

MINUTES
REGULAR COUNCIL MEETING

DECEMBER 17, 2012
8:00 p.m.

Minutes of the Regular Meeting of the Council of Montreal West held on December 17, 2012 at the Town Hall located at 50 Westminster Avenue South.

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

Absent: Ms. Julie Tasker-Brown, Councillor

Also present: Mr. Stephan Dulude, Director General
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.

Nineteen (19) residents and visitors were in attendance.

1. Opening of the Meeting

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

That the Meeting be declared open.

Carried unanimously
#20121217-001 (2)

The Mayor called the Meeting to order at 8:00 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, December 17, 2012 with the following modification:

- deferring item 7b): **Borough of Lachine – by-law concerning heavy vehicles traffic.**

Carried unanimously
#20121217-002 (2)

4. Approval of the Minutes

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

To approve the Minutes of the Regular Council Meeting held on November 26, 2012.

Carried unanimously
#20121217-003 (2)

5. Correspondence

There was nothing under this item.

6. **Report of the Mayor**

Mayor Masella noted that the Council adopted the 2013 budget in a special meeting that was held earlier tonight. He pointed out that the tax increase will be 1.14% for the average home in Montreal West. The Mayor also noted that the Agglomeration did not come up with a big increase in the contribution it will require next year, but the tax-payers should not expect this is a trend that will continue in the years to come. On another topic, he mentioned that the bilingual cities and towns of Quebec have started to mobilize against Bill 14 by adopting resolutions on this government proposal to change the existing rules. By enacting more restrictive criteria as to who is an Anglophone, this law would make it easier to withdraw the bilingual status of these municipalities. Although Minister Jean-François Lisée said in a meeting that the minimum under which it could be lost will be 40% instead of 50%, Mayor Masella stated that the rules must remain the same as they are now.

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

a) **Group insurance – mandate to the UMQ**

WHEREAS the Town of Montreal West, by virtue of resolution #20120827-004, authorized the Union des municipalités du Québec (UMQ) to proceed with a call for tenders on its behalf and to hire a consultant in group insurance for municipal employees;

WHEREAS the UMQ, on November 30, 2012, awarded this contract for professional services to Mallette Actuaire Inc., within the scope of a purchasing group of municipalities, of which the Town is a member;

WHEREAS the UMQ, in order to better protect the interests of these municipalities, recommends that they give it a mandate towards the insurer;

THEREFORE:

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

That the Town of Montreal West mandate the UMQ to be authorized to access the group insurance file of the Town with the insurer, subject to the applicable rules pertaining to protection of personal data.

Carried unanimously
#20121217-004 (2)

b) **Borough of Lachine – by-law concerning heavy vehicles traffic**

This item was deferred to a subsequent meeting.

c) **Maintenance of status recognized under section 29.1 of the Charter of the French Language**

WHEREAS the Charter of the French Language (the "Charter") was adopted by the Quebec National Assembly in 1977, and over 80 municipalities throughout the Province of Quebec were recognized as having "bilingual status" pursuant to the provisions of Section 29.1 of the Charter;

WHEREAS the original provisions of the Charter allowed those municipalities that had a majority of residents who spoke a language other than French to be officially recognized under Section 29.1;

WHEREAS the Town of Montreal West has been recognized as having bilingual status under Section 29.1 of the Charter since 1977 and wishes to retain such "bilingual status";

WHEREAS currently the Charter does not allow the recognition of "bilingual status" under Section 29.1 to be removed from a municipality or borough except at the request of such municipality or borough;

WHEREAS the Quebec National Assembly adopted Bill 170 imposing forced municipal mergers on municipalities in 2000 and simultaneously adopted companion legislation Bill 171 which drastically changed the criteria to obtain recognition under Section 29.1 of the Charter, from a majority of residents of a municipality or borough who spoke a language other than French to a majority of residents whose mother tongue was English;

WHEREAS the revised criteria under Bill 171 was imposed without consultation with municipalities recognized under Section 29.1 and adopted the narrowest and most

inaccurate definition of the English-speaking communities within said municipalities or boroughs;

WHEREAS the current Quebec Government has now proposed Bill 14 which would allow for the removal of Section 29.1 recognition from municipalities or boroughs by decree and against the will of the municipality or borough concerned, its duly elected council and its residents;

WHEREAS the Town is firmly opposed to the proposed amendments to Section 29.1 of the Charter as set out in Bill 14;

THEREFORE:

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

1) That the Town of Montreal West hereby declares that it wishes to retain its “bilingual status” recognition under Section 29.1 of the Charter now and in the future and wishes to do so irrespective of any fluctuations in its population shown in census numbers now or in the future.

