

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON MONDAY, AUGUST 13, 2007, AND TUESDAY, AUGUST 14, 2007, AT 5801 CAVENDISH BOULEVARD, CÔTE SAINT-LUC, STARTING AT 8:00 P.M.

PRESENT:

Mayor Anthony Housefather, B.C.L., L.L.B, M.B.A. presiding
Councillor Dida Berku, B.C.L.
Councillor Mitchell Brownstein, B. Comm., B.C.L., L.L.B.
Councillor Mike Cohen, B.A.
Councillor Steven Erdelyi, B.Sc., B.Ed.
Councillor Sam Goldbloom, B.A.
Councillor Ruth Kovac, B.A.
Councillor Allan J. Levine, B.Sc., M.A., DPLI
Councillor Glenn J. Nashen

ALSO PRESENT:

Mr. Angelo Marino, City Treasurer
Mr. Jonathan Shecter, Director of Legal Services and City Clerk,
acted as Secretary of the meeting

QUESTION PERIOD

The question period started at 8:07 p.m. and finished at 10:10 p.m. Seventeen (17) people asked to speak and they were heard.

1) A. Kirsch

The resident complained regarding the manner in which the administration at Décarie Square disposes of the building's garbage to which Mayor Housefather responded that the City could look into it.

2) Morris Lipstug

The resident opined that the area that is presently an object of a zoning change request was initially targeted for condominiums and not commercial property to which Mayor Housefather explained that the present property owner who wishes to build does not wish to erect a commercial property. The resident then wished to seek evidence that the land in question wasn't contaminated to which Mayor Housefather responded that the Director of Urban Planning could follow up with him.

3) Linda Azeff

The resident expressed her dissatisfaction with the zoning in the area where a vacant land owner wishes to build to which Mayor Housefather explained that this council did not create the current zoning for that site.

The resident then expressed concern over traffic safety in the area concerned by the zoning change to which Mayor Housefather responded that the City could advise the police to patrol more often.

4) Frances Shames

The resident complained of three daycares within the radius of her home to which Mayor Housefather explained that daycare permits are within the purview of the provincial government but insofar as traffic-calming measures are concerned, Councillor Erdelyi is indeed following up on the matter and the City could indeed advise the police of the situation so that there may be more police presence in that area.

5) Sidney Troster

The resident complained that the proposed zoning project would allow for a restaurant to which Mayor Housefather explained that this was not the case and clarified that what the zoning would allow for was a communal dining room.

6) Samuel Rappaport

The resident inquired as to whether Côte Saint-Luc is considering extensions of roads such as Mackle and Kildare to which Mayor Housefather responded that the City's present priority is to extend Cavendish and that neither Kildare nor Mackle is an immediate priority.

7) Neil Chazin

The resident announced his candidacy for the EMSB school board and advised the public that the elections pertaining thereto shall be held on Sunday, November 4, 2007. He then inquired with Mayor Housefather as to whether the city would be open to publicizing the date of the election to encourage voter turnout to which Mayor Housefather responded that the City would do its best to do this. Mayor Housefather then explained to the public that it is lamentable that many voters, despite their contrary wishes, wind up on the French school board voter's list whereas they would have preferred to be on an English school board list. He then explained to the public that in many cases, this is remediable by merely requesting the change with the salient authorities.

8) Avrom Shtern

The resident inquired as to whether the City would prioritize the opening of a railway crossing on Clanranald to which Mayor Housefather explained that this was not on the immediate horizon.

The resident then opined that there is a pigeon problem within the underpass on Côte Saint-Luc Road and called upon this council to encourage birth control among pigeons to which Mayor Housefather explained that while the City of Côte Saint-Luc has done all it could to alleviate any pigeon problem, the City of Montreal has not done its fair share in that area thus exacerbating the problem.

The resident then called upon the City to encourage cellular phone companies to produce technology to be able to track and locate emergency 911 calls to which Mayor Housefather responded that such a matter is not within the City's purview and that the resident should follow up with his federal member of parliament as the matter is within the federal government's jurisdiction.

9) Bernie Skarf

The resident complained that many motorists traveling along Wallenberg speed excessively to which Mayor Housefather responded that the matter would be referred to the City's traffic committee.

The resident then inquired regarding the additional planting of bushes along Wallenberg to which Mayor Housefather responded that in principle, the matter should be looked at in the fall.

The resident then complained of a street sign on the corner of Cavendish and Louis Pasteur which requires replacing to which Mayor Housefather responded that the City could look into it.

The resident then inquired regarding the state of the Cavendish underpass¹ for which Mayor Housefather reassured the resident that the City inspects its underpasses regularly and then clarified for the resident that there is a difference in terms of priorities for underpasses between their safety and their aesthetics.

10) Anna Boros

The resident expressed concern over the proposed construction that is the object of a zoning change in particular, whether said building would become a seniors' residence with hospital care to which Mayor Housefather responded that this is not the intention of the building owner.

The resident then expressed concern over whether the land in question was contaminated to which Mayor Housefather referred the resident to the Director of Urban Planning who could provide the salient documentation evidencing the contrary.

