

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON
MONDAY, NOVEMBER 9, 2009, AT 5801 CAVENDISH BOULEVARD,
CÔTE SAINT-LUC, AT 8:00 P.M. (DELAYED UNTIL 9:00 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. Ken Lerner, City Manager
Mr. Jonathan Shecter, Director of Legal Services and City Clerk,
acted as Secretary of the meeting

091101

**EXPRESSION OF CONDOLENCES – FALLEN CANADIAN SOLDIERS IN
AFGHANISTAN**

WHEREAS the Canadian Armed Forces have been called up to serve in Afghanistan in an effort to help restore order and protect the peace as part of a multi-national force;

WHEREAS the brave soldiers of the Canadian Armed Forces are often in harm's way in service to Canada and all Canadians; and

WHEREAS the following soldiers were killed in action in Afghanistan, in the service of our country:

Lieutenant Justin Boyes	-	October 28, 2009
Sapper Steven Marshall	-	October 30, 2009

It was

MOVED BY COUNCILLOR GLENN J. NASHEN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT the City of Côte Saint-Luc extends its deepest sympathies to the family, friends and comrades of the above-named fallen soldiers, and sends a message of support, encouragement and appreciation to our troops serving abroad;

THAT this resolution be sent to the Minister of National Defence, Mr. Peter Mackay who shall transmit a copy of the resolution to the Land Force; Member of Parliament for Mount-Royal, Mr. Irwin Cotler as well as to the President of the Royal Canadian Legion, Branch 97, Carl Garber;

THAT said resolution shall be for immediate action.”

CARRIED UNANIMOUSLY

QUESTION PERIOD

The question period started at 9:07 p.m. and finished at 9:39 p.m. Eight (8) people asked to speak and they were heard.

1) Alex Davis

The resident congratulated each of the nine members of council for getting re-elected.

2) David Rubinstein

The resident congratulated each of the nine members of council for getting re-elected.

The resident then complained that he (being a Côte Saint-Luc resident thus having priority) should have been hired as part of the election staff. Mayor Housefather explained to the resident that members of council do not get involved in the hiring process for election staff as they were all candidates for that same election. He then reassured the resident that for any hiring within Côte Saint-Luc, if a Côte Saint-Luc resident applies, they are given due consideration.

3) Dr. Bernard Tonchin

The resident congratulated all nine members of council for getting re-elected.

The resident then wished to go on record as wishing to see more election contestations (vs. acclamations) as he believes in democracy.

The resident then stated that certain candidates broke rules during these elections and called upon the City to form a study group on the matter to which members of council and the Returning Officer took note.

The resident then sought assurances that council would allow him to 'see the same four years that we had' to which Mayor Housefather replied that council would do its utmost to be as effective in their current new mandate as they were in their previous mandate.

4) Irving Itman

The resident wished to congratulate all members of council for getting re-elected.

The resident then wished to thank members of council for their wishes of condolences on the most recent loss of his wife.

The resident then questioned as to why the City charges a fee when a property is transferred (devolved) from one spouse to another subsequent to a death to which Mayor Housefather responded that the City is currently reviewing its policy and would return to him with an answer.

5) Sylvia Dirsensfeld

The resident explained that a nursery was built in back of her home and its building's footprint is extremely close to her backyard thus, in her view, devaluing her property. She then requested that the City take action to remedy the matter as well as order a municipal assessor to re-evaluate her property based on the buildings current location and the prejudice she suffered. Mayor Housefather then

explained to the resident that insofar as the location of the building is concerned, the City cannot institute any measures. He then directed the City Clerk to look into whether or not a municipal assessor (commissioned by the City of Montreal) can re-assess her property based on the current location of the nursery.

The resident then enquired as to how she could legally contest her municipal assessment to which Mayor Housefather responded that during the appropriate time, the City will have an information session on the matter and the resident is also free to contact the Finance Department should she ever require any further assistance.

6) Jay Rubinstein

The resident requested permission to erect a *tempo* based on his personal circumstances to which Mayor Housefather responded that based on the City's current by-law (adopted prior to him becoming Mayor), the City could not accede to this request. He then stated to the resident that the City could study the matter and return to the resident with a response as to whether it wishes to amend its current by-law. He did however caution the resident that any amendment takes time and the matter risks not being adjudicated upon this winter.

7) Jacob Neeman

The resident complained that the developer who built the nursery (mentioned by his fellow resident) removed a private fence from his property to which Mayor Housefather responded that the resident must put the developer on notice if his property rights were infringed.

The resident then inquired as to what the City could do regarding the 'imposing structure' in his backyard to which Mayor Housefather replied, the City could look into what (if anything) it could do related to the matter.

8) Rhoda Albert

The resident inquired as to what the status was regarding the townhouses that are supposed to be built on Marc Chagall to which Mayor Housefather responded that he has heard no news regarding the issue. He then directed the resident to seek further information with the City's urban planning department should she so require.

