

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON
MONDAY, MARCH 12, 2012, 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
M^e Jonathan Shecter, City Clerk, acted as Secretary of the meeting

QUESTION PERIOD

The question period started at 8:07 p.m. and finished at 8:34 p.m. Two (2) people asked to speak and they were heard.

1) Irving Itman

The resident complimented Council on their initiative concerning the recent adoption of a by-law regulating smoking.

The resident then sought an update regarding his request for an amendment to the speed limit on Mackle to which Councillor Nashen stated that a recommendation to Council is forthcoming on the matter.

The resident then raised the issue of motorists who double-park near the Beth Zion Synagogue and then stated the matter should be remedied as the road is extremely narrow and it is difficult for motorists to pass. In his view, there is enough space between the sidewalk and the park to turn a portion of Wavell into a type of boulevard loop. He then remitted a drawing of the area to Charles Senekal who was then tasked by Mayor Housefather to submit the matter to the City's Traffic Committee.

2) Dr. Bernard Tonchin

The resident sought an update concerning the plan to extend Cavendish to which Mayor Housefather responded that last month, he raised the issue at the Agglomeration Council Meeting with (the Chairman of the Executive Committee) Michael Applebaum, who stated that the Cavendish extension was not a priority for the City of Montreal. He also explained that the Minister of Transport was sent a letter asking that the Quebec Government make the Cavendish Extension a priority. Mayor Housefather also requested that the Minister of Transport meet with him as well as the Mayor of the Town of Mount Royal. He further explained that the City has further requested its MNA discuss the matter with the Minister of Transport.

120301

**CONFIRMATION OF THE MINUTES OF THE REGULAR MEETING OF
COUNCIL DATED FEBRUARY 13, 2012**

It was

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

AND RESOLVED:

“THAT the Minutes of the Regular Meeting of Council dated February 13, 2012 be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

120302

MONTHLY DEPARTMENTAL REPORTS FOR FEBRUARY 2012

It was

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

AND RESOLVED:

“THAT the monthly departmental reports for February, 2012 be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

120303

**BY-LAW ENTITLED: “BY-LAW UPDATING THE SCHEDULE OF FEES AND
FINES FOR THE ELEANOR LONDON CÔTE SAINT-LUC PUBLIC LIBRARY”**

It was

MOVED BY COUNCILLOR SAM GOLDBLOOM
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT By-law entitled: “*By-law updating the schedule of fees and fines for the Eleanor London Côte Saint-Luc Public Library*” be and is hereby adopted and numbered 2388.
CARRIED UNANIMOUSLY

120304

**NOTICE OF MOTION – BY-LAW 2389 TO BE ENTITLED: “BY-LAW CREATING
THE FEE SCHEDULE FOR THE ELEANOR LONDON
CÔTE SAINT-LUC PUBLIC LIBRARY FOR THE APRIL 2012 TO AUGUST 2012
PERIOD”**

Councillor Sam Goldbloom gave Notice of Motion that By-Law 2389 to be entitled: “By-law creating the fee schedule for the Eleanor London Côte Saint-Luc Public Library for the April 2012 to August 2012 period” will be presented at a later meeting for adoption.

120305

**RESOLUTION TO WAIVE THE READING OF BY-LAW 2389 TO BE ENTITLED:
"BY-LAW CREATING THE FEE SCHEDULE FOR THE ELEANOR LONDON
CÔTE SAINT-LUC PUBLIC LIBRARY FOR THE APRIL 2012 TO AUGUST 2012
PERIOD"**

WHEREAS, the above captioned by-law was given to members of Council on Wednesday, March 7, 2012;

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

It was

MOVED BY COUNCILLOR SAM GOLDBLOOM
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

"THAT the Council of the City of Côte Saint-Luc unanimously waives the reading of By-Law 2389 to be entitled: "By-law creating the fee schedule for the Eleanor London Côte Saint-Luc Public Library for the April 2012 to August 2012 period" when it will be presented for adoption, the whole in accordance with the law."

CARRIED UNANIMOUSLY

120306

**APPROVAL OF THE DISBURSEMENTS FOR THE MONTH OF FEBRUARY,
2012**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT the Côte Saint-Luc City Council approves the attached list of disbursements for the period of February 1, 2012 to February 29, 2012 for a total amount of \$5,779,578.81 in Canadian Funds;

THAT Treasurer's certificate No. 12-0050 dated March 7, 2012 has been issued by the City Treasurer attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

120307

**HUMAN RESOURCES – PARKS AND RECREATION DEPARTMENT -
APPOINTMENT OF SECTION MANAGER - LEISURE, MANAGEMENT
POSITION**

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT the Côte Saint-Luc City Council appoints Jessica Weiss as Section Manager - Leisure (management, permanent position) effective January 9, 2012;

THAT Treasurer's certificate number 12-0041 dated February 27, 2012 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