11) Zipporah Kisilevsky

The resident inquired as to whether the builder who has requested a zoning change proposes to put a gift shop within the building to which Mayor Housefather responded that he did not.

The resident then expressed concern that the building in question would have Institutional Uses such as hospital care for seniors to which Mayor Housefather responded that it would not.

12) Dr. Bernard Tonchin

The resident invited his fellow residents to support the Cavendish Extension and further invited them to attend and register for the upcoming meeting on August 29, 2007.

The resident then complained that the Agglomeration is making it too cumbersome to speak at the upcoming meeting citing examples such as compelling those who wish to speak to put their thoughts in writing and to produce 15 copies of their presentation.

13) Bryna Garmaise

The resident requested that the City of Côte Saint-Luc adopt a by-law similar to the one in Westmount in which fines are issued for certain multiple-family dwellings who do not recycle to which Mayor Housefather explained that the issue of recycling has been at the forefront of the City's concerns and is being more and more widely implemented throughout the municipality. He then explained to the resident that the City will take her comments into consideration.

14) Leslie Vertes

¹ In light of the tragic events which occurred in Laval and Mineapolis

The resident stated that “we (the residents of Côte Saint-Luc) have a good government.”

The resident complained that there is a lack of handicap access throughout Décarie Square, that its air conditioning unit makes too much noise and that people are smoking right outside the doors to Décarie Square where it is prohibited to which Mayor Housefather responded that the Director of Urban Planning can follow up on these complaints.

The resident then complained regarding the location of the Town of Hampstead Public Works Department to which Mayor Housefather responded that this complaint is not one which the City of Côte Saint-Luc can follow up upon.

The resident then complained of two flower pots on the corner of Macdonald and Plamondon which are used to render Macdonald a one-way street to which Mayor Housefather responded that this complaint is not one which the City of Côte Saint-Luc can follow up upon.

The resident then complained that Décarie Square should get power entrance doors to which Mayor Housefather responded that the City cannot compel this upon the owners.

The resident then requested a traffic light at the corner of Abraham De Sola and Clanranald to which Mayor Housefather explained that it wasn't expedient to have one at that juncture.

The resident then inquired as to the date, time and location of the Register to be held regarding the proposed zoning amendment to which Mayor Housefather responded Wednesday, August 22, 2007, between 9:00 am. and 7:00 pm at Le Vicomte, located at 6800 MacDonald Avenue.

15) Jack Cabot

The resident inquired as to when the crossing guard on Westminster was on duty to which Mayor Housefather responded for a two hour period during certain mornings.

The resident then inquired as to when it would be possible to remove the double line on Baily Road to which Mayor Housefather responded that the Director of Public Works can follow up.

16) Howie Silbiger

The resident complained that he attempted to call to receive a temporary parking permit but was unable to get through as the line was busy the entire evening to which Mayor Housefather responded to the resident that he should e-mail him - copying Councillor Nashen - the phone number which the resident attempted to call.

The resident then complained that one of his neighbours was performing dubious construction and parking a truck with a tarp on it on his own property to which Mayor Housefather responded that since this is the first he has heard of this, he needs to look into the matter prior to commenting.

17) Toby Shulman

The resident complained that it can take up to 68 seconds to make a left turn from Cavendish Boulevard into the Cavendish Mall to which Mayor Housefather responded that she should speak with Director Tordjman offline regarding the foregoing matter.

18) A. Kirsch

The resident inquired as to when Fleet Road would be repaired to which Mayor Housefather responded that he could follow up with the Town of Hampstead since the repairs are being done on its territory.

070801

**CONFIRMATION OF THE MINUTES OF THE REGULAR MEETING OF
COUNCIL DATED JULY 9, 2007**

It was

MOVED BY COUNCILLOR GLENN J. NASHEN
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT the Minutes of the Regular Meeting of Council dated July 9, 2007 be and are hereby approved as submitted."
CARRIED UNANIMOUSLY

070802

MONTHLY DEPARTMENTAL REPORTS FOR JULY 2007

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

"THAT the monthly departmental reports for July 2007, be and are hereby approved as submitted."
CARRIED UNANIMOUSLY

070803

**HUMAN RESOURCES — EMERGENCY MEDICAL SERVICES —
COORDINATOR OF ADMINISTRATIVE SERVICES**

It was

MOVED BY COUNCILLOR GLENN J. NASHEN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT Melaine Selby be and is hereby hired as Coordinator of Administrative Services for the Emergency Medical Services Department, posting number 2007-130, for a one year contract period, effective August 14, 2007;

THAT Treasurer's certificate number TC 07-0077 dated June 29, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070804

**HUMAN RESOURCES — EMERGENCY MEDICAL SERVICES – HIRING OF
AUXILIARY DISPATCHER**

It was

MOVED BY COUNCILLOR GLENN J. NASHEN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT Jaclyn Bishundayal be and is hereby hired as an auxiliary Dispatcher for the Emergency Medical Services Department, posting number 2007-127, effective August 13, 2007;

THAT Treasurer's certificate number TC 07-0092 dated August 3, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070805

