

**Minutes of Town of Hampstead**

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF HAMPSTEAD HELD ON NOVEMBER 18<sup>TH</sup>, 2013, AT THE COMMUNITY CENTER, 30 LYNCROFT ROAD, AT 8:00 P.M.**

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**THOSE PRESENT WERE:** Mayor William Steinberg, Councillors Karen Zajdman, Leon Elfassy, Michael Goldwax, Warren Budning, Harvey Shaffer and Jack Edery, 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.

2013-240

**ADOPTION OF THE AGENDA**

On motion of Councillor Harvey Shaffer, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

- THAT the agenda of the regular meeting is adopted with the addition of the following items:

Item 5.9            Designation of the members and officers of the Planning Advisory Committee; and

Item 10.2          Approval of the White Collar Pay Equity Program and to authorize of the payment of sums related to the program as required by the Pay equity Act, R.S.Q., c E-12.001.

Adopted

2013-241

**ADOPTION OF THE MINUTES**

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

- THAT the Minutes of the Regular Council Meeting of September 30<sup>th</sup>, 2013 are hereby approved as submitted.

Adopted

2013-242

**DEPOSIT – STATEMENTS OF PECUNIARY INTERESTS OF MEMBERS OF COUNCIL**

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Written Statements of Pecuniary Interests of Mayor William Steinberg and Councillors Karen Zajdman, Warren Budning, Jack Edery, Leon Elfassy, Michael Goldwax and Harvey Shaffer have been deposited at this Council Meeting, in accordance with Section 358 of the *Act respecting elections and referendums in municipalities* (R.S.Q., c.E-2.2).

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2013-243

### **PUBLIC AUCTION – AUTHORISATION TO THE FIRM *PAQUETTE & ASSOCIÉS***

CONSIDERING article 28, paragraph 1.0.1 and article 461 of Cities and Towns Act;

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

- TO authorize the holding of an auction sale on December 17<sup>th</sup> 2013, for the sale of used furniture and the firm *Paquette & Associés* bailiffs is mandated to proceed with the sale according to the law, and to authorize the Town clerk to pay the fees and other charges;
- TO authorize the Town Clerk and/or the firm *Paquette & Associés* to proceed with the publication of the required public notices.

Adopted

2013-244

### **RESOLUTION TO ADOPT THE GREENHOUSE GAS EMISSION REDUCTION ACTION PLAN**

WHEREAS the Town of Hampstead had participated in *the Programme Climat municipalités* du Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs (MDDEFP);

WHEREAS the Town of Hampstead had realized a Greenhouse Gas Emissions Inventory and an Action Plan to control and to reduce the emission of Greenhouse Gas;

WHEREAS the Town of Hampstead's Greenhouse Gas emission reduction Action Plan was accepted and approved by the MDDEFP on August 13<sup>th</sup>, 2013;

WHEREAS the MDDEFP requires a certified copy of the Council Resolution ratifying the Action Plan and its deployment for the reduction of Greenhouse emissions;

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

- THAT the Town of Hampstead commits to implement the actions enumerated in the Action Plan for the reduction of Greenhouse Gas emissions, within the established timeline;
- THAT the Town of Hampstead commits to reduce by 10 % (93 tons) of the total Greenhouse Gas emissions of 927 tons of CO<sub>2</sub> equivalent from the local municipal operations. The whole in reference to the 2009 emissions level as established by YHC Environment and declared as conforming by the MDDEFP;
- THAT the Town of Hampstead commits to reduce by 18% (3,136 tons) of the Greenhouse Gas emissions of 17,424 tons of CO<sub>2</sub> equivalent from the municipality territory. The whole in reference to the 2009 emissions level as established by YHC Environment and declared as conforming by the MDDEFP;
- THAT the aforementioned reduction targets be accomplished by 2020.

Adopted

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2013-245

**APPROVAL OF THE ANNUAL REPORT ON THE USAGE DRINKING WATER**

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WHEREAS the Ministry of Municipal Affairs, Regions and Land Occupancy - Ministère des Affaires Municipales, des Régions et de l'Occupation du Territoire (MAMROT) requires municipalities to produce a report on the use of drinking water to facilitate the implementation of measures related to Québec's Strategy for saving drinking water;

WHEREAS the Town of Hampstead has produced its report and it was approved by the MAMROT on October 9<sup>th</sup>, 2013;

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

- To RATIFY AND APPROVE the Annual Report on the usage of drinking water produced by the Town of Hampstead for the year 2013 as approved by the MAMROT.