120308

HUMAN RESOURCES – ELEANOR LONDON CÔTE SAINT-LUC PUBLIC LIBRARY - HIRING OF LIBRARY CLERK - WHITE COLLAR, AUXILIARY POSITION

It was

MOVED BY COUNCILLOR SAM GOLDBLOOM
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED

"THAT the Côte Saint-Luc City Council approves the hiring of Leichin Sinha as a Library Clerk (white collar, auxiliary position), effective February 15, 2012;

THAT Treasurer's certificate number 12-0039 dated February 22, 2012 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

120309

HUMAN RESOURCES – PARKS AND RECREATION DEPARTMENT - HIRING OF WHITE 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 hiring of the White Collar auxiliary employees whose names are listed on the document entitled "Part-Time Employees – White Collars - Hiring", dated March 1, 2012 and that said employees' term of employment will be as per the conditions of the collective agreement;

THAT Treasurer's certificate number 12-0043 dated February 29, 2012 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

120310

APPOINTMENT OF COUNCILLOR MITCHELL BROWNSTEIN AS ACTING MAYOR OF THE CITY OF CÔTE SAINT-LUC – APRIL 1, 2012 UP TO AND UNTIL JUNE 30, 2012

It was

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

AND RESOLVED:

“THAT Councillor Mitchell Brownstein is and shall be named Acting Mayor of the City of Côte Saint-Luc, effective April 1, 2012 up to and until June 30, 2012 inclusively, and further that the aforementioned Councillor Brownstein shall have and may exercise the powers of the Mayor when the said Mayor is absent or unable to perform the duties of his office.”

CARRIED UNANIMOUSLY

120311

FILING OF CORRECTION 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 January 23, 2012 Regular Council Meeting is hereby filed:

- a) Resolution #120146 entitled: “BY-LAW ENTITLED: “BY-LAW CREATING THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE ACTIVITIES FOR THE SPRING AND SUMMER OF 2012” - ADOPTION

On page 2 under the heading “Line Dancing” of the Annex A of By-law 2376 the English version indicated \$83.50 and the French version under the heading “La danse en ligne” indicated \$90.45. The official tariff in the French version is the correct one and the English version will be corrected accordingly.

CARRIED UNANIMOUSLY

120312

SETTLEMENT OF LOSS WITH CITY INSURER FM GLOBAL

WHEREAS the City of Côte Saint-Luc (“the City”) declared a loss for four (4) snow plow heads to its insurer FM Global (the “Insurer”);

WHEREAS the Insurer wishes to reimburse full value for said items minus the City’s deductible and the GST;

WHEREAS the City wishes to accept this offer;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

“THAT the Côte Saint-Luc City Council hereby authorizes the City Clerk to accept an offer from the Insurer FM Global \$18,560.00 which includes full value to replace the items declared, minus the deductible of \$10,000.00 as well as the GST;

THAT the City Clerk or the Associate General Counsel be and is hereby authorized to sign any document to give effect to the foregoing.”
CARRIED UNANIMOUSLY

120313

AUTHORIZATION FOR DIRECTOR OF CLAIMS AND LITIGATION TO FILE A NOTICE OF DISCONTINUANCE REGARDING THE CITY OF CÔTE SAINT-LUC VS. INTACT INSURANCE

WHEREAS the City of Côte Saint-Luc (“the City”) instituted proceedings (“the Proceedings”) against Intact Insurance (“the Insurer”), the insurance company for a driver who hit a City traffic light and damaged it;

WHEREAS the Proceedings were instituted for an amount of \$1,690.87;

WHEREAS the Insurer has paid the debt indicated within the Proceedings in full as well as the Judicial Costs associated with the Proceedings;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

“THAT the Côte Saint-Luc City Council (“Council”) hereby ratifies the decision to institute Proceedings against Intact Insurance for damages to the City’s property;

That Council hereby authorizes the Director of Claims and Litigation to file a Notice of Discontinuance in the file concerning the Proceedings as the debt as well as all judicial costs related thereto have been paid in full;

THAT Council further authorizes the Director of Claims and Litigation to sign any other document to give effect to the foregoing.”
CARRIED UNANIMOUSLY

120314

RATIFICATION OF AGREEMENT WITH THE CITY INSURER RELATED TO A WATER MAIN BREAK

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

“THAT the Côte Saint-Luc City Council hereby ratifies its agreement with its insurers in the amount of \$21,667.00 (to be received by the City of Côte Saint-Luc) for all claims arising pursuant to a water main break which occurred on or about April 20, 2011 on Côte Saint-Luc Road and Bessborough`.”

