

**MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON
MONDAY, DECEMBER 14, 2015, AT 5801 CAVENDISH BOULEVARD,
CÔTE SAINT-LUC, AT 8:00 P.M.**

PRESENT:

Acting Mayor, Councillor Glenn J. Nashen 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

ALSO PRESENT:

Ms. Nadia DiFuria, Interim City Manager
M^e Jonathan Shecter, Interim Associate City Manager and City
Clerk, acted as Secretary of the meeting

QUESTION PERIOD

Prior to the commencement of Question Period, Acting Mayor Nashen officially welcomed to the Meeting, the current Member of Parliament for the Mount Royal Riding (and former Côte Saint-Luc Mayor), Anthony Housefather.

The question period started at approximately 8:10 p.m. and finished at 8:34 p.m. Six (6) people asked to speak and they were heard.

1) David Tordjman

The resident inquired as to when the upcoming by-election would be held to which Acting Mayor Nashen responded April 10, 2016. The questioner then inquired – assuming a current member of council were to resign – as to whether by-elections would be concurrent or consecutive. Acting Mayor Nashen responded that the City would recommend to the Election Returning officer – in that hypothesis – to attempt, on a best efforts basis, to make the elections concurrent.

2) Mr. Bernard Praw

The questioner went on record as thanking everyone who supported his candidacy as a School Board Commissioner in consideration of his most recent victory. The questioner then requested that the resolution concerning school board elections on tonight's Regular Council Meeting agenda be disseminated to other municipalities to which Acting Mayor Nashen responded in the affirmative.

3) Jonathan Kerr

The questioner requested that Council approve advertising a charity event he is planning on the City's electronic billboard as well as posting the event up on the City's calendar to which Acting Mayor Nashen responded that the questioner should make his request, in writing, and send it to the attention of the interim City Manager, Ms. Nadia Di Furia.

4) Andee Shuster

The resident described a *large festive procession parading throughout the streets of Côte Saint-Luc* and inquired as to whether having 30 vehicles in a procession was environmentally-friendly. She further inquired as to whether the said procession could have been better timed as it occurred at an hour when many small children were sleeping. She further inquired as to whether residents affected by parades and/or processions could be properly notified in advance.

Acting Mayor Nashen responded that the matter was not one organized by the City of Côte Saint-Luc, that it has been taking place for many years, that it was authorized and secured by the SPVM, that the parade lasted a short duration and that the parade route itself was not chosen by the City. Acting Mayor Nashen then added that the City does not usually communicate parade routes to its residents as it does not usually host parades. The resident then inquired as to whether the City could attempt, in future, to communicate parade routes to its residents in advance to which Acting Mayor Nashen responded in the affirmative.

5) Sonia Cohen Peillon

The resident called upon the City – for economic reasons – to have concurrent by-elections in the event that a member of council chooses to run for mayor and then resign to which Acting Mayor Nashen responded that the City would recommend to its Elections Returning Officer to try to run the by-elections concurrently in the event that such a hypothesis would occur. The resident then requested further particulars regarding the resolution on tonight's agenda concerning school board elections to which Councillor Brownstein stated that when the resolution is being proposed, he would then further explain its particulars. The resident then called upon the City to re-think its resolution as, in her view, there are far more effective ways to defend Anglophones.

6) Mitch Kujavsky

The resident wished to go on record as congratulating Bernard Praw for his School Board election victory as Commissioner. The resident then went on record as being hopeful that the Côte Saint-Luc City Council would take a strong stance on Bill 86 which what he described as *loosely called a bill*.

151208

**CONFIRMATION OF THE MINUTES OF THE REGULAR MEETING OF
COUNCIL DATED NOVEMBER 9, 2015 AT 8:00 P.M.**

It was

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

AND RESOLVED:

“THAT the Minutes of the Regular Meeting of Council dated November 9, 2015 at 8:00 p.m. be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

151209

**CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF COUNCIL
DATED NOVEMBER 16, 2015 AT 6:00 P.M.**

It was

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

AND RESOLVED:

“THAT the Minutes of the Special Meeting of Council dated November 16, 2015 at 6:00 p.m. be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

151210

**CONFIRMATION OF THE MINUTES OF THE SPECIAL MEETING OF COUNCIL
DATED DECEMBER 7, 2015 AT 7:00 P.M.**

It was

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

AND RESOLVED:

“THAT the Minutes of the Special Meeting of Council dated December 7, 2015 at 7:00 p.m. be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

151211

MONTHLY DEPARTMENTAL REPORTS FOR NOVEMBER 2015

It was

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

AND RESOLVED:

“THAT the monthly departmental reports submitted for November, 2015 be and are hereby approved as submitted.”
CARRIED UNANIMOUSLY

151212

**TABLING OF A LETTER FROM THE MAMOT GRANTING AN EXTENSION FOR
A BY-ELECTION DATE**

The City Clerk confirmed that a letter from MAMOT granting an extension for a by-election date (being April 10, 2016) was tabled at tonight’s council meeting.

151213

**RESOLUTION TO WAIVE THE READING OF BY-LAW 2456 TO BE ENTITLED:
“BY-LAW 2456 CONCERNING TAXES AND TARIFFS OF THE CITY OF
CÔTE SAINT-LUC FOR THE FISCAL YEAR 2016”**

WHEREAS, the above captioned by-law was given to members of Council on Thursday, December 10, 2015;

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

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

“THAT the Council of the City of Côte Saint-Luc unanimously waives the reading of By-Law 2456 to be entitled: *“By-law 2456 concerning taxes and tariffs of the City of Côte Saint-Luc for the fiscal year 2016”* when it will be presented for adoption tonight, the whole in accordance with the law.”

CARRIED UNANIMOUSLY

151214

BY-LAW ENTITLED: “BY-LAW 2456 CONCERNING TAXES AND TARIFFS OF THE CITY OF CÔTE SAINT-LUC FOR THE FISCAL YEAR 2016” - ADOPTION

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

“THAT By-law entitled: *“By-law 2456 concerning taxes and tariffs of the City of Côte Saint-Luc for the fiscal year 2016”* be and is hereby adopted and numbered 2456.”

