

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON JUNE 10<sup>TH</sup>, 2013, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.**

**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.

2013-125

**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 with the addition of the following item:

10.4 - Approval of the final settlement-Employee #1278.

Adopted

**RECESS**

*The Mayor recessed the meeting at 9:16 p.m and reconvened the meeting at 10:03 p.m., all members of Council present at the beginning of the meeting remaining to form a quorum.*

2013-126

**ADOPTION OF THE MINUTES**

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

- THAT the Minutes of the Regular Council Meeting of May 6<sup>th</sup>, 2013 are hereby approved as submitted.

Adopted

2013-127

**RESOLUTION CONCERNING THE REQUIREMENTS PRESCRIBED IN REGULATION RESPECTING COMPULSORY CONTRIBUTION TO THE PROFESSIONAL LIABILITY INSURANCE FUND OF THE ORDRE DES ARCHITECTES DU QUEBEC**

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

- TO defer this resolution to a subsequent Council meeting.

Adopted

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2013-128

### **ADOPTION OF BY-LAW N° 727-15 AMENDING ZONING BY-LAW N° 727 (MINIMUM AREA OF GREEN COVERAGE, GEOTHERMAL SYSTEM AND SOLAR PANELS)**

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CONSIDERING THAT notice of motion of By-law N° 727-15 was given at the Regular Council meeting of April 8<sup>th</sup>, 2013 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;

CONSIDERING THAT following the adoption of the second draft By-law no. 727-15 on May 6<sup>th</sup>, 2013 and the public notice published on May 15<sup>th</sup>, 2013, no application was received by the Town clerk from interested persons to require that By-law no. 727-15 be submitted for the approval of certain qualified voters in accordance with the *Act Respecting Elections and Referendums in Municipalities*;

It was proposed by Councillor Bonnie Feingenbaum, seconded by Councillor Leon Elfassy and UNANIMOUSLY RESOLVED:

- TO approve By-law N° 727-15 entitled: “By-law amending Zoning By-law N° 727 (minimum area of green coverage, geothermal system and solar panels).

Adopted

2013-129

### **ADOPTION OF BY-LAW N° 795-2 MODIFYING BY-LAW NO. 795 CONCERNING NUISANCE**

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

- TO defer this resolution to a subsequent Council meeting.

Adopted

2013-130

### **DEPOSIT OF THE MINUTES OF MODIFICATION OF RESOLUTION NO. 2013-005**

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Each member of the Council having received a copy, the Town Clerk deposits the Minutes of the modification of resolution no.2013-005 signed on January 15<sup>th</sup>, 2013.

2013-131

### **ADOPTION OF THE RATES OF REMUNERATION FOR ELECTION OFFICERS – ELECTION OF NOVEMBER 3<sup>RD</sup>, 2013**

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WHEREAS general municipal elections will be held on November 3<sup>rd</sup>, 2013 throughout the province;

WHEREAS, conforming to the *Act Respecting Elections and Referendums in Municipalities*, the Returning Officer of the Town will need to hire personnel for these general elections;

WHEREAS it is in the interest of the Town to provide a competitive remuneration which compares with the neighbouring cities to ensure a qualified, efficient and trustworthy personnel;

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

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- THAT the Town Council adopt the rates of remuneration for electoral personnel as specified in the attached Annexes A and B, forming an integral part of this resolution.

Adopted

2013-132

### **DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON MAY 13<sup>TH</sup> 2013**

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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 May 13<sup>th</sup>, 2013.

2013-133

### **REQUEST FOR APPROVAL OF A TWO STOREY ADDITION IN THE REAR YARD TO AN EXISTING DETACHED SINGLE FAMILY DWELLING LOCATED AT 58, CLEVE, LOT NO. : 3 021 908, ZONE RB-3, (ZONING BYLAW NUMBER 727), (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 two storey addition in the rear yard to an existing detached single family dwelling to a detached single family dwelling at 58 Cleve Road, submitted to the Planning Advisory Committee meeting of May 13<sup>th</sup>, 2013 is *conditionally approved* as recommended by the PAC. The modifications partially 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:
  - The proposed windows must meet the requirements of the Quebec Construction Code on railings and unprotected opening limits for walls and require a review by the architect assigned to the project;
  - If minor adjustments are required and they do not substantially alter the nature of the project, the Urban Planning Division and Building Inspection may issue the requested permit without having to return to the Planning Advisory Committee.

