

**MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL HELD ON
MONDAY, DECEMBER 20, 2010, AT 5801 CAVENDISH BOULEVARD,
CÔTE SAINT-LUC, 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:

Ms. Tanya Abramovitch, City Manager and Library Director
Ms. Nadia Di Furia, Associate City Manager and HR Director
M^e Jonathan Shecter, City Clerk, acted as Secretary of the meeting

QUESTION PERIOD

The question period started at 8:10 p.m. and finished at 8:20 p.m. Two (2) people asked to speak and they were heard.

1) Irving Itman

The resident requested who to contact regarding the purchase of immovables to be constructed pursuant to the redevelopment of the Cavendish Mall to which Mayor Housefather responded Dubelle Construction, and in particular, Joe Levine. The resident then inquired who he could speak to regarding the naming of a bench (after someone) to which Mayor Housefather responded Councillor Cohen.

2) Dr. Bernard Tonchin

The resident inquired as to when the fire hydrants would be cleaned to which Mayor Housefather responded Wednesday.

The resident complained that on Cork Avenue a small section between Mountbatten and Wavell was not properly snow cleared to which Mayor Housefather responded that Associate City Manager DiFuria can look into the matter.

101240

**NOTICE OF MOTION – BY-LAW 2355 TO BE ENTITLED: “BY-LAW
CONCERNING TAXES AND TARIFFS OF THE CITY OF CÔTE SAINT-LUC FOR
THE FISCAL YEAR 2011”**

Councillor Dida Berku gave Notice of Motion that By-Law 2355 to be entitled: “By-law concerning taxes and tariffs of the City of Côte Saint-Luc for the fiscal year 2011” will be presented at a later meeting for adoption.

101241

**RESOLUTION TO WAIVE THE READING OF BY-LAW 2355 TO BE ENTITLED:
"BY-LAW CONCERNING TAXES AND TARIFFS OF THE CITY OF
CÔTE SAINT-LUC FOR THE FISCAL YEAR 2011"**

WHEREAS, the above captioned by-law was given to members of Council on Thursday, December 16, 2010;

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 2355 to be entitled: "By-law concerning taxes and tariffs of the City of Côte Saint-Luc for the fiscal year 2011" when it will be presented for adoption, the whole in accordance with the law."

CARRIED UNANIMOUSLY

101242

**SETTLEMENT OF INVOICE WITH CUNNINGHAM & LINDSEY (KINGS
TRANSFER VAN LINES)**

WHEREAS invoice #2010-000124 dated October 1, 2010 in the amount of \$3,040.01, plus taxes, was sent to Ogilvy & Ogilvy ("the Insurer") for damages to City property by their insured;

WHEREAS, the Insurer tendered an offer of \$3,100.00, in full and final settlement which the City is willing to accept;

It was

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

AND RESOLVED:

"THAT the Côte Saint-Luc City Council hereby authorizes the City Clerk to settle an invoice with Cunningham & Lindsey for an amount totaling \$3,100.00;

THAT the City Clerk be and is hereby authorized to sign an agreement to give effect to the foregoing on behalf of the City."

CARRIED UNANIMOUSLY

101243

AUTHORIZATION OF PAYMENT OF INSURANCE PREMIUMS

WHEREAS for the purpose of purchasing group property and liability insurance with a possibility of a group deductible, the City of Côte Saint-Luc ("City") participated with other cities and towns in a joint agreement ("Agreement"). The *Comité de transition de l'agglomération de Montréal* ("The Transition Committee")

reached this Agreement on May 27, 2005 for and in the name of the Island of Montreal municipalities to be reconstituted and the *Union des municipalités du Québec* (“UMQ”) for a three-year period: January 1, 2006 to December 31, 2008;

WHEREAS the “UMQ” was mandated by the Transition Committee to act as the representative of this association known as the *Regroupement des municipalités de l’Île de Montréal* (RMIM) and, as such, the UMQ assumed the responsibilities of advisor and deductible fund manager;

WHEREAS a call for tenders was made by the City’s original consultants, Optimum Gestion de risques (“Optimum”), Division de Optimum Actuaire & Conseiller Inc. and by the “UMQ” for the “RMIM”;

WHEREAS on December 14, 2005, the Côte Saint-Luc City Council, (“Council”), via resolution number 051217, approved the Agreement reached on May 27, 2005 by the Transition Committee for and in the name of the municipalities to be reconstituted on the Island of Montreal and the “UMQ” for the three-year term beginning on January 1, 2006 and ending on December 31, 2008 for the purpose of purchasing group property insurance with a possibility of a group deductible;