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLOR ALLAN J. LEVINE DISSENTING

151215

RESOLUTION TO APPROVE THE DISBURSEMENTS FOR THE PERIOD OF NOVEMBER 1, 2015 TO NOVEMBER 30, 2015

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

“THAT the Côte Saint-Luc City Council approves the attached list of disbursements for the period of November 1, 2015 to November 30, 2015 for a total amount of \$3,272,835.43 in Canadian Funds;

THAT Treasurer’s certificate No.15-0202 dated December 10, 2015 has been issued by the City Treasurer attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

151216

HUMAN RESOURCES – PURCHASE OF ONE (1) FIXED LADDER TO REPLACE THE LADDER LEADING TO THE COOLING TOWER AT CITY HALL

WHEREAS in order to comply with the Regulations respecting occupational health and safety, the City of Côte Saint-Luc (the "City") must replace the fixed ladder leading to the cooling tower of the City Hall;

WHEREAS the City requested quotations from two (2) suppliers and received one conforming quotation from Fibergrate Composite Structures;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT the Côte Saint-Luc City Council (the "Council") approves the purchase of one (1) fixed ladder from Fibergrate Composite Structures for the amount of \$9,375.00, plus applicable taxes;

THAT Council approves the borrowing of the abovementioned amount pursuant to a noninterest-bearing loan from the City's working fund for this expenditure;

THAT the Council shall provide, every year, out of its general fund, a sum sufficient to repay the loan back into the working fund;

THAT the terms of repayment shall not exceed five (5) years;

THAT Treasurer's Certificate No. 15-0198 has been issued by the City Treasurer on November 30, 2015 attesting to the availability of funds to cover the above-described expenses."

CARRIED UNANIMOUSLY

COUNCILLOR MITCHELL BROWNSTEIN LEFT THE ROOM

151217

**HUMAN RESOURCES – PARKS AND RECREATION DEPARTMENT - HIRING
OF WHITE COLLAR PART-TIME EMPLOYEES**

It was

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

AND RESOLVED:

"THAT the Côte Saint-Luc City Council approves the hiring of the White Collar part-time employee whose name is listed on the document entitled "Part-Time Employees – White Collars - Hiring", dated December 4, 2015 and that said employee's term of employment will be as per the conditions of the collective agreement;

THAT Treasurer's certificate number 15-0200 dated December 7, 2015 has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses."

CARRIED UNANIMOUSLY

COUNCILLOR MITCHELL BROWNSTEIN RETURNED TO THE ROOM

151218

**RESOLUTION AUTHORIZING PAYMENT OF THE REQUIRED RETROACTIVE
EMPLOYER CONTRIBUTION TO THE CÔTE SAINT-LUC PENSION PLAN
FOLLOWING THE REVISED ACTUARIAL EVALUATION AT
DECEMBER 31, 2013**

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT the Côte Saint-Luc City Council hereby authorizes payment for an amount of \$113,879.76 of the required retroactive employer contribution to the Côte Saint-Luc pension plan following the revised actuarial evaluation as at December 31, 2013;

THAT Treasurer's certificate number 15-0197 dated November 30, 2015 has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses."

CARRIED UNANIMOUSLY

151219

**LEGAL/CSST – WORKING FUND APPROPRIATION FOR AMIANTEX
CONSULTING FEES**

WHEREAS in compliance with Art. 69.3 of the *Règlement modifiant le Règlement sur la santé et la sécurité du travail et le Code de sécurité pour les travaux de construction* (the "Regulation") regarding the safe management of asbestos, an inspection was conducted, and a report issued, by Amiantex for each City facility built prior to the dates mentioned in the Regulation (encompassing the City Hall and Library building, the Parks and Recreation building, the Arena, and the Fire Station building), to locate flocking containing asbestos and heat insulating material containing asbestos;

WHEREAS Art. 69.9 of the Regulation requires the appropriate corrective measures to be taken where it is determined that such flocking and/or heat insulating materials are liable to produce asbestos dust emissions;

WHEREAS the reports of Amiantex indicated certain locations where immediate/prompt and necessary preventive actions must be taken to vacuum or otherwise remove/contain asbestos dust emissions (pending the execution of the full corrective measures recommended in the Amiantex reports based on Art. 69.9 of the Regulations, to start in 2016 in accordance with the contracting and tender requirements of the *Cities and Towns Act*);

WHEREAS in order to carry out those immediate/prompt and necessary preventive measures as soon as possible, it was determined by the Acting City Manager and the City's General Counsel acting on the recommendations of the Amiantex reports, to be in the City's best interests to engage Amiantex as a consultant on a *de gré à gré* basis for a fee of \$11,935, plus applicable taxes (pursuant to the Amiantex revised service offer #15-1050 dated December 9, 2015, thereafter approved by the Acting Mayor as an emergency expenditure on or around December 10th, 2015) to prepare the specifications needed to hire and supervise a contractor to carry out this work;

WHEREAS it is in the best interests of the City of Côte Saint-Luc ("City") to finance this expenditure via a loan (to itself) made from an appropriation from the City's Working Fund account;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT the Preamble hereto shall form an integral part hereof as if recited at length;

THAT the recommendations for the immediate/prompt and necessary preventive actions (pending the full corrective measures to be implemented) contained in the Amiantex reports concerning certain locations in certain City facilities are hereby acknowledged and approved;

THAT the Côte Saint-Luc City Council ("Council") hereby ratifies the emergency expenditure approved by Acting Mayor Nashen in the amount of \$11,935.00, plus applicable taxes, in favour of its consultant Amiantex pursuant to its (revised) service offer #15-1050 dated December 9, 2015;

THAT Council hereby approves the borrowing of the amount of \$11,935.00, plus applicable taxes, from the City's Working Fund;

THAT the Council shall provide, every year, out of its general fund, a sum sufficient to repay the loan back into the Working Fund;

THAT the terms of repayment shall not exceed five (5) years;

THAT Treasurer's Certificate TC 15-0203 has been issued by the City Treasurer on December 11, 2015 attesting to the availability of funds to cover the above-described expenses."

CARRIED UNANIMOUSLY

151220

**RESOLUTION TO RECEIVE THE STATEMENT OF PECUNIARY INTERESTS
OF COUNCILLOR SAM GOLDBLOOM**

Councillor Sam Goldbloom deposited his statement of pecuniary interests at tonight's council meeting.