091102

**CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF COUNCIL
DATED SEPTEMBER 29, 2009**

It was

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

AND RESOLVED:

"THAT the Minutes of the Special Meeting of Council dated September 29, 2009 be and are hereby approved as submitted."
CARRIED UNANIMOUSLY

091103

MONTHLY DEPARTMENTAL REPORTS FOR OCTOBER 2009

It was

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

AND RESOLVED:

"THAT the monthly departmental reports for October, 2009 be and are hereby approved as submitted."

CARRIED UNANIMOUSLY

091104

**HUMAN RESOURCES – PUBLIC WORKS AND ENGINEERING DEPARTMENT –
APPOINTMENT OF MANAGER OF CUSTOMER SERVICE AND
ADMINISTRATION – MANAGEMENT POSITION**

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT the Côte Saint-Luc City Council approves the appointment of Beatrice Newman as Manager of Customer Service and Administration (management, permanent position) effective October 1, 2009;

THAT Treasurer's certificate number TC09-0150 dated October 29, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

091105

**HUMAN RESOURCES – INFORMATION TECHNOLOGY DEPARTMENT –
HIRING OF OFFICE SOFTWARE DEVELOPMENT TECHNICIAN – WHITE
COLLAR, PERMANENT POSITION**

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED

"THAT the Côte Saint-Luc City Council approves the hiring of Aleksandar Anastasovsky as an Office Software Development Technician (White Collar, permanent position), effective October 20, 2009;

THAT Treasurer's certificate number TC09-0151 dated October 29, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

091106

**HUMAN RESOURCES – PUBLIC SECURITY DEPARTMENT – HIRING OF
PUBLIC SECURITY AGENT – WHITE COLLAR, AUXILIARY POSITION**

It was

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

AND RESOLVED

"THAT the Côte Saint-Luc City Council approves the hiring of Marc-Antoine Legault as a Public Security Agent (White Collar, auxiliary position), effective October 26, 2009;

THAT Treasurer's certificate number TC09-0152 dated October 29, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

091107

**HUMAN RESOURCES – ELEANOR LONDON CÔTE SAINT-LUC PUBLIC
LIBRARY – CHANGE OF STATUS OF WHITE COLLAR EMPLOYEES**

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED

"THAT the Côte Saint-Luc City Council approves the change of status of Danielle Bélanger and Kathleen Aubie from auxiliary to permanent, effective September 30, 2009."

CARRIED UNANIMOUSLY

091108

**HUMAN RESOURCES – DISCIPLINARY MEASURES – EMPLOYEE NUMBER
1785**

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED

"THAT the Côte Saint-Luc City Council approves the recommendation of the City Manager to suspend employee number 1785 of the Public Works Department for a period of five (5) days, without pay."

CARRIED UNANIMOUSLY

091109

**HUMAN RESOURCES – PUBLIC WORKS DEPARTMENT – END OF
SEASONAL EMPLOYMENT OF BLUE COLLAR AUXILIARY EMPLOYEES**

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

“THAT the Côte Saint-Luc City Council approves the end of seasonal employment of the Blue Collar auxiliary employees whose names are listed in the document entitled “Part-Time Employees – Blue Collars – End of Seasonal Employment” dated October 29, 2009 and that said employees’ term of employment will be as per the respective dates indicated on the aforementioned list.”
CARRIED UNANIMOUSLY

091110

**HUMAN RESOURCES – PUBLIC WORKS DEPARTMENT – TRANSFER OF
BLUE COLLAR AUXILIARY EMPLOYEES**

It was

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

AND RESOLVED

“THAT the Côte Saint-Luc City Council approves the transfer of the Blue Collar auxiliary employees whose names are listed in the document entitled “Part-Time Employees – Blue Collars - Transfer” dated October 29, 2009 and that said employees’ transfer dates will be as per the respective dates indicated on the aforementioned list.”
CARRIED UNANIMOUSLY

091111

**HUMAN RESOURCES – PARKS AND RECREATION DEPARTMENT –
HIRING OF WHITE COLLAR AUXILIARY EMPLOYEES**

It was

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

AND RESOLVED

“THAT the Côte Saint-Luc City Council approves the hiring of the White Collar auxiliary employees whose names are listed in the document entitled “Part-Time Employees - White Collars - Hiring” dated November 2, 2009, and that said employees’ term of employment will be as per the respective dates indicated on the aforementioned list;

THAT Treasurer’s certificate number TC09-0153 dated October 29, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”
CARRIED UNANIMOUSLY

091112

**RESOLUTION TO APPROVE THE DISBURSEMENTS FOR THE PERIOD OF
SEPTEMBER 1, 2009 TO SEPTEMBER 30, 2009**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED

"THAT the Côte Saint-Luc City Council approves the attached list of disbursements for the period of September 1, 2009 to September 30, 2009 for a total amount of \$ 3,184,127.22 in Canadian Funds;

THAT Treasurer's certificate number TC09-0141 dated October 28, 2009 has been issued by the City Treasurer attesting to the availability of funds to cover the described expenses;

THAT said resolution shall be for immediate action."
CARRIED UNANIMOUSLY

091113

**RESOLUTION TO APPROVE THE DISBURSEMENTS FOR THE PERIOD OF
OCTOBER 1, 2009 TO OCTOBER 31, 2009**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED

"THAT the Côte Saint-Luc City Council approves the attached list of disbursements for the period of October 1, 2009 to October 31, 2009 for a total amount of \$ 3,608,888.05 in Canadian Funds;

THAT Treasurer's certificate number TC09-0154 dated October 28, 2009 has been issued by the City Treasurer attesting to the availability of funds to cover the described expenses;

THAT said resolution shall be for immediate action."
CARRIED UNANIMOUSLY

COUNCILLOR MIKE COHEN ENTERED THE MEETING AT 10:00 P.M.

