

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON APRIL 2<sup>ND</sup>, 2012, 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.

2012-080

**ADOPTION OF THE AGENDA**

On motion of Councillor Harvey Shaffer, seconded by Councillor Abe Gonshor, it was UNANIMOUSLY RESOLVED:

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

Adopted

2012-081

**ADOPTION OF THE MINUTES**

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

- THAT the Minutes of the Regular Council Meeting of March 5<sup>th</sup>, 2012 and of the Special Council Meeting of March 19<sup>th</sup>, 2012 be and are hereby approved as submitted.

Adopted

2012-082

**CAVENDISH BOULEVARD EXTENSION**

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WHEREAS the Cavendish Boulevard extension project has been discussed for more than 25 years,

WHEREAS the Cavendish Boulevard extension has been identified as a “major project” by the Quebec government and the Minister of Transport;

WHEREAS this project will have a positive impact on the towns of Mount Royal, Côte-Saint-Luc, Hampstead and the City of Montreal;

WHEREAS the City of Montreal has committed \$45 million in their PTI for this project provided Quebec provides the necessary additional funds;

WHEREAS this project does not seem to be prioritized by the City of Montreal;

It was proposed by Councillor Michael Goldwax, seconded by Councillor Leon Elfassy, and UNANIMOUSLY RESOLVED:

To ask the City of Montreal to prioritize the Cavendish Boulevard extension project considering its strategic and economic value;

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To ask the Quebec Government to provide the necessary extra funds so that this project can finally proceed;

To send a copy of this resolution to the all cities on the island, the Minister of Transport and the MNA for Darcy McGee.

Adopted

2012-083

### **MODIFICATION TO RESOLUTION NO. 2011-853**

WHEREAS the 2012 Annual Conference of the Federation of Canadian Municipalities (FCM) will be held in Saskatoon from May 31<sup>st</sup> to 4<sup>th</sup>, 2012;

WHEREAS resolution no. 2011-853 was adopted by Council on September 6<sup>th</sup>, 2011 to authorize certain delegates to attend, but Councillors Jack Edery and Harvey Shaffer will not be attending in June 2012;

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

- THAT Council authorizes the following delegates to attend the 2012 Annual Conference of the FCM to be held in Saskatoon from May 31<sup>st</sup> to June 4<sup>th</sup>, 2012;
  - Mayor William Steinberg
  - Councillor Bonnie Feigenbaum
  - Director General, Mr. Richard Sun

Adopted

2012-084

### **DEPOSIT OF ADVISORY COMMITTEE RECOMMENDATIONS – FIRE STATION SITE ON MACDONALD AVENUE**

Each member of the Council having received a copy of the recommendations of the Advisory committee regarding the fire station site on Macdonald Avenue, the Town Clerk deposits the said Advisory Committee recommendations dated Feb. 14, 2012.

2012-085

### **SPECIAL THANKS TO MEMBERS OF THE ADVISORY COMMITTEE - FIRE STATION ON MACDONALD AVENUE**

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

- That the Council is grateful to the members of the Advisory Committee for the fire station project on MacDonald Avenue in the Town of Hampstead, namely to Mr. Gabriel Soudry, Mr. Bill Cleman, Mr. Derek Drummond, Mr. Andre Ibghy and Mr. Morty Yalovsky for their dedication, expertise and valuable contribution within the said Advisory Committee.

Adopted

2012-086

### **REGISTRATION OF DELEGATES TO ATTEND THE 2012 ANNUAL CONFERENCE OF THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA)**

WHEREAS the 2012 Annual Conference of the Government Finance Officers Association (GFOA) will be held in Chicago from June 10 to June 13, 2012;

On motion of Councillor Jack Edery, seconded by Councillor Abe Gonshor, it was UNANIMOUSLY RESOLVED:

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- THAT Council authorizes Councillor Jack Edery to attend the 2012 Annual Conference of the Government Finance Officers Association (GFOA).

Adopted

2012-087

### **REGISTRATION OF DELEGATES TO ATTEND THE 2012 ANNUAL ITE MIDWESTERN DISTRICT CONFERENCE AND TRB 4<sup>TH</sup> URBAN STREET SYMPOSIUM IN CHICAGO**

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WHEREAS the 2012 ITE Midwestern District Conference and TRB 4<sup>th</sup> Urban Street Symposium will be held in Chicago from June 24<sup>th</sup> to 27<sup>th</sup>, 2012;

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

- THAT Council authorizes Councillor Harvey Shaffer to attend the 2012 ITE Midwestern District Conference and TRB 4<sup>th</sup> Urban Street Symposium to be held in Chicago from June 24<sup>th</sup> to 27<sup>th</sup>, 2012.