WHEREAS, in accordance with the stipulations of an *Act respecting Elections and Referendums in Municipalities*, each Member of a Municipal Council must make a written financial declaration of his/her interests, within sixty (60) days of his/her election or the anniversary thereof;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

"THAT the Council of the City of Côte Saint-Luc officially declare that the statement of pecuniary interests has been received from Councillor Sam

Goldbloom, and instructs the City Clerk to deposit same in the Archives of the City as well as to send the official list of those who filed their declaration to the Minister of Municipal Affairs and Land Occupancy.”

CARRIED UNANIMOUSLY

151221

APPOINTMENT OF COUNCILLOR DIDA BERKU AS ACTING MAYOR OF THE CITY OF CÔTE SAINT-LUC – JANUARY 1, 2016 UP TO AND UNTIL MARCH 31, 2016

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT Councillor Dida Berku is and shall be named Acting Mayor of the City of Côte Saint-Luc, effective January 1, 2016 up to and until March 31, 2016 inclusively, and further that the aforementioned Councillor Berku 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

151222

TABLING OF REGISTER PURSUANT TO BY-LAW 2424 RE-ADOPTING BY-LAW 2352 ENTITLED: BY-LAW 2352 ADOPTING A CODE OF ETHICS AND GOOD CONDUCT FOR THE ELECTED MUNICIPAL OFFICERS OF THE CITY OF CÔTE SAINT-LUC

The City Clerk tabled a Register entitled: Public Register – Disclosure Statements - “By-law 2424 re-adopting By-law 2352 entitled: By-law 2352 adopting a code of ethics and good conduct for the elected municipal officers of the City of Côte Saint-Luc” and annexed to the Minutes as Annex A.

151223

NOTICE OF MOTION – BY-LAW 2398-1 TO BE ENTITLED: “BY-LAW 2398-1 AMENDING BY-LAW 2398 TO REGULATE PARKING AND PUBLIC SAFETY IN ORDER TO UPDATE THE ANNEX CONTAINING VARIOUS ROAD SIGNAGE AND PARKING”

Councillor Sam Goldbloom gave Notice of Motion that By-Law 2398-1 to be entitled: “By-law 2398-1 amending by-law 2398 to regulate parking and public safety in order to update the annex containing various road signage and parking” will be presented at a later meeting for adoption.

151224

LEGAL – AMENDMENT OF THE RESOLUTION ADOPTED AT THE COUNCIL MEETING OF NOVEMBER 9, 2015 REGARDING THE APPROVAL OF A CHANGE ORDER FOR THE REDEVELOPMENT OF NATHAN SHUSTER PARK AND RICHARD SCHWARTZ PARK, CONTRACTOR SERVICES; TENDER C-20-13 (ENG PROJECT 2013-08)

WHEREAS at its meeting from November 9, 2015 the City Council adopted a resolution regarding the approval of a change order for the redevelopment of Nathan

Shuster park and Richard Schwartz park, contractor services; tender C-20-13 (Eng project 2013-08);

WHEREAS the City Council wishes to adopt an amendment to the aforementioned resolution in order to clarify the source of financing of the change order, in conformity with original resolution no. 131019 from October 1, 2013 approving the awarding of the contract;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR MITCHELL BROWNSTEIN

AND RESOLVED:

“THAT the City Council hereby amends the aforementioned resolution so that the following paragraph:

“THAT the described expenses be financed *from the contingency fund set aside by internal purchase order in relation to this Tender.*”

be replaced by:

“THAT the described expenses be financed *and appropriated from the unrestricted surplus account in accordance with the TC-13-0157*”;

THAT Treasurer’s Certificate No. TC-15-0194 dated November 20, 2015 has been issued by the City Treasurer, attesting to the availability of funds to cover the above-described expenses.”

CARRIED UNANIMOUSLY

151225

RESOLUTION OPPOSING BILL 86 AND CALLING UPON THE NATIONAL ASSEMBLY TO MAINTAIN SCHOOL BOARD ELECTIONS, AND PARTICULARLY FOR THE ENGLISH-LANGUAGE COMMUNITY

WHEREAS, the Minister of Education, Higher Education and Research has recently introduced Bill 86 entitled *An Act to modify the organization and governance of school boards to give schools a greater say in decision-making and ensure parents’ presence within each school board’s decision-making body, before the Quebec National Assembly*;

WHEREAS the adoption of Bill 86 would eliminate school board elections by universal suffrage and the right to elect school board commissioners is a basic right of taxpayers as all taxpayers pay to fund school boards, not just parents;

Whereas Bill 86 has been proposed without adequate study of all of the issues and impacts, and without consultation with the affected communities;

WHEREAS as with all democratically-protected elections, school board elections represent not merely a democratic means of self-governance, but a democratic value and aim in themselves worthy of protection;

WHEREAS the law is flawed as relates to both the French and English school boards but with respect to the English school board the law flies in the face of the constitutional protections that are designed to protect Quebec’s English speaking minority;

WHEREAS, among other things, Section 23 of the *Canadian Charter of Rights and Freedoms* has been interpreted to include the right of Quebec's English speaking community to the control, management and governance of its educational institutions;

WHEREAS Bill 86 tramples the democratic right and freedom of the minority English-language community in Quebec regarding the control, management and governance of its own school boards;

WHEREAS Bill 86 tramples the democratic right and freedom of all members of Quebec's English speaking community to elect its own representatives who control, manage and govern its school boards; and

WHEREAS voting on Bill 86 will be a decision of the National Assembly where the English speaking minority represents only a small minority of elected MNAs and as such the French speaking majority members will be making fundamental decisions related to constitutionally protected English school boards against the will of the elected commissioners;

WHEREAS the council of the City of Côte Saint-Luc wishes to indicate to the members of the National Assembly and in particular the Member of the National Assembly for D'Arcy McGee and the Minister of Education, Higher Education and Research that it opposes Bill 86;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

"THAT the Preamble hereto shall form an integral part hereof as if recited at length;

THAT the City Council of the City of CSL "City Council" hereby votes to record its opposition to Bill 86 entitled *An Act to modify the organization and governance of school boards to give schools a greater say in decision-making and ensure parents' presence within each school board's decision-making body*;

THAT the City Council hereby votes to support the democratic right and freedom of the both English and French speaking electors to elect their own school board commissioners and in particular notes that it believes Bill 86 is in violation of the constitutional rights of the minority English-language community in Quebec to control, manage and govern its own schools;

THAT the City Council hereby votes to record its support of school board commissioners being elected by universal suffrage for a fixed term, contrary to the government proposal of a school board council of 16 people which would see possible online voting for only six of those positions if triggered by 15 percent of the parent population;

THAT the City Council requests the Member for D'Arcy McGee to vote against Bill 86 if it comes to a vote in the National Assembly;

THAT this resolution be sent to all municipalities in Quebec, urging them to adopt a similar stance;

THAT a copy of this resolution be sent to the Minister of Education, Higher Education and Research and the Member of the National Assembly for D'Arcy

McGee, the Premier of Quebec, the Member of Parliament for Mount Royal and the Canadian Minister of Heritage.”