091114

MAYOR'S REPORT ON FINANCIAL POSITION

Mayor Housefather read the Mayor's report out loud as follows:

Presentation

In conformity with article 474.1 of the *Cities and Towns Act*, I am pleased to report on the 2009 financial situation of the City of Côte Saint-Luc ("City"), the three-year capital expenditure plan and the orientations for the upcoming 2010 budget.

Financial report for the year ended December 31, 2008

The financial statements for the year ended December 31, 2008, were audited by the external auditing firm of Raymond Chabot Grant Thornton.

The City registered a net cumulative operating surplus of \$1,064,816 and a cumulative pension plan surplus of \$3,995,000, totalling \$5,059,816 as at December 31, 2008. Although the pension plan surplus is shown on our balance sheet, it cannot be used by the City for operating or capital purposes.

The City has decided to use a portion of the cumulative operating surplus of \$1,064,816 to:

- reduce the refinancing of the water infrastructure long-term debt paid to the City of Montreal in 2009 (\$517,000); and
- reserve funds to cover the estimated cost of holding the 2009 municipal election (\$250,000) (The City is now aware that it will spend substantially less than the \$250,000 that has been reserved due to the Mayor and five Councillors being acclaimed.)

During the 2008 fiscal year, the City resolved many outstanding issues with the City of Montreal, including one case dating back to 1982. The cases that were resolved are the following: the opening balance sheets transfer of assets and liabilities at January 1, 2006; the 2005 year-end deficit; the Mackle Collector law suit; the St. Pierre Collector law suit; and the Agglomeration allocations due for 2008. A settlement was reached which allowed the City to offset the substantial claims of the City of Montreal for alleged deficits resulting from harmonization of salaries and operating costs incurred during the years between 2002-2005, when the City ceased to exist due to the forced mergers and operated as one part of the Borough of Côte Saint-Luc/Hampstead/Montreal West within the City of Montreal.

Also in 2008, the Quebec Superior Court ruled on a case that had been outstanding since 1996 between a group of 26 municipalities on the island of Montreal who formed the Régie intermunicipale des déchets sur l'île de Montréal ("Régie") and the Société d'énergie Foster Wheeler Ltée. The court decided that the Régie was liable for an amount of \$10 million plus interest, leading to a total condemnation of approximately \$21.3 million (capital and interest to date). The City's share of that amount was approximately \$950,000. Prior to the reconstitution of the City in 2006, an amount of \$200,000 had been accrued on the financial statements; therefore, an amount of \$750,000 was applied to the 2008 fiscal year. Notwithstanding the objections of the City, the City of Montreal decided to appeal the judgment and estimates that the matter will come before the Quebec Court of Appeals in approximately two years.

During the last several years, the City Council has made a conscious effort to ensure that the City limits the amount of money that it borrows. In 2007, only 7.96 percent of the operating budget was used to pay interest and capital payments on long term debt – which is far less than the provincial average of 15.41 percent. A lower debt-ratio means we have more money in our budget for programs and services.

In addition, during the 2007 and 2008 fiscal years, the City transferred \$1 million from surplus into a working fund in order to finance capital projects without paying interest on long-term debt. Since 2008, the City has financed \$564,000 of capital projects through the working fund instead of incurring long-term debt and interest charges.

Three-year capital expenditures program for 2009-2010-2011

In addition to normal operating expenses, the City also prepares a budget for capital expenditures, which are funds used to pay for items that will be used by residents for a long period of time, such as playground equipment, water infrastructure and new roads. The 2009-2010-2011 three-year capital budget was

adopted in December 2008 and the projects set out in that budget were the following:

Projects	2009	2010	2011
Roads and Traffic Infrastructure	\$1,500,000	\$1,500,000	\$1,500,000
Water and Sewer Infrastructure	\$2,301,000	\$2,315,000	\$1,500,000
Buildings and Civil Properties	\$250,000	\$230,000	\$1,200,000
Parks Improvements	\$16,025,000	\$1,210,000	\$720,000
Vehicles and I.T. Equipment	\$285,000	\$550,000	\$450,000
Less: Various Grants	(\$9,561,000)	\$0	\$0
Total	\$10,800,000	\$5,675,000	\$5,370,000

Most projects included in the three-year capital expenditures program for the 2009 fiscal year have either been completed or are in the process of being completed. The Parks Improvements section, in 2009, includes \$7.5 million for a possible Intergenerational/Aquatic Centre. The City submitted an application for funding to the Quebec government for this project in 2008 and unfortunately, the funding has not yet been approved. Therefore, this expenditure will be deferred into 2010 and the project will be reviewed when the Quebec government confirms that it will provide a grant to help build the Intergenerational/Aquatic Centre.

