

MINUTES
REGULAR COUNCIL MEETING

SEPTEMBER 22, 2009
8:00 p.m.

Minutes of the Regular Meeting of the Council of Montreal West held on September 22, 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. Stéphan 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.

Fifteen (15) residents and visitors were in attendance.

1. Opening of the Meeting

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

That the Meeting be declared open.

Carried unanimously
#20090922-001

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 Colleen Feeney, seconded by Councillor Elizabeth Ulin and resolved:

To adopt the Agenda of the Regular Meeting of Tuesday, September 22, 2009 as presented.

Carried unanimously
#20090922-002

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 August 25, 2009;
- b) Special Council Meeting held on September 8, 2009.

Carried unanimously
#20090922-003

5. Correspondence

- a) **Village de Senneville (Municipalities Climate Program)**

On August 26, 2009, the Town Clerk of Senneville sent a certified copy of Resolution No. 2009-08-665, by which Senneville asked the Agglomeration not to include the Town in future greenhouse gas inventories and reduction plans, in order to keep the ability to do so locally, within the context of an environmental government program. This letter was noted and filed.

b) Communauté métropolitaine de Montréal (budget forecasts for 2010)

On September 18, 2009, the Secretary of the Montreal Metropolitan Community sent a certified copy of Resolution No. CE09-109, by which the Executive Committee of the MMC recommended to its Council the budget forecasts for the fiscal year 2010. This letter was noted and filed.

6. Report of the Mayor

Mayor Stuart noted that last Wednesday the Court of Appeal heard City of Montreal's appeal of the Superior Court ruling which rejected its application for an injunction to keep Broughton Road open. It is not known when the Appeal Court will render judgment. The Mayor noted that Montreal advanced two arguments: first, that Montreal West Council resolution was invalid because no formal traffic studies had been done; and second that the Fire Department (controlled by Montreal through the Agglomeration) was not given a veto over the closure. The Mayor said he believed that neither argument is very strong. However, Montreal offered to abandon its second argument if Montreal West undertook to get the agreement of the Fire Department before making any further changes to the closure configuration. The Mayor said that this was acceptable to the Town as this was always the intention anyway. It is necessary and right that the road stay open to emergency traffic, and the undertaking itself confirms the Town's right to keep the road closed to other traffic. In conclusion, the Mayor said that he was very confident the Town would win the case.

The Mayor noted that the Agglomeration Council will meet on last time this Thursday before the municipal elections. The meeting promises to be interesting because the auditor's report was released yesterday on the outrageously expensive contract for water meters with GéniEau. There has already been fallout from the report with the departure of two of the most senior bureaucrats at the City of Montreal.

Regarding the municipal elections, the Mayor announced that he will not run again. He had told his business partners that he would be mayor for a term of four years, and that he would then go back to the practice of law.

The Mayor invited his fellow Council members to state their own intentions if they wished. Councillor McKenzie said that he had enjoyed the last four years and expressed his appreciation of the Mayor and wished him good luck. He said that he will run again for office. Councillor Masella also thanked Mayor Stuart for all his work. He announced his intention to be a candidate again, this time as Mayor. Councillor Feeney echoed the sentiments of her colleagues and said that she will not run this time, but will remain involved with the Town as she is still very interested in the senior citizens' file. Councillor Ulin said the last four years were a great experience and that she is interested in another term, which will present different challenges from those of the reconstitution. Mayor Stuart concluded by expressing his support of Councillor Masella's candidacy.

7. Contracts and Town Clerk's Office

a) Membership into the Aon Conseil health and safety at work prevention group

WHEREAS a safety prevention group, which in French is known as a "mutuelle de prévention en santé et sécurité du travail", was set up by Aon Conseil in accordance with article 284.2 of the *Act respecting industrial accidents and occupational diseases*;

WHEREAS membership in a safety prevention group would enable the Town to improve its management system as well as its occupational health and safety record;

WHEREAS the Town would like to take advantage of the benefits of being a member of the safety group;

THEREFORE:

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

1) To approve the Agreement with respect to the group of employers for the purpose of being subject to the personalized assessment rates and their calculation (CSST "standard contract").

