

MINUTES
REGULAR COUNCIL MEETING

FEBRUARY 22, 2010
8:00 p.m.

Minutes of the Regular Meeting of the Council of Montreal West held on February 22, 2010 at the Town Hall located at 50 Westminster Avenue South.

Present: Mr. Beny Masella, Mayor
Mr. Dino Mazzone, Councillor
Ms. Julie Tasker-Brown, Councillor
Ms. Elizabeth Ulin, Councillor
Mr. Joseph McKenzie, Councillor

Also present: Mr. Claude Gilbert, Town Clerk

Mayor Beny Masella acted as chairperson of the meeting.
Mr. Claude Gilbert, Town Clerk, acted as secretary of the meeting.

Seven (7) residents and visitors were in attendance.

1. Opening of the Meeting

It was moved by Councillor Dino Mazzone, seconded by Councillor Joseph McKenzie and resolved:

That the Meeting be declared open.

Carried unanimously
#20100222-001

The Mayor called the Meeting to order at 8:05 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 Monday, February 22, 2010 with the following modification:

- adding item 7 c) **Performance of the collection contract of recyclable materials;**
- deferring item 8 d) **Climate-Municipalities program;**
- adding item 8 g) **Amendment to Resolution # 20090908-011 – Programme d'infrastructures Québec-Municipalités (PIQM);**
- deferring item 9 b) **Home Adaptation Program – Gestion des Programmes S.H.Q.;**
- adding item 15 a) **Notice of Motion and dispensation from reading for a By-Law authorizing a loan for the carrying out of road, aqueduct and sewer work, sidewalk repairs and the replacement of valves and hydrants on Banstead, Radcliffe, Wolseley South, Strathearn, Fenwick, Sheraton, Roxton, Wolseley North and Perceval Avenues and on Ainslie Road and for additional credits for the infrastructure work on Campbell Avenue decreed in By-Law No. 2008-002.**

Carried unanimously
#20100222-002

4. Approval of the Minutes of the Council

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Julie Tasker-Brown and resolved:

To adopt the Minutes of the following Council Meetings:

- a) Regular Council meeting of January 25, 2010;
- b) Special Council meeting of January 27, 2010;
- c) Special Council meeting of January 29, 2010.

Carried unanimously
#20100222-003

5. **Correspondence**

There was nothing under this item.

6. **Report of the Mayor**

Mayor Beny Masella noted that he and his fellow mayors of the other suburban municipalities have decided to appeal to the Commission municipale du Québec regarding one of the budget by-laws of the Agglomeration, and to call for the intervention of the Minister of Municipal Affairs in order to change the current unsatisfactory budgeting process and governance rules. The reconstituted municipalities have had enough of being told repeatedly that their point of view will not even be considered by the City of Montreal. On another point, the Mayor mentioned that the Town is going forward with its subsidy application for new infrastructure rehabilitation projects; however, the Ministry of Municipal Affairs is becoming more stringent in its requirements for approval of any grants. The Town cannot commit to the work before having a positive answer to its request for grants; however, as time passes, schedules are getting tight to have any work this year.

7. **Contracts and Town Clerk's Office**

a) Town Council's objection to the adoption by the Agglomeration Council of the Règlement concernant la quote-part pour l'alimentation en eau potable (fiscal year 2010) and intervention request to the Ministry of Municipal Affairs, Regions and Land Occupancy

WHEREAS the urban agglomeration council of Montreal has imposed an increase of 12.6% (\$39.9 million) in the 2010 shared costs that will have to be funded by taxpayers of the Montreal Island Suburban Municipalities (as compared to 2009);

WHEREAS this increase is at least six times the projected inflation rate for 2010;

WHEREAS at its sitting of December 17, 2009 the urban agglomeration council of Montreal created the *Commission ad-hoc du budget 2010 (volet agglomération)*, to which two Mayors of the Suburban Municipalities were appointed;

WHEREAS at the January 14, 2010 meeting of the urban agglomeration council of Montreal, the President of the urban agglomeration council and Mayor of Montreal, Mr. Gérald Tremblay, announced that regardless of the recommendations submitted by said Commission, no changes would be made, or even considered, for the 2010 Agglomeration budget;

WHEREAS while said Commission was created by the urban agglomeration council on December 17, 2009, the *Ville de Montréal* did not provide the two representatives from the Suburban Municipalities with any specific 2010 budget information until January 13, 2010, only two days prior to the first day of Commission ad-hoc meetings;