The City's capital investment budget priorities for the current fiscal were major improvements in water and roads infrastructure, and facility upgrades in our parks. The City took advantage of the government funding Gas Tax program, allowing for major work on rehabilitation of the water distribution network underneath thirty-one (31) streets that were completed throughout the year. The grant from the governments of Canada and Quebec totalled \$4.92 million over four years (2006-2009). The City's contribution was \$4.99 million over the same period. In total, \$9.91 million worth of road and water infrastructure projects were completed during the last four years.

In addition to the water infrastructure projects, in 2009 the City also invested in reconstruction and resurfacing of various roads including Cavendish Boulevard north of Mackle, Sir Walter Scott and Wentworth, upgrades and repairs at Donald Fletcher Park, major upgrades to the Westminster pump station, the installation of a portable classroom used by the library to offer computer courses and other upgrades to equipment within the information technology department.

Note: The three (3) year capital investment budget is designed to be a planning document required by law with no obligation to carry out any of the projects. City Council must approve each project in this planning document on an individual basis before any funds are actually committed.

Preliminary forecast on the financial situation for the year 2009

This year, we are estimating a small budget surplus based on third-quarter results. We will continue to keep close control over our expenses until the end of the year while maintaining a high quality of service to City residents.

The actual operating revenues are within budget to the end of the third quarter. In 2009, the City introduced a one-time tariff for recycling bins. The revenues of approximately \$200,000 were used to purchase and distribute more than 4,100 blue recycling bins to homes across the City. As well, the City received its share of a special fund created by the Quebec government to promote projects that reduce the amount of household waste sent to landfill (redevances pour l'élimination de matières résiduelles). The City uses part of this redistribution for the collection of organic waste. The balance of this redistribution will be used to help finance other innovative projects in the future in order to meet our waste reduction targets over the next few years.

The actual operating expenses are also well within budget to the end of third quarter. The City successfully negotiated and signed new collective agreements with its blue collar employees in February 2009 and its white collar employees in September 2009. The previous agreements were negotiated by the City of Montreal during the forced merger years. I am proud to say that these new collective agreements have been negotiated taking into account the real needs of the City and its employees. The City has experienced some cost increases in various areas such as waste management, however, due to better overall efficiency and cash-flow management, the City has also experienced some savings in various areas.

Once again this year, members of the City Council closely monitor the actual revenues and expenses of the City. On a monthly basis, the Audit Committee, chaired by Councillor Dida Berku, examines internal financial reports produced by the Finance Department and identifies corrective measures when required.

General orientation for the 2010 budget

The 2010 operating budget building guiding principles continue to be the following:

- The budget must ensure that there is a balance between revenues and expenditures;
- The budget must be established to ensure that the property tax increase will not exceed the rate of inflation;
- The budget must ensure long-term financial viability of the City;
- The budget must ensure that cost of debt service never exceeds 15 percent of the overall local operating budget;
- To meet the growing needs of residents, the budget building process must ensure efficiency, and the budget monitoring process must ensure a City-wide commitment for controlling costs in all departments; and
- The City will not issue long-term debt unless justified through a business analysis on a case-by-case basis.

As in previous years, the established priorities for the 2010 budget will continue to focus on quality services for the residents of the City while maintaining any increase in municipal taxes to an amount below the cost of inflation. We will continue to run the City like a business focusing on waste management programs, improvements in our water infrastructure system, and providing innovative recreational and cultural programs that suit the needs of City residents.

The 2010 capital budget priorities will continue to be investments in our parks, aqueduct infrastructure and maintenance of roads/sidewalks. We will continue to take advantage of revenues from the new Gas Tax grant which will be finalized during the next few weeks; and research other grants available to municipalities.

In the upcoming weeks, the City Administration and City Council will finalize the 2010 operating and capital budgets. The City Council will adopt the 2010 operating budget and the 2010-2011-2012 capital expenditure program three (3) year plan at a special public Council meeting in December 2009.

It should be noted that while the Mayor and City Council continue to monitor the local budget, they have little input or control over the Agglomeration portion of the expenses. These Agglomeration expenses mainly used to pay for island-wide and regional services (including STM (public transit), Fire, Police, water treatment and distribution, Evaluation, downtown expenses and collective center city assets) have increased considerably over the past four years. The City paid a total of \$22.2 million to the Agglomeration in 2009. We expect this amount to increase significantly in 2010. The reliance on Montreal island cities alone to continue to pay for these central services will not be sufficient to cover these exploding costs in the future. We will seek a correction from the Quebec government to ensure that certain Agglomeration services are paid for by the entire Metropolitan region of the Montreal Metropolitan Community and to ensure that there is sustainable financing

for these services going forward without having to continuously overtax Montreal island residents.