- 2) To authorize Aon Conseil to sign, for and on behalf of the Town, the said Agreement with respect to the group of employers for the purpose of being subject to personalized assessment rates and their calculation.
- 3) To accept the management contract proposed by Aon Conseil with the Town.
- 4) To authorize the Director General to sign for and on behalf of the Town all the documents required for the Town to join the safety prevention group.

Carried unanimously
#20090922-004

8. Administration and finances

a) Allocation of arterial road expenditures

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

- 1) That the Town of Montreal West agree to pay the Agglomeration of Montreal an amount of \$26,334.78 representing its share of the debt billed in relation to arterial road expenditures since the reconstitution of the Town in 2006, as of December 31, 2008.
- 2) That the Town also agree to pay the Agglomeration its share of the same kind of expenditures for the year 2009, amounting to \$4,035.02.
- 3) That this expense be charged to budget code 02-930-00-968.

Carried unanimously
#20090922-005

b) Gas tax government subsidy and payment of agglomeration infrastructure debt

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

- 1) That the Town of Montreal West agree to use a part of the contribution received from the Société de financement des infrastructures locales, with respect to the gas tax transfer, in the amount of \$859,897.00, in order to pay for the amount it is billed by the Agglomeration of Montreal regarding infrastructure projects of an island-wide nature.
- 2) That the part of the contribution referred to above in connection with agglomeration infrastructure be of \$114,710.00 and be paid in full, as per the proposal of July 17, 2009 from the Treasurer of the City of Montreal.
- 3) That the balance of the contribution of \$859,897.00 be allocated towards 2008 infrastructure project costs of the Town of Montreal West, as accepted by the Infrastructure Department of the Ministry of Municipal Affairs on September 8, 2009.
- 4) That this expense be financed by budget code 55-919-01-000.

Carried unanimously
#20090922-006

c) Municipalities Climate Program

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

- 1) That the Town of Montreal West notify the Agglomeration of Montreal of its intention to apply for a grant to the Municipalities Climate Program, and request the Agglomeration, as a consequence, not to include the territory of Montreal West within any subsidy application of its own to the Quebec Government in order to benefit from the same program, regarding future inventories of green house gas and plans to reduce their issuance.
- 2) That the Mayor be authorized to sign any application form on behalf of the Town.

Carried unanimously
#20090922-007

d) Amendment to resolution # 20090728-006

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

That resolution # 20090728-006, concerning the adjustment of final contract price for the supply of recycling bins and containers, be amended to correct the budget code which should have read as 02-420-00-492 instead of 02-320-00-419.

Carried unanimously
#20090922-008

9. **Urban Department**

There was nothing under this item.

10. **Public Works**

a) **Garbage collection contract – renewal**

WHEREAS the current contract was awarded to Camille Fontaine & Fils Inc. by Resolution # 20061219-004 for a period of two years ending in December 2008 with two renewal options of one year each, and was renewed for a first time by virtue of Resolution # 20080930-018 in September 2008;

THEREFORE:

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

- 1) That the contract for garbage and leaves collection and transportation of Camille Fontaine & Fils Inc. be extended for another year (starting January 1 and ending December 31, 2010) for a price of \$198,675.08 (garbage) before taxes and a price of \$8,397.87 (leaves) before taxes.
- 2) That the daily schedule be from 7 a.m. to 5 p.m. on garbage collection days.
- 3) That this expense be charged to budget account # 02-420-00-491.
- 4) That the Mayor and the Town Clerk be authorized to execute any contract and other documents required to implement this resolution, as the case may be.

Carried unanimously
20090922-009

b) **Payment of invoice – Entreprises Canbec Construction**

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

- 1) To approve the payment of \$13,158.69 (taxes included) to Entreprises Canbec Construction Inc. as per its Invoice No. 31371 (dated August 21, 2009) for the replacement of a fire hydrant and valve.
- 2) To charge this expenditure to budget code 22-332-04-721.

Carried unanimously
20090922-010

c) **Payment of invoice – Genivar**

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

- 1) To approve the payment of \$12,303.38 (taxes included) to the engineering firm Genivar as per its Invoice No. 96411 (dated July 13, 2009) for traffic studies.
- 2) To charge this expenditure to budget code 02-350-00-419.

Carried unanimously
20090922-011

d) **Globe Asphalte International – repair of road cracks**

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

1) To accept the cost estimate submitted by Globe Asphalte International for the repair of road cracks, as per its quotation dated September 18, 2009, in the amount of \$22,979.54 (including taxes), and to authorize the carrying out of this work.