**HUMAN RESOURCES — ELEANOR LONDON CÔTE SAINT-LUC PUBLIC
LIBRARY – HIRING OF AUXILIARY SECRETARY**

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED

"THAT Zehra Ladha be and is hereby hired as an auxiliary Secretary for the Eleanor London Côte Saint-Luc Public Library, posting number 2007-132, effective July 30, 2007;

THAT Treasurer's certificate number TC 07-0082 dated July 31, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070806

**HUMAN RESOURCES—PARKS AND RECREATION DEPARTMENT – HIRING
OF AUXILIARY WHITE COLLARS**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED

"THAT the list of auxiliary employees for the Parks and Recreation Department for August 2007, entitled *Part-time Employees* – and comprising of one (1) page be approved as submitted;

THAT the employees contained on the aforementioned list be and are hereby hired and shall commence as per their respective hiring dates indicated on the aforementioned list;

THAT Treasurer's certificate number TC 07-0080 dated July 31, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."
CARRIED UNANIMOUSLY

070807

**HUMAN RESOURCES — PUBLIC WORKS – HIRING OF WASTE,
ENVIRONMENT AND SAFETY TECHNICIAN**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED

"THAT Oriana Familiar be and is hereby hired as a Waste, Environment and Safety Technician for the Public Works Department, posting number 2007-135, for a one (1) year contract period, effective August 13, 2007;

THAT Treasurer's certificate number TC 07-0081 dated July 31, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."
CARRIED UNANIMOUSLY

070808

**HUMAN RESOURCES — INFORMATION TECHNOLOGY DEPARTMENT –
EXTENSION OF CONTRACT —AUXILIARY OFFICE CLERK**

WHEREAS Matthew Posh was hired as an auxiliary Office Clerk for the period between June 11, 2007 and August 10, 2007; and

WHEREAS the City wishes to extend his contract;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED

"THAT the City extends the contract of Matthew Posh, auxiliary Office Clerk, for the period between August 27, 2007 to December 31, 2007;

THAT the aforementioned Mr. Posh not be guaranteed any set hours but will be asked to work when and if needed during that period for a maximum of 10 hours per week;

"THAT Treasurer's certificate number TC 07-0091 dated August 3, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."
CARRIED UNANIMOUSLY

070809

**HUMAN RESOURCES—MODIFICATION OF STATUS OF WHITE COLLAR
EMPLOYEE – PUBLIC WORKS**

This item was deferred to a subsequent meeting.

070810

**HUMAN RESOURCES — RESIGNATION OF HUMAN RESOURCES MANAGER
AND LEGAL COUNSEL**

WHEREAS the City of Côte Saint-Luc received the resignation letter of Sarah Lassner, employee number 2131, dated July 30, 2007 in which she tendered her resignation, effective August 17, 2007;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT the City accepts the resignation of Sarah Lassner, effective August 17, 2007."

CARRIED UNANIMOUSLY

070811

HUMAN RESOURCES — RESIGNATION OF ELECTRICIAN – PUBLIC WORKS

WHEREAS the City of Côte Saint-Luc received the resignation letter of Bruno L'Ecuyer, employee number 203, dated July 15, 2007 in which he tendered his resignation, effective July 27, 2007;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

"THAT the City accepts the resignation of Bruno L'Ecuyer, effective July 27, 2007."

CARRIED UNANIMOUSLY

070812

**HUMAN RESOURCES — PUBLIC SECURITY DEPARTMENT - END OF
EMPLOYMENT – PUBLIC SECURITY OFFICER**

It was

MOVED BY COUNCILLOR GLENN J. NASHEN
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED

"THAT the employment of white collar permanent status, Public Security Officer, employee number 1368, be and is hereby terminated, effective August 7, 2007."

CARRIED UNANIMOUSLY

070813

**HUMAN RESOURCES — FINANCE DEPARTMENT - END OF EMPLOYMENT –
AUXILIARY COMMUNICATIONS AGENT**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED

"THAT the employment of white collar auxiliary status, Communications Agent, employee number 1928, be and is hereby terminated, effective August 6, 2007."

CARRIED UNANIMOUSLY

070813.5

**RESOLUTION TO APPROVE THE DISBURSEMENTS FOR THE PERIOD OF
JULY 1ST TO JULY 31, 2007**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT the disbursements for the period of July 1st to July 31, 2007 for a total of \$3,632,374.59 in Canadian Funds, \$1,039.59 in U.S. Funds and are hereby approved;

THAT Treasurer's certificate number TC07-0093 dated August 7, 2007 has been issued by the City Treasurer attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070814

**ADOPTION OF BY-LAW 2278 ENTITLED: "BY-LAW CONCERNING VARIOUS
TARIFFS AND OTHER FEES IN THE FINANCE DEPARTMENT"**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT By-law entitled: "*By-law concerning various tariffs and other fees in the finance department*" be and is hereby adopted and numbered 2278;

THAT it be promulgated according to law.”
CARRIED UNANIMOUSLY

070815

ADOPTION OF BY-LAW 2277 ENTITLED: “BY-LAW REPLACING THE FEE SCHEDULE FOR THE RENTAL OF CITY FACILITIES”