In early December 2009, the City Council will hold a public information meeting to review the 2010 budget and provide the opportunity to the public to give input into the budget building process. More information will be posted at www.CoteSaintLuc.org in the next few days.

List of contracts exceeding \$25,000.00

In accordance with the law, I have deposited with the City Clerk the list of all contracts issued in 2008 that include an expenditure exceeding \$25,000 and entered into since the last meeting of Council at which I presented my previous report. I have also deposited the list of all contracts involving an expenditure exceeding \$2,000 entered into within that period with the same contracting party, if those contracts involved a total expenditure exceeding \$25,000.

Remuneration of members of council

As members of the Council, we receive an annual remuneration and an annual allowance for expenses related to our function.

The following table indicates the remuneration and allowances received by members of Council.

Office	Remuneration	Expense allocation
Mayor	\$46,784	\$14,584
Councillors	\$15,595	\$7,797

Conclusion

In conclusion, I would like to assure you that although fixed costs continue to rise, City Council and City Administration will work very hard to create a fair and efficient budget for the 2010 fiscal year. We will do everything possible to continue to increase the excellent level of services that residents have come to expect at the most reasonable cost possible.

Anthony Housefather
Mayor

091115

MAYOR'S REPORT ON THE FINANCIAL POSITION OF THE CITY OF CÔTE SAINT-LUC – AUTHORIZATION TO PUBLISH IN A NEWSPAPER CIRCULATED IN THE TERRITORY OF THE MUNICIPALITY

This item was removed from the agenda given that the said report will be distributed to each civic address in the municipality.

091116

SEPTEMBER COMPARATIVE REPORT AND REVISED BUDGET REPORT

The City Treasurer tabled his September comparative report and revised budget report at tonight's council meeting.

091117

ORDER OF COUNCIL TO SELL IMMOVABLES DUE TO NON-PAYMENT OF MUNICIPAL TAXES AND/OR TRANSFER DUTIES FOR THE 2008 FISCAL YEAR

WHEREAS Council has received the statement of arrears and has examined said statement;

WHEREAS the City Treasurer filed said statement at tonight's regular council meeting held on November 9, 2009;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT, subject to Section 512 of the *Cities and Towns Act*, the Côte Saint-Luc City Council orders the City Clerk to sell immovables due to non-payment of municipal taxes / transfer duties for the 2008 fiscal year at public auction at the office of the Council (Council chamber)."

CARRIED UNANIMOUSLY

091118

PERFORMANCE INDICATOR REPORT FOR THE 2008 FISCAL YEAR

The City Treasurer tabled the report entitled: "*Indicateur de gestion 2008*" a legally required document to be filled out which was produced by the Minister of Municipal Affairs and of the Regions and Land Occupancy.

091119

PARKS AND RECREATION – APPLICATION TO THE PROVINCIAL GOVERNMENT; A GRANT FOR AN INTERGENERATIONAL / AQUATIC CENTRE

WHEREAS the City of Côte Saint-Luc ("City") thoroughly investigated its needs concerning the construction of an Intergenerational / Aquatic Centre ("Project");

WHEREAS said investigation demonstrated a clear need for the Project;

WHEREAS on July 14, 2008, the City Council approved resolution no. 080724 in view of applying for a grant to the Quebec government through the Ministry of Education Leisure and Sports for the Project;

WHEREAS the City has been redirected to reapply for a grant through a different ministry;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED

"THAT the Côte Saint-Luc City Council endorses the application for a grant from the Government of Quebec, through its Ministry of Municipal Affairs and of the Regions and Land Occupancy, within its program to support infrastructure installations from the "Fonds Chantier Canada - Quebec";

THAT the City is prepared to spend an estimated amount of \$17,250,000 for the Project based upon the recommendations stated within the feasibility study;

THAT the City is prepared to commit an estimated amount of \$5,750,000 for capital costs to fund the Project;

THAT the City requests a grant of \$11,500,000 from the Government of Quebec for the Project;

THAT the City is prepared to incur expenses ranging between \$500,000 and \$725,000 from its operating budget to be offset by revenue from levying tariffs;

THAT said resolution shall be accepted for immediate action.”
CARRIED UNANIMOUSLY

091120

PARKS AND RECREATION – HALL AND CATERING SERVICE

WHEREAS the City of Côte Saint Luc wished to rent a hall and hire a caterer for the Volunteer Recognition Evening of October 18, 2009;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED

“THAT the Côte Saint-Luc City Council awards the contract for a hall rental and catering service provided by the Gelber Conference Centre, at a cost of \$30,634.62, which includes all applicable taxes;

THAT Treasurer’s Certificate number TC09-0157 dated November 4, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses;

THAT said resolution shall be accepted for immediate action.”
CARRIED UNANIMOUSLY

091121

PUBLIC WORKS – PURCHASE ANNUAL FLOWERS FOR 2010

WHEREAS the City has made an invited call for tender to purchase flowers for 2010 (C-32-09) according to the law and received three (3) conforming bids;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby awards the contract to purchase flowers for 2010, pursuant to tender C-32-09, to Les Serres Riel Inc. and authorizes payment of \$34,284.57, plus applicable taxes;