WHEREAS at its Regular Meeting of July 14, 2008 Council adopted a new agreement along with the reconstituted municipalities who were party to the previous Agreement said new agreement adopted for a five year period, from January 1, 2009 to January 1, 2014 and providing coverage from the same insurers;

WHEREAS at its Regular Meeting of October 18, 2010 Council awarded a mandate to René Laporte & Associés, as its general consultant, along with the other members of the reconstituted municipalities from January 1, 2010 to January 1, 2011 renewable each year;

WHEREAS René Laporte & Associés went out for public tender on behalf of the reconstituted cities and received the following results delineated further hereunder;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT Council hereby grants the City’s property insurance and civil liability contracts – with their corresponding premiums, deductibles where applicable and corresponding payment - from January 1, 2011 to December 31, 2011 as follows;

Property insurance	\$17,750.00	Plus applicable taxes
Property insurance (engineering fees)	\$1,720.00	Plus applicable taxes
Machine insurance	\$2,477.00	Plus applicable taxes
Delict insurance	\$1,463.00	Plus applicable taxes
Civil liability	\$46,673.00	Plus applicable taxes
Civil liability (umbrella)	\$15,198.00	Plus applicable taxes
Municipal liability	\$13,674.00	Plus applicable taxes
Automobile insurance	\$15,953.00	Plus applicable taxes
Mechanic insurance	\$879.00	Plus applicable taxes
TOTAL (Not including taxes)	\$115,787.00	

THAT Council further authorizes payment in the amount of \$82,954.00, plus applicable taxes (if any) for its share contribution of the \$500,000 civil liability group deductible coverage described above herein;

THAT a Treasurer's certificate attesting to the availability of funds to cover the described expenses for the 2011 fiscal year shall be issued at the beginning of 2011."

CARRIED UNANIMOUSLY

101244

ENGINEERING – AWARD A CONTRACT FOR THE MANAGEMENT OF THE LOCAL WATER AND SEWER NETWORKS FOR THE CITY OF COTE SAINT-LUC

WHEREAS the City Côte Saint-Luc ("City") administration issued a public call for tenders for the management of its local waterworks and sewer networks and received one bid (C-38-10);

WHEREAS Simo Management Inc. was the only compliant bidder;

WHEREAS the City wishes to exercise its option to award the contract for a period of two years effective from January 1, 2011 until December 31, 2012;

It was

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

AND RESOLVED:

"THAT Côte Saint-Luc City Council hereby awards the contract for the management of the local waterworks and sewer networks for a period of two years effective January 1, 2011 until December 31, 2012 to Simo Management Inc. for:

- a fixed amount of \$641,000.00 plus applicable taxes per year for basic services;
- an amount not to exceed \$85,000.00 plus applicable taxes per year for professional fee services; and
- an amount not to exceed \$927,000.00 plus applicable taxes per year for fee services;

THAT said awarding of the contract shall be pursuant to the terms set out in City Tender C-38-10 together with SIMO Management Inc.'s bid numbered 10-0070-055 as amended by the first amendment to the contract for the management of local waterworks and sewer systems which is effective December 21, 2010;

THAT a Treasurer's certificate attesting to the availability of funds to cover the described expenses shall be issued at the beginning of the each fiscal year."

CARRIED UNANIMOUSLY

Subsequent to the adoption of the resolution Councillor Dida Berku went on record explaining that she voted for the aforementioned resolution on the condition that the City conduct a study and evaluate what if any savings would be had if the City would conduct the management of its water and sewer infrastructure *in-house*.

101245

ORDER OF COUNCIL TO SELL IMMOVABLES DUE TO NON-PAYMENT OF MUNICIPAL TAXES AND/OR TRANSFER DUTIES FOR THE 2009 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 Special Council sitting (held on December 20, 2010);

It was

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

AND RESOLVED:

“THAT, pursuant 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 2009 fiscal year at public auction at the office of the Council (Council chamber).”

CARRIED UNANIMOUSLY

101246

APPROVAL OF THE ADJOURNMENT OF THE MEETING

It was

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

AND RESOLVED:

“THAT Council hereby authorizes the Mayor to declare the Meeting adjourned.”

CARRIED UNANIMOUSLY

**AT 8:37 P.M. MAYOR HOUSEFATHER DECLARED THE MEETING
ADJOURNED.**

ANTHONY HOUSEFATHER
MAYOR

JONATHAN SHECTER
CITY CLERK