

Minutes of Town of Hampstead

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON SEPTEMBER 9TH, 2013, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.

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

ABSENT: Councillor Abraham Gonshor.

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.

2013-194

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 adopted with the addition of the following items:

Item 13.1.1 Resolution regarding the proposed Quebec Charter of Values;

Adopted

2013-195

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 August 5th, 2013 and the Special Council Meeting of August 26th, 2013 are hereby approved as submitted.

Adopted

2013-196

DEPOSIT OF THE NOTICE OF COUNCILLOR ABRAHAM GONSHOR

Each member of the Council having received a copy, the Town Clerk deposits the notice of Councillor Abraham Gonshor dated September 3rd, 2013 concerning his eligibility for office.

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

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2013-197

DECISION CONCERNING THE APPEAL ON A NOTICE ISSUED FOR A "DANGEROUS DOG"

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

- TO defer this resolution to a subsequent Council Meeting

Adopted

2013-198

ADOPTION OF BY-LAW N° 804 CONCERNING CADASTRAL OPERATION

CONSIDERING THAT notice of motion of By-law N° 804 was given at the Regular Council meeting of August 5th, 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;

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

- TO approve By-law N° 804 concerning Cadastral Operation.

Adopted

2013-199

AUTHORIZATION TO SIGN THE NEW GENERAL INSURANCE AGREEMENT OF THE GROUP OF MUNICIPALITIES ON THE ISLAND OF MONTREAL AND TO MANDATE THE UMQ AS SPOKESPERSON FOR THE GROUP

WHEREAS the Town of Hampstead, together with the members of the Island of Montreal group of municipalities, entered into an agreement in 2008 concerning the common purchasing of general insurance and that this agreement shall terminate on December 31, 2013;

WHEREAS there are advantages for the Town of Hampstead to participate in such a group, with other municipalities, for the purchase of a new general insurance portfolio;

WHEREAS the *Union des municipalités du Québec (UMQ)* recommends the establishment of a group for the purpose of purchasing general insurance, with or without collective deductibles;

WHEREAS it is appropriate to enter into a new agreement with the member municipalities of this group for a five year period, from January 1, 2014 to January 1, 2015;

WHEREAS, it is appropriate to appoint the *Union des municipalités du Québec (UMQ)* to act as authorized agent;

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

- TO MANDATE the *Union des municipalités du Québec* to act as authorized agent in the matter of the purchase of a new general insurance portfolio for the group of participating municipalities in conformity with the five (5) year agreement;
- TO PAY an annual amount equal to 1% of the total premium of the group, subject to a minimum of \$4,000 for the group, to which applicable taxes shall be added. Of this amount, the municipality will be billed an amount pro-rated on the basis of the total premium of the group. This amount will be established when the group's total premium is known;

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- TO AUTHORIZE the *Union des municipalités du Québec*, should a collective deductible be put into effect, to keep the share of the Town of Hampstead of the revenue generated from investments made to guarantee the payment of the collective deductible; such fee being payable for the supervision of the insurer's operations and the management of the deductible funds; and
- TO AUTHORIZE the Mayor and the Town Clerk or, in her absence, the Director General, to sign on behalf of the Town the inter-municipal agreement relating to the group for general insurance purposes.

Adopted

2013-200

DEPOSIT OF THE MINUTES OF THE PAC MEETING HELD ON AUGUST 12TH, 2013

Each member of the Council having received a copy, the Town Clerk deposits the minutes of the Planning Advisory Committee meeting held on August 12th, 2013.

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

2013-201

REQUEST TO AUTHORIZE A TWO STOREY ADDITION ON THE RIGHT HANDSIDE OF A SEMI-DETACHED SINGLE FAMILY DWELLING AT 399, DUFFERIN ROAD LOT NO.: 2 088 490, ZONE RB-1 (ZONING BY-LAW NUMBER 727) (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 modifications to the plans and elevations to authorize a two storey addition on the right handside of a semi-detached single family dwelling at 399, Dufferin Road, submitted to the Planning Advisory Committee meeting of August 12th, 2013 is *approved* as recommended by the PAC. 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.

Adopted

2013-202

APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF AUGUST 2013

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

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

- THAT the disbursements for the period from July 28th, 2013 to August 27th, 2013, in the total amount of \$1,630,188.99 are hereby approved (\$904,089.02 for cheques and \$726,099.97 for on line payments).