WHEREAS until the start of said public hearings on the 2010 Agglomeration budget, the Suburban Municipalities were not provided with any opportunities for meaningful involvement in the planning and preparation of the 2010 Agglomeration budget, in spite of the fact that the Suburban Municipalities finance almost 20% of all Agglomeration expenditures;

WHEREAS, upon completion of the public hearings, the report submitted by the *Commission ad-hoc du budget (volet agglomération)* did not include the key recommendations proposed by the representatives from the Suburban Municipalities, which were ultimately submitted to the urban agglomeration council by said members in their Minority Report;

WHEREAS said Minority Report objected to the 9.4% increase (\$189.6 million) imposed by the *Ville de Montréal* in operational spending in the 2010 Agglomeration budget (as compared to 2009), which is nearly five times the rate of inflation;

WHEREAS said \$189.6 million increase resulted primarily from two sources: \$91.9 million that must allegedly be paid into employee pension funds and an additional \$62.2 million increase in public transit spending;

WHEREAS no documentation or justification was provided to the Commission regarding the proposed additional \$91.9 million in pension fund costs, which is completely contrary to the recommendations of the Auditors Report tabled in September 2009 which stated that Agglomeration Council members should not be “kept in the dark” about essential information which would allow them to make an informed decision;

WHEREAS Quebec’s withdrawal from the funding of the operations of public transit in 1991 has directly resulted in taxpayers of the island of Montreal having to pay an additional burden of some \$250 million in taxes in 2010 related to public transit costs;

WHEREAS since the adoption of *An Act to reform the municipal territorial organization of the metropolitan regions of Montréal, Québec and the Outaouais* (S.Q. 2000, Chapter 56) by the Quebec legislator, which forcibly merged all the municipalities of the island of Montreal, the objective promised at that time to realize significant “economies of scale” for the benefit of the taxpayers of the *Ville de Montréal* has not, nor ever will be achieved, given the uncontrolled spending by the *Ville de Montréal* since forced mergers in 2002;

WHEREAS, again in 2000, the Quebec legislator adopted new legislation which created the *Communauté métropolitaine de Montréal (CMM)* with the goal of establishing a more equitable sharing of costs by all municipalities of the Greater Metropolitan Region, but said CMM has failed to implement a fair and reasonable public transit cost-sharing formula applicable to those off-island municipalities whose residents benefit from said public transit services and the economic growth derived thereof;

WHEREAS *An Act respecting the exercise of certain municipal powers in certain urban agglomerations* (R.S.Q., Chapter E-20.001) (Bill 75 of 2004), *An Act to amend various legislative provisions concerning municipal affairs* (S.Q. 2005, Chapter 28) (Bill 111), and *An Act to amend various legislative provisions concerning Montréal* (S.Q. 2008, Chapter 19) (Bill 22), adopted by the provincial legislator, have failed to achieve any significant improvements in the financial management of the Agglomeration and the democratic collaborative process between the *Ville de Montréal* and its Agglomeration “partners”, namely the Suburban Municipalities;

WHEREAS the provincial legislator must finally accept its responsibility to correct the egregious errors made with the legislation it implemented regarding the governance of the urban agglomeration council and the “*carte blanche*” it has provided to the *Ville de Montréal* through said legislation to freely and unilaterally implement uncontrolled spending within successive Agglomeration budgets with no risk of opposition from the Suburban Municipalities.

THEREFORE:

It was moved by Councillor Dino Mazzone, seconded by Councillor Elizabeth Ulin and resolved:

- 1) That, as provided for under the terms of Articles 115, 118.79, 118.80, 118.81, 118.82 and 118.82.1 of *An Act Respecting The Exercise Of Certain Municipal Powers In Certain Urban Agglomerations* (R.S.Q., Chapter E-20.001), the Town of Montreal West respectfully submits to the *Commission municipale du Québec* its objection to the *Règlement concernant la quote-part pour l'alimentation en eau potable (exercice financier 2010)* (RCG 10-005) adopted by the urban agglomeration council of Montreal at its sitting of January 28, 2010.
- 2) That the Town of Montreal West request the Minister of Municipal Affairs, Regions and Land Occupancy to take immediate action to amend *An Act Respecting The Exercise Of Certain Municipal Powers In Certain Urban Agglomerations*, in order to make it mandatory for the urban agglomeration council of Montreal to adopt all future Agglomeration budgets through by-laws, as well as related components of said budgets such as the allocation of the aliquot shares; all of which being subject to the right of objection to the appropriate authority as provided for in the Act.
- 3) That the Minister be requested to immediately appoint a *mandataire* who will have the mandate and authority to validate the “mixed expenses” that the *Ville de Montréal* has charged to the urban agglomeration council in its 2010 budget.
- 4) That the Minister also be requested to instruct said *mandataire* to carry out a separate investigation and validation of the \$91.9 million of new costs contained in the 2010 Agglomeration budget allegedly related to the financing of employee pension plans.
- 5) That the urban agglomeration council of Montreal be required to create a permanent *Commission du budget* that will have as its members at least two Mayors from the Suburban Municipalities; said Commission shall be empowered to examine all aspects of

the annual operating and capital Agglomeration budgets as per clear and concise guidelines established by the urban agglomeration council.

6) That copies of this resolution be sent to the *Commission municipale du Québec* and to:

- the Quebec Premier;
- the Minister of Municipal Affairs, Regions and Land Occupancy;
- the Minister of Transport;
- the President of the agglomeration council of Montréal;
- all Agglomeration municipalities.

Carried unanimously
#20100222-004

b) CLD Centre-Ouest/Center West (joint expectations)

WHEREAS the Town of Montreal West is a member organization of the Centre Local de Développement (CLD) Centre-Ouest/Center West, together with the Town of Hampstead, the City of Côte Saint-Luc and the Borough of Saint-Laurent;

WHEREAS each member organization is asked every year to notify the CLD of its expectations in terms of organization, services and activities;

THEREFORE:

It was moved by Councillor Joseph McKenzie, seconded by Councillor Julie Tasker-Brown and resolved:

To approve the joint municipal expectations of Côte Saint-Luc City Council, Hampstead Town Council and Montreal West Town Council from the Centre Local de Développement (CLD) Centre-Ouest/Center West for the year 2010-2011.

Carried unanimously
#20100222-005

c) Performance of the collection contract of recyclable materials

It was moved by Councillor Joseph McKenzie, seconded by Councillor Julie Tasker-Brown and resolved:

1) That the Town of Montreal West confirm the mandate of the law firm Dunton Rainville to send the contractor for recyclable materials collection, RCI Environnement Inc., a formal letter of warning with respect to the unsatisfactory provision of services to the residents, and to notify the performance bond company of this contractor.

2) That the said law firm be authorized to take all required steps to call the performance bond company into warranty and take any appropriate recourses towards the contractor, should the latter fail, refuse or neglect to remedy the situation.

Carried unanimously
#20100222-006

8. Administration and finances

a) Approval of disbursements – January 23 to February 17, 2010

It was moved by Councillor Julie Tasker-Brown, seconded by Councillor Elizabeth Ulin and resolved:

That the list of accounts payable from January 23 to February 17, 2010 totaling \$3,451,148.86 be approved and paid as listed.

Carried unanimously
#20100222-007

b) Delegation of powers for the month of February 2010

It was moved by Councillor Dino Mazzone, seconded by Councillor Joseph McKenzie 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 2010.

Carried unanimously
#20100222-008

c) Payment of invoice – SAAQ registration costs

It was moved by Councillor Joseph McKenzie, seconded by Councillor Julie Tasker-Brown and resolved:

- 1) That Council approve the payment of an amount of \$15,170.00 (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 2040 5080 1034 (File No. 31858285).
- 2) That this expenditure be charged to budget code 02-320-00-965.

Carried unanimously
#20100222-009

d) Climate-Municipalities program

This item was deferred to a subsequent meeting.

e) Earth Hour 2010

WHEREAS the "Earth Hour" is a yearly international event sponsored by the World Wildlife Fund;

WHEREAS this event is intended to increase public awareness of the importance of saving energy to fight climate change;

WHEREAS in 2009, more than 4,000 municipalities in 88 countries participated in this initiative;

THEREFORE:

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

- 1) That the Town of Montreal West agree to turn off all non-essential lighting for one hour on Saturday, March 27, 2010 starting at 8:30 p.m.
- 2) That all residents of Montreal West be encouraged to join the Town on March 27, 2010.
- 3) That the Town of Montreal West invite all Montreal Island municipalities to take part in the Earth Hour on March 27, 2010.