Adopted

2012-088

### **ADOPTION OF BY-LAW 672-2 AMENDING BY-LAW 672 CONCERNING REGULATION OF VARIOUS COMMERCIAL ACTIVITIES**

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CONSIDERING THAT notice of motion of By-law N<sup>o</sup> 672-2 was given at the regular council meeting of March 5<sup>th</sup>, 2012 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 Michael Goldwax, seconded by Councillor Abe Gonshor and UNANIMOUSLY RESOLVED:

- TO approve By-law N<sup>o</sup> 672-2 amending By-law 672 concerning regulation of various commercial activities.

Adopted

2012-089

### **ADOPTION OF BY-LAW NO. 705-8 MODIFYING BY-LAW NO. 705-6 CONCERNING THE COLLECTION, REMOVAL AND DISPOSAL OF WASTE MATERIAL**

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CONSIDERING THAT notice of motion of By-law N<sup>o</sup> 705-8 was given at the regular council meeting of March 5<sup>th</sup>, 2012 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 Jack Edery, seconded by Councillor Leon Elfassy and RESOLVED:

- TO approve By-law N<sup>o</sup> 705-8 modifying By-law no. 705-6 concerning the collection, removal and disposal of waste material.

**Mayor William Steinberg called for a vote.**

**Voted in favour:**

Councillor Abe Gonshor  
Councillor Jack Edery  
Councillor Leon Elfassy

**Voted against:**

Councillor Bonnie Feigenbaum

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Councillor Michael Goldwax  
Councillor Harvey Shaffer

**In favour: 5**

**Against: 1**

Adopted on division

2012-090

### **ADOPTION OF BY-LAW NO. 752-4 MODIFYING BY-LAW NO. 752-1 CONCERNING TARIFFS**

CONSIDERING THAT notice of motion of By-law N° 752-4 was given at the regular council meeting of March 5<sup>th</sup>, 2012 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 Jack Edery, seconded by Councillor Harvey Shaffer and RESOLVED:

- TO approve By-law N° 752-4 modifying By-law no. 752-1 concerning tariffs.

**Mayor William Steinberg called for a vote.**

**Voted in favour:**

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

**Voted against:**

Councillor Bonnie Feigenbaum

**In favour: 5**

**Against: 1**

Adopted on division

2012-091

### **NOTICE OF MOTION – BY-LAW NO. 794 TO REGULATE SMOKING IN THE TOWN OF HAMPSTEAD**

NOTICE OF MOTION was given by Councillor Bonnie Feigenbaum that, at a subsequent meeting of Council, By-law n° 794 entitled “By-law to regulate smoking in the Town of Hampstead” will be submitted to Council for adoption.

TAKE FURTHER NOTICE THAT all Council members have received a draft copy of By-law n° 794 prior to this Council meeting and a motion to dispense with the reading of the said By-law was made.

2012-092

### **NOTICE OF MOTION – BY-LAW NO. 795 CONCERNING NUISANCE**

NOTICE OF MOTION was given by Councillor Michael Goldwax that, at a subsequent meeting of Council, By-law n° 795 concerning nuisance will be submitted to Council for adoption.

TAKE FURTHER NOTICE THAT all Council members have received a draft copy of By-law n° 795 prior to this Council meeting and a motion to dispense with the reading of the said By-law was made.

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2012-093

### **NOTICE OF MOTION – BY-LAW NO. 796 REGULATING DRINKING WATER**

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NOTICE OF MOTION was given by Councillor Michael Goldwax that, at a subsequent meeting of Council, By-law n° 796 regulating drinking water will be submitted to Council for adoption.

TAKE FURTHER NOTICE THAT all Council members have received a draft copy of By-law n° 796 prior to this Council meeting and a motion to dispense with the reading of the said By-law was made.

2012-094

### **DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON MARCH 12<sup>TH</sup> 2012 AND OF THE SPECIAL PAC MEETING HELD ON MARCH 20<sup>TH</sup> 2012 AND MARCH 29<sup>TH</sup> 2012**

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Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on March 12<sup>th</sup>, 2012 and of the Special Pac meeting held on March 20<sup>th</sup> 2012 and March 29<sup>th</sup> 2012.