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

“THAT By-law entitled: *“By-law replacing the fee schedule for the rental of City facilities”* be and is hereby adopted and numbered 2277;

THAT it be promulgated and according to law.”
CARRIED UNANIMOUSLY

070816

PARKS & RECREATION – SPORTS PRO SHOP AT THE SAMUEL MOSKOVITCH ARENA

WHEREAS the Côte Saint-Luc Minor Hockey Committee wishes to lease a premises from the City of Côte Saint-Luc for a term of one year from September 1st, 2007 to August 31, 2008 at the Samuel Moskovitch Arena for the purpose of operating a sports pro-shop;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED

"THAT Council, subject to approval of a final lease agreement, shall grant a lease to the Côte Saint-Luc Minor Hockey Committee for a term of one year from September 1, 2007 to August 31, 2008, said premises located at the Samuel Moskovitch Arena for the purpose of operating a sports pro shop;

THAT the City Manager, or in his absence, the City's contract lawyer be authorized to sign an approved lease agreement on behalf of the City.”
CARRIED UNANIMOUSLY

070817

INFORMATION TECHNOLOGY – SOFTWARE LICENSE, INSTALLATION AND TRAINING

WHEREAS the City of Côte Saint -Luc wishes to obtain a software license;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED

"THAT Council hereby awards a licensing contract for the installation of software to **PG Govern Inc.** for an amount of **\$ 61,315.00** plus applicable taxes;

THAT Treasurer's certificate number TC 07-0086 dated August 1st, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED BY MAJORITY OF VOTES WITH COUNCILLOR ALLAN J. LEVINE DISSENTING OPINING THAT THERE WERE NOT ENOUGH COMPETITIVE BIDS

070818

LIBRARY AND INFORMATION TECHNOLOGY – PURCHASE AND INSTALLATION OF HARDWARE UPGRADE AND SOFTWARE SERVICES

WHEREAS the City of Côte Saint-Luc wishes to purchase and install a hardware upgrade and software services for the Eleanor London Côte Saint-Luc public library;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT Council hereby awards a purchase and installation contract for the purchase and installation of a hardware upgrade and software services to **Innovative Interfaces Canada Inc.** for an amount of **\$ 16,250.00** plus applicable taxes;

THAT Treasurer's certificate number TC 07-0089 dated August 1st, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED BY MAJORITY OF VOTES WITH COUNCILLOR ALLAN J. LEVINE DISSENTING OPINING THAT THERE WERE NOT ENOUGH COMPETITIVE BIDS.

070819

ENGINEERING AND INFORMATION TECHNOLOGY – FIBER OPTIC SUPPORT AND IP TELEPHONY PROJECT

WHEREAS the City of Côte Saint-Luc wishes to obtain professional consulting services for fiber optic support and IP telephony projects;

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED

"THAT Council hereby awards a consulting contract for fiber optic support and IP Telephony project to **IPTel Inc.** for an amount of **\$ 18,750.00** plus applicable taxes;

THAT Treasurer's certificate number TC 07-0085 dated August 1st, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED BY MAJORITY OF VOTES WITH COUNCILLOR ALLAN J. LEVINE DISSENTING OPINING THAT FIBER OPTIC SUPPORT ISN'T NECESSARY

070820

**ENGINEERING – PROFESSIONAL SERVICES FOR CITY HALL
RENOVATIONS**

WHEREAS the City of Côte Saint-Luc wishes to obtain professional services for renovations to City Hall;

WHEREAS the City has gone to tender (C-23-07) according to law for the above mentioned services;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED

"THAT Council hereby awards a consulting contract for the renovations of City Hall to **Spatium Design de l'Environnement Inc.** for an amount of **\$ 44,915.00** plus applicable taxes;

THAT Treasurer's certificate number TC 07-0090 dated August 1st, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED BY MAJORITY OF VOTES WITH COUNCILLORS ALLAN J. LEVINE
AND DIDA BERKU BOTH DISSENTING

070821

ENGINEERING – SIDEWALK REPAIR

WHEREAS the City of Côte Saint-Luc wishes to repair portions of various sidewalks throughout the City;

WHEREAS the City has gone to tender (C-15-07) according to law for the above mentioned goods and services;

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT Council, subject to approval by the Minister of Municipal Affairs and Regions of loan by-law 2269, awards a construction contract for sidewalk repairs to **T.G.A. Montreal Inc.** for an amount of **\$ 185,570.00** plus applicable taxes;

THAT a Treasurer's certificate shall be issued by the City Treasurer subject to the approval of the Minister of Municipal Affairs and Regions of by-law 2269 attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070822

PUBLIC WORKS – PURCHASE ONE (1) BOOM TRUCK

WHEREAS the City of Côte Saint-Luc wishes to purchase one (1) Boom Truck;

WHEREAS the City of Côte Saint-Luc has gone to tender (C-20-07) according to the law for the above mentioned goods and services;