CARRIED UNANIMOUSLY

120315

**AUTHORIZATION FOR THE DIRECTOR OF CLAIMS AND LITIGATION TO PAY
INSURANCE DEDUCTIBLE CONCERNING TWO NOTICES OF CLAIM
PURSUANT TO A WATER MAIN BREAK**

WHEREAS a water main break occurred on or about October 18, 2011 on Kildare, between Trinity and Glenarden;

WHEREAS the City of Côte Saint-Luc ("the City") received two (2) Notices of Claim, one from Miriam Benedict at 5768 Trinity and/or her insurers and one from Mr. Jacques Alloul at 5769 Trinity and/or his insurers;

WHEREAS the City's insurance deductible to process this claim is \$10,000.00 and its insurer is requesting payment of said deductible including an interim payment of \$8883.00, including all applicable taxes;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

"THAT the Côte Saint-Luc City Council ("Council") hereby authorizes the Director of Claims and Litigation to pay the City's liability insurance deductible in the amount of \$10,000.00 pursuant to two (2) Notices of claim related to one incident which occurred and which allegedly caused damages at the addresses situated at 5768 and 5769 Trinity;

THAT said payment shall be authorized to be used to make an interim payment by the City's Insurance Broker, BFL Canada Inc. of \$8,883.00, plus any and all applicable taxes, to Jacques Alloul and/or his insurer;

THAT Treasurer's certificate number 12-0045 dated February 29, 2012 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

120316

**RESOLUTION REQUESTING THE QUEBEC GOVERNMENT AND THE CITY OF
MONTREAL TO INCLUDE THE CAVENDISH-ROYALMOUNT-CAVENDISH
EXTENSION PROJECT AS A HIGH PRIORITY PROJECT IN THE NEXT
AGREEMENT BETWEEN THE MTQ (QUEBEC MINISTRY OF TRANSPORT)
AND THE CITY OF MONTREAL**

WHEREAS the project to link Cavendish Boulevard in the City of Côte Saint-Luc to Cavendish Boulevard in the Borough of Saint Laurent through Royalmount Avenue in the Town of Mount Royal, has been discussed amongst all the stakeholders for over a generation and has been an active project for the past 15 years;

WHEREAS, the aforescribed Cavendish-Royalmount-Cavendish extension project (sometimes referred to as the "Cavendish extension project") was identified as the most important missing link in the Montreal road network and was defined as a priority project in the Montreal Summit of 2002;

WHEREAS CP rail and CN rail are committed to maintaining their presence in Côte Saint-Luc and Montreal and their yard operations represent an obstacle causing traffic congestion in the Western part of the Island of Montreal affecting the mobility of residents in Côte Saint-Luc and neighbouring municipalities such as: the Town of Mount Royal, the Town of Hampstead, the Town of Montreal West and the City of Montreal;

WHEREAS the new road connections along the Cavendish Boulevard axis would create economic vitality and open up important employment opportunities in the sectors of the Hippodrome, "Cité Scientifique" and industrial zones of the Town of Mount Royal and Boroughs of Côte-des-Neiges – Notre-Dame-de-Grâce and Saint Laurent;

WHEREAS in December 2004 a project bureau was formed by unanimous resolution of the Council of the City of Montreal with a budget of \$5 million with a precise mandate to manage the Cavendish extension project, including the adoption of the final route proposal by 2006 and the design and completion of the work between 2007 and 2012;

WHEREAS in 2007, the City of Côte Saint-Luc adopted resolution number 070730 and submitted a detailed brief to the *Commission permanente du conseil d'Agglomération* that clearly outlined the need to proceed with the Cavendish extension project (which was also supported by the Councils of: Dollard-des-Ormeaux, Montreal West, Hampstead, Dorval, Town of Mount Royal and the Borough of Côte-des-Neiges – Notre-Dame-de-Grâce);

WHEREAS the Cavendish extension project was included as a 'priority item' in the Agglomeration of Montreal's *Plan de Transport 2008*, as per item 18e entitled, "Chantier, Entretien et Compléter le Réseau Routier de L'Île", an extract from which reads as follows:

"A ce chapitre, Montréal entend réaliser en priorité les projets suivants:

- Notre-Dame (Dickson to Curatteau)
- Sherbrooke est (36^e avenue to Notre-Dame)
- Sherbrooke (Pie-IX to Papineau)
- **Raccorder le boulevard Cavendish: une première phase des travaux établira le lien Royalmount/Cavendish et une seconde phase reliera les deux tronçons existants de Cavendish"**

WHEREAS the Agglomeration of Montreal identified the Cavendish extension project as one of its Capital Expenditure Projects in its three year capital expenditure budget of 2012-2015;

WHEREAS the City of Côte Saint-Luc deems the Cavendish extension project essential for the development and enhancement of the quality of life of its residents on its territory as well as those in its neighbouring communities;

WHEREAS all of the adjacent municipalities and boroughs are in favour of a Cavendish extension creating a link between its Southern and Northern portions which would create a boulevard which would integrate public and active transit;

WHEREAS the Town of Mount Royal, and the Borough of Côte-des-neiges-Notre-Dame-de-Grâce have already publicly declared and adopted resolutions in 2007 and in 2012, that they are in favour of the Cavendish extension project;