CARRIED UNANIMOUSLY

151226

RESOLUTION TO REQUEST THE ROYAL CANADIAN MINT AND THE BANK OF CANADA TO FEATURE CANADIAN WOMEN ON CANADIAN BANK NOTES AND COINS

WHEREAS the symbols of a nation should reflect to the world the values that are dear to its citizens;

WHEREAS gender equality is a fundamental Canadian value recognized in the Canadian Charter of Rights and Freedoms and the Quebec Charter of Rights and Freedoms;

WHEREAS women have contributed to all spheres of Canadian life, including the building and enrichment of the economic, political, social and cultural foundations of the country;

WHEREAS despite these significant contributions, women's personalities are practically absent on the Canadian bank notes and coins, with the exception of Queen Elizabeth II;

WHEREAS in 2004, the Bank of Canada put into circulation a \$50 bill that featured images of the Alberta women known as the Famous 5, as well as the renowned activist Thérèse Casgrain, but this bill was replaced in 2011 with a bank note representing the former Canadian Prime Minister W.L. Mackenzie King;

WHEREAS countries around the world celebrate female historical figures on their bills;

It was

MOVED BY COUNCILLOR MITCHELL BROWNSTEIN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

"THAT the Côte Saint-Luc City Council requests that the Royal Canadian Mint and the Bank of Canada feature Canadian women on Canadian bank notes and coins in order to proudly reflect the important and valued contributions of Canadian women in our society;

THAT a copy of the present resolution be sent to: the UMQ, the FCM and all Agglomeration cities, as well as Marvin Rotrand.”

CARRIED UNANIMOUSLY

151227

NOTICE OF MOTION – BY-LAW 2457 TO BE ENTITLED: “BY-LAW 2457 CREATING THE FEE SCHEDULE FOR CULTURAL, SPORTS AND LEISURE ACTIVITIES FOR THE SPRING AND SUMMER OF 2016”

Councillor Mitchell Brownstein gave Notice of Motion that By-Law 2457 to be entitled: “By-law 2457 creating the fee schedule for cultural, sports and leisure activities for the spring and summer of 2016” will be presented at a later meeting for adoption.

151228

**RESOLUTION TO WAIVE THE READING OF BY-LAW 2457 TO BE ENTITLED:
“BY-LAW 2457 CREATING THE FEE SCHEDULE FOR CULTURAL, SPORTS
AND LEISURE ACTIVITIES FOR THE SPRING AND SUMMER OF 2016”**

WHEREAS, the above captioned by-law was given to members of Council on Friday, December 11, 2015;

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

It was

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

AND RESOLVED:

“THAT the Council of the City of Côte Saint-Luc unanimously waives the reading of By-Law 2457 to be entitled: “By-law 2457 creating the fee schedule for cultural, sports and leisure activities for the spring and summer of 2016” when it will be presented for adoption, the whole in accordance with the law.”

CARRIED UNANIMOUSLY

151229

**PUBLIC SAFETY – RESOLUTION TO END THE PARTICIPATION IN THE
ECOM NETWORK AND TO WITHDRAW FROM THE AGREEMENT WITH BELL
MOBILITY RADIO**

WHEREAS the City of Côte Saint-Luc (“City”), City of Westmount, Town of Mount-Royal, Town of Hampstead, Borough of Saint-Laurent and Borough of Outremont form a mutual aid group that manages a radio communication system called *Entraide centre-ouest de Montréal* (“ECOM”);

WHEREAS the City of Montreal, former Borough of Côte Saint-Luc/ Hampstead/ Montreal West, awarded a contract to Bell Mobility Radio (#CM030499), pursuant to a joint public call for tenders (#P-03-02-853) to provide radio communication services within ECOM;

WHEREAS the City has migrated to a new radio-communication system under resolution #150420 dated April 13, 2015, namely *Système évolué de radiocommunication de l’agglomération de Montréal* (“SERAM”);

It was

MOVED BY COUNCILLOR SAM GOLDBLOOM
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the Côte Saint-Luc City Council authorizes the termination of the City’s participation in the ECOM network;

THAT the City Council authorizes to withdraw from the service contract between the City of Montreal and Bell Mobility Radio #CM030499 and to stop issuing payments for the aforementioned services, the whole effective December 31, 2015;

THAT a copy of the present resolution be sent to the: City of Montreal, City of Westmount, Town of Mount-Royal, Town of Hampstead, Borough of Saint-Laurent and Borough of Outremont;

THAT the City asks the Borough of Saint-Laurent to forward a copy of this resolution to Bell Mobility Radio.”

CARRIED UNANIMOUSLY

151230

PUBLIC WORKS – PURCHASE OF ONE (1) SALT BOX

WHEREAS the City of Côte Saint-Luc (“City”) issued a public call for tender (City file C-48-15) for the purchase of one Salt Box for the Department of Public Works;

WHEREAS the City received one (1) conforming bid which was technically conforming;

WHEREAS the only and lowest conforming bid was that of Tenco Inc.;

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR RUTH KOVAC

AND RESOLVED:

“THAT the City Council hereby approves the purchase from Tenco Inc. of one (1) all-new Salt Box of the model type and year indicated in the City Tender C-48-15 and the aforementioned bid, for the all-inclusive price of \$59,000.00, plus applicable taxes, the whole in accordance with the terms and conditions of City Tender C-48-15;

THAT the described expenses shall be financed from loan By-law 2448 previously approved by the *Ministère des Affaires municipales et Occupation du territoire*;

THAT Treasurer’s Certificate No. 15-0201 has been issued by the City Treasurer on December 8, 2015 attesting to the availability of funds to cover the above-described expenses.”