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED

"THAT Council hereby awards a purchasing contract to **Les Equipement Twin Ltee.** for an amount of **\$ 202,697.96** including taxes;

THAT Treasurer's certificate number TC 07-0095 dated August 8, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070823

PUBLIC WORKS – PURCHASE OF ROAD SALT FOR THE 2007-2008 WINTER SEASON

WHEREAS the City of Côte Saint-Luc wishes to purchase up to three thousand (3,000) cubic tons of road salt for the 2007-2008 winter season;

WHEREAS on July 9, 2007 Council adopted resolution 070731 authorizing the Town of Hampstead to go to tender on its behalf;

WHEREAS the Town of Hampstead has gone to tender (HA-21-07) according to law on behalf of itself, the City of Côte Saint-Luc and the Town of Montreal West for the above mentioned goods;

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT Council hereby awards a purchasing contract, for an amount of \$63.75 per metric ton for the purchase of road salt to **Cargill Ltd., Technologie de Dégivrage** for an amount of up to **\$191,250.00** plus applicable taxes;

THAT Treasurer's certificate number TC 07-0088 dated August 1st, 2007 has been issued by the City Treasurer, attesting to the availability of funds in the amount of **\$70,337.00** including taxes to cover the described expenses for the 2007 fiscal year."

CARRIED UNANIMOUSLY

Subsequent to the adoption of the resolution, Councillor Nashen opined that Council should issue a directive to the public works department that they should use as much salt as necessary but as little as possible.

070824

PUBLIC WORKS – REPLACEMENT OF FIRE HYDRANTS

WHEREAS the City of Côte Saint-Luc wishes to replace various fire hydrants throughout the City;

WHEREAS the City of Côte Saint-Luc entered into a service agreement with Dessau-Soprin on May 10, 2006;

WHEREAS the aforementioned agreement provides, in schedules 1.7(f)(i), 1.7(y)(i) and 1.7(oo) that Dessau-Soprin shall replace fire hydrants as required by the City;

It was

MOVED BY COUNCILLOR SAM GOLDBLOOM
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT, Council hereby awards a service contract to **Dessau-Soprin Inc.** for the replacement of fire hydrants for an amount of up to **\$ 60,000** plus applicable taxes;

THAT Treasurer's certificate number TC 07-0087 dated August 1st, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070825

ENGINEERING – ROAD RESURFACING

WHEREAS the City of Côte Saint-Luc wishes to resurface various roads throughout its territory;

WHEREAS the City of Côte Saint-Luc has gone to tender (C-14-07) according to the law for the above mentioned services;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED

"THAT Council hereby awards a construction contract to **Construction DJL Inc.** for an amount of **\$ 1,183,643.11**, including taxes;

THAT Treasurer's certificate number TC 07-0083 dated August 1st, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070826

ENGINEERING – LABORATORY SERVICES

WHEREAS the City of Côte Saint-Luc wishes to obtain laboratory services for road resurfacing;

WHEREAS the City of Côte Saint-Luc has gone to tender (C-24-07) according to the law for the above mentioned services;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED

"THAT Council hereby awards a service contract to **Groupe Qualitas Inc.** for an amount of **\$ 45,250.00** plus applicable taxes;

THAT Treasurer's certificate number TC 07-0084 dated August 1st, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070827

PUBLIC WORKS – PROFESSIONAL SERVICES FOR TREE PLANTING

WHEREAS the City of Côte Saint -Luc wishes to obtain professional services for tree planting throughout its territory;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED

"THAT Council, subject to the approval by the Minister of Municipal Affairs and Regions of by-law 2268, shall award a consulting contract for professional services to **Luc Nadeau, ingénieurs forestiers experts-conseils** for an amount of **\$10,000.00** plus applicable taxes;

THAT a Treasurer's certificate shall be issued by the City Treasurer subject to approval by the Minister of Municipal Affairs and Regions of by-law 2268, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070828

MANDATE TO THE CITY OF MONTREAL BY THE CITY OF CÔTE SAINT-LUC TO CARRY OUT A GROUP CALL FOR TENDERS FOR THE SUPPLY OF NATURAL GAS FOR THE PERIOD OF JULY 1, 2007 TO JUNE 30, 2012

This item was deferred to a subsequent meeting.

070829

ENGINEERING – PAVING OF VETERANS' PARK

WHEREAS the City of Côte Saint-Luc wishes to pave Veterans' Park with uni-stone;

WHEREAS the City of Côte Saint-Luc has gone to tender (C-27-07) according to the law for the above mentioned goods and services;

It was

MOVED BY COUNCILLOR SAM GOLDBLOOM

SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED

"THAT Council hereby awards a construction contract to **Les Entreprises Canbec Construction Inc.** for an amount of **\$ 58,334.00** plus taxes;

THAT \$ 35,000.00 be transferred from the "Parks Fund Project number 0503" to "Parks Fund Project number 0505" to cover the costs of said contract;

THAT Treasurer's certificate number TC 07-0094 dated August 7th, 2007 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

070830

URBAN PLANNING – MINOR EXEMPTION – 636 HUDSON – CÔTE SAINT-LUC

IT WAS

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT as recommended by the Planning Advisory Committee and in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at **636 Hudson**, Lot **1290409**, be and is hereby **approved**, the whole as more amply delineated hereunder:

The request is to allow, for a detached single-family dwelling, to have a wood balcony built in the rear yard at 0'-0" along the lateral lot lines instead of being built at 6'-6" from the said lines. The request is also to allow a door leading to the basement to face the street instead of no door being allowed to face a street which leads to a basement. The foregoing are in accordance with the provisions of zoning by-law No. 2217, article 4-4-5a) and article 4-6-4 of the City of Côte Saint-Luc."