WHEREAS the commencement of construction linking the two portions of Cavendish is dependent upon provincial financing;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

“THAT the City of Côte Saint-Luc reaffirms its support in favour of the Cavendish- Royalmount- Cavendish extension project;

THAT the City of Côte Saint-Luc considers the Cavendish-Royalmount-Cavendish extension project a key element to improving traffic-flow for private, public and active transit in the Central portion of the Island of Montreal;

THAT the City of Côte Saint-Luc hereby requests that the Quebec Government and the City of Montreal give priority to the Cavendish-Royalmount-Cavendish extension project and that said project be included and designated as a priority project in the next agreement between the MTQ (Quebec Ministry of Transport) and the City of Montreal;

THAT a copy of this resolution be forwarded to the Minister of Transport of Quebec, Pierre Moreau; MNA for D'Arcy McGee, Lawrence Bergman; the Executive Committee of the City of Montreal and all Mayors and Councils within the Agglomeration of Montreal;

THAT a copy of this resolution also be deposited at the next Montreal Agglomeration Council Meeting.”
CARRIED UNANIMOUSLY

120317

CERTIFICATE OF CITY CLERK RE RESULTS REGARDING THE REGISTER FOR PERSONS QUALIFIED TO VOTE ON BY-LAW 2383

The City Clerk reported that, after the registration proceedings called for and held at 5801 Cavendish Boulevard from 9:00 a.m. to 7:00 p.m., on March 1, 2012, concerning by-law 2383 entitled: *“By-law authorising a loan of \$265,000 for playground equipment and park facility upgrades for Imagination Park:*

The number of persons qualified to vote on the by-law is 22,037;

The number of signatures of persons qualified to vote required to make the holding of a referendum poll obligatory is 551;

The number of persons qualified to vote who have registered is 0.

Therefore, by-law 2383 has been deemed approved by the persons qualified to vote.

120318

PARKS AND RECREATION – BROCHURE – SERVICE CONTRACT FOR PRODUCTION AND PRINTING OF SPRING AND SUMMER EDITION

WHEREAS the city requires the printing, in March of 2012, of 17,000 brochures describing its Spring and Summer 2012 activities organized by the Parks and Recreation Department;

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED

“THAT the Côte Saint-Luc City Council (“Council”) hereby ratifies the awarding of a printing services contract to Les Services Graphiques P.R. (“Supplier”) pursuant to Quotation Q-33-11 to print 17,000 color copies of the Spring/Summer 2012 Parks and Recreation brochure;

THAT Council further approves an amount not to exceed \$11,120.00, plus 5% for contingencies, plus all applicable taxes, in payment of the above services when rendered, the whole in accordance with the Supplier’s bid;

THAT Treasurer’s Certificate No. TC-12-0046 dated February 29, 2012 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”

CARRIED UNANIMOUSLY

120319

**LEGAL/URBAN DEVELOPMENT – AMENDING RESOLUTION IN RESPECT OF
A LANE SALE**

WHEREAS by Resolution numbered **111029** adopted on October 17, 2011 (“Original Resolution”) the City of Côte Saint-Luc (“City”) approved the entering into of a deed of sale for of a lane (“Lane”) adjacent to 5786 Westminster, Côte Saint-Luc (QC) (“Principal Property”) with the original owner of the Principal Property, namely, Estate of the late Clare Zimmermann Prizant (“Original Owner”);

WHEREAS following the sale of the Principal Property by the Original Owner to Claudette Scott (“New Owner”), the Original Owner also since assigned its rights to an offer to purchase Agreement in respect of the Lane entered into with the City on September 27, 2011;

WHEREAS the Original Resolution must now be amended to reflect the aforementioned assignment by the Original Owner to the New Owner.

It was

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

AND RESOLVED:

THAT the Original Resolution numbered **111029** dated October 17, 2011 is hereby amended to substitute the name of the New Owner as the Purchaser under the deed of sale for the Lane:

Name(s) of Purchaser(s): Claudette Scott.

“THAT all of the other terms of the Original Resolution remain in full force and effect.”

CARRIED UNANIMOUSLY

120320

PUBLIC WORKS – FUEL PURCHASES FOR 2011

It was

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

AND RESOLVED

"THAT the City of Côte Saint-Luc ("City") Council ratifies the purchase of fuel for its fleet of vehicles - for the 2011 calendar year - from Marketing TransMontaigne Canada Inc. (formerly Olco) as per the rates established under a group purchasing tender with the City of Montreal, in the amount of \$417,774.31, including applicable taxes;

THAT Treasurer's certificate number 11-0243 dated February 21, 2012 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses."

