

**MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL HELD ON
MONDAY, SEPTEMBER 29, 2014, 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
Ms. Nadia DiFuria, Associate City Manager
M^e Cheri Bell, Assistant City Clerk, acted as Secretary of the
meeting

QUESTION PERIOD

Having no residents present there were no questions asked.

140940

**URBAN DEVELOPMENT – AWARDING OF A CONTRACT FOR THE
INSTALLATION OF A BACKUP GENERATOR AT THE ACC, CONSTRUCTION
SERVICES (ENG 2014-11) (C-24-14)**

WHEREAS the City of Côte Saint-Luc (“City”) issued a public tender (C-24-14) for the installation of a backup generator at its Aquatic and Community Centre (“ACC”) and received (1) conforming bid from La Cie Britton Électrique Ltée (“Britton”);

WHEREAS the City was entitled to negotiate the price offer of Britton pursuant to the *Cities and Towns Act* and it did so;

It was

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

AND RESOLVED:

“THAT the City award a contract to Britton for the purchase and installation of a backup generator at its Aquatic and Community Centre in accordance with the terms of Tender C-24-14 at the negotiated price of \$550,000.00 plus applicable taxes;

“THAT the City moreover reserve an internal contingency amount of 10%, or \$55,000.00, plus applicable taxes, to be used, if at all, in accordance with the City’s change order procedures and delegated authority by-law;

THAT Treasurer's Certificate TC 14-0151, dated September 3, 2014, has been issued by the City Treasurer attesting to the availability of funds pursuant to By-law 2429 to cover the above-described expenses."

CARRIED UNANIMOUSLY

140941

URBAN DEVELOPMENT – AWARDING OF A CONTRACT FOR THE REPAIR OF THE CITY'S PUBLIC WORKS GARAGE/ADMINISTRATIVE BUILDING ROOF (ENG 2014-10) (C-29-14)

WHEREAS the City of Côte Saint-Luc ("City") issued a public tender (C-29-14) for the repair of the city's public works garage/administrative building and received (5) bids;

It was

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

AND RESOLVED:

"THAT the City award a contract to bidder Couvreur Verdun Roofing inc. for repair of the City's public works garage/administrative building in accordance with the terms of Tender C-29-14 at the negotiated price of \$303,157.00 plus applicable taxes;

THAT the City moreover reserve an internal contingency amount of 10%, or \$30,316.00, plus applicable taxes, to be used, if at all, in accordance with the City's change order procedures and delegated authority by-law;

THAT Treasurer's Certificate TC 14-0159, dated September 29, 2014, has been issued by the City's Treasurer attesting to the availability of funds pursuant to By-law 2435 to cover the described expenses."

CARRIED UNANIMOUSLY

140942

BY-LAW ENTITLED: "BY-LAW REPLACING THE FEE SCHEDULE FOR THE RENTAL AND/OR USE OF CITY FACILITIES AND EQUIPMENT" - ADOPTION

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT By-law entitled: "By-law replacing the fee schedule for the rental and/or use of city facilities and equipment" be and is hereby adopted and numbered 2439."

CARRIED UNANIMOUSLY

140943

**AUTHORIZATION TO SETTLE A CLAIM BY ASSURANCES GÉNÉRALES
DESJARDINS (INSURER FOR JERUSALEM GIRMA) AGAINST THE CITY OF
CÔTE SAINT-LUC**

WHEREAS On June 9, 2014 the City of Côte Saint-Luc was jointly sued along with the City of Montreal by Assurances Générales Desjardins for \$10,881.40 with additional expenses (not yet quantified) to follow;

WHEREAS the basis of the litigation was damages to an immovable due to a break in a fire hydrant line with water allegedly then entering the basement at 7119 Kildare;

WHEREAS On August 27, 2014, the proceedings were amended adding expenses (since quantified) for a total amount of \$29,333.83;

WHEREAS the City wishes to amicably resolve the Claim;

It was

MOVED BY COUNCILOR DIDA BERKU
SECONDED BY COUNCILOR MITCHELL BROWNSTEIN

AND RESOLVED:

“THAT the preamble of this resolution shall form an integral part thereof as if cited hereinafter at length;

THAT the Côte Saint-Luc City Council (“Council”) hereby authorizes the City to settle the Claim against the City by Assurances Générales pursuant to case bearing docket number 500-22-212877-149 for an amount of \$9,250.00, inclusive of capital, interest and costs the whole subject to the City of Montreal undertaking to provide its share of the settlement as well as contingent upon the signature of a quittance on terms acceptable to the City of Côte Saint-Luc;

THAT Council hereby authorizes the Director of Claims and Litigation, or either of the City’s General Counsel to sign any document giving effect to the foregoing;

THAT Treasurer’s certificate number TC14-0158 dated September 19, 2014 has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

140944

**AUTHORIZATION TO ACCEPT MONIES FROM THE CITY’S INSURER
CONCERNING DAMAGES SUSTAINED DUE TO A FLOOD**

WHEREAS it is expedient to amend resolution 140618 to reflect the materials for which the City of Côte Saint-Luc must be reimbursed pursuant to a flood which occurred on January 31, 2014;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED:

“THAT resolution 140618 shall hereinafter be amended as follows:

WHEREAS on or about January 31, 2014 at approximately 2:00 pm, a major flood occurred at the Bernard Lang Civic Centre located at 5801 Cavendish Boulevard;

WHEREAS the City of Côte Saint-Luc (“the City”) sustained several damages pursuant to this flood;

WHEREAS the City’s insurer, FM Global, wishes to disburse the monies owed to various suppliers and contractors pursuant to the expenses incurred necessary to remedy damages pursuant to said flood;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT the Côte Saint-Luc City Council (“Council”) hereby authorizes the City to enter into a settlement with its insurer, FM Global, so that said insurer can disburse the following amounts:

- a) \$38,860.45 payable to Strone;
- b) \$9,661.22 payable to Qualinet; and
- c) \$1,991.25 payable to Viking;

THAT Council further approves the balance payable to the remaining suppliers by the City of Côte Saint-Luc being its recoverable portion of its GST and QST;

THAT pursuant to damages sustained to its floor located within the Harold Greenspon Auditorium, Council hereby authorizes the City to accept an amount of \$14,000.00 in full and final settlement as well as \$3369.97 in labour incurred and materials used pursuant to the said flood

THAT Council further authorizes the City to pay its insurer, FM Global, its \$10,000.00 deductible, the whole pursuant to the terms and conditions of its insurance contract;

THAT Council further reserves the City’s rights to make any other claim the Director of Legal Services deems expedient;

THAT Council further authorizes the Director of Legal Services or either of its General Counsel to:

- Coordinate the payment logistics as they deem necessary; and
- Sign any document to give effect to the foregoing.”

CARRIED UNANIMOUSLY

CARRIED UNANIMOUSLY

140945

APPROVAL OF THE ADJOURNMENT OF THE MEETING

It was

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

AND RESOLVED:

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

CARRIED UNANIMOUSLY

**AT 8:05 P.M. MAYOR HOUSEFATHER DECLARED THE MEETING
ADJOURNED.**

ANTHONY HOUSEFATHER
MAYOR

CHERI BELL
ASSISTANT CITY CLERK