Adopted

2013-134

### **APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF MAY 2013**

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WHEREAS Council reviewed the list of payments for the month of May 2013;

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

- THAT the disbursements for the period from April 28<sup>th</sup>, 2013 to May 28<sup>th</sup>, 2013, in the total amount of \$1,241,577.44 are hereby approved (\$ 628 466.15 for cheques, save and except for cheque #21946 (022170) and \$ 613,111.29 for on line payments).

Adopted

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2013-135

**CESSIONS FOR PARKS - PREREQUISITE CONDITION FOR THE APPROVAL OF A PLAN RELATING TO A BUILDING PERMIT FOR 1 LYNCROFT**

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WHEREAS the approval of a building permit, in respect of an immovable, shall be subject to the conditions mentioned in section 3.3.1 of the Subdivision By-law number 728 modified by section 13 of By-law no. 791 amending Zoning By-law NO. 727 of the Town of Hampstead, subdivision By-law no. 728 regulating cadastral operations in the Town of Hampstead, By-law no. 730 concerning permits and certificates and By-law no. 759 concerning the demolition of buildings;

WHEREAS the building located at 1 Lyncroft, bearing lot number no. 2 088 960 of the Quebec Cadaster, is the subject of a **Redevelopment plan**, the whole according to section 11 of By-Law no. 791 amending article 1.1 of Subdivion By-law 728;

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

- THAT the prerequisite condition for the approval of a plan relating to a building permit for 1 Lyncroft is that the owner pays an amount to the municipality that is equal to 1% of the value of the site, which is the immovable subject to a Redevelopment plan.

Adopted

2013-136

**CESSIONS FOR PARKS - PREREQUISITE CONDITION FOR THE APPROVAL OF A PLAN RELATING TO A BUILDING PERMIT FOR 31 GRANVILLE ROAD**

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WHEREAS the approval of a building permit, in respect of an immovable, shall be subject to the conditions mentioned in section 3.3.1 of the Subdivision By-law number 728 modified by section 13 of By-law no. 791 amending Zoning By-law NO. 727 of the Town of Hampstead, subdivision By-law no. 728 regulating cadastral operations in the Town of Hampstead, By-law no. 730 concerning permits and certificates and By-law no. 759 concerning the demolition of buildings;

WHEREAS the building located at 31 Granville Road, bearing lot number no. 2 089 083 of the Quebec Cadaster, is the subject of a **Redevelopment plan**, the whole according to section 11 of By-law no. 791 amending article 1.1 of Subdivion By-law 728;

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

- THAT the prerequisite condition for the approval of a plan relating to a building permit for 31 Granville Road is that the owner pays an amount to the municipality that is equal to 1% of the value of the site, which is the immovable subject to a Redevelopment plan.

Adopted

2013-137

**CESSIONS FOR PARKS - PREREQUISITE CONDITION FOR THE APPROVAL OF A PLAN RELATING TO A BUILDING PERMIT FOR 120 FINCHLEY**

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WHEREAS the approval of a building permit, in respect of an immovable, shall be subject to the conditions mentioned in section 3.3.1 of the Subdivision By-law number 728 modified by section 13 of By-law no. 791

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amending Zoning By-law NO. 727 of the Town of Hampstead, subdivision By-law no. 728 regulating cadastral operations in the Town of Hampstead, By-law no. 730 concerning permits and certificates and By-law no. 759 concerning the demolition of buildings;

WHEREAS the building located at 120 Finchley, bearing lot number no. 2 088 955 of the Quebec Cadaster, is the subject of a **Redevelopment plan**, the whole according to section 11 of By-law no. 791 amending article 1.1 of Subdivion By-law 728;

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

- THAT the prerequisite condition for the approval of a plan relating to a building permit for 120 Finchley is that the owner pays an amount to the municipality that is equal to 1% of the value of the site, which is the immovable subject to a Redevelopment plan.

Adopted

2013-138

**GRANTING OF CONTRACT – REMOVAL OF STUMPS AND RE SODDING**

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WHEREAS there has been a call for tenders, by way of written invitation, for the removal of stumps and re sodding;

WHEREAS, after analyzing the tenders opened on May 23<sup>rd</sup> 2013, the lowest bidder conforming to the requirements of the tender invitation is Arbo-Design Inc.;

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

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

**ARBO-DESIGN INC.**

Removal of stumps and re sodding: \$ 15,060.00  
(as per specifications in tender documents)

G.S.T. (5%): \$ 753.00

Q.S.T. (9.975%): \$ 1,502.24

Grand total taxes included: \$ 17,315.24

Treasurer’s certificate N<sup>o</sup> 13-24, attesting to the availability of funds to cover the described expenses.