CARRIED BY THE MAJORITY OF VOTES WITH COUNCILLOR ALLAN J. LEVINE DISSENTING

151231

LEGAL/URBAN DEVELOPMENT – APPROVAL OF AN AGREEMENT OF OFFER TO PURCHASE, DE GRÉ À GRÉ, OF A VACANT MUNICIPAL LOT ON MARC CHAGALL, CORNER KILDARE (LOT # 5364724)

WHEREAS the City of Côte Saint-Luc (“City”), being desirous of selling a vacant municipal lot that is zoned “commercial” and situated on Marc Chagall Avenue corner Kildare Road, cadastrated as Lot # 5364724 in the cadastral registry of Quebec, issued a public Request for Proposals under RFP file number S-1-13, published on SEAO on July 12, 2013 and in the newspaper, providing for a bid-closing date of November 15, 2013, and received no bids;

WHEREAS after having recently received a spontaneous offer to purchase this Lot containing a short time frame to accept this offer, the City decided to again advertise this Lot for sale, this time on a *de gré à gré* basis, by posting a “For Sale” sign on this Lot and by publishing (2) English Ad insertions in *The Gazette* and (2)

French Ad insertions in *La Presse* giving an approximate two-week (additional) bidding period that closed on November 30, 2015 at 4:00 pm;

WHEREAS the City received one (1) non-conforming offer, and three (3) conforming offers, on *de gré à gré* terms, to purchase this Lot, all of which place the onus of conducting due diligence on the offeror and provide for a suspensive condition for the offeror to be satisfied with its due diligence results;

WHEREAS it is in the best interests of the City to accept the highest of such conforming offers, from ROYAL RÉAL-TIES INVESTMENTS QUÉBEC INC. (NEQ # 1169350452) as Nominee, for the price of \$326,000;

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

“THAT the Preamble hereto shall form an integral part hereof as if recited at length;

THAT the City of Côte Saint-Luc (“City”) hereby accepts the Offer of Purchase Agreement (“Agreement”) effective November 30, 2015, from ROYAL RÉAL-TIES INVESTMENTS QUÉBEC INC. as Nominee (“Purchaser”) for the City-owned vacant lot bearing cadastral #5364724 published in the cadastral registry of Quebec, which is zoned “commercial” and which has an approximate *superficie* of 13,000 square feet, located on Marc Chagall Avenue, corner Kildare Road (being adjacent to the municipal snow dump), for a total price of \$326,000.00 (“Price”), plus applicable GST and QST, the whole in accordance with the aforementioned Agreement incorporated herein by this reference;

THAT the aforementioned sale and Agreement is being made on an as-is/where-is basis without any warranties whatsoever (whether express, implied, statutory, legal or contractual) on the part of the City as Vendor;

THAT the aforementioned sale and Agreement is however subject to a suspensive condition of an Approval Period in favour of the Purchaser during which the Purchaser must carry out its due diligence, which Approval Period expires on January 29, 2016 at 4:00 pm.;

THAT a non-refundable deposit of \$25,000 shall become due and payable to the City as Vendor immediately after the expiry of the Approval Period in the event that the Purchaser acting reasonably has not given the City an accepted Notice of Withdrawal before the expiry of the Approval Period (making this Agreement unconditional and binding);

THAT provided this Agreement becomes unconditional and binding, the closing of the Deed of Sale shall take place on or before March 31, 2016 at 4:00 pm;

THAT the Côte Saint-Luc City Council hereby authorizes any one of the City’s General Counsel to countersign this Agreement, and negotiate and execute on the City’s behalf, a document whose terms shall be incorporated within a notarial Deed of Sale;

THAT the City Clerk and/or any one of its General Counsel shall also be further authorized to sign any other document required or appropriate in order to give effect hereto.”

CARRIED UNANIMOUSLY

151232

**RESOLUTION TO ADOPT BUILDING BY-LAW NO. 2088-8 TO BE ENTITLED:
"BY-LAW TO AMEND CONSOLIDATED BUILDING BYLAW NO. 2088 OF THE
CITY OF CÔTE SAINT-LUC TO INTRODUCE PILE DRIVING RESTRICTIONS
AND A NEW REQUIREMENT FOR TRI-SORTER WASTE CHUTES IN NEW
MULTIFAMILY BUILDINGS"**

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT in conformity with *"An Act respecting Land Use and Development"*, the Council of the City of Côte Saint-Luc hereby adopts By-Law No. 2088-8 to be entitled: "By-law to amend consolidated Building By-law No. 2088 of the City of Côte Saint-Luc to introduce pile driving restrictions and a new requirement for tri-sorter waste chutes in new multifamily buildings."

CARRIED UNANIMOUSLY

151233

ADOPTION OF 2016 ACTION PLAN FOR THE DISABLED

WHEREAS the provincial government, through Law 56, requires municipalities with greater than 15,000 residents to adopt an action plan for the disabled, outlining the steps that are to be taken to ensure the complete integration of residents, visitors and employees with physical and/or mental disabilities;

WHEREAS the City of Côte Saint-Luc ("the City") puts great emphasis on ensuring the accessibility of City services to its residents, visitors and employees;

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT The Côte Saint-Luc City Council ("Council") hereby adopts the 2016 Action Plan for the Disabled Update ("Plan") said Plan, dated December 2015 and comprising 31 pages;

THAT Council hereby requests that said Action Plan be made available to any resident, visitor or employee who wishes to consult said Plan or obtain a copy thereof;

THAT Council hereby requests that, in addition, a copy of said Plan be deposited for consultation in the City's archives and at the Eleanor London Côte Saint-Luc Public Library."

