

MINUTES
REGULAR COUNCIL MEETING

FEBRUARY 24, 2009
8:00 p.m.

Minutes of the Regular Meeting of the Council of Montreal West held on February 24, 2009 at the Town Hall located at 50 Westminster Avenue South.

Present: Mr. Campbell Stuart, Mayor
Ms. Colleen Feeney, Councillor
Mr. Beny Masella, Councillor
Mr. Joseph McKenzie, Councillor
Ms. Elizabeth Ulin, Councillor

Also present: Mr. Stéphane Dulude, Director General
Mr. Claude Gilbert, Town Clerk

Mayor Campbell Stuart acted as chairperson of the meeting.
Mr. Claude Gilbert, Town Clerk, acted as secretary of the meeting.

Twelve (12) residents and visitors were in attendance.

1. Opening of the Meeting

It was moved by Councillor Beny Masella, seconded by Councillor Joseph McKenzie and resolved:

That the Meeting be declared open.

Carried unanimously
#20090224-001

The Mayor called the Meeting to order at 8:10 p.m.

2. Acknowledgement of Visitors

There was nothing under this item.

3. Adoption of the Agenda

It was moved by Councillor Joseph McKenzie, seconded by Councillor Elizabeth Ulin and resolved:

To adopt the Agenda of the Regular Meeting of Tuesday, February 24, 2009 as presented.

Carried unanimously
#20090224-002

4. Approval of the Minutes of the Council

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Beny Masella and resolved:

To adopt the Minutes of the following Council Meetings:

- a) Regular Council Meeting held on January 27, 2009;
- b) Special Council Meeting held on February 3, 2009;
- c) Special Council Meeting held on February 10, 2009;
- d) Special Council Meeting held on February 13, 2009.

Carried unanimously
#20090224-003

5. Correspondence

- a) **Minister of Municipal Affairs (appeal of 2009 Agglomeration budget)**

On February 2, 2009, the principal private secretary of the Minister of Municipal Affairs, Regions and Territorial Occupancy acknowledged receipt of Resolution # 20090113-03 by which the Town of Montreal West requested the Minister to order the City of Montreal to modify the Agglomeration's budget so as to respect the agreement of June 12, 2008. This letter was noted and filed.

b) Commission municipale du Québec (request for suspension of the case regarding an objection to Agglomeration's By-Law RCG 08-048)

On February 17, 2009, the Secretary of the Commission notified the Towns of Kirkland and of Montreal West that the City of Montreal had requested a suspension of the case involving Agglomeration by-law RCG 08-048 concerning debts relating to road works carried out on the arterial network between 2006 and 2008, and she invited both Towns to inform the Commission of their position in this matter. This letter was noted and filed.

c) Town of Kirkland (request for suspension of the case regarding an objection to Agglomeration's By-Law RCG 08-048)

On February 17, 2009, the Mayor of Kirkland sent a copy of his Town's answer to the above-mentioned letter, in which he notified the Commission that he disagreed with the suspension request made by Montreal. This letter was noted and filed.

d) Town of Hampstead (request to the Minister of Municipal Affairs to move the date of municipal elections in 2009)

On February 9, 2009, the Mayor of Hampstead sent a certified copy of Resolution No. 2009-003 by which Hampstead requested the Minister of Municipal Affairs, Regions and Territorial Occupancy to move the polling date of the general municipal elections from November 1, 2009 to November 8, 2009. This letter was noted and filed.

e) Borough of Côte-des-Neiges/Notre-Dame-De-Grâce ("Earth Hour 2009" event)

On February 10, 2009, the Department of Administrative Affairs of the Borough of Côte-des-Neiges/Notre-Dame-De-Grâce sent a certified copy of Resolution CA 09-170062 by which Côte-des-Neiges/Notre-Dame-De-Grâce decided to participate to the "Earth Hour 2008" event on March 28, 2009 from 8:30 p.m. to 9:30 p.m.. This letter was noted and filed

f) City of Dollard-Des-Ormeaux (request to Transport Canada regarding truck side protection)

On February 12, 2009, the City Clerk's Office of Dollard-des-Ormeaux sent a certified copy of Resolution No. 09-0211 by which Dollard-des-Ormeaux expressed its support to the Federation of Canadian Municipalities in urging Transport Canada to develop and implement a national standard similar to that of the European model for a truck side protection's device. This letter was noted and filed.