CARRIED UNANIMOUSLY

120321

PURCHASING – CANCELLATION OF TENDER C-04-12 – DODGE GRAND CARAVAN (PUBLIC SECURITY VEHICLE)

WHEREAS the City of Côte Saint-Luc ("City") made an invited call for tender under Tender No. C-04-12, seeking a Dodge Grand Caravan to add to its public security fleet;

WHEREAS the City received 2 bids, both of which were non-conforming on grounds of material documentary deficiencies;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED

"THAT Tender No. C-04-12 be cancelled for all purposes at law."
CARRIED UNANIMOUSLY

120322

TEM SETTLEMENT (CHANGE ORDER NO. 11) – SINGERMAN PARK TENDER C-12-10

This item was deferred to a subsequent meeting.

120323

LEGAL – RENEWAL OF AGREEMENT WITH MUSICIANS OF THE WORLD

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT the original Agreement entered into between the City of Côte Saint-Luc (“City”) and Musicians of the World (MWSO) which expired on December 31, 2011 be and is hereby renewed for one (1) further year, expiring on December 31, 2012, on the terms and conditions stipulated in the First Renewal letter agreement dated March 1, 2012; Effective January 1, 2012 (“First Renewal”);

THAT the City’s General Counsel be and is hereby authorized to sign the First Renewal on behalf of the City to give effect thereto.”
CARRIED UNANIMOUSLY

120324

LEGAL / HUMAN RESOURCES - SETTLEMENT

It was

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

AND RESOLVED:

“THAT the Côte Saint-Luc City (“City”) Council hereby approves, under the conditions of no admission of liability or precedent, the terms of the *confidential* settlement agreement with the *Syndicat des fonctionnaires municipaux de Montréal* and Employee no. 2419;

THAT either of the City’s General Counsel be and is hereby authorized to sign the aforementioned settlement agreement on behalf of the City;

THAT Treasurer’s Certificate numbered TC 12-0048 was issued by the Treasurer on March 5, 2012 attesting to the availability of funds to cover the associated costs.”

CARRIED UNANIMOUSLY

120325

LEGAL/PURCHASING – CONTRACT MANAGEMENT POLICY REVISION

WHEREAS on December 13, 2010, the City of Côte Saint-Luc (“City”) adopted a Contract Management Policy (“Policy”) effective January 1, 2011 pursuant to law;

WHEREAS the City wishes to amend Section 10 of the Policy;

It was

MOVED BY COUNCILLOR ALLAN J. LEVINE
SECONDED BY COUNCILLOR MIKE COHEN

AND RESOLVED:

“THAT effective March 12, 2012 Section 10 of the City’s Contract Management Policy, both in its English and French versions, the following be and is hereby replaced in its entirety by the following:

“10. “Selection committee – When a bid weighting and evaluation system is used to evaluate a call for tender process, the selection committee must be appointed, by resolution, before the call for tenders is made.

The director of purchasing is automatically the secretary of all selection committees.

Where a bid weighting and evaluation system is required by law (under the *Cities and Towns Act*), every member of the selection committee shall independently analyse the quality of each bid received on its own merit without knowledge of the price for the purpose of assigning each bidder an interim score. The ultimate interim score used in the formula for determining a bidder's final score shall be the average of all of the individual interim scores assigned by the selection committee members.

Where a bid weighting and evaluation system is optionally used by the City, the system used may be developed on a case-by-case basis provided it includes price as one of the elements. Each bidder's final score shall be the average of all of the individual selection committee members' scores.

The individual deliberations, considerations and interim score assigned by the selection committee members are confidential and, without limiting the generality of the foregoing, shall not be disclosed to bidders."

« 10. **Comité de sélection** – Lorsqu'un système de pondération et d'évaluation est utilisé pour évaluer le processus d'un appel d'offres, le comité de sélection doit être nommé, par résolution, avant que l'appel d'offres soit lancé.

Le directeur du service de ressources matérielles est le secrétaire d'office de tous les comités de sélection.

Si un système de pondération et d'évaluation est requis par la loi (selon la Loi sur les cités et villes), chaque membre du comité de sélection analysera de façon indépendante la qualité de chaque soumission reçue selon ses propres mérites, sans prendre connaissance du prix, en vue d'attribuer un pointage intérimaire à chaque soumissionnaire. Le pointage intérimaire définitif utilisé dans la formule qui déterminera le pointage final du soumissionnaire sera la moyenne de tous les pointages intérimaires individuels attribués par les membres du comité de sélection.

Si un système de pondération et d'évaluation est facultativement utilisé par la Ville, le system utilisé peut être conçu au cas par cas pourvu que l'un des éléments inclus soit le prix. Le pointage final de chaque soumissionnaire sera la moyenne des pointages individuels attribués par les membres du comité de sélection.