2) To charge this expenditure to budget code 02-320-03-419.

Carried unanimously
20090922-012

11. Human Resources

a) Confirmation of employment – Treasurer

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

That Ms. Julie Mandeville be confirmed as a permanent employee on November 4, 2009 in the position of Treasurer.

Carried unanimously
20090922-013

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 September 2009.

b) Recreation and Cultural Services

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

c) Administration and Buildings

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

d) Public Works

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

b) 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 8:50 p.m.

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

Jo Ann Goldwater of 279 Sheraton thanked Mayor Stuart for his work, especially on the Meadowbrook file. She asked Councillor Masella what his views are on this topic. Councillor Masella said that he agreed with all that this Council undertook during its mandate.

R. M. Smith of 81 Strathearn North asked what will happen with the traffic calming measures that have been taken on his and other streets. Councillor Masella answered that what has been undertaken up to now have been interim measures, and would not be finalized until crosswalks on Westminster have been made safer. Up to now, speed bumps, flower pots and other measures have been implemented to slow down traffic, which he said seem to work well and do not cost much. The traffic studies which were recently commissioned to help plan traffic reconfigurations have also just been completed and the engineering firm will be working on detailed plans to improve road safety next year.

P. J. Pride of 48 Ballantyne North noted that concrete flower pots, in his opinion, only make the speeding problem worse. Councillor Masella answered that he had not heard this before, but that the solution is probably to bring the pots closer to each other. The resident added that there are even some people who put garbage in these pots. He also complained about the burning of wood charcoal at L.T. Grill on Westminster, which is noisy and smelly. Mayor Stuart said that the establishment is not exempt from the application of law, and that it did comply with municipal by-laws when the permit was issued by the Town. Since then, however, a complaint about these matters has also been filed with the Régie du Bâtiment, and the Town awaits its response.

Gordon Farrell of 60 Ballantyne North stated that wood stoves have been banned in Montreal. Mayor Stuart replied that Montreal's ban applies only to residential buildings, not restaurants. The resident noted that it is not the smell of chicken which is the problem for neighbors, but the smell of charcoal burning twelve hours a day.

Stan Carny of 449 Wolseley asked why temporary car shelters remain banned in Montreal West, as they would make snow removal easier and cheaper. Mayor Stuart noted that the ban has been in place for a number of years now and is based on aesthetic concerns, although he welcomed the debate. The resident then asked Councillor McKenzie if he intends on keeping the Public Works portfolio if he is elected again. Councillor McKenzie explained that there is no portfolio specifically attached to any Council seat. After the election, Council will determine portfolio allocations and if there is no consensus the Mayor will decide. As a result, it is not possible to know if he would keep the same portfolio should he be re-elected.

Judith Buzzell of 16 Wolseley South wanted to thank the Council for its work. She asked when residents would know the final roster of candidates for the up-coming poll. Councillor Ulin answered that the deadline is October 2 at 4:30 p.m.

June Gray of 64 Courtney complained that a duplex on Ronald Drive has been undergoing building work for two years without completion, and asked how this could be allowed. Councillor Masella said that the Building Inspector, Raymond Beshro, is the resource person to go to for this question. The resident also noted another neighbour is failing to maintain his lawn properly. Again, Councillor Masella referred her to the Building Inspector.

H. J. Gray of 64 Courtney complained about dog owners who allow their animals to run loose on his street and do not clean up after them. The Public Security Officers are not taking action in this matter because the owners know when they are off duty. The Director of Public Security, Mr. Patrick Mann, said that he would talk to his men about this problem.

P. J. Pride of 48 Ballantyne North asked if the Town and the Provincial Government have an emergency evacuation plan in place in case of a major railway accident nearby.

Mayor Stuart said yes, and noted that it is understood that Montreal West would allow access through Broughton if there is such an emergency.

17. Termination of the Meeting

At 9:15 p.m., no other questions being asked,

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

That the Meeting be terminated.

Carried unanimously
#20090922-014

Campbell Stuart
Mayor

Claude Gilbert
Town Clerk

*The annexes mentioned above are deposited
in the municipal archives in File Archives-20090922*