6. Report of the Mayor

Mayor Stuart noted that the Association of Suburban Municipalities wrote to the Minister of Municipal Affairs before Christmas to ask that the new Agglomeration budget be modified, as it prejudices the de-merged towns contrary to the letter and intent of the agreement signed with Montreal in June 2008 and Bill 22 subsequently enacted. Specifically, it took away the anticipated \$30 million in savings that the Minister of Municipal Affairs and Regions had promised them. In reply, the Minister said that she could do nothing about it. The Town of Montreal West also sent a letter to the Minister outlining the serious prejudice being suffered by the Town as a result of the failure of Bill 22 – about \$500,000 per year - and is still waiting for a response. The Mayor reiterated that the Town expects the Quebec Government to remedy this shortfall, as it may make further infrastructure work impossible. He added that Council had met with Kathleen Weil, the new MNA for Notre-Dame-De-Grace, and Minister of Justice, and said that this was an excellent development for Montreal West.

7. Contracts and Town Clerk's Office

a) Request to Transport Canada regarding truck side protection

WHEREAS the ways to provide safer traffic interaction between heavy vehicles, pedestrians, cyclists and smaller motor vehicles are constantly evolving;

WHEREAS all these road users compete on municipal streets as well as on the national highway system;

WHEREAS tragic events happened in the last few years which show that it is essential to take appropriate measures in order to avoid other fatalities;

WHEREAS implementing a truck side guard regulation similar to that adopted by the United Kingdom and Europe (89/297/EEC Directive) would improve road safety;

WHEREAS new legislative measures are required to improve national design standards;

WHEREAS the Federal Government sets vehicle standards for all new vehicles manufactured in or imported into Canada;

THEREFORE:

It was moved by Councillor Beny Masella, seconded by Councillor Colleen Feeney and resolved:

1) That the Town of Montreal West urge Transport Canada to develop and implement a national standard similar to that of the European model for a truck side guard protection's device.

2) That the Town of Montreal West request the Federation of Canadian Municipalities to lobby the Federal Government on its behalf and on behalf of all municipalities advocating the same position in this important matter for the sake of public safety.

Carried unanimously
#20090224-004

8. Administration and finances

a) Approval of disbursements – January 24 to February 18, 2009

It was moved by Councillor Colleen Feeney, seconded by Councillor Joseph McKenzie and resolved:

That the list of accounts payable from January 24 to February 18, 2009 totaling \$2,707,337.90 be approved and paid as listed.

Carried unanimously
#20090224-005

b) Delegation of powers for the month of February 2009

It was moved by Councillor Joseph McKenzie, seconded by Councillor Colleen Feeney and resolved:

To approve the report by the Director General concerning the exercise of powers delegated under By-Law No. 2005-002 for the month of February 2009.

Carried unanimously
#20090224-006

c) Montreal West Operatic Society

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Beny Masella and resolved:

1) That a grant of \$129 to the Montreal West Operatic Society be approved.

2) That this expense be charged to budget code 02-110-00-699.

Carried unanimously
#20090224-007

d) Art Etc.

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Beny Masella and resolved:

That Council agree to extend the application of rental rates that were in effect last year for the use of the Assembly Hall on the occasion of the Arts and Craft Fair that will take place during three days in November 2009, as per the agreement of February 21, 2008.

Carried unanimously
#20090224-008

9. Urban Department

a) Site Planning Projects and Architectural Integration Programs (SPAIP)

It was moved by Councillor Colleen Feeney, seconded by Councillor Joseph McKenzie and resolved:

- 1) To acknowledge receipt of the minutes of a meeting held by the Planning Advisory Committee (PAC) on February 18, 2009, and to accept its recommendations.
- 2) To approve under the SPAIP the following plans submitted to this meeting, subject to the conditions set forth by the PAC as outlined in the minutes, as the case may be:
 - a) 217 Bedbrook;
 - b) 84 Easton.

Carried unanimously
20090224-009

b) Minor Exemption Request

It was moved by Councillor Beny Masella, seconded by Councillor Colleen Feeney and resolved:

To accept the recommendation of the PAC with respect to the following minor exemption request, subject to the conditions set forth by the PAC as outlined in the minutes, and conditional to the publication of a notice as required by the law, making it necessary to review this matter at another meeting of this Council:

- a) 441 Brock North.