CARRIED UNANIMOUSLY

151234

**REQUEST TO THE MAMOT AN EXTENSION TO COMPLETE THE
CONCORDANCE OF THE CITY'S URBAN PLANNING BY-LAWS WITH THE
MONTRÉAL URBAN AGGLOMERATION LAND USE AND DEVELOPMENT
PLAN**

WHEREAS the objectives of the Government of Quebec in terms of planning and development are included in the Metropolitan Land Use and Development Plan (PMAD) of the *Communauté métropolitaine de Montréal* in force since March 12, 2012;

WHEREAS following the coming into force of the PMAD, the Agglomeration of Montreal had to proceed with the revision of its Land Use Planning and Development Plan (Development Plan) so as to comply with the provisions of the PMAD;

WHEREAS the Development Plan came into force on April 1, 2015;

WHEREAS the municipalities of the Agglomeration of Montreal must adopt their concordance by-laws within six (6) months of the coming into force of the Development Plan; and

WHEREAS the City of Côte Saint-Luc requests that the Minister of Municipal Affairs and Land Occupancy approve an extension, under section 239 of an *Act respecting Land Use Planning and Development* in order to complete its concordance by-laws no later than April 1, 2016 instead of October 1, 2015:

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

“THAT Council authorizes either the Interim Associate City Manager and Director of Legal Services and City Clerk OR the Urban Planning Manager to submit to the Minister of Municipal Affairs and Land Occupancy a request to extend the October 1, 2015 deadline to April 1, 2016, under section 239 of an *Act respecting Land Use Planning and Development* in order to complete its concordance by-laws between the Montréal Urban Agglomeration Land Use and Development Plan and the Master plan and Urban planning by-laws of the City of Côte Saint-Luc.”

CARRIED UNANIMOUSLY

151235

**RESOLUTION TO APPOINT MEMBERS OF THE PLANNING ADVISORY
COMMITTEE (PAC) FOR THE YEARS 2016 AND 2017**

WHEREAS article 3 of By-law 2233 entitled, “By-law concerning the Planning Advisory Committee” states the municipal council must appoint by resolution the members of the Planning Advisory Committee;

WHEREAS article 4 of said By-law states the municipal council must appoint no more than three substitute members to the Planning Advisory Committee;

It was

MOVED BY COUNCILLOR STEVEN ERDELYI
SECONDED BY COUNCILLOR DIDA BERKU

AND RESOLVED:

“THAT Councillor Ruth Kovac be appointed as chairperson of the Planning Advisory Committee for the 2016 and 2017 calendar years;

THAT the following additional individuals be and are hereby appointed as members of the Planning Advisory Committee of the City of Côte Saint-Luc for the 2016 and 2017 calendar years:

Municipal Councillors:

- Councillor Sam Goldbloom
- Councillor Allan J. Levine

Residents:

- Mr. A. Earl Kimmel
- Mr. Barry Jaslovitz, architect
- Mrs. Laura Azoulay, architect
- Mr. Lionel Dadoun, engineer.”

CARRIED UNANIMOUSLY

151236

**URBAN PLANNING – MINOR EXEMPTION – 5520-5522 EARLE –
CÔTE SAINT-LUC**

It was

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

AND RESOLVED:

“THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5520-5522 Earle, Lot 1054242, be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow, for an existing Two-Family, semi-detached dwelling built in 1962 under permit no. 1801, to be located at 3,66m (12.0') from the front land line instead of the minimum required front setback of 4,57m (15.0'). The foregoing is in accordance with the provisions of Zoning By-law 2217, Annex “B” (zone RB-3).”

CARRIED UNANIMOUSLY

151237

**URBAN PLANNING – MINOR EXEMPTION – 5758-5760 MAPLERIDGE –
CÔTE SAINT-LUC**

It was

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

AND RESOLVED:

“THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5758-5760 Mapleridge, Lot

1053629, be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow, for an existing, Two-Family, semi-detached, dwelling built in 1967 under permit no. 2664 to be located at 4,49m (14.73') from the front land line instead of the minimum required front setback of 6,09m (20.0') and 3,93m (12.89') from the North-East side land line instead of the minimum required side setback of 3,96m (13.0'). The foregoing is in accordance with the provisions of Zoning By-law 2217, Annex "B" (zone RB-14)."

CARRIED UNANIMOUSLY

151238

**URBAN PLANNING – MINOR EXEMPTION – 5768 WOLSELEY –
CÔTE SAINT-LUC**

It was

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

AND RESOLVED:

"THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 5768 Wolseley, Lot 1052416, be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow:

- a) for an existing, single-family, detached dwelling built in 1958 under permit no. 542 to be located at 5,93m (19.45') from the rear land line instead of the minimum required rear setback of 6,06m (19.88'). The foregoing is in accordance with the provisions of Zoning By-law 2217, Annex "B" (zone RU-42); and
- b) the construction of a rear wooden balcony to be located at 2,13m (7.0') from the rear land line instead of the minimum required distance of 3,05m (10.0') from the rear land line. The foregoing is in accordance with the provisions of Zoning By-law 2217, article 4-4-5a."

CARRIED UNANIMOUSLY

151239

**URBAN PLANNING – MINOR EXEMPTION – 6822 KILDARE –
CÔTE SAINT-LUC**

It was

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

AND RESOLVED:

"THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 6822 Kildare, Lot 1561337, be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow for an existing, single-family, detached dwelling:

- a) to have a patio located in the rear and side yards of the main building instead of being located only in the rear yard of the main building;

and also located at 0,15m (6 in.) from the rear and side land lines instead of the minimum required distance of 0,91m (3.0') from the rear or the side land line when adjacent to an underground swimming pool (the pool is located more than 1,83m (6.0') away from the rear and the side land lines). The foregoing are in accordance with the provisions of Zoning By-law 2217, article 4-4-5c; and

- b) to have the rear yard area of the main building covered at 70% by the combination of the area of a balcony and a patio instead of a maximum allowable coverage area of 50% of the rear yard of the main building by the combination of the area of a balcony, deck, patio, gazebo, pergola, terrace. The foregoing is in accordance with the provisions of Zoning By-law 2217, article 4-4-6.”

CARRIED UNANIMOUSLY

151240

**URBAN PLANNING – MINOR EXEMPTION – 6855 CLANRANALD (KINATEX) –
CÔTE SAINT-LUC**

It was

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

AND RESOLVED:

“THAT in accordance with the provisions of by-law G18-0005, the request for a Minor Exemption regarding the property located at 6855 Clanranald, Lot 2090142, be and is hereby approved, the whole as more amply delineated hereunder:

The request is in order to allow, for a new Kinatex store, the installation on the wall facing Clanranald Avenue, of a luminous sign having an area of 53.2 sq.ft. and a height of 81,28 cm (32 in.) instead of the maximum allowable area of 20 sq.ft. and the maximum allowable height of 76,2 cm (30 in.). The foregoing is in accordance with the provisions of Zoning By-law 2217, articles 9-3-2 and 9-4.”