Adopted

2013-246

**AUTHORIZATION FOR MAYOR TO SIGN AN AGREEMENT WITH LE MINISTÈRE DES AFFAIRES MUNICIPALES, DES RÉGIONS ET DE L'OCCUPATION DU TERRITOIRE (MAMROT) FOR SEWER RENEWAL PROGRAM**

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WHEREAS le Ministère des Affaires Municipales, des Régions et de l'Occupation du Territoire has offered a Sewer Renewal Program to municipalities;

WHEREAS an agreement must be reached between Le Ministère des Affaires Municipales, des Régions et de l'occupation du Territoire and the Town of Hampstead to establish the terms of the payment contributions provided by the Federal and Provincial governments under this agreement;

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

- THAT the Mayor or, in his absence, the Town Clerk is hereby authorized to sign the said agreement on behalf of the Town of Hampstead.

Adopted

2013-247

**APPOINTMENT OF ACTING MAYORS FOR THE YEAR 2013-2014**

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On motion of Councillor Warren Budning, seconded by Councillor Harvey Shaffer, it was UNANIMOUSLY RESOLVED:

- THAT the following Councillors be and are hereby appointed Acting Mayor effective on the dates indicated, to have and exercise all powers of the Mayor when the latter is absent or otherwise unable to perform his duties, the whole in accordance with Section 56 of the *Cities and Towns Act*:

Councillor Michael Goldwax

November 19, 2013 to December 31, 2013

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Councillor Jack Edery  
January 1, 2014 to March 31, 2014

Councillor Leon Elfassy  
April 1, 2014 to June 30, 2014

Councillor Michael Goldwax  
July 1, 2014 to September 30, 2014

Councillor Harvey Shaffer  
October 1, 2014 to December 31, 2014

Adopted

2013-248

**ASSIGNMENT – COUNCIL MEMBER PORTFOLIOS**

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

- THAT the Members of Council acknowledge the assignment of the Town of Hampstead’s portfolios as follows:

<i>Community events, programs Day camp, Parks Sponsorships and fundraising</i>	<i>Councillor Karen Zajdman Seat 1</i>
<i>Finance Strategic development</i>	<i>Councillor Jack Edery Seat 2</i>
<i>Urban Planning, Tennis and Traffic</i>	<i>Councillor Leon Elfassy Seat 3</i>
<i>Public Works, IT – Co Chair</i>	<i>Councillor Michael Goldwax Seat 4</i>
<i>Seniors, Environment</i>	<i>Councillor Warren Budning Seat 5</i>
<i>Youth involvement, IT – Co Chair Pool, Dog Run, and Centennial Committee</i>	<i>Councillor Harvey Shaffer Seat 6</i>
<i>Legal and Public Security</i>	<i>Mayor William Steinberg</i>
<i>Inter-government relations, Human Resources, Communications and Agglomeration Council</i>	

Adopted

2013-249

**DESIGNATION OF A REPLACEMENT FOR THE MAYOR AT MEETINGS OF THE AGGLOMERATION COUNCIL**

On motion of Councillor Harvey Shaffer, seconded by Councillor Warren Budning, it was UNANIMOUSLY RESOLVED:

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- THAT as per the Mayor's recommendation, Councillor Harvey Shaffer be and is hereby appointed as 1st replacement, Councillor Michael Goldwax 2nd replacement, Councillor Leon Elfassy 3rd replacement and Councillor Jack Edery 4th replacement of Mayor William Steinberg at meetings of the Montreal Agglomeration Council, should he be unable to attend the Meeting.

Adopted

2013-250

### **DESIGNATION OF THE MEMBERS AND OFFICERS OF THE PLANNING ADVISORY COMMITTEE**

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WHEREAS Article 3 of By-law N° 743 Respecting the Planning Advisory Committee, requires that the members of the Planning Advisory Committee be designated by Council resolution;

WHEREAS members and officers are named in accordance with the terms and conditions defined in Divisions 3, 4 and 5 of By-law no. 743 of the Town of Hampstead;

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

- THAT the following members be named:

Mayor William Steinberg – Chairman;  
Councillor Leon Elfassy, Vice Chairman;  
George Elbaz, Architect;  
Suzanne Bistricher, Architect;  
Daniel Turner, Engineer;  
David Hilf, Architect;  
Benjamin Sternthal.

- THAT the following officers be named:

Section Chief Urban Planning and Building Inspections, Secretary of the Committee;

Building Inspector, Replacement of Secretary of Committee.

Adopted

2013-251

### **NOTICE OF MOTION – BY-LAW N° 757-3 CONCERNING THE JANUARY 1, 2014 PENSION PLAN FOR THE EMPLOYEES OF THE TOWN OF HAMPSTEAD**

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NOTICE OF MOTION was given by Councillor Jack Edery that, at a subsequent meeting of Council, By-law N° 757-3 concerning Tariffs will be submitted to Council for adoption.