Carried unanimously
20090224-010

c) Condominium Conversion Request

It was moved by Councillor Colleen Feeney, seconded by Councillor Elizabeth Ulin and resolved:

To accept the recommendation of the PAC with respect to the following condominium conversion request, so as to defer it to another meeting of this Council:

- a) 460-460A-462 Westminster North.

Carried unanimously
20090224-011

10. Public Works

a) Payment of invoice – Borough of Lachine (snow removal)

It was moved by Councillor Joseph McKenzie, seconded by Councillor Elizabeth Ulin and resolved:

- 1) To approve the payment of \$17,173.93 (taxes included) to the City of Montreal (Borough of Lachine) as per its Invoice No. 16389 (dated February 18, 2009) for snow removal services on Notre-Dame .
- 2) To charge this expenditure to budget code 02-330-00-419.

Carried unanimously
20090224-012

b) Payment of invoice – SAAQ registration costs

It was moved by Councillor Beny Masella, seconded by Councillor Colleen Feeney and resolved:

- 1) That Council approve the payment of an amount of \$14,774 (including all taxes and costs) to the Société d'Assurance Automobile du Québec for the registration of twenty-four (24) vehicles, as per Notice 5161 1280 7040 0086 (File No. 31858285).
- 2) That this expenditure be charged to budget code 02-320-00-965.

Carried unanimously
20090224-013

c) Earth Hour 2009

WHEREAS the "Earth Hour" became an international event in 2008;

WHEREAS the Town of Montreal West wishes to take a stand on the very real threat to our planet represented by global warming;

WHEREAS so far this year, as many as 168 municipalities have undertaken to turn off their lights for an hour in the name of fighting global warming;

THEREFORE:

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Joseph McKenzie and resolved:

1) That the Town of Montreal West turn off all non-essential lighting for one hour on Saturday, March 28, 2009 starting at 8:30 p.m.

2) That all residents of Montreal West be encouraged to join the Town on March 28, 2009.

3) That the Town of Montreal West invite all Montreal Island municipalities to take part in the Earth Hour on March 28, 2009.

Carried unanimously
20090224-014

11. Human Resources

There was nothing under this item.

12. Appointments

There was nothing under this item.

13. Commissioners' Reports

a) Public Security

Councillor Beny Masella reported on activities pertaining to the Public Security Commission for the month of February 2009.

b) Recreation and Cultural Services

Councillor Elizabeth Ulin reported on activities pertaining to the Recreation and Cultural Services Commission for the month of February 2009.

c) Administration and Buildings

Councillor Colleen Feeney reported on activities pertaining to the Administration and Buildings Commission for the month of February 2009.

d) Public Works

Councillor Joseph McKenzie reported on activities pertaining to the Public Works Commission for the month of February 2009.

14. Deposit of Documents

There was nothing under this item.

15. Notice of Motion, Reading and Adoption of By-Laws

a) Notice of Motion and dispensation from reading for a By-Law Concerning the Collection and Disposal of Garbage and Recyclable Material and Replacing By-Law No. 295

Mayor Stuart gave notice of motion that it is intended at a subsequent Meeting of Council to submit for adoption a "By-Law Concerning the Collection and Disposal of Garbage and Recyclable Material and Replacing By-Law No. 295".

The said By-Law will be made available to the public, in draft version, at least two juridical days before the meeting to be scheduled is held to adopt the By-Law.

Mayor Stuart requested that the reading of "By-Law Concerning the Collection and Disposal of Garbage and Recyclable Material and Replacing By-Law No. 295" be dispensed with.

b) Notice of Motion and dispensation from reading for a By-Law Amending By-Law No. 456 Concerning Nuisance, Noise and Public Security

Mayor Stuart gave notice of motion that it is intended at a subsequent Meeting of Council to submit for adoption a "By-Law Amending By-Law No. 456 Concerning Nuisance, Noise and Public Security".

The said By-Law will be made available to the public, in draft version, at least two juridical days before the meeting to be scheduled is held to adopt the By-Law.