Carried unanimously
#20100222-010

f) Application to "Clic Revenu" services (Québec)

WHEREAS the Town uses the electronic services of the Provincial Department of Revenue to facilitate its dealings with the Government for fiscal purposes;

THEREFORE:

It was moved by Councillor Julie Tasker-Brown, seconded by Councillor Dino Mazzone and resolved:

- 1) That the Treasurer, Ms. Julie Mandeville, be appointed authorized representative and responsible person for electronic services on behalf of the Town of Montreal West, for the purposes of "*Clic Revenu*" services with *Revenu Québec*.
- 2) That Ms. Julie Mandeville be authorized to sign any required documents to implement this resolution.
- 3) That Ms. Lois Kidd, Accounting Officer, also be appointed responsible person for electronic services for the purposes of "*Clic Revenu*" services with *Revenu Québec*.
- 4) That Resolution #20070227-010 be repealed.

Carried unanimously
#20100222-011

g) Amendment to Resolution # 20090908-011 – Programme d'infrastructures Québec-Municipalités (PIQM)

WHEREAS Council adopted the aforementioned resolution for the purposes of a subsidy application under the PIQM for the repair project of Campbell, Brock North, Radcliffe, Banstead and Ballantyne Avenues and Ainslie Road;

WHEREAS the Ministry of Municipal Affairs, Regions and Territorial Occupancy requested the Town to amend this list to comply with its guidelines;

THEREFORE:

It was moved by Councillor Joseph McKenzie, seconded by Councillor Dino Mazzone and resolved:

1) That Resolution # 20090908-011 be amended by replacing the list of streets in the preamble of the present resolution with the following:

- Banstead, Radcliffe, Campbell, Wolseley South, Strathearn, Fenwick, Sheraton, Roxton, Wolseley North and Perceval Avenues and Ainslie Road.

2) That the Director General, Mr. Stéphan Dulude, be authorized to sign any required document to implement this resolution.

3) That the other terms and conditions of Resolution # 20090908-011 remain the same.

Carried unanimously
#20100222-012

9. **Urban Department**

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

It was moved by Councillor Julie Tasker-Brown, seconded by Councillor Elizabeth Ulin and resolved:

1) To acknowledge receipt of the minutes of a meeting held by the Planning Advisory Committee (PAC) on February 17, 2010 and to accept its recommendations.

2) To approve under the SPAIP the following plans submitted to this meeting, under the conditions stated by the PAC as outlined in the minutes:

1) 220 Ballantyne North.

3) To defer the examination of the following plans to a next meeting of this Council, in accordance with the recommendations of the PAC as outlined in the minutes, and under the conditions set forth by the said Committee for each project, as the case may be:

- 1) 46 Easton;
- 2) 24 Fenwick;
- 3) 156 Westminster North;
- 4) 50 Easton.

Carried unanimously
#20100222-013

b) **Home Adaptation Program – Gestion des Programmes S.H.Q.**

This item was deferred to a subsequent meeting.

10. **Public Works**

There was nothing under this item.

11. **Human Resources**

There was nothing under this item.

12. **Appointments**

There was nothing under this item.

13. **Councillors' Reports**

a) Public Security

Councillor Dino Mazzone reported on activities pertaining to the Public Security portfolio for the month of February 2010.

b) Recreation and Cultural Services

Councillor Elizabeth Ulin reported on activities pertaining to the Recreation and Cultural Services portfolio for the month of February 2010.

c) Administration and Buildings

Councillor Julie Tasker-Brown reported on activities pertaining to the Administration and Buildings portfolio for the month of February 2010.

d) Public Works

Councillor Joseph McKenzie reported on activities pertaining to the Public Works portfolio for the month of February 2010.

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 authorizing a loan for the carrying out of road, aqueduct and sewer work, sidewalk repairs and the replacement of street lamps, valves and hydrants on Banstead, Radcliffe, Wolseley South, Strathearn, Fenwick, Sheraton, Roxton, Wolseley North and Perceval Avenues and on Ainslie Road and for additional credits for the infrastructure work on Campbell Avenue decreed in By-Law No. 2008-002

Mayor Masella gave notice of motion that it is intended at a subsequent Meeting of Council to submit for adoption a "By-Law authorizing a loan for the carrying out of road, aqueduct and sewer work, sidewalk repairs and the replacement of street lamps, valves and hydrants on Banstead, Radcliffe, Wolseley South, Strathearn, Fenwick, Sheraton, Roxton, Wolseley North and Perceval Avenues and on Ainslie Road and for additional credits for the infrastructure work on Campbell Avenue decreed in By-Law No. 2008-002".