Les délibérations individuelles, les considérations et le pointage intérimaire attribué par les membres du comité de sélection sont confidentiels et, sans limiter la généralité de ce qui précède, ne sera pas divulgué aux soumissionnaires. »

CARRIED UNANIMOUSLY

120326

URBAN DEVELOPMENT – ROAD RESURFACING: PROFESSIONAL SERVICES

WHEREAS the City of Côte Saint-Luc ("the City") issued an invited call for tender under C-03-12 ("Tender") for professional services (Phase 1) with respect to a project contemplating the resurfacing of 5 streets, and received 4 bids, 3 of which were conforming (including that of Cima+ S.E.N.C.);

WHEREAS this Tender was subject to a mandatory bid weighting and evaluation system ("System") according to law;

WHEREAS following the application of this System, Cima+ S.E.N.C. is deemed to be the conforming bidder having the lowest bid according to the Cities and Towns Act;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT the Cote Saint-Luc City Council confirms that the bid submitted by Les Consultants SM International Inc. is non-conforming;

THAT the City award the contract for professional services (Phase 1) under Tender C-03-12 to Cima+ S.E.N.C., as the conforming bidder deemed to have the lowest bid under the Cities and Towns Act, the whole conditional upon approval of By-law 2378 by the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire ("MAMROT"), and upon the funds being made available to the City thereafter;

THAT the bid of Cima+ S.E.N.C. in the amount of \$73,500.00, (including a contingency) plus applicable taxes, be approved pending fulfillment of the above conditions;

THAT the City Treasurer be authorized to issue a Treasurer's Certificate at the time that the funds become available to the City."

CARRIED UNANIMOUSLY

120327

URBAN DEVELOPMENT – GAINAGE: PROFESSIONAL SERVICES

WHEREAS the City of Côte Saint-Luc ("the City") issued an invited call for tender under C-05-12 ("Tender") for professional services (Phase 1) for a project contemplating the sleeving of 8 streets, and received 2 conforming bids;

WHEREAS this Tender was subject to a mandatory bid weighting and evaluation system ("System") according to law;

WHEREAS following the application of this System Dessau Inc. is deemed to be the bidder having the lowest bid according to the Cities and Towns Act;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT the City awards the contract for professional services (Phase 1) under Tender C-05-12 to Dessau Inc., as the bidder deemed to have the lowest bid under the Cities and Towns Act, the whole conditional upon approval of By-law 2379 by the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire ("MAMROT") and upon the funds being made available to the City thereafter;

THAT the bid of Dessau Inc. in the amount of \$70,000 (including a contingency), plus applicable taxes, be approved pending fulfillment of the above conditions;

THAT the City Treasurer be authorized to issue a Treasurer's Certificate at the time that the funds become available to the City."

CARRIED UNANIMOUSLY

120328

**URBAN PLANNING – MINOR EXEMPTION – 5606 HARTWELL –
CÔTE SAINT-LUC**

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5606 Hartwell, Lot 1561973 be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow a patio to be partly located on the East side yard of a detached single-family dwelling instead of being located only at the rear of the main building (dwelling). The foregoing is in accordance with the provisions of Zoning By-Law No. 2217, art. 4-4-5 c).”

CARRIED UNANIMOUSLY

120329

**URBAN PLANNING – MINOR EXEMPTION – 5611 EDGEMORE –
CÔTE SAINT-LUC**

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5611 Edgemore, Lot 1054448 be and is hereby approved, the whole as more amply delineated hereunder:

The request is to allow a wooden rear balcony to encroach 4,49m (14.76’) into the minimum rear setback instead of the maximum permitted encroachment of 3,04m (10.0’). The foregoing is in accordance with the provisions of Zoning By-Law No. 2217, art. 4-2-2.”

CARRIED UNANIMOUSLY

120330

**URBAN PLANNING – MINOR EXEMPTION – 5615 BLOSSOM –
CÔTE SAINT-LUC**

It was

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

AND RESOLVED:

“THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5615 Blossom, Lot 1052101 be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow an existing semi-detached single-family dwelling built in 1963 under permit No. 2101 to be located at 4,49m (14.73’) from the front lot line instead of the minimum required distance of 4,57m (15.0’). The foregoing is in accordance with the provisions of Zoning By-Law No. 2217, Annex “B” (zone RU-16).”

CARRIED UNANIMOUSLY

120331

URBAN PLANNING – MINOR EXEMPTION – 5721 RAND – CÔTE SAINT-LUC

It was

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

AND RESOLVED:

“THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5721 Rand, Lot 1052886 be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow:

- 1) A wooden rear balcony to encroach 3,17m (10.42') into the minimum rear setback instead of the maximum permitted encroachment of 3,04m (10.0') and to be located at 2,92m (9.58') from the rear lot line instead of the minimum required distance of 3,04m (10.0'). The foregoing are in accordance with the provisions of Zoning By-Law No. 2217, art. 4-2-2 and art. 4-4-5 a); and
- 2) An existing detached single-family dwelling built in 1958 under permit No. 466 to be located at 1.94m (6.36') from the Eastern lot line instead of the minimum required distance of 1.98m (6.5'). The foregoing are in accordance with the provisions of Zoning By-Law No. 2217, Annex “B” (Zone RU-21).”