Mayor Stuart requested that the reading of "By-Law Amending By-Law No. 456 Concerning Nuisance, Noise and Public Security" be dispensed with.

c) Notice of Motion and dispensation from reading for a By-Law Amending By-Law No. 2007-005 Relating to Tariffs

Mayor Stuart gave notice of motion that it is intended at a subsequent Meeting of Council to submit for adoption a "By-Law amending By-Law No. 2007-005 Relating to Tariffs".

The said By-Law will be made available to the public, in draft version, at least two juridical days before the meeting to be scheduled is held to adopt the By-Law.

Mayor Stuart requested that the reading of "By-Law amending By-Law No. 2007-005 Relating to Tariffs" be dispensed with.

16. Public Question Period

The Mayor announced the beginning of the Public Question Period at 8:45 p.m.

Residents were invited to ask their questions to the Mayor and Councillors.

M. Duforest of 167 Percival noted that his tax bill has increased by 6.8% and that Councillor Feeney, when the budget was adopted, said the increase would be of 6.4%. He also noted that Hampstead got the same amount of snow last year but managed to decrease its residents' tax burden by 1%. This increase is not well advised at a time of recession, as the value of properties might be affected negatively. Mayor Stuart agreed with his concern and explained that, while every demerged town had its Agglomeration contributions effectively raised in 2009, a number of them were able to offset it out of accumulated surpluses or by relying more on sizable non-residential sectors, neither of which are available to Montreal West. At the same time, Montreal West is spending considerably more per capita than other municipalities on infrastructure, and from this aspect, residents are getting good value for their taxes. The Mayor repeated his determination that the Quebec Government will have to make up the 5% increase in taxes resulting from the failure of Bill 22. Finally, the resident suggested that the Town could find different ways to give services and save money, citing Kirkland where snow is pushed into piles rather than being removed.

V.E. McVey of 231 Wolseley North spoke on behalf of Ms. Yoo (Fruit Bowl on Westminster) who had her water tax bill triple in one year. He claimed this is due to bad metering. Mayor Stuart noted that the Town had verified its meters and that this contention was untrue and all indications were that the water was indeed used or wasted. Indeed, when people find out that their water tax is linked to consumption, both usually go down. That being said, there was also an increase of rate in 2008 for the first time since 1988, as noted by Councillor Feeney, though this impacts the cost of water much less than the excessive consumption itself.

Jacob Kalff of 83 Brock North inquired about what use is being made of the list of snow removal contractors who are registered at the Town. Councillor Masella answered that it helps to track and fine them if they fail to comply with municipal by-laws, as they are required to indicate where they have contracts. The resident suggested that Montreal West could do as other towns and boroughs do by selling permits to dump snow in the streets. It would facilitate the work of these contractors and bring money to the Town. Councillor Masella noted that this idea was discussed but was not deemed workable. The resident added that it would also be acceptable to simply blow snow on lawns, in order to make savings. Mayor Stuart noted that Montreal West has its own snow dump, which makes snow removal more cost-effective here than in most municipalities.

Steve Broman introduced himself and an associate as representatives of the NDG Senior Citizens' Council, which meets at 88 Ballantyne North (Montreal West United Church). He said that his council would like to become more involved in the community, such as for Canada Day. Mayor Stuart warmly welcomed this initiative and Councillor Ulin invited him to contact Paula Cordeau and Marian Scully at the Community Center.

John Symon of 111 Rosewood (Lachine) congratulated Mayor Stuart for encouraging young people to get involved in municipal politics. He then referred to a statement he claimed was made by the Mayor at a meeting in June 2008 about the barrier at

Broughton/Des Érables. The Mayor declined to comment as the issue is still before the courts.

Earl Wertheimer of 145 Radcliffe thanked Mayor Stuart for meeting with Scouts before the Council sitting. He also praised the Public Works Department for its maintenance of the ice rinks at Rugby Park. The Mayor seconded this commendation and also thanked Department's employees and administration for the marked improvement in snow removal operations.

17. Termination of the Meeting

At 9:10 p.m., no other questions being asked,

It was moved by Councillor Colleen Feeney, seconded by Councillor Beny Masella and resolved:

That the Meeting be terminated.

Carried unanimously
#20090224-15

Campbell Stuart
Mayor

Claude Gilbert
Town Clerk

*The annexes mentioned above are deposited
in the municipal archives in File Archives-20090224*