THAT a Treasurer’s certificate attesting to the availability of funds to cover the described expenses shall be issued at the beginning of the 2010 fiscal year.”
CARRIED UNANIMOUSLY

091122

IT – PURCHASE AND INSTALLATION OF A SECURITY CAMERA SOLUTION

WHEREAS the City of Côte Saint-Luc (“the City”) wishes to purchase and install a security camera solution in the rear parking lot of City Hall;

It was

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

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby awards the contract to purchase and install a security camera solution to Intercam System Inc. and authorizes payment of \$17,604.00, plus applicable taxes;

THAT Treasurer’s certificate number TC09-0155 dated November 3, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

091123

PUBLIC WORKS – AUTHORIZE AN ADDITIONAL EXPENSE FOR THE COLLECTION AND TRANSPORTATION OF BULK WASTE

WHEREAS, the City of Côte Saint-Luc (“the City”) awarded a contract, by resolution 090820 on August 10, 2009, for the collection and transportation of bulk waste to Vidolo Excavation Limitée for an amount of \$195.00 per collection up to a total amount of \$20,000.00 including applicable taxes;

WHEREAS the City wishes to increase said amount to a maximum sum not to exceed \$24,500.00;

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT Côte Saint-Luc city council hereby authorizes an additional expense of \$4,500.00, including applicable taxes, payable to Vidolo Excavation Limitée;

THAT Treasurer’s certificate number TC09-0156 dated November 4, 2009 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

091124

URBAN PLANNING – 5700 BROOKSIDE - REPLACEMENT TREES

WHEREAS, the owner of 5700 Brookside (“the Property”) requested to fell (“Fell”) two (2) trees located in the side yard of the Property;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT Council hereby requires that the two (2) trees to be Felled be replaced by two (2) trees with a diameter of 2 inches the whole pursuant to the terms and conditions of article 11-7-1 *et al.* of Zoning By-law No. 2217;

THAT at least one (1) of the two (2) trees to be planted must be planted on the Property.”

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLORS STEVEN ERDELYI AND DIDA BERKU BOTH DISSENTING

091125

URBAN PLANNING – 7460 KINGSLEY - REPLACEMENT TREES

WHEREAS, the owner of 7460 Kingsley (“the Property”) requested to fell (“Fell”) three (3) trees located in rear yard of the Property;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT Council hereby requires that the three (3) tree(s) to be Felled be replaced by twelve (12) trees with a diameter of 2 inches the whole pursuant to the terms and conditions of article 11-7-1 *et al.* of Zoning By-law No. 2217;

THAT at least one (1) of the twelve (12) trees to be planted must be planted on the Property subject to a plan approved by the City.”

CARRIED UNANIMOUSLY

091126

NOTICE OF MOTION – BY-LAW 2322 TO BE ENTITLED: “BY-LAW CONCERNING THE PARTICIPATION OF THE CITY OF CÔTE SAINT-LUC IN THE PENSION PLAN ESTABLISHED BY THE ACT RESPECTING THE PENSION PLAN OF ELECTED OFFICIALS”

Councillor Dida Berku gave Notice of Motion that By-Law 2322 to be entitled: “By-law concerning the participation of the City of Côte Saint-Luc in the pension plan established by the *act respecting the pension plan of elected officials*” will be presented at a later meeting for adoption.

091127

RESOLUTION TO WAIVE THE READING OF BY-LAW 2322 TO BE ENTITLED: “BY-LAW CONCERNING THE PARTICIPATION OF THE CITY OF CÔTE SAINT-LUC IN THE PENSION PLAN ESTABLISHED BY THE ACT RESPECTING THE PENSION PLAN OF ELECTED OFFICIALS”

WHEREAS, the above captioned by-law was given to members of Council on Friday, November 6, 2009;

WHEREAS, all Council members present hereby declare that they have read said by-law and waive the reading thereof;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT the Council of the City of Côte Saint-Luc unanimously waives the reading of By-Law 2322 to be entitled: “By-law concerning the participation of the City of Côte Saint-Luc in the pension plan established by the *act respecting the pension plan of elected officials*” when it will be presented for adoption, the whole in accordance with the law.”

CARRIED UNANIMOUSLY

091128

**MAINLEVÉE - LOT NUMBERS 1564977, 1564978, 1564979, 1562509, 1857741
FOR NON-PAYMENT OF TAXES**

WHEREAS a public notice was issued on November 5, 2008 for non-payment of taxes for the property situated at 5720 Cavendish, apartment number 307;

WHEREAS said taxes have subsequently been paid;

WHEREAS the said notice was registered under number 15 795 929;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT Council hereby authorizes the City to issue a *mainlevée* for the default in non-payment of taxes for the property situated at 5720 Cavendish, apartment number 307, bearing lot numbers 1564977, 1564978, 1564979, 1562509, 1857741, said default more amply delineated in the public notice dated November 5, 2008;

THAT all costs, without any exception, including, but not limited to, registration, publication and legal fees be borne by the property owner to issue said *mainlevée*;

THAT the City Clerk be authorized to sign any document to give effect to the foregoing.”