CARRIED UNANIMOUSLY

120332

URBAN PLANNING – MINOR EXEMPTION – 6514 BAILY – CÔTE SAINT-LUC

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

“THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 6514 Baily Lot 10560728 be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow:

- 1) the construction of a one storey rear extension to a semi-detached single-family dwelling to have an area exceeding 167,22 m² (1800 sq.ft.) and only one existing interior parking space instead of having to provide a minimum of two interior parking spaces when the area of a semi-detached single-family dwelling exceeds 167,22 m² (1800 sq.ft.). The foregoing is in accordance with the provisions of Zoning By-Law No. 2217, art. 7-2-1 a); and
- 2) the construction of a one storey rear extension to a semi-detached single family dwelling to be located at 0,0m (0'-0") from the mitoyen lot line instead of the minimum required distance of 1,98m (6'-6").

The foregoing is in accordance with the provision of the Zoning By-law 2217, Annex "B" (zone RU-1)."
CARRIED UNANIMOUSLY

120333

URBAN PLANNING – MINOR EXEMPTION – SINGLE FAMILY DWELLINGS IN A ROW FACING CAVENDISH BLVD. (LOT 4670115) – CÔTE SAINT-LUC

It was

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

AND RESOLVED:

"THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the Future single family dwellings in a row facing Cavendish Blvd.¹ (zone RU*-66) Lot 4670115 be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow:

- 1) the ground floor height of the single family dwellings in a row to be facing Cavendish blvd. to be 2.13m (7'-0") above the City sidewalk level instead of a maximum allowable height of 1,52m (5'-0"). The foregoing is in accordance with the provisions of Zoning By-Law 2217, art. 4-6-1 b).
- 2) the construction along the front land line facing Cavendish Boulevard of a brick decorative wall (fence) with a height of 1,52m (5'-0") above the City sidewalk level instead of a maximum allowable height of 0,91m (3'-0") above the City sidewalk level when the fence is built along the front land line or built within the first 4,57m (15'-0") from the front land line. The foregoing is in accordance with the provisions of Zoning By-Law 2217, art. 8-2."

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLOR STEVEN ERDELYI DISSENTING

120334

SUBSIDY AGREEMENT – CENTRE LOCAL DE DÉVELOPPEMENT (CLD) – CÔTE SAINT-LUC

WHEREAS the Centre Local de Développement ("CLD") Centre-Ouest/Center West is responsible for the delivery of certain programs in the Borough of Saint-Laurent, the City of Côte Saint-Luc and the Towns of Hampstead and Montreal West, such as financial support for young entrepreneurs and assistance to social economy ventures;

WHEREAS the CLD manages, among other matters, a local investment fund ("LIF");

WHEREAS, in order to increase its intervention capacities, the CLD took steps for the creation of a local solidarity fund ("LSF"), which would be called Fonds de solidarité laurentien, which, would include the participation of the Solidarity Fund of the Fédération des travailleurs du Québec ("FTQ");

¹ As well as, where applicable, facing any other street to be named later.

WHEREAS this participation of the FTQ Solidarity Fund in the establishment of the Fonds de solidarité laurentien requires a capital outlay from local sources however it is understood and agreed that no such capital outlay shall be requested from the municipalities which are invited to support this establishment, due to a contribution from the Ministère du Développement Économique, de l'Innovation et de l'Exportation ("MDEIE");

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR GLENN J. NASHEN

AND RESOLVED:

"THAT the City of Côte Saint-Luc ("City") recognizes the opportunity to create a local solidarity fund on the territory of the borough of Saint-Laurent and the municipalities of Côte Saint-Luc, Hampstead and Montreal West, within the scope of a partnership with the CLD Center West;

THAT the City approves the terms of a draft subsidy agreement ("Agreement") between the MDEIE, the City of Montreal and the CLD, under which the Minister shall pay the said City an amount of \$100,000.00, and which the latter undertakes to use for the Fonds de solidarité laurentien, in accordance with the conditions of the Agreement;

THAT the City authorizes the implementation of a partnership LIF/LSF, to be agreed upon between the CLD Center West and the Fonds de solidarité laurentien, in order to strengthen the offer of local financing and facilitate the access of entrepreneurs to these services;

THAT the City agrees to designate Mr. Marc Blanchet, Borough Director of Saint-Laurent, to sit on a shared investment committee for the territory of the borough of Saint-Laurent and the municipalities of Côte Saint-Luc, Hampstead and Montreal West."

CARRIED UNANIMOUSLY

120335

**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 agglomeration council meetings may be held in April 2012 for which members of the municipal council shall establish the stance that it wishes to take;

It was

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

AND RESOLVED

“THAT Council take the following stance in view of any Agglomeration Council meetings to be held in April 2012 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 meetings to be held in April 2012 based on the information to be presented during those meetings.”