The Council takes note of the deposit of the said minutes by the Town Clerk.

2012-095

### **RE: REQUEST TO AUTHORIZE A SECOND STOREY ADDITION IN THE REAR YARD OF A DETACHED SINGLE FAMILY DWELLING AT 66 THURLOW ROAD, LOT NO.: 2 089 428, ZONE RA-1 (SPAIP BY-LAW NUMBER 775)**

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On motion of Councillor Leon Elfassy, seconded by Councillor Jack Edery, it was UNANIMOUSLY RESOLVED:

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize a second storey addition in the rear yard of a detached single family dwelling at 66 Thurlow Road, submitted to the Planning Advisory Committee meeting of March 12<sup>th</sup>, 2012 is *conditionally approved*. The modifications meet the prescribed standards of the Zoning By-law number 727 but partially meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:

- The project includes a hipped roof on the rear elevation.

Adopted

2012-096

### **REQUEST TO AUTHORIZE FRONT FACADE MODIFICATIONS TO A DETACHED SINGLE FAMILY DWELLING AT 57 ALBION ROAD, LOT NO.: 2 090 892, ZONE RA-2 (SPAIP BY-LAW NUMBER 775)**

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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 of a front facade modifications to a detached single family dwelling at 57 Albion Road, submitted to the Planning Advisory Committee meeting of March 12<sup>th</sup>, 2012 is *conditionally approved*. The modifications do not meet the prescribed standards of the Zoning By-law number 727 and partially meet the prescribed standards of the Site Planning and Architectural

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Integration Program By-law number 775 and as recommended by the PAC provided that:

- There is no circular driveway
- The driveway conforms to the Zoning By-law #727;
- The shingles used are darker;
- The stone module (size of stone) on the second storey (front façade) is reduced.
- The band of stone above the bay windows on the front façade is removed

Adopted

2012-097

### **REQUEST TO AUTHORIZE A SECOND STOREY ADDITION IN THE REAR YARD OF A DETACHED SINGLE FAMILY DWELLING AT 46 LYNCROFT ROAD, LOT NO.: 2 089 334, ZONE RA-2 (SPAIP BY-LAW NUMBER 775)**

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

- THAT the site planning and architectural integration program showing modifications to the plans and elevations to authorize a second storey addition in the rear yard of a detached single family dwelling at 46 Lyncroft Road, submitted to the Planning Advisory Committee meeting of March 12<sup>th</sup>, 2012 is *conditionally approved*. The modifications meet the prescribed standards of the Zoning By-law number 727 and meet the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC provided that:

- Proposed addition conforms to the Building By-law # 729.

Adopted

2012-098

### **REQUEST FOR THE CONSTRUCTION OF A NEW DETACHED MULTI-RESIDENTIAL BUILDING, LOT NO.: 2 088 440, ZONE RE (SPAIP BY-LAW NUMBER 775)**

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

- THAT the site planning and architectural integration program showing plans and elevations for the construction of a new detached multi-residential building, submitted to the Planning Advisory Committee meeting of March 20<sup>th</sup>, 2012 and March 29<sup>th</sup>, 2012 is *approved*. The project meets the prescribed standards of the Zoning By-law number 727 and meets the prescribed standards of the Site Planning and Architectural Integration Program By-law number 775 and as recommended by the PAC.

Adopted

2012-099

### **APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF MARCH 2012**

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WHEREAS Council reviewed the list of payments for the month of March 2012;

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

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- THAT the disbursements for the period from March 1<sup>st</sup>, 2012 to March 27<sup>th</sup>, 2012, in the total amount of \$ 5 769 511.88 are hereby approved (\$ 574 657.06 for cheques and \$ 5 194 854.82 for on line payments).

Adopted

2012-100

**ADJUDICATION OF BOND ISSUE IN THE AMOUNT OF \$ 2,461,000 FOLLOWING A REQUEST FOR PUBLIC TENDERS**

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WHEREAS the Town of Hampstead plans to issue a series of maturity bonds by virtue of By-law numbers 753, 754 and 756;

WHEREAS the municipality has called for tenders for the sale of a bond issue in the amount of \$2,461,000, dated April 12, 2012 via the electronic financial information system;

WHEREAS, in response to this request, the Town of Hampstead has received offers detailed in **Appendix A**;

WHEREAS the offer from *Marchés Mondiaux CIBC Inc.* was deemed the most advantageous;

On motion of Councillor Jack Edery, seconded by Councillor Leon Elfassy, it was UNANIMOUSLY RESOLVED:

THAT the Town of Hampstead's bond issue in the amount of \$2,461,000 be awarded to *Marchés Mondiaux CIBC Inc.*;

- THAT the latter be asked to mandate the Canadian Depository for Securities (CDS) to register this issue;
- THAT the Mayor, or in his absence the Acting Mayor, and Treasurer, or in his absence the Assistant Treasurer, be authorized to sign the maturity bonds covered by the current issue;
- WHEREAS the CDS shall act as registrar, bondholder and paying agent responsible for the transactions to be made regarding its members; council authorizes the CDS to act as authenticator financial agent, as described in the memorandum of understanding signed between the Minister of Municipal Affairs and Regions and the CDS;
- WHEREAS the CDS shall proceed with the transfer of funds in compliance with the statutory requirements of the bond; Council therefore authorizes the Treasurer, or in his absence the Assistant Treasurer, to sign the document authorizing a pre-authorized debit plan for businesses required by the Canadian banking system.

Adopted

2012-101

**RESOLUTION OF CONCORDANCE AND SHORT MATURITY DATE - BOND LOAN IN THE AMOUNT OF \$2,461,000**

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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 \$2,461,000:

<b>Loan By-law #</b>	<b>For an amount of</b>
753	1,234,300
754	987,700
756	239,000

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

It was proposed by Councillor Jack Edery, seconded by Councillor Michael Goldwax and UNANIMOUSLY RESOLVED:

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 preceding bond issues against each of the By-laws comprising the \$2,461,000 issue;

THAT the bonds, i.e. one bond issue per maturity date, be dated April 12<sup>th</sup>, 2012;

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 CDS shall transfer funds in accordance with the legal requirements of the bond issue, with this, Council authorizes the Treasurer or in his absence the Assistant Treasurer to sign the documents required by the Canadian banking system "Authorization for the pre-authorized debit plan for companies";

THAT, in order to make the payments to the participants by electronic fund transfers, 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 12<sup>th</sup> and October 12<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 Mayor, or in his absence the Acting Mayor, and Treasurer, or in his absence the 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 loan in the amount of \$2,461,000, pursuant to By-laws 753, 754 and 756, the Town of Hampstead issues bonds for a shorter term than that provided for in the loan By-laws, i.e. for a term of:

**Five (5) years** (starting on April 12<sup>th</sup>, 2012); regarding the yearly projected amortization of the capital for the years 2018 and following, instead of the term prescribed for the said amortizations of loan By-laws 753 and 754, with every subsequent issue being made to cover the balance or partial balance due on the loan.

Adopted

2012-102

**SIGNING OF A LEASING FOR THE RENTAL OF A LOCAL AND AN OUTSIDE AREA FOR THE STORAGE OF MUNICIPAL EQUIPMENT**



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WHEREAS Council has received a copy of the proposed leasing contract between the Town of Hampstead and James Luckow for the rental of a local and an outside area;

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

- THAT the Director of Material Resources, Information Technologies and the Town Clerk, are authorized to sign the lease by which the Town of Hampstead leases from James Luckow a local and an outside area located at 355, Norman Street, Lachine, which will be used for storage of municipal equipment. The lease will begin on April 3, 2012 and end on March 31, 2016.

Adopted

2012-103

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

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CONSIDERING THAT Council members reviewed the report of the Leisure and Adult 55+ Section Manager dated March 26, 2012, 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 prepared by the Director of Community Services.

Adopted

2012-104

### **APPROVAL OF PAYMENT TO THE CSST FOR THE VIOLATION NOTICE NO 3027781000793610**

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WHEREAS a work accident occurred on October 21, 2008 which caused injury to a Public Works employee;

WHEREAS a second work accident occurred on February 24, 2011 which caused injury to another Public Works employee;

WHEREAS these accidents had caused serious injuries to the workers during electrical and arboricultural operations in using an aerial bucket;

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

- THAT the Council approves the payment not exceeding \$32,710 pertaining to the CSST violation notice number 3027781000793610; and
- TO AUTHORIZE the Treasurer to issue the payment to the CSST;

The Treasurer's certificate no 12-15, dated March 27<sup>th</sup>, 2012, has been issued by the Treasurer, attesting the availability of funds to cover the described expenses.

Adopted

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### **SECOND QUESTION PERIOD**

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

2012-105

### **ADJOURNMENT**

All the subjects of the Agenda having been discussed, it was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Michael Goldwax 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