CARRIED UNANIMOUSLY

091129

**MAINLEVÉE - LOT NUMBERS 1564980, 1857907, 1562726, AND 1857908 FOR
NON-PAYMENT OF TAXES**

WHEREAS a public notice was issued on November 5, 2008 for non-payment of taxes for the property situated at 6778 Chemin Louis-Pasteur;

WHEREAS said taxes have subsequently been paid;

WHEREAS the said notice was registered under number 15 795 929;

It was

MOVED BY COUNCILLOR MITCHEL BROWNSTEIN
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

“THAT Council hereby authorizes the City to issue a *mainlevée* for the default in non-payment of taxes for the property situated at 6778 Chemin Louis-Pasteur, bearing lot numbers 1564980, 1857907, 1562726, and 1857908, said default more amply delineated in the public notice dated November 5, 2008;

THAT all costs, without any exception, including, but not limited to, registration, publication and legal fees be borne by the property owners to issue said *mainlevée*;

THAT the City Clerk be authorized to sign any document to give effect to the foregoing.”

CARRIED UNANIMOUSLY

091130

**FILING OF CORRECTIONS PURSUANT TO ARTICLE 92.1 OF THE CITIES
AND TOWNS ACT**

WHEREAS according to article 92.1 of the Cities and Towns Act,

“The clerk is authorized to amend the minutes or a by-law, resolution, order or other act of the council, executive committee or borough council in order to correct an error that is obvious just by reading the documents provided in support of the decision. In such a case, the clerk must attach the minutes of the correction to the original of the amended document and file a copy of the amended document and of the minutes of the correction at the next meeting of the council, executive committee or borough council.”

The following correction from the September 29, 2009 Special Council Meeting is hereby filed:

- a) Resolution 090960 entitled, “Public Works – snow removal for secondary streets for the 2009-2010 winter season” should read:

**PUBLIC WORKS – SNOW REMOVAL FOR SECONDARY STREETS FOR THE
2009-2010 WINTER SEASON**

WHEREAS the City of Côte Saint Luc (“the City”) wishes to exercise its option, at its discretion, to renew its snow removal contract for the City’s secondary streets for the 2009-2010 winter season;

WHEREAS the City has made a public call for tender (C-41-08) according to law for the above mentioned contract;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

“THAT, Council hereby exercises its option to renew the snow removal contract for the City’s secondary streets for the 2009-2010 winter season to Les Entreprises Canbec Construction Inc. for a fixed price amount of \$250,646.33 for the first 160

centimeters and \$65.22 for each additional centimeter up to a maximum of 239 centimeters;

THAT any amount to be disbursed over and above 160 centimeters shall be disbursed only if necessary;

THAT Treasurer's certificate number TC09-0148 dated September 22, 2009 has been issued by the City Treasurer, attesting to the availability of funds in the amount of \$113,159.00, plus applicable taxes, to cover the described expenses for the 2009 fiscal year;

THAT a Treasurer's Certificate shall be issued in 2010 attesting to the availability of funds to cover the described expenses for the 2010 portion of the contract to be paid out in the 2010 fiscal year."

CARRIED UNANIMOUSLY

091131

**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) (hereinafter "the Act"), the urban agglomeration of Montreal is made up *inter alia*, of the City of Côte Saint-Luc since January 1, 2006;

WHEREAS according to section 58 of 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 in December 2009 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 GLENN J. NASHEN

AND RESOLVED:

“THAT Council take the following stance in view of the Agglomeration Council meeting to be held in December 2009 as follows:

- to authorize the Mayor or his duly authorized replacement 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 in December 2009 based on the information to be presented during those meetings.”

CARRIED UNANIMOUSLY

OTHER BUSINESS – ANNOUNCEMENT OF COUNCIL PORTFOLIOS

Mayor Housefather announced the following portfolios:

He (**the Mayor**) will be responsible for issues related to human resources, legal matters, purchasing, information technology, and for relations with the Agglomeration of Montreal and other levels of government.

Councillor Dida Berku will be responsible for issues related to finance, the Cavendish Mall re-development (with Councillor Ruth Kovac), the environment including the preservation of Meadowbrook, the implementation of a code of ethics, and the Cavendish Boulevard extension.

Councillor Mitchell Brownstein will be responsible for issues related to parks and recreation and the construction of the Intergenerational and Aquatic Centre (with Councillor Kovac).

Councillor Mike Cohen will be responsible for issues related to corporate identity and communication, sponsorship, and inter-community relations.

Councillor Steven Erdelyi will be responsible for issues related to public works and engineering.

Councillor Sam Goldbloom will be responsible for issues related to the library and culture.

Councillor Ruth Kovac will be responsible for issues related to city planning as chairperson of the Planning Advisory Committee. She will also be responsible for the Cavendish Mall re-development (with Councillor Berku), and the construction of the Intergenerational and Aquatic Centre (with Councillor Brownstein).