CARRIED UNANIMOUSLY

070831

URBAN PLANNING – MINOR EXEMPTION – 5654 WOLSELEY – CÔTE SAINT-LUC

IT WAS

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT as recommended by the Planning Advisory Committee and in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at **5654 Wolseley**, Lot **1052846**, be and is hereby **approved**, the whole as more amply delineated hereunder:

The request is to allow, for a detached single-family dwelling, to convert the interior parking space (one car garage) into a daycare, instead of prohibiting the conversion of the interior parking space, in order for it to be used for other

purposes or to make it unusable for parking a car. The foregoing is in accordance with the provisions of article 7-2-4 of zoning by-law 2217 of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

070832

RESOLUTION TO RECESS THE MEETING

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED

“THAT the council hereby authorizes the meeting be recessed at 11:25 PM for an indeterminate amount of time.”

CARRIED UNANIMOUSLY

AT 11:25 P.M., MAYOR HOUSEFATHER DECLARED THE MEETING IN RECESS

AT 11:45 P.M., MAYOR HOUSEFATHER RECONVENED THE MEETING AND COUNCILLOR BROWNSTEIN, WHO WAS ABSENT FOR THE FIRST PORTION OF THE MEETING, ENTERED THE MEETING AT THIS POINT.

070833

RESOLUTION TO DISPENSE WITH THE READING OF THE BY-LAW TO BE ENTITLED: “BY-LAW TO AMEND CHAPTER 11 OF THE ZONING BY-LAW 2217 OF THE CITY OF COTE SAINT-LUC CONCERNING THE PROTECTION OF TREES”

Prior to the adoption of the by-law, members of council deliberated upon the fact that a prior Motion to dispense of the reading of the by-law was put forward but not adopted unanimously during the Regular monthly Meeting of June 11, 2007 (Resolution number 070619). Members of council then unanimously reconsidered the motion.

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED:

“THAT the Council of the City of Côte Saint-Luc dispense with the reading of the By-Law entitled: “*By-law to amend chapter 11 of the Zoning by-law 2217 of the City of Côte Saint-Luc concerning the protection of trees.*”

CARRIED UNANIMOUSLY

070834

RESOLUTION TO ADOPT THE BY-LAW TO BE ENTITLED: "BY-LAW TO AMEND CHAPTER 11 OF THE ZONING BY-LAW 2217 OF THE CITY OF CÔTE SAINT-LUC CONCERNING THE PROTECTION OF TREES."

Prior to the adoption of the by-law, Councillor Berku explained each aspect of the by-law by reading them out loud; and

Councillor Brownstein advised the public that the by-law was the object of a fair compromise regarding various opinions on council as to which trees should be protected.

Councillor Kovac then explained to the public that she applauded the effort expended by city officials including the discussions and time taken to draft the by-law. She further explained however that she must dissent regarding the adoption of this by-law, in particular, the issue of legislating the cutting down of trees on someone's private property. She explained to the public that this is *over-legislating* and that to compel a resident to replace their tree with another one may engender prohibitive costs. She further explained that she did support the legislation and preservation of *municipal trees*.

Councillor Goldbloom explained to the public that while he was initially supportive of this by-law, after careful deliberation, he saw a problem. This problem, for him, was that the by-law went against a resident's *freedom of choice* – something which he strongly believes in. He further clarified that while he believes in legislating municipal trees he does not believe in legislating private trees.

Councillor Levine then explained to the public that he supports the legislation and preservation of trees on private property as a healthy and viable tree – on whatever property – is an asset to the City.

Councillor Erdelyi registered his support for the by-law and then specified that his initial and ultimate desire was not to allow the felling of any healthy trees.² He further explained to the public that he wishes to keep Côte Saint-Luc beautiful.

Councillor Nashen then specified that he too was in favour of prohibiting all healthy and viable trees from being felled and then cited a recent poll evidencing that the number one concern of Canadians is the environment. He then further explained that the preservation of trees is in line with the City's logo which contains a green leaf.

Mayor Housefather then registered his support of the by-law and further registered his support of his council who, despite having different viewpoints, successfully managed to reach consensus as well as a *fair balance*.

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED

"THAT, by-law entitled: "*By-law to amend chapter 11 of the Zoning by-law 2217 of the City of Côte Saint-Luc concerning the protection of trees*" be and is hereby adopted and numbered 2217-28;

² The by-law allows the felling of healthy trees in the rear and lateral yards.

THAT, it be promulgated and according to law.”