Adopted

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2013-203

TEMPORARY INCREASE IN THE TOWN'S BANK CREDIT LINE WITH THE NATIONAL BANK IN ORDER TO SUPPORT EMERGENCY MEASURES

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

- TO defer this resolution to a subsequent Council Meeting

Adopted

2013-204

GRANTING OF CONTRACT – RECONSTRUCTION OF SEVEN WALKING PATHS, RECONSTRUCTION OF WALKING PATHS IN COUNCILLOR PARK AND REFURBISHMENT OF PLAY AREAS IN THREE PARKS

WHEREAS there has been a public call for tenders for the reconstruction of seven walking paths, the reconstruction of walking paths in Councillor park and refurbishment of play areas in three parks;

WHEREAS, after analyzing the tenders opened on August 27, 2013, the lowest bidder conforming to the requirements of the public tender is Les Entreprises Clifton DRAM Inc.;

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

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

LES ENTREPRISES CLIFTON DRAM INC

- Reconstruction of seven walking paths:	\$ 69 148.00
- Reconstruction of walking paths in Councillor park	\$ 88 005.00
- Refurbishment of play areas in Dufferin, Hampstead and Aldred parks	\$ 68 830.00
Contingencies: (10%)	\$ 22 598.30
G.S.T. (5 %)	\$ 12 429.07
Q.S.T. (9.975%)	<u>\$ 24 795.98</u>
GRAND TOTAL:	\$ 285 806.35

Treasurer's certificate N° 13-334, dated August 30, 2013 has been issued, attesting to the availability of funds to cover the described expenses.

Councillor Harvey Shaffer disclosed that his law firm represents Les Entreprises Clifton DRAM Inc.; he abstained from participating in the discussions and from voting or attempting to influence the vote.

Adopted

2013-205

RESIGNATION OF THE SUPERVISING MANAGER, MS. CORNELIA DIANE ZIGA

WHEREAS Ms. Cornelia Diane Ziga has resigned from the position of Supervising Manager, effective August 9, 2013;

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

- THAT the Council accepts the resignation of Ms. Ziga and wishes to extend to Ms. Cornelia Diane Ziga their appreciation for her dedication in fulfilling the position of Supervising Manager.

Adopted

2013-206

ADMINISTRATIVE DISMISSAL OF EMPLOYEE #1028

WHEREAS the Employee #1028 has been absent from work for almost five (5) years, in fact since the month of October 2008;

WHEREAS the Employee #1028 is totally incapable to resume his job of Pruner;

WHEREAS the Town has no reasonable hope that Employee #1028 will be able to return to work in a foreseeable future;

WHEREAS no reasonable accommodation is possible under the current circumstances;

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

- THAT, having inquired, Council dismisses and terminates the employment of Employee #1028, effective today.

Adopted

2013-207

**PENSION PLAN FOR THE EMPLOYEES OF THE TOWN OF
HAMPSTEAD
AMENDMENT 2014-1**

REGIE DES RENTES DU QUEBEC: 21403
CANADA REVENU AGENCY: 0320994

WHEREAS the Town of Hampstead (the "Town") sponsors and maintains in effect the *Pension Plan for the Employees of the Town of Hampstead* (hereinafter referred to as the "Plan");

WHEREAS pursuant to Section 15.1 of the Plan, the Town has reserved the right to amend the Plan;

WHEREAS the rate of required contributions made by Members who are manual workers shall increase effective January 1st, 2014;

WHEREAS the Town deems it appropriate to amend the Plan by-laws to incorporate the above-mentioned changes;

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

- THAT the attached Amendment 2014-1 to the provisions of the English and French versions of the Plan be adopted, effective January 1st, 2014 unless stated otherwise;

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- AND THAT the actions to be taken pursuant to the Plan further hereto are conditional upon the approval and agreement thereof by the government authorities of competent jurisdiction and subject to such approval and agreement shall be presumed to take effect on the date stated herein.

Adopted

2013-208

REPLACEMENT OF A MEMBER APPOINTED BY THE TOWN OF HAMPSTEAD ON THE PENSION COMMITTEE

CONSIDERING THAT Ms. Cornelia Diane Ziga has resigned his employment with the Town of Hampstead;

CONSIDERING THAT Ms. Cornelia Diane Ziga was a member of the Pension Committee of the Pension Plan of the Employees of the Town of Hampstead;

CONSIDERING THAT the Town of Hampstead may appoint six (6) members on the Pension Committee of the Pension Plan for the Employees of the Town of Hampstead;

CONSIDERING THAT it is deemed advisable to appoint a new representative on the said Pension Committee;

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

TO appoint Ms. Myriam Méthot to replace Ms. Cornelia Diane Ziga as a member on the Pension Committee of the Pension Plan for the Employees of the Town of Hampstead.