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

Mayor Masella requested that the reading of a "By-Law authorizing a loan for the carrying out of road, aqueduct and sewer work, sidewalk repairs and the replacement of street lamps, valves and hydrants on Banstead, Radcliffe, Wolseley South, Strathearn, Fenwick, Sheraton, Roxton, Wolseley North and Perceval Avenues and on Ainslie Road and for additional credits for the infrastructure work on Campbell Avenue decreed in By-Law No. 2008-002" 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.

Daniel Markuze of 446 Wolseley North, referring to the amended application to the PIQM adopted tonight, asked why Sheraton would be on the list of streets for new projects, since there have already been work done there. The Mayor explained that the application covers a different section, and also that the Town has to follow government criteria, which prioritize the state of sewers versus other ways of planning. For instance, Council believed a large section of Radcliffe deserved to be part of the work this year, but the government would only accept a small part of it. The resident noted that the budgeting for these projects was done a few years ago. The Mayor said it is true, but nonetheless the decision to actually carry out work has always been contingent upon obtaining subsidies. He noted that this is the third year the Provincial Government will only allow Montreal West to undertake what it deems a priority, not what Council believes make more sense at this time.

Earl Wertheimer of 145 Radcliffe noted that Council did its best with the 2010 budget, but deplored that the taxes are too high; fearing that many people cannot afford to live in this town at some point. He asked that the Town try to live within its residents' means. He

particularly claimed that a disproportionate part of the budget is now dedicated to service our debt. Consequently, he said it would be acceptable to defer new infrastructure work in order to get a break in tax increases. He also asked how much it costs for the Westminster wireless network and how many people use it. On the resident's first remarks, Mayor Masella noted that the new debt incurred by the Town is in fact an investment, not for consumer expenses. In the past, taxes were already high and the Town had terrible roads and water breaks. Also, a part of the tax increases is linked to the settlement of collective agreement negotiations. Still, the Town was able to limit the increase of its operating budget to 1%. Furthermore, the financing of the Agglomeration is an uncontrollable part of the overall budget. And for next year, Council will have more time to start working in advance, to ensure our operating budget is more able to offset any further Agglomeration increases; last year, Council was elected in November and it was already time to adopt a new budget. Councillor Tasker-Brown added that the Town is trying to take advantage now of subsidy programs that may not exist anymore in future years. And everyone agrees that a lot of network rehabilitation is needed. Mayor Masella noted that the Town has obtained around \$4.1 million in financial assistance through the gas tax subsidy and the PIQM. It is tough to stay away from that kind of help when it can be put to good use to rebuild the infrastructure. As for the question relating to the wireless network, Councillor Tasker-Brown said she would get back to him with the information.

Daniel Markuze of 446 Wolseley North noted that Public Security receives a relatively important part of the budget, and wondered if this service is duplicating the work of the Montreal Police Department. On the other hand, if the Town deems it necessary, then Public Security officers should patrol at night. The Director of Public Security, Mr. Patrick Mann, having been invited to comment by the Mayor, said that they do patrol at night, and now that a new officer has been hired, the coverage will be 20 hours a day. The Mayor noted that the night coverage at Montreal Neighborhood Station 9 is limited, as it also extends to Hampstead and Côte Saint-Luc, so Public Security officers really do not duplicate their work, they rather help the police. Councillor Mazzone added that the percentage of budget devoted to Public Security is in the average of other municipalities, and that these officers do a great job. The resident insisted that the issuance of tickets is in his view the real measure of their work. Councillor Ulin commented by saying that in the exercise of a zero-base budget review, which Council is planning to conduct, it will be interesting to see how each department will justify its existence.

17. Termination of the Meeting

At 9:05 p.m., no other questions being asked,

It was moved by Councillor Joseph McKenzie, seconded by Councillor Dino Mazzone and resolved:

That the Meeting be terminated.

Carried unanimously
#20100222-014

Beny Masella
Mayor

Claude Gilbert
Town Clerk

*The annexes mentioned above are deposited
in the municipal archives in File Archives-20100222*