Adopted

2013-139

**GRANTING OF CONTRACT – REHABILITATION / REPLACEMENT OF AN AQUEDUCT PIPE IN CÔTE ST-LUC ROAD**

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WHEREAS there has been a call for tenders, by way of public tender, for the rehabilitation / replacement of an aqueduct pipe in Côte St-Luc road;

WHEREAS, after analysing the tenders opened on May 29th, 2013, the lowest bidder conforming to the requirements of the public tender is Les Entreprises Canbec Construction Inc.;

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

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

**LES ENTREPRISES CANBEC CONSTRUCTION INC**

Rehabilitation / replacement of an aqueduct pipe in Côte St-Luc road	\$ 730 524.66
Contingencies (10%):	\$ 73 052.47
G.S.T. 5%	\$ 40 178.86
Q.S.T. 9.975%	\$ 80 156.82
Total taxes included	<b>\$ 923 912.80</b>

Adopted

2013-140

**APPROVAL OF LIST OF AUXILIARY EMPLOYEES FOR THE  
COMMUNITY SERVICES AND RECREATION DEPARTMENT**

CONSIDERING THAT Council members reviewed the report of the Director of Community Services and Recreation, dated May 30, 2013, with regard to hiring auxiliary employees,

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

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

*Councillor Bonnie Feigenbaum has disclosed that her nephew is part of the said list of auxiliary employees, that she was not involved in the hiring process and that she has complied with the code of ethics and deontology of the Town by which she is linked.*

Adopted

2013-141

**APPROVAL OF HIRING OF MS. CRISTINA COSNEANU AS  
“ADMINISTRATIVE SECRETARY - TOWN CLERK”**

CONSIDERING THAT the Town of Hampstead requires the hiring of an Administrative Secretary as temporary replacement during a maternity leave;

CONSIDERING THAT the Director General, the Town Clerk and the Human Resources Counsellor are recommending the hiring of **MS. CRISTINA COSNEANU** to fill such position;

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

- TO APPROVE the temporary hiring of **MS. CRISTINA COSNEANU** as “**ADMINISTRATIVE SECRETARY - TOWN CLERK**” no later than June 17, 2013 for a period not to exceed August 29, 2014, 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

The Treasurer’s certificate no 13-25, dated May 30, 2013 has been issued by the Assistant Treasurer, attesting the availability of funds to cover the described expenses.

Adopted

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### **APPROVAL OF THE COLLECTIVE AGREEMENT ENTERED INTO WITH THE « SYNDICAT DES COLS BLEUS REGROUPÉS DE MONTRÉAL, CUPE LOCAL 301 »**

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CONSIDERING THAT the collective agreement with the « Syndicat des cols bleus regroupés de Montréal, CUPE local 301 » expired on June 30<sup>th</sup>, 2012.

CONSIDERING THAT the parties have reached a satisfactory settlement in principle;

CONSIDERING THAT the Union members gathered in a general meeting have authorized by secret ballot decided by the majority vote of the Union members who are comprised in the bargaining unit and who have exercised their right to vote, the signing of the collective agreement;

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

- TO approve the collective agreement concluded with the « Syndicat des cols bleus regroupés de Montréal, CUPE local 301 » bearing a termination date of June 30<sup>th</sup>, 2018;
- TO authorize the Director General and the Human Resources Director to implement the necessary measures to execute the conditions of employment provided for in the said agreement;
- TO authorize the Mayor, the Director general and the Director of human resources to sign, on behalf of the Town of Hampstead, the aforementioned collective agreement.

Adopted

2013-143

### **APPROVAL OF THE FINAL SETTLEMENT – EMPLOYEE #1278**

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CONSIDERING THAT by Resolution #2012-276 adopted at the Council Meeting held on September 24, 2012, the Town Council had dismissed and terminated the employment of auxiliary employee #1278;

CONSIDERING THAT the Union has filed several grievances pertaining to the disciplinary file of the employee #1278;

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

- TO ratify the final settlement arrived at by the Town of Hampstead with “Le Syndicat des cols bleus regroupés de Montréal (SCFP-local 301) pertaining to the dismissal and the termination of the auxiliary employee #1278;
- TO AUTHORIZE the Director of Human Resources to execute the said settlement as per the information contained in the confidential “Personnel” file in the Human Resources Director’s Office.

Adopted

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**SECOND QUESTION PERIOD**

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

2013-144

**ADJOURNMENT**

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