CARRIED UNANIMOUSLY

120336

PUBLIC WORKS – SPRING BULLDOZER

WHEREAS pursuant to Tender No. C-36-11, the City of Côte Saint-Luc (“City”) invited 4 companies to tender for the rental of one (1) “Spring-time” bulldozer, with operator, to help break up the snow at the Marc Chagall dump and facilitate the melting of the snow at the end of the 2011-2012 snow season;

WHEREAS the City received 2 conforming bids;

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED

“THAT the Côte Saint-Luc City Council (“Council”) hereby awards a contract, pursuant to Invited No. Tender C-36-11, for the rental of one (1) Springtime bulldozer with operator, to be used at the end of the 2011-2012 snow season, to the lowest conforming bidder, namely, J. Richard Gauthier Inc., for the price of \$124.95/hour, up to a maximum amount of \$10,000.00 plus applicable taxes;

THAT Treasurer’s Certificate No. TC-12-0019 has been issued by the City Treasurer, attesting to the availability of funds to cover the described expenses.”

A VOTE WAS TAKEN WHICH RESULTED IN A TIE:

FOR:

COUNCILLOR ALLAN J. LEVINE
COUNCILLOR MIKE COHEN
COUNCILLOR MITCHELL BROWNSTEIN
COUNCILLOR SAM GOLDBLOOM

AGAINST:

COUNCILLOR RUTH KOVAC
COUNCILLOR STEVEN ERDELYI
COUNCILLOR GLENN J. NASHEN
COUNCILLOR DIDA BERKU

MAYOR ANTHONY HOUSEFATHER THEN VOTED IN FAVOUR OF THE RESOLUTION

THUS, THE RESOLUTION CARRIED BY THE MAJORITY OF VOTES (5-4) WITH MAYOR HOUSEFATHER EXERCISING HIS RIGHT TO VOTE, VOTING IN FAVOUR OF THE RESOLUTION AND BREAKING THE TIE

120337

PURCHASING - CANCELLATION OF TENDER C-07-12

WHEREAS the City of Côte Saint-Luc ("City") made an invited call for tender under Tender No. C-07-12 for Professional services: City Hall/Library building envelope;

WHEREAS the City did not receive any bids for the above mentioned tender;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT Tender No. C-07-12 be cancelled for all purposes at law."
CARRIED UNANIMOUSLY

120338

PUBLIC WORKS – DODGE GRAND CARAVAN (C-02-12)

WHEREAS pursuant to Tender No. C-02-12, the City of Côte Saint-Luc ("City") invited 5 companies to tender for the purchase of one equipment-customized Dodge Grand Caravan vehicle pursuant to City capital project G1 and loan By-law 2387, said By-law approved by the MAMROT on or around March 7, 2012;

WHEREAS the City received 1 conforming bid;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED

"THAT the Côte Saint-Luc City Council ("Council") hereby awards a contract pursuant to Invited No. Tender C-02-12 for the purchase of one (1) equipment-customized Dodge Grand Caravan to the lowest conforming bidder, namely, Rive-Sud Dodge Chrysler Inc., for the price of \$23,987, plus applicable taxes;

THAT a Treasurer's Certificate will be sought from the City Treasurer, as soon as practicable, after the money becomes available pursuant to By-law 2387, to attest to the availability of funds to cover the described expenses."
CARRIED UNANIMOUSLY

SECOND QUESTION PERIOD

The second question period started at 9:35 p.m. and finished at 9:39 p.m. Four (4) people asked to speak and they were heard.

1) Alex Davis

The resident sought particulars regarding the modifications to the Contract Management Policy of the City to which Mayor Housefather responded.

The resident then inquired as to whether businesses in the City must pay a fee to the CLD to which Councillor Berku responded that they do not.

2) Rhoda Albert

The resident thanked those members of Council who voted in favour of breaking up the snow at the Snow Dump.

3) David Tordjman

The resident commended Council for promoting an Anti-bullying campaign.

The resident then sought particulars regarding the 4 Snow Plough Heads which were declared as a loss to the City's insurer for which Mayor Housefather provided.

The resident then sought particulars on how various roads are chosen throughout the City to be resurfaced to which Mayor Housefather responded based on the actual needs delineated within a technical study conducted.

4) Dr. Bernard Tonchin

The resident inquired as to whether the Musicians of the World were being paid by the City of Côte Saint-Luc to which Mayor Housefather responded that they were not.

The resident sought particulars such as the date and time of the next Montreal Agglomeration Council Meeting as well as details concerning its question period for which Mayor Housefather provided.

120339

APPROVAL OF THE ADJOURNMENT OF THE MEETING

It was

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

AND RESOLVED:

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

CARRIED UNANIMOUSLY

**AT 9:39 P.M. MAYOR HOUSEFATHER DECLARED THE MEETING
ADJOURNED.**

ANTHONY HOUSEFATHER
MAYOR

JONATHAN SHECTER
CITY CLERK