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLORS RUTH KOVAC AND SAM GOLDBLOOM BOTH DISSENTING.

070835

URBAN PLANNING – EXTENSION OF DELAY TO SELL CITY OWNED LANES SURROUNDING 5508 HUDSON

WHEREAS council approved by resolution 070629 on June 11, 2007 the sale of two city-owned lanes numbered 1 053 296 and a subdivision of **thirty one and twenty two hundredth square metres** (31.22 m²) of a second lane with cadastral number 1 053 209 said lanes surrounding the property located at 5508 Hudson;

WHEREAS council approved that said sale shall be pursuant to the terms and conditions of an Agreement;

WHEREAS said Agreement provides an August 31st, 2007 deadline to enter into a deed of sale;

WHEREAS the Purchaser has requested an extension of delay from the said deadline in order to survey the lot, obtain a cadastral number and enter into the deed of sale;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED

"THAT Council hereby grants an extension of delay until October 30th, 2007 in order to survey the lot, obtain a cadastral number and enter into the deed of sale."
CARRIED UNANIMOUSLY

070836

RESOLUTION AUTHORIZING LOAN BY-LAW 2269 TO BE IN GENERAL TERMS

WHEREAS at its meeting of May 14, 2007 the Council of the City of Côte Saint-Luc adopted loan by-law 2269 authorizing a loan of \$200,000 for the repairs of various roads and sidewalks;

WHEREAS article 544 of the *Cities and Towns Act* (R.S.Q., chapter C-19) states *inter alia*, that a by-law ordering a loan for the purpose of capital expenditures may mention the object of the by-law only in general terms if, the by-law imposes, for repayment of the loan, a tax based on the municipal valuation on all taxable immovables in the territory of the municipality, and the total amount of the loans ordered by the municipality during the fiscal year, under a by-law referred to in this subparagraph, does not exceed the higher of \$100,000 and the amount equivalent to 0.25 % of the standardized property value of the municipality as determined under Division I of Chapter XVIII.1 of the Act respecting municipal taxation (chapter F-2.1), according to the most recent summary of the assessment roll produced before the fiscal year;

WHEREAS loan by-law 2269 meets said terms and conditions;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR ALLAN J. LEVINE

AND RESOLVED:

“THAT Council hereby authorizes that loan by-law 2269 be declared a loan by-law whose object may be mentioned in general terms;

THAT correlatively therewith, Council hereby dispenses the City administration from delineating the detailed expenses within said by-law.”

070837

**REQUEST TO THE MINISTRY OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT AND PARKS TO PAY THE AMOUNTS DUE TO THE CITY OF
CÔTE SAINT-LUC FOR THE DISPOSAL OF RESIDUAL MATERIALS**

WHEREAS on October 16, 2006 the council of the City of Côte Saint-Luc (the “City”) adopted resolution number 061033 to register for the *Programme sur la redistribution aux municipalités des redevances pour l’élimination de matières résiduelles* (the “Program”);

WHEREAS the City and the other related municipalities of the Urban agglomeration of Montreal are in charge, on their territories, of the collection and transportation of residual materials as well as the implementation of the residual material management plan (*Plan de gestion des matières résiduelles*) the whole as more amply delineated in paragraph 6 of Chapter 19 in the *Act Respecting the Exercise of Certain Municipal Powers in Certain Municipalities* (R.S.Q. Chapter E-20.001);

WHEREAS the City agreed to respect the accountability stipulations specified in the Program;

WHEREAS the City must directly or indirectly pay the fees from its operating budget for the disposal of residual materials to be eligible for the Program;

WHEREAS the *Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., chapter E-20.001), authorizes municipalities to plan and adopt a residual material management plan;

WHEREAS the City is responsible for the implementation of this residual material management plan;

WHEREAS the grant emanating from the Program will contribute to the financing of municipal activities with respect to the said implementation of the residual material management plan covering its territory;

WHEREAS on December 15, 2006, the Ministry of Sustainable Development, Environment and Parks (The “Ministry”) sent a letter to the City indicating its eligibility for the Program thus enabling it to receive a \$71,173.78 grant for the period between June 23, 2006 and September 30, 2006;

WHEREAS on July 10, 2007, the Ministry sent a letter to the City indicating its eligibility for a \$105,346.24 grant for the period between October 1, 2006 and March 31, 2007;

WHEREAS despite the Ministry considering the City eligible for the Program, the grants commensurate with the Program which it is entitled to receive have not been issued;

WHEREAS the population of Côte Saint-Luc is unjustly deprived of sums that are due according to the Program while the population of the City of Montreal is not deprived in any way; and

WHEREAS the Ministry is withholding a total amount of \$176,520.02 which must be remitted to the City so that its population may benefit; and

WHEREAS said sum of \$176,520.02 would pay to expand recycling to all residential dwellings in nine (9) units or more in the City and to finance the composting bins for single family homes;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT Council hereby insists that the Ministry remit forthwith the sums presently due according to the Program, said sums totalling \$176,520.02 as more fully appears within the schedule forming part of the July 10, 2007 letter from the said Ministry;

THAT Council also insists that the Ministry pay any amount that is presently due and due in future to the City of Côte Saint-Luc and this, until the conclusion of an agreement between related municipalities and the Urban agglomeration of Montreal on the sharing of any grant; and

THAT a copy of this resolution be sent to all related municipalities of the Montreal Urban agglomeration of Montreal as well as to Mr. Lawrence S. Bergman Member of the National Assembly for D'Arcy-McGee.”