2) That the residents and Council of Montreal West view the recognition of this municipality under Section 29.1 as fundamental to its character and as a testament of the historical presence of both the English- and French-speaking communities in the said municipality.

3) That the Town vigorously opposes the proposed modifications to Section 29.1 of the Charter set out in Bill 14 and demands that the Quebec National Assembly continue to recognize the acquired rights of all municipalities and boroughs that currently possess such status and refrain from adopting any legislation that allows Section 29.1 recognition of bilingual status to be removed from a municipality or borough except at the initiative of and express request of said municipality or borough.

4) That the Town calls upon all of the members of the Quebec National Assembly to remove the provisions of Bill 14 that propose to amend Section 29.1 of the Charter or to vote against and defeat such provisions since we view such provisions as an attack on the fundamental rights and intrinsic character of all municipalities and boroughs that currently possess Section 29.1 recognition.

5) That the Town directs its clerk to send copies of this resolution to the Premier of Quebec, the Leader of the Official Opposition, the Minister of Municipal Affairs, Regions and Land occupancy, the Minister responsible for the Charter of the French Language, the Minister responsible for the Metropolis, the Member of the National Assembly for Notre-Dame-De-Grâce, the Member of Parliament for Notre-Dame-De-Grâce-Lachine, the Commissioner of Official Languages of Canada, the Union des Municipalités du Québec, the Fédération Québécoise des Municipalités, the Federation of Canadian Municipalities, and the reconstituted municipalities of the Agglomeration of Montreal.

Carried unanimously
#20121217-005 (2)

8. Administration and finances

a) Approval of disbursements – November 21 to December 11, 2012

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

That the list of accounts payable from November 20 to December 11, 2012 totaling \$1,414,951.33 be approved and paid as listed.

Carried unanimously
#20121217-006 (2)

b) Delegation of powers for the month of December 2012

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

To approve the report of the Director General concerning the exercise of powers delegated under By-Law No. 2005-002 for the month of December 2012.

Carried unanimously
#20121217-007 (2)

c) Grants for 2013

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

That the Town of Montreal West award the following grants for the year 2013:

• Montreal West Children’s Library	\$74,500
• Montreal West Public Library	59,500
• The Informer	15,000
• Community Services Council	4,200
• Town Historian (Mr. David Watson)	500
TOTAL	\$153,700

Carried unanimously
#20121217-008 (2)

d) Canada Day Grant

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

That the Town of Montreal West apply for a subsidy for Canada Day celebrations to the Federal Department of Canadian Heritage through the applicable program, and authorize its Director of Recreation and Cultural Services to sign any necessary documents for this purpose.

Carried unanimously
#20121217-009 (2)

e) National Holiday Grant

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

That the Town of Montreal West apply for a subsidy to the “Mouvement national des Québécoises et Québécois” through the “Fête nationale du Québec 2013” program of the Provincial Government, and authorize its Director of Recreation and Cultural Services to sign any necessary documents for this purpose.

Carried unanimously
#20121217-010 (2)

9. Urban Department

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

It was moved by Councillor Dino Mazzone, 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 December 12, 2012.
- 2) To approve under the SPAIP the following plans submitted to this meeting, subject to the conditions stated by the PAC as outlined in the minutes, as the case may be:

Address	Project	PAC’s recommendation
143 Strathearn N.	modification of exterior cladding on all four facades	as presented.

- 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:

Address	Project
189 Easton	replacement of windows on one wing.

Carried unanimously
#20121217-011 (2)

10. Public Works

a) Natural gas supply – purchasing group

WHEREAS the Supply Services Section of the Boroughs and Material Resources Department of the City of Montreal has offered to the Town of Montreal West to participate in a group call for tenders for the purpose of awarding a single contract for the management and supply of natural gas over a period of two years starting December 1, 2013, followed by two yearly renewal options;

WHEREAS the participation in this contract involves a commitment to deal exclusively with the selected supplier during the contract period;

WHEREAS the savings that should be made through this approach make it advisable to accept the offer;

THEREFORE:

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

- 1) That the Town of Montreal West accept to participate in the proposed call for tender for the management and supply of natural gas.
- 2) That the Town request and authorize the City of Montreal to proceed with this call for tender and to award the contract, for a period extending from December 1, 2013 and ending no later than November 30, 2017, including the renewal options.
- 3) That the Town undertake to supply itself exclusively from the selected supplier, and confirm the availability of credits to pay for the management and supply of natural gas.
- 4) That the Town Clerk be authorized to sign any necessary documents to implement this resolution.