CARRIED UNANIMOUSLY

151241

**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 Acting 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 January 2016 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 SAM GOLDBLOOM

AND RESOLVED:

“THAT Council take the following stance in view of any Agglomeration Council meetings to be held in January 2016 as follows:

- to authorize the Acting 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 January 2016 based on the information to be presented during those meetings.”

CARRIED UNANIMOUSLY

151242

**OTHER BUSINESS – LIBRARY – INTER-MUNICIPAL AGREEMENT
REGARDING LIBRARY MEMBERSHIP AND SERVICES**

WHEREAS the City of Côte Saint-Luc (“City”) along with the Town of Montreal West wish to enter into an inter-municipal agreement regarding library membership and services;

WHEREAS the objects of this agreement are to allow residents of Montreal West to become members of the Eleanor London Côte Saint-Luc Public Library, and City residents to become members of the Montreal West Adult Library, the Montreal West Children’s Library, and the Montreal West 50+ Club;

It was

MOVED BY COUNCILLOR MIKE COHEN
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

“THAT the Côte Saint-Luc City Council hereby authorises signature of an agreement regarding library membership and services;

THAT the terms and conditions of the aforementioned agreement are set out in a document entitled “Library Agreement regarding Library Services and Membership between Côte Saint-Luc and Montreal West” (“Agreement”) with an effective date of January 1, 2016, comprising four (4) pages and annexed hereto as Annex B to form an integral part of the Minutes to avail herein as if quoted hereinafter at length;

THAT the term of the Agreement is for a period of one year starting on January 1, 2016 and shall then automatically renew for successive one year terms¹;

THAT either of the City Managers or the City's General Counsel be hereby authorised to sign the Agreement on behalf of the City."

CARRIED UNANIMOUSLY

151243

OTHER BUSINESS – AUTHORIZATION FOR COUNCILLOR MITCHELL BROWNSTEIN TO ATTEND THE AGGLOMERATION MEETING OF THURSDAY, DECEMBER 17, 2015

It was

MOVED BY COUNCILLOR DIDA BERKU
SECONDED BY COUNCILLOR STEVEN ERDELYI

AND RESOLVED:

"THAT as per the recommendation of the Acting Mayor, Councillor Mitchell Brownstein or any other replacement duly authorized by the Acting Mayor be duly authorized to attend the Agglomeration meeting on Thursday, December 17, 2015 in order to represent the City of Côte Saint-Luc."

CARRIED UNANIMOUSLY

SECOND QUESTION PERIOD

The second question period started at approximately 9:35 p.m. and finished at 9:46 p.m. Three (3) people asked to speak and they were heard.

1) Sonia Peillon Cohen

The resident sought particulars concerning the filing of Councillor Sam Goldbloom's pecuniary interests to which Jonathan Shecter responded that this was a legal requirement which runs from the date he was declared elected. Jonathan Shecter further explained that since Councillor Goldbloom won by contestation and the remaining members of council won by acclamation, the delays to file the said statements were different. The resident then inquired as to whether the statements of pecuniary interests were public to which Jonathan Shecter responded in the affirmative.

2) David Tordjman

The resident requested details regarding the salt spreader purchased tonight for which various members of council responded.

3) Andee Shuster

The resident inquired as to why the Côte Saint-Luc Dramatic Society was venturing so far away from Côte Saint-Luc to the Centaur Theatre to perform its remount of its production of Hairspray to which Councillor Brownstein responded that this would be a better opportunity based on venue.

¹ Subject to the ability to terminate the agreement as per the contract.

The resident then inquired as to whether there was any benefit offered by the Centaur for having the production in their theatre such as advertising to which Councillor Brownstein responded that they do advertise in-house.

151244

APPROVAL OF THE ADJOURNMENT OF THE MEETING

It was

MOVED BY COUNCILLOR RUTH KOVAC
SECONDED BY COUNCILLOR SAM GOLDBLOOM

AND RESOLVED:

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

CARRIED UNANIMOUSLY

AT 9:46 P.M. ACTING MAYOR GLENN J. NASHEN DECLARED THE MEETING ADJOURNED.

GLENN J. NASHEN
ACTING MAYOR

JONATHAN SHECTER
CITY CLERK

LIST OF ANNEXES		
Resolution number	Corresponding Annex	Document
151222	Annex A	Public Register – Disclosure Statements – “By-law 2424 re-adopting By-law 2352 entitled: By-law 2352 adopting a code of ethics and good conduct for the elected municipal officers of the City of Côte Saint-Luc”
151242	Annex B	Library agreement regarding library services and membership between the City of Côte Saint-Luc and the town of Montreal West

**LIBRARY AGREEMENT REGARDING LIBRARY SERVICES AND MEMBERSHIP BETWEEN
THE CITY OF CÔTE SAINT-LUC AND THE TOWN OF MONTREAL WEST**

BETWEEN: CITY OF CÔTE SAINT LUC, a municipality organized and existing under the laws of Quebec, and having a place of business at 5801 Cavendish Blvd., Côte Saint-Luc, Quebec

(hereinafter referred to as "CSL")

AND: TOWN OF MONTREAL WEST, a municipality organized and existing under the laws of Quebec and having a place of business at 50 Westminster Road South, Montreal West, Quebec

(hereinafter referred to as "Montreal West")

WHEREAS CSL owns and operates the Côte Saint-Luc Eleanor London Public Library ("Library"); and

WHEREAS both parties believe in the importance of literacy and wish to promote literacy in both their respective CSL and Montreal West; and

WHEREAS Montreal West residents wish to be able to become members of the Library; and

WHEREAS CSL sets membership fees for its Library; and

WHEREAS CSL and Montreal West have a special relationship and Montreal West has requested that CSL permit its residents to become members of the Library on special terms; and

WHEREAS CSL gave the 60 days' notice as per the previous agreement to terminate the agreement; and

WHEREAS the previous agreement will terminate on December 31, 2015; and

WHEREAS in light of the terminated agreement, both parties had a meeting on October 27, 2015 to discuss the adoption of an agreement with CSL proposing a different model for the agreement; and

WHEREAS both parties wish to find mutually agreeable projects to work towards;

WHEREAS both municipalities, agree in principle upon the terms and conditions of this Agreement and will ratify this Agreement by way of adopting respective resolutions;

WHEREAS residents from Montreal West and Côte Saint-Luc mutually benefit from programs and services that are subsidized by their respective municipalities.