Adopted

2013-209

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 August 27, 2013, with regard to hiring auxiliary employees,

It was proposed by Councillor Bonnie Feigenbaum, seconded by Councillor Harvey Shaffer, it was 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.

Adopted

2013-210

RESIGNATION OF QUALITY MUNICIPAL SERVICE MANAGER, MS. NADINE BEAUPRÉ

WHEREAS Ms. Nadine Beaupré has resigned from the position of Quality Municipal Service Manager, effective September 6, 2013;

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

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THAT the Council accepts the resignation of Ms. Beaupré and wishes to extend to Ms. Beaupré their appreciation for her dedication in fulfilling the position of Quality Municipal Service Manager.

Adopted

2013-211

AUTHORIZATION TO PAY IN INSTALLMENTS THE EXPENSES COVERING HAMPSTEAD'S SHARE OF MONTREAL WEST / HAMPSTEAD 2013-2014 SEASON OF MINOR HOCKEY EXPENSES AND ICE TIME

WHEREAS the Town of Hampstead participates in the hockey program housed in Montreal West under the supervision of the Montreal West Civic Recreation Association;

WHEREAS, based on the anticipated number of Hampstead residents who will participate in the hockey program, the expected expense for the fall 2013 / winter 2014 is approximately \$120,000;

WHEREAS, based on the recommendation of the Director of Community Services, an advance partial payment at the beginning of the season is deemed justified given Hampstead's rate of participation in a non-profit organization's services;

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

THAT Council approves the payment of this expense in three installments as follows:

- 1st Installment: No later than October 31, 2013 - A portion of the registration user fees - \$25,000;
- 2nd Installment: No later than December 31, 2013 – A second portion of the registration user fees \$25,000;
- 3rd Installment: At the end of the season - The balance of the program costs but not exceeding \$70,000.

Adopted

2013-212

RESOLUTION REGARDING THE PROPOSED QUEBEC CHARTER OF VALUES

WHEREAS the Parti Quebecois has publicized the idea of a Quebec Charter of Values;

WHEREAS the Charter of Values includes provisions that would ban public service employees in Quebec from wearing identifiable religious symbols at work;

WHEREAS despite the fact that the details of the Charter have not yet been made public;

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

- THAT we believe in the fundamental right of freedom of religion;

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- THAT we believe that in a liberal democracy there is a very real place for the separation of church and state. The state has no role imposing religious beliefs on its citizens. The separation of church and state should not however be confused with the persecution of religion by the state. It is the basic right of every citizen to be free to believe as he will and practice his religion free of state intervention, so long as the practicing of his religion does not interfere with the basic rights of other citizens to freely enjoy their own civil rights;
- THAT we believe the wearing of a Kipah, Sikh turban, or Hijab, is not an impediment to carrying out ones duties as employees of the State. These symbols are not prejudicial to those with whom the wearer of a religious symbol interacts;
- THAT we reject the notion that people who believe in a deity are somehow lesser citizens. We reject the notion that wearing an identifiable religious symbol that does not physically impede a person from performing their duties, is a basis for discrimination;
- THAT the strength of a society is not evidenced by its ability to subjugate its minorities but by its ability to protect them.

Adopted

2013-213

RESOLUTION TO ANNUL THE RESOLUTION FOR THE ADOPTION OF BY-LAW NO. 804 – ITEM 6.1 AND TO DEFER ITS ADOPTION TO A SUBSEQUENT MEETING

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

- TO annul the resolution for the adoption of By-law no. 804 concerning the Cadastral operation – item 6.1 of the agenda and to defer its adoption to a subsequent meeting.

Adopted

SECOND QUESTION PERIOD

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

RECESS

The Mayor recessed the meeting at 9:35 p.m and reconvened the meeting at 9:40 p.m., all members of Council present at the beginning of the meeting remaining to form a quorum.

2013-214

ADJOURNMENT

All the subjects of the Agenda having been discussed, it was proposed by Councillor Jack Edery, 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^c Nathalie Lauzière, Town Clerk