated June 1<sup>st</sup>, 2011 has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2011-793

**MANDATES TO THE CITY OF MONTREAL TO CARRY OUT GROUPS CALL FOR TENDERS FOR THE SUPPLY OF FUEL IN BULK**

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WHEREAS the City of Montreal, has offered to orchestrate groups call for tenders, on behalf of participating municipalities, for the supply of fuel in bulk;

WHEREAS the Division Chief of Purchasing will act as representative of the Town of Hampstead in this regard;

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

- THAT the Council authorizes the Town of Hampstead's participation in groups call for tenders for the granting of s contracts for the supply of fuel in bulk;
- THAT the Town of Hampstead delegates the City of Montreal to prepare the specifications and other tender documents; to proceed with the calls for tenders; to receive and to analyze the submissions; and to report the results to the participating municipalities;
- THAT the Town of Hampstead delegates the City of Montreal, to adjudicate the proposed contracts.

Adopted

2011-794

**MANDATES TO THE CITY OF MONTREAL TO CARRY OUT GROUPS CALL FOR TENDERS FOR THE SUPPLY OF ROAD SALT IN BULK**

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WHEREAS the City of Montreal, has offered to orchestrate groups call for tenders, on behalf of participating municipalities, for the supply of road salt in bulk;

WHEREAS the Division Chief of Purchasing will act as representative of the Town of Hampstead in this regard;

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

- THAT the Council authorizes the Town of Hampstead's participation in groups call for tenders for the granting of s contracts for the supply of road salt in bulk;
- THAT the Town of Hampstead delegates the City of Montreal to prepare the specifications and other tender documents; to proceed with the calls for tenders; to receive and to analyze the submissions; and to report the results to the participating municipalities;
- THAT the Town of Hampstead delegates the City of Montreal, to adjudicate the proposed contracts.

Adopted

2011-795

### **APPROVAL OF LIST OF AUXILIARY EMPLOYEES FOR COMMUNITY SERVICES DEPARTMENT**

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CONSIDERING THAT Council members reviewed the report of the Director of the Community Services dated June 2011, with regard to hiring auxiliary employees;

It was proposed by Councillor Harvey Shaffer, 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 June 2011, prepared by the Director of Community Services.

Adopted

### **SECOND QUESTION PERIOD**

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

2011-796

### **ADJOURNMENT**

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

Adopted

### **\* MAYOR'S VETO OF RESOLUTION N<sup>o</sup> 2011-783**

According to the provisions of Section 52 of the *Cities and Towns Act*, I, the undersigned William Steinberg, Mayor of the Town of Hampstead, refuse to approve Resolution N<sup>o</sup> 2011-783 concerning the request to authorize a second storey addition to a detached single family dwelling at 7 Colchester Road.

(s) William Steinberg  
Dr. William Steinberg, Mayor

(s) William Steinberg  
Dr. William Steinberg, Mayor

(s) Nathalie Lauzière  
M<sup>e</sup> Nathalie Lauzière, Town Clerk