NOW THEREFORE, THE PARTIES HEREBY COVENANT AS FOLLOWS:

1. OBJECT OF THE AGREEMENT:

The preamble of this Agreement sets out the object of this Agreement as if it was repeated at length herein. The parties agree that pursuant to the terms and conditions of this Agreement, CSL agrees to allow residents of Montreal West to become members of the Library until the termination of this Agreement upon the terms and conditions set out herein. For purposes of greater certainty, where used herein, any reference to a resident or residents of Montreal West shall also include any recognized residential ratepayer on the taxation rolls of Montreal West.

2. TERM OF THIS AGREEMENT

2.1 The initial term of this Agreement shall commence on January 1, 2016 and shall terminate on December 31, 2016 ("Term"). The Agreement shall then automatically renew for successive one year terms (each a "Renewal Term") unless terminated by either party pursuant to the terms set out herein.

- 2.2 Either party shall have the right to terminate the Agreement at the end of the Term or any Renewal Term by providing at least 60 days written notice to the other party of such desire to terminate the Agreement.
- 2.3 Either party shall have the right to terminate this Agreement at any time upon written notice should the other party breach the terms of the Agreement and such breach is not corrected within thirty (30) days of the other party's written notice setting out the terms of such breach.

3. OBLIGATIONS OF THE CITY OF CÔTE SAINT-LUC

- 3.1 Library membership will be available to Montreal West residents at the respective annual rates outlined as follows:

i)	Adult (18-60):	\$50.00
ii)	Senior (60+):	\$25.00
iii)	Child (under 18):	\$10.00
iv)	Family (up to 5 people at the same address):	\$80.00
v)	Children (under 18) who attend school in CSL:	Free

- 3.3 In order to benefit from the discounted rate, Montreal West residents must provide proof of residency, age (if relevant), provide current proof of school attendance (if relevant) to the Library and pay the respective applicable fee to CSL. The Library will then activate the membership fee. This membership is valid for one year.

4. OBLIGATIONS OF THE TOWN OF MONTREAL WEST

- 4.1 In consideration of the services furnished by CSL under Section 3, Montreal West shall offer CSL residents the same rate paid by Montreal West residents for 50+ Travel Club membership and trips.
- 4.2 CSL residents can join the Montreal West Adult Library and the Montreal West Children's Library at the same rate as Montreal West residents.

5. MANAGEMENT AND OWNERSHIP OF THE LIBRARY

- 5.1 Both parties agree and acknowledge that the Library and all of its property and equipment purchased before and during the Term of this Agreement are the sole and exclusive property of CSL.
- 5.2 Both parties agree that during the Term of this Agreement, CSL shall continue to have the exclusive right to manage the Library and set the budget for the Library at its sole discretion.

6. LIMITATION OF LIABILITY

Neither party to this Agreement shall be liable for indirect, special, consequential, special or punitive damages under any head of claim.

7. APPLICABLE LAW

This Agreement shall be construed under and the rights of the parties determined by reference to the laws of the Province of Quebec, Canada. Any dispute between the parties which cannot be resolved by good faith negotiations shall be subject to the exclusive jurisdiction of the appropriate court in the Province of Quebec.

8. ENTIRE AGREEMENT

This Agreement represents the entire Agreement between the parties with respect to the subject matter hereof, and no changes or deletions may be made except in writing bearing the signatures of representatives of both parties to this Agreement.

9. ASSIGNMENT

This Agreement and any rights hereunder may not be assigned by either party.

10. GENERAL PROVISIONS

- 10.1 If any paragraph or part of this Agreement is invalid, it shall not affect the remainder of this Agreement, but the remainder shall be binding and effective and the parties shall meet to find a revised way to give intent to the meaning of the invalid portion of the Agreement.
- 10.2 Any notice required to be delivered to any party shall be in writing and either sent by email, fax, delivered by hand or sent by courier prepaid and sent to the address for each party set out above and addressed to the City Manager/Director General.
- 10.3 The parties hereto agree that the failure of either of them to insist upon strict performance of any term, covenant, agreement or condition herein contained shall not constitute or be construed as a waiver or relinquishment of such party's rights to enforce any such term, covenant, agreement or condition, but the same shall continue in full force and effect.
- 10.4 Neither party shall be liable for delay in performance or failure to perform in whole or in part the terms of this Agreement due to any act or occurrence that is beyond the reasonable control of such party, including but not limited to labour dispute, strike, labour shortage, war or act of war (whether an actual declaration is made or not), act of public enemy, accident, fire, flood or other act of God, act of governmental authority, judicial action, shortage or reduced supply of fuel or raw materials, technical failure where such party has exercised ordinary care in the prevention thereof, or causes beyond the control of such party, whether or not similar to the matters herein enumerated, and any such delay or failure shall not be considered a breach of this Agreement.
- 10.5 For the avoidance of any doubt, any rights extended to Montreal West residents under this Agreement terminate on the termination date of this Agreement.
- 10.6 This Agreement shall be binding on the parties and their respective successors and assigns.
- 10.7 The validity, construction and interpretation of this Agreement shall be in accordance with the laws applicable in the Province of Québec and with the intention to promote literacy in both communities.
- 10.8 This Agreement has been drafted in English at the express wish of the parties. Ce contrat a été rédigé en anglais à la demande expresse des parties.

IN WITNESS WHEREOF, the parties have executed this Agreement by the signature of their respective duly authorized representatives.

THE CITY OF CÔTE SAINT-LUC this _____ day of _____ 2015 in _____,

Quebec

By: _____

Name: Andrea Charon, General Counsel

THE TOWN OF MONTREAL WEST this _____ day of _____ 2015 in _____,

Quebec

By: _____

Name: Stéphan F. Dulude, Director General