Carried unanimously
#20121217-012 (2)

11. **Human Resources**

a) **Management Personnel – Public Works Department**

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

- 1) That Mr. Rylan Wadsworth be appointed Director of Public Works.
- 2) That Mr. Nick Mavrias be appointed Assistant Director of Public Works.
- 3) That this resolution be effective January 1, 2013.

Carried unanimously
#20121217-013 (2)

12. **Appointments**

a) **Designation of the Pro-Mayor**

NOTE The last persons who held the office of Pro-Mayor, starting with the most recent incumbent, were Councillors Julie Tasker-Brown, Dino Mazzone, Joseph McKenzie, and Elizabeth Ulin.

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

- 1) That Councillor Elizabeth Ulin be appointed Pro-Mayor for the months of February, March, April and May 2013.
- 2) That Councillor Elizabeth Ulin be designated to replace Mayor Beny Masella on the Agglomeration Council as necessary, and that a copy of this resolution be forwarded, if needed, to the Agglomeration Council.
- 3) That this appointment take effect on February 1, 2013.

Carried unanimously
#20121217-014 (2)

13. **Councillors' Reports**

a) **Public Security**

in the absence of Councillor Julie Tasker-Brown, there was no report on activities pertaining to the Public Security portfolio for the month of December 2012.

b) **Recreation and Culture**

Councillor Elizabeth Ulin reported on activities pertaining to the Recreation and Culture portfolio for the month of December 2012.

c) **Administration and Buildings**

Councillor Dino Mazzone reported on activities pertaining to the Administration and Buildings portfolio for the month of December 2012.

d) **Public Works**

Councillor Joseph McKenzie reported on activities on activities pertaining to the Public Works portfolio for the month of December 2012.

14. **Deposit of Documents**

a) **Register of gifts received by Council Members**

An excerpt of the register of gifts, marks of hospitality and benefits received by Council members, in excess of a value of \$200 each, was filed in accordance with section 6 of the Municipal Ethics and Good Conduct Act. No such benefits were entered on the register.

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

a) **Adoption of By-Law No. 466-10 – By-Law Amending By-Law No. 466 Concerning Employees' Pension Plan for the Town of Montreal West**

WHEREAS dispensation from reading for this By-Law having been previously requested according to the law, a copy of said By-Law was accordingly made available to Council members, who have taken cognizance of it and waive its reading;

THEREFORE:

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

That By-Law No. 466-10 entitled "By-Law Amending By-Law No. 466 Concerning Employees' Pension Plan for the Town of Montreal West" be adopted.

Carried unanimously
#20121217-015 (2)

b) **Adoption of By-Law No. 2012-008 – By-Law Concerning Taxes of the Town of Montreal West for the fiscal year 2013**

WHEREAS dispensation from reading for this By-Law having been previously requested according to the law, a copy of said By-Law was accordingly made available to Council members, who have taken cognizance of it and waive its reading;

THEREFORE:

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

That By-Law No. 2012-008 entitled "By-Law Concerning Taxes of the Town of Montreal West for the fiscal year 2013" be adopted.

Carried unanimously
#20121217-016 (2)

c) **Adoption of By-Law No. 2012-009 – By-Law authorizing a loan of \$4,050,480 for the carrying out of road, aqueduct and sewer work, sidewalk repairs and the replacement of street lamps on Radcliffe and Sheraton Avenues**

WHEREAS dispensation from reading for this By-Law having been previously requested according to the law, a copy of said By-Law was accordingly made available to Council members, who have taken cognizance of it and waive its reading;

THEREFORE:

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

That By-Law No. 2012-009 entitled "By-Law authorizing a loan of \$4,050,480 for the carrying out of road, aqueduct and sewer work, sidewalk repairs and the replacement of street lamps on Radcliffe and Sheraton Avenues" be adopted.

Carried unanimously
#20121217-017 (2)

16. Public Question Period

The Mayor announced the beginning of the Public Question Period at 8:40 p.m.

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

Linda Hammerschmid asked when Council will adopt the new dog by-law. Mayor Masella said it should be adopted in January. Council has focused on the budget in the last few weeks and did not have a chance to discuss at length the content of this by-law.

17. Termination of the Meeting

At 8:45 p.m., no other questions being asked,

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

That the Meeting be terminated.

Carried unanimously
#20121217-018 (2)

Beny Masella
Mayor

Claude Gilbert
Town Clerk

*The annexes mentioned above are deposited
in the municipal archives in File Archives-20121217 (2)*