CARRIED UNANIMOUSLY

070838

RESOLUTION TO: DECREASE THE AMOUNT OF THE LOAN OF BY-LAW 2253 FROM \$1 277 000 TO \$880 000, APPROVE THE INCREASE OF THE COSTS RELATED TO THE ELECTION EXPENSES, THE REFERENDUM EXPENSES AND THE TRANSITION COMMITTEE COSTS FOR AN AMOUNT OF \$60 000 AND TO AUTHORIZE PARTIAL PAYMENT OF THESE COSTS FOR AN AMOUNT OF \$457,000\$ FROM THE OPERATING FUND

WHEREAS by-law 2253 was adopted by the council of the City of Côte Saint-Luc ('Council') at its Meeting of December 18, 2006;

WHEREAS said by-law's object is to pay the costs of the 2005 municipal election, the 2004 referendum and the Transition Committee;

WHEREAS in order to defray a part of said costs related to by-law 2253, the City of Côte Saint-Luc wishes to use monies from its general Operating Fund;

WHEREAS it is expedient to amend by-law 2253 to specify the financing of the aforementioned expense;

WHEREAS the Quebec government advised the City of Côte Saint-Luc, subsequent to the adoption of said by-law, that an expense of \$60,000 must be

added to the City of Côte Saint-Luc's share of the costs indicated in said by-law thus increasing said costs from \$1,277,000 to \$1,337,000;

WHEREAS to give effect to the foregoing, it is expedient to replace resolution number 070517, adopted by Council at its Meeting of May 14, 2007;

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT Council hereby replaces resolution number 070517 with the following:

"Council hereby approves:

TO MODIFY the loan indicated in by-law 2253 from \$1,277,000 to \$880,000;

TO MODIFY the term to finance the said loan for a period of five (5) years instead of (10) years;

TO accept the increase of \$60,000 for the costs of the Election, Referendum and Transition Committee from the Operating Fund;

TO appropriate from the Operating Fund, a sum of \$457,000 to pay the costs described in loan by-law 2253."

070838.5

RESOLUTION TO ESTABLISH THE STANCE OF THE CITY OF CÔTE SAINT-LUC COUNCIL ON ISSUES TO BE PRESENTED AT THE MONTREAL URBAN AGGLOMERATION COUNCIL MEETING

WHEREAS according to section 4 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., c. E-20.001), the urban agglomeration of Montreal is made up namely of the City of Côte Saint-Luc since January 1, 2006;

WHEREAS according to section 58 of *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., c. E-20.001) (hereinafter "the Act"), every central municipality has an urban agglomeration council, the nature, composition and operating rules of which are set out in an order in council and that this agglomeration council constitutes a deliberative body of the municipality;

WHEREAS under section 59 of the Act, every municipality must be represented on the urban agglomeration council;

WHEREAS according to section 61 of the Act, at a meeting of the council of a related municipality, the mayor informs the council of the matters that are to be considered at a future meeting of the urban agglomeration council, sets out the position the mayor intends to take on any matter referred to at the urban agglomeration council meeting, discusses that position with the other members present and proposes the adoption of a resolution establishing the council's stance;

WHEREAS an agglomeration council meeting shall be held on August 30, 2007 for which members of the municipal council shall establish the stance that it wishes to take;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED:

"THAT Council take the following stance in view of the Agglomeration Council meeting to be held on August 30, 2007 as follows:

- to authorize the Mayor, should he deem it expedient to attend said meeting, to make any decisions he deems necessary and in the best interest of the City of Côte Saint-Luc and its residents regarding the items on the agenda of the Agglomeration Council meeting to be held on August 30, 2007 based on the information to be presented during those meetings."

CARRIED UNANIMOUSLY

SECOND QUESTION PERIOD

The Second question period began on Tuesday, August 14, 2007 at 12:00 a.m. and finished at 12:01 a.m. One (1) person asked to speak and he was heard.

1) Dr. Bernard Tonchin

The resident stated that the measurements delineated in the by-law to amend Chapter 11 of the Zoning by-law no. 2217 of the City of Côte Saint-Luc concerning the protection of trees should be in both metric and non-metric form to which Mayor Housefather clarified that they were.

070839

APPROVAL OF THE CLOSING OF THE MEETING

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED:

"THAT Council hereby authorizes the Mayor to declare the Meeting closed."

CARRIED UNANIMOUSLY

**ON TUESDAY, AUGUST 14, 2007, AT 12:01 A.M., MAYOR HOUSEFATHER
DECLARED THE MEETING CLOSED.**

ANTHONY HOUSEFATHER
MAYOR

JONATHAN SHECTER
DIRECTOR OF LEGAL SERVICES
AND CITY CLERK