All Council members have received a draft copy of By-law N° 757-3 and a motion to dispense with the reading of the said By-law was made.

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2013-252

**NOTICE OF MOTION – BY-LAW N° 805 – TAX RATES FOR THE YEAR 2014**

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NOTICE OF MOTION was given by Councillor Jack Edery that, at a subsequent meeting of Council, By-law N° 805, decreeing and imposing the tax rates to cover the Town's Expenses for the Year 2014, will be submitted to Council for adoption.

2013-253

**NOTICE OF MOTION – BY-LAW N° 743-4 – AMENDMENT TO BY-LAW N° 743 RESPECTING THE PLANNING ADVISORY COMMITTEE**

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NOTICE OF MOTION was given by Councillor Leon Elfassy that, at a subsequent meeting of Council, By-law N° 743-4 to amend By-Law no. 743 respecting the Planning Advisory Committee will be submitted to Council for adoption.

2013-254

**REQUEST TO AUTHORIZE A MINOR EXEMPTION TO ZONING BY-LAW 727, ART. 6.3.2, TO PERMIT THE LEFT SIDE SETBACK AT 1.92M (6.29 FEET) FROM THE SIDE LOT LINE INSTEAD OF 3.36M (11 FEET) TO LEGALIZE THE EXISTING DETACHED SINGLE FAMILY DWELLING AT 61, FINCHLEY LOT NO. : 2 088 743 ZONE RA-1 (BY-LAW CONCERNING MINOR EXEMPTIONS # 18 G-0005) (ZONING BY-LAW NUMBER 727) (SPAIP BY-LAW NUMBER 775)**

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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 minor exemption to zoning By-law 727, art. 6.3.2, to permit the left side setback at 1.92m (6.29 feet) from the side lot line instead of 3.36m (11 feet) to legalize the existing detached single family dwelling at 61, Finchley Road, submitted to the Planning Advisory Committee meeting of September 12<sup>th</sup>, 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

**Intervention of interested persons concerning the request for Minor Exemption for project located at 61 Finchley Road.**

*No intervention*

2013-255

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF OCTOBER 2013**

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

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 September 27<sup>th</sup>, 2013 to October 31<sup>st</sup>, 2013, in the total amount of \$2,001,148.58 are hereby approved (\$944,943.09 for cheques and \$1,056,205.49 for on line payments).

Adopted

2013-256

### **PUBLICATION OF THE MAYOR'S REPORT ON THE FINANCIAL POSITION OF THE MUNICIPALITY**

WHEREAS the Mayor has deposited, to this Meeting, his report on the financial position of the Town of Hampstead;

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

- THAT the Mayor's report on the financial position of the municipality for the year 2013 be distributed free of charge to every civic address in the Town of Hampstead.

Adopted

2013-257

### **FILING OF THE SECOND COMPARATIVE STATEMENT OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR 2013**

In accordance with Section 105.4 of the *Cities and Towns Act*, the Town Treasurer hereby deposited the following:

- 1) statement of revenues and expenditures as at September 30, for the fiscal year 2013, compared with the same period for the fiscal year 2012; and
- 2) statement of projected revenues and expenditures for the fiscal year 2013, at the time of the statement's preparation, compared with those provided for in the budget for the year 2013.

2013-258

### **GRANTING OF CONTRACT – PROFESSIONAL SERVICES FOR THE ENHANCEMENT OF THE TELECOMMUNICATION FIBER LINKS INFRASTRUCTURE**

WHEREAS there has been a public call for tenders for the professional services for a three year contract for the enhancement of the telecommunication fiber links infrastructure;

WHEREAS, after the evaluation made by the Hampstead Section Chief Information Systems, a representative from the firm *OS4 Techno* and a representative from the firm *Cosior*, the offer of services provided by *Fibre Noire Internet Inc.* obtained a rating of 88.5%;

WHEREAS, the representatives from the firm *Cosior* and *OS4 Techno* recommends awarding the three year contract to *Fibre Noire Internet Inc.*;

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

- THAT, the three year contract for professional services for the enhancement of the telecommunication fiber links infrastructure be granted to *Fibre Noire Internet Inc.* for an amount of \$ 33 600 plus applicable taxes per year, the whole in conformity with the offer of services dated September 23, 2013;

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Treasurer's certificate N° 13-38, dated September 25, 2013, has been issued by the Town's Treasurer, attesting to the availability of funds to cover the described expenses.