Councillor Allan J. Levine will be responsible for issues related to seniors, the Royal Canadian Legion, the establishment of an English-language public high school by the English Montreal School Board (EMSB), the rail yards, the Côte Saint-Luc Tennis Club, the construction of tennis courts at Rembrandt Park and a feasibility study on the construction of indoor tennis facilities by the city or in partnership with a third party.

Councillor Glenn J. Nashen will be responsible for issues related to traffic, and public safety — which includes the EMS first responder service, public security, vCOP, emergency preparedness, and fire prevention.

OTHER BUSINESS – DEVELOPMENT ON MARC CHAGALL – COUNCILLOR ALLAN J. LEVINE

Councillor Levine went on record as requesting that, for the above-captioned development project the land where trees are located should be barricaded so no trees shall be felled pursuant to the construction of any townhouses.

OTHER BUSINESS – 2009 MUNICIPAL ELECTIONS – COUNCILLOR ALLAN J. LEVINE

Councillor Levine congratulated Jonathan Shecter and his team for doing a commendable job during the most recent municipal elections. He further stated that they acted professionally and did the best job under the circumstances.

OTHER BUSINESS – TEMPOS – COUNCILLOR ALLAN J. LEVINE

Councillor Levine registered his support in favour of tempos as there may be a need for certain Côte Saint-Luc residents such as seniors.

OTHER BUSINESS – DAYCARE CENTRE ON HUDSON

Councillor Levine stated that he supports the residents complaining regarding the daycare centre on Hudson and went on record as being willing to testify on their behalf should they wish to contest the value of their property.

OTHER BUSINESS – 2009 MUNICIPAL ELECTIONS – COUNCILLOR GLENN J. NASHEN

Councillor Nashen wished to echo Councillor Levine's sentiments regarding the Returning Officer and his staff's performance during the 2009 Municipal Elections. He then explained that his opponent's comments regarding the partiality of the Returning Officer (because he is a City employee) voiced Friday, October 30, 2009 on CJAD were 'despicable, inflammatory and complete and outrageous lies'. He then stated that the individual in question has always acted professionally both in his capacity as the election Returning Officer and in his capacity as Director of Legal Services and City Clerk. He then expressed his regrets that the comments by his opponent ever took place at all.

SECOND QUESTION PERIOD

The Second question period started at 10:40 p.m. and finished at 10:50 p.m. Five (5) people asked to speak and they were heard.

1) Sydney Margles

The resident congratulated members of council on their re-election.

The resident then inquired as to when Kildare, East of Cavendish, would be re-done to which Mayor Housefather responded that it would be re-done next summer when Bialik High School (situated in the area) was not in session.

The resident then inquired as to when the light standards that require replacing were indeed going to be replaced to which Mayor Housefather responded that the City was falsely under the impression the light standards were ordered when indeed they were not. Once discovered, the City immediately ordered them and according to the sub-contractor, the equipment would be available on December 15, 2009. The resident then inquired as to whether the City could have an alternate, temporary solution in these types of situations such as a temporary pole to which Mayor Housefather responded that the City could look into the matter.

2) Dr. Bernard Tonchin

The resident inquired as to why there were black spots on the fallen leaves and further inquired as to whether this was a result of a virus or a result of acid rain. Councillor Erdelyi then replied that the black spots on the fallen leaves are symptomatic of a fungus and do not mean that the tree from which they emanate is necessarily sick. He further advised the public to put their leaves in their brown bin within the (free) compostable bags. He explained that by leaving the leaves on the lawn, it would further increase the likelihood that the fungus would return next year.

3) Irving Itman

The resident inquired as to the particulars of the pension plan mentioned in tonight's Mayor's Report to for which Mayor Housefather specified that the monies within the pension fund are segregated from the monies within the City's operational budget and cannot be used for any other purpose than the pension fund itself.

The resident then congratulated Mayor Housefather for issuing statements in his Mayor's Report such as the City not issuing long-term debt unless justified and the City is presently being run like a business.

The resident then inquired regarding the by-law concerning the participation of the City of Côte Saint-Luc in the pension plan established by the *act respecting the pension plan of elected officials* to which Mayor Housefather responded that the City had instituted and adhered to said plan for several years but with demergers it needed to renew its by-law according to the provincial government – although the City always felt that its existing by-law was sufficient to continue to adhere to the plan.

4) Sonia Peillon

The resident inquired as to the nature and reason of Councillor Allan J. Levine's portfolio mandate for the establishment of an English secondary school in Côte Saint-Luc to which Mayor Housefather responded that the City is recommending to the E.M.S.B. to re-open an English school within Côte Saint-Luc as there is a need for one and this school would benefit many of its residents.

5) Rhoda Albert

The resident requested that a camera be pointed on the path leading to Marc Chagall from City Hall to which Mayor Housefather responded that the City could take this request under advisement.

AT 10:50 P.M. MAYOR HOUSEFATHER DECLARED THE MEETING CLOSED.

ANTHONY HOUSEFATHER
MAYOR

JONATHAN SHECTER
DIRECTOR OF LEGAL SERVICES
AND CITY CLERK