MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL HELD ON MONDAY, JULY 23, 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 Sam Goldbloom, B.A.
Councillor Allan J. Levine, B.Sc., M.A., DPLI
Councillor Glenn J. Nashen

QUORUM WAS MET.

ALSO PRESENT:

Ms. Tanya Abramovitch, City Manager
Me Cheri Bell, Assistant City Clerk, acted as Secretary of the meeting

QUESTION PERIOD

There were no members of the public present and no questions arose.

120728
RATIFICATION TO INSTITUTE PROCEEDINGS AGAINST FORD AND DEMERS AND AUTHORIZATION TO SETTLE SAID PROCEEDINGS

WHEREAS the City of Côte Saint-Luc ("City") having legal jurisdiction over First Responder Services on its territory – the whole as per the law – has an Emergency Medical Services Department requiring equipment to operate;

WHEREAS in view of replacing an ambulance for its fleet, on July 8, 2011, the City sent Paul Demers & Fils Inc. ("Demers") an invitation to bid;

WHEREAS On July 21, 2011, Demers, under the name Demers Ambulance, submitted a bid to the City pursuant to the Tender;

WHEREAS On August 8, 2011, the Côte Saint-Luc City Council ("Council") adopted resolution 110817 awarding a contract to Demers in the amount of $51,273.69, plus any and all applicable taxes, totaling $58,413.55, for the purchase of a 6-wheel ambulance chassis and the transfer of the patient compartment from a damaged vehicle onto this aforementioned new chassis;

WHEREAS On November 7, 2011, the City took delivery of a 2012 Ford Econonline Model E-450 ambulance bearing license plate number FHE5270-3 and serial number IFDXE4FSXCDA09541 ("the Vehicle");

WHEREAS approximately five months after taking delivery of the Vehicle, on April 9, 2012, the driver of the Vehicle reported to the City's Public Works department's garage that the engine of the Vehicle was making noise;

WHEREAS, subsequent to reporting the matter to both Demers and Ford Motor Company of Canada ("Ford") both refused to honour the warranty on the aforementioned engine of the Vehicle;

WHEREAS on or about June 1, 2012, the City filed *in solidum proceedings* against Ford and Demers in the Quebec Superior Court ("the Proceedings") which the Council must now ratify;

WHEREAS the parties now wish to amicably resolve the Proceedings;

It was

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

AND RESOLVED:

"THAT the preamble of this resolution forms an integral part thereof as if cited hereinafter at length;

THAT Council hereby ratifies the Proceedings filed against Ford and Demers in Superior Court which bear docket number 500-17-072298-121;

THAT Council hereby approves an offer of settlement from both Defendants Ford and Demers totaling an amount of $3350 to be disbursed to the City;

THAT the Director of Claims and Litigation (attorney for Plaintiff) or either of the City's General Counsel be and are hereby authorized to sign any document necessary to give effect to the foregoing."
CARRIED UNANIMOUSLY

120729
URBAN DEVELOPMENT – PROESSIONAL SERVICES: UNDERPASS INSPECTIONS (C-18-12)

This item was deferred to a future meeting.

120730
NOTICE OF MOTION – BY-LAW 2393 TO BE ENTITLED: "BY-LAW 2393 ADOPTING A CODE OF ETHICS AND GOOD CONDUCT FOR THE EMPLOYEES OF THE CITY OF CÔTE SAINT-LUC"

Councillor Dida Berku gave Notice of Motion that By-Law 2393 to be entitled: "By-law 2393 adopting a code of ethics and good conduct for the employees of the City of Côte Saint-Luc" will be presented at a later meeting for adoption.

SECOND QUESTION PERIOD

There were no members of the public present and no questions arose.

120731
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 8:20 P.M. MAYOR HOUSEFATHER DECLARED THE MEETING ADJOURNED.

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ANTHONY HOUSEFATHER
MAYOR

_____
CHERI BELL
ASSISTANT CITY CLERK