Adopted

2013-259

### **GRANTING OF CONTRACT – COLLECTION AND TRANSPORT OF SECONDARY RECYCLABLE MATERIALS**

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WHEREAS the adoption of the resolution no. 2013-160 on July 2<sup>nd</sup>, 2013, allowed the Town of Hampstead to be part of a common call for tenders for the collection and transport of secondary recyclable materials;

WHEREAS the Cities have mandated the City of Dollard-des-Ormeaux by resolution to proceed with the common call for tenders;

WHEREAS the City of Dollard-des-Ormeaux published the public call for tenders no. 2013-60, for the collection and transport of secondary recyclable materials from April 1, 2015 to March 31, 2017 with two renewal options, on the territories of the following Cities: Baie-d'Urfé, Beaconsfield, Côte-Saint-Luc, Dollard-des-Ormeaux, Dorval, Hampstead, Montréal-East, Montréal-West, Sainte-Anne-de-Bellevue, Senneville and Westmount;

WHEREAS the tenders received were verified by the coordinating committee: Stéphane Beaudoin of the City of Dorval and Stéphanie Roy of the City of Dollard-des-Ormeaux;

WHEREAS as result of the public call for tenders no. 2013-60, *Environnement Routier NRL Inc.* is the lowest conforming bidder;

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

- THAT the lowest offer of \$74 153.13 plus taxes from *Environnement Routier NRJ Inc.*, for the collection and transport of secondary recyclable materials from April 1, 2014 to March 31, 2015 on the territory of Hampstead is accepted;
- THAT, from April 1<sup>st</sup>, 2015, and for the subsequent two years of the contract, the offer of \$74 153.13 plus taxes from *Environnement Routier NRJ Inc.* will be adjusted annually by an equal percentage to the average percentage increase or decrease of the consumer price index for the Montreal area, as published by Statistics Canada for the twelve months preceding the anniversary date of the contract;
- THAT, for the two renewal options, if granted, the amount paid the year before the grant of a renewal option, will be adjusted by an equal percentage to the average percentage increase or decrease of the consumer price index for the Montreal area, as published by Statistics Canada for the twelve months preceding the anniversary date of the contract;

Treasurer's certificate N° 13-48, dated November 8, 2013 has been issued, attesting to the availability of funds to cover the described expenses.

Adopted



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2013-260

### **APPROVAL OF TEMPORARY HIRING OF MS. FATEN BOUAJILA AS "OFFICE AGENT" - URBAN PLANNING, BUILDING INSPECTION AND PUBLIC SECURITY**

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

CONSIDERING THAT the Director General, the Urban Planning and Building Inspection Division Chief and the Human Resources Counsellor are recommending the hiring of **MS. FATEN BOUAJILA** to fill such position;

On motion of Councillor Warren Budning, seconded by Councillor Karen Zajdman, it was UNANIMOUSLY RESOLVED:

- TO APPROVE the temporary hiring of **MS. FATEN BOUAJILA** as **"OFFICE AGENT" - URBAN PLANNING, BUILDING INSPECTION AND PUBLIC SECURITY** no later than November 25, 2013 for a period not to exceed January 30, 2015, subject to the usual conditions and in accordance with the provisions of the collective agreement between CUPE Local 429 and the Town of Hampstead;

Treasurer's certificate no 13-49, dated November 8, 2013 has been issued by the Treasurer, attesting the availability of funds to cover the described expenses.

Adopted

2013-261

### **APPROVAL OF THE WHITE COLLAR PAY EQUITY PROGRAM AND TO AUTHORIZE OF THE PAYMENT OF SUMS RELATED TO THE PROGRAM AS REQUIRED BY THE PAY EQUITY ACT, R.S.Q., c E-12.001**

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WHEREAS the Government of Quebec had enacted the Pay Equity Act in order to correct pay inequities and is applicable to all employers;

WHEREAS the law stipulates that the Pay Equity Program is the responsibility of the employer;

WHEREAS the law requires that the employer works in collaboration with the concerned employees group (Syndicat des fonctionnaires municipaux de Montréal, Local 429);

WHEREAS the parties had come to an agreement on the terms of the implementation of the White Collar Pay Equity Program;

WHEREAS this agreement includes the settlement of all grievances related to the Pay Equity Program;

On motion of Councillor Jack Edery, seconded by Councillor Karen Zajdman, it was UNANIMOUSLY RESOLVED:

- TO approve the terms of the Pay Equity Program applicable to the White Collar Employees and the payment of approximately \$350,000 for the base salary adjustments; and
- TO include the additional amount relating to the government remittances and employer's contributions;

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Treasurer's certificate no 13-50, dated November 18th, 2013, has been issued by the Treasurer, attesting to the availability of funds to cover the described expenses.

*Councillor Warren Budning disclosed that he was in the past a Town employee and is affected by this decision; he abstained from participating in the discussions and from voting or attempting to influence the vote.*

Adopted

### **SECOND QUESTION PERIOD**

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

2013-262

### **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