



Minutes of the regular meeting of the Municipal Council of the Town of Baie-D'Urfé held according to the law at the Town Hall, ordinary place of meetings, located at 20410 chemin Lakeshore, Baie-D'Urfé, Quebec, on Tuesday, September 8, 2015 at 7:30 p.m.

WERE PRESENT:

Mayor: Maria Tutino

Councillors: Charles Colomb
Peter Fletcher
Brian Manning
Lynda Phelps
Janet Ryan

ALSO PRESENT: Nathalie Hadida, Director General
Marie-Hélène Bourque, Town Clerk

WAS ABSENT: Michel Beauchamp, Councillor
Stéphane Patenaude, Director of Public Works

A. OPENING OF THE MEETING

The Mayor calls the meeting to order and welcomes the public in attendance.

Unless indicated otherwise, the mayor avails herself of her right not to vote. Unanimous votes are therefore unanimous votes expressed by the councillors.

B. ADOPTION OF THE AGENDA

1. Adoption of the agenda of the regular meeting of the Municipal Council of Tuesday, September 8, 2015.

2015-09-187 It is moved by Councillor Peter Fletcher, seconded by Councillor Charles Colomb and UNANIMOUSLY RESOLVED to adopt the agenda of the regular meeting of the Municipal Council of Tuesday, September 8, 2015, with the following modification:

- Addition of item **J.5.** to read as follows: Contract termination - Supervision of the tennis court reconstruction project within the context of tender TP-2015-17B.

C. PUBLIC QUESTION PERIOD

The mayor announces the beginning of the question period.

The 25 persons present are invited to submit their questions to the members of Council. The following topics are discussed:

- Request submitted with regard to the air conditioning in the Council Chamber.
- Tennis court reconstruction project.
- Communication with and consultation of citizens regarding Town projects.
- Quality, value-for-money and inspection of recent Town projects.
- Guarantees and hold backs available in the context of Town projects and contracts.
- Tennis Club membership.

The question period is declared closed at 8:20 p.m.

Councillor Lynda Phelps leaves the Council chamber at 8:20 p.m.

D. REPORTS ON TOWN ACTIVITIES

1. Commander Sébastien DeMontigny's report, SPVM Station 1.

Commander Sébastien DeMontigny provides a report on the SPVM Station 1's activities for the month of August 2015.

Councillor Lynda Phelps returns to the Council chamber at 8:22 p.m.

2. Mayor's report on Town activities for the month of August 2015.

The mayor provides a report on Town activities for the month of August 2015.

3. Councillors' reports on Town activities for the month of August 2015.

Councillors Peter Fletcher, Brian Manning and Janet Ryan provide reports on Town activities for the month of August 2015.

4. Director General's report on Town activities for the month of August 2015.

The Director General provides a report on Town activities for the month of August 2015.

E. MINUTES

1. Approval of the minutes of the regular meeting of the Municipal Council held on Tuesday, August 11, 2015 at 7:30 p.m.

2015-09-188 It is moved by Councillor Charles Colomb and seconded by Councillor Janet Ryan to adopt the minutes of the regular meeting of the Municipal Council held on Tuesday, August 11, 2015 at 7:30 p.m.

The motion is put to a vote:

In favour : Councillors Charles Colomb, Brian Manning, Lynda Phelps and Janet Ryan.

Opposed : Councillor Peter Fletcher.

MOTION CARRIED.

2. Approval of the minutes of the special meeting of the Municipal Council held on Tuesday, August 18, 2015 at 9 a.m.

2015-09-189 It is moved by Councillor Janet Ryan, seconded by Councillor Charles Colomb and UNANIMOUSLY RESOLVED to adopt the minutes of the special meeting of the Municipal Council held on Tuesday, August 18, 2015 at 9 a.m.

3. Approval of the minutes of the special meeting of the Municipal Council held on Thursday, August 20, 2015 at 9 a.m.

2015-09-190 It is moved by Councillor Lynda Phelps, seconded by Councillor Charles Colomb and UNANIMOUSLY RESOLVED to adopt the minutes of the special meeting of the Municipal Council held on Thursday, August 20, 2015 at 9 a.m.

4. Approval of the minutes of the special meeting of the Municipal Council held on Thursday, August 27, 2015 at 9 a.m.

2015-09-191 It is moved by Councillor Lynda Phelps, seconded by Councillor Janet Ryan and UNANIMOUSLY RESOLVED to adopt the minutes of the special meeting of the Municipal Council held on Thursday, August 27, 2015 at 9 a.m.

F. CORRESPONDENCE

1. Letter from Eric Winn requesting that the Town rename Dorset Park as Rhian Wilkinson Park.

Referred to Council.

2. Letter from Eric Winn requesting that a ramp be built to serve as a launch area on the water's edge in Berthold Park.

Referred to the Parks and Recreation Committee.

3. Letter from Kristin Kudreikis requesting use of the Red Barn as a regular meeting place for her homeschooling families' cooperative.

Referred to the Administration.

4. Letter from Wayne Belvedere, on behalf of Sauvetage Baie-D'Urfé Rescue, requesting the Town's permission to use portions of the Public Works building to host the Oyster Party.
Referred to the Administration.
5. Letter from Alan Mew requesting that the Town adopt a by-law to regulate the installation of community mailboxes.
Referred to the Administration.
6. Letter from Danny Carbone requesting an amendment to the Zoning By-law to allow him to open a customized counseling centre to help children and teenagers with special needs.
Referred to the Administration.
7. Letter from Gaetano Ionata in support of the proposed outdoor refrigerated ice rink project.
Tabled.
8. Letter from Peter McAlear in support of the proposed outdoor refrigerated ice rink project.
Tabled.
9. Letter from Jacques Bertrand in support of the proposed outdoor refrigerated ice rink project.
Tabled.
10. Letter from Edith Rathé in support of the proposed outdoor refrigerated ice rink project.
Tabled.
11. Letter from Sabra Way, Philip Hofton and George Hofton in support of the proposed outdoor refrigerated ice rink project.
Tabled.
12. Letter from Gunther Leichtle in support of the proposed outdoor refrigerated ice rink project.
Tabled.
13. Letter from Lynda Yolland in support of the proposed outdoor refrigerated ice rink project.
Tabled.
14. Letter from Carl and Tara Storsater in support of the proposed outdoor refrigerated ice rink project.
Tabled.
15. Letter from Lyne de Palma and Richard Knight in support of the proposed outdoor refrigerated ice rink project.
Tabled.
16. Letter from Michelle Wilson in support of the proposed outdoor refrigerated ice rink project.
Tabled.
17. Letter from Ken Hubscher in support of the proposed outdoor refrigerated ice rink project.
Tabled.
18. Letter from Brent Dinsmore and Michelle Bourque in support of the proposed outdoor refrigerated ice rink project.
Tabled.

19. Letter from Margaret Kastner in support of the proposed outdoor refrigerated ice rink project and suggesting that the Baie-D'Urfé residents' directory allow for the possibility of voluntarily listing an e-mail address.

Referred to the Administration.

20. Letter from Marc and Tracy Bibeau expressing their opposition to the proposed outdoor refrigerated ice rink project.

Tabled.

21. Letter from Bernie Hojabri thanking the Town for its decision to host "Shakespeare in the Park" for the 2016 summer season.

Tabled.

22. Letter from Denise Vemette asking if it would be possible for her to purchase a bench in memory of her son, Lee Mitchell, and to have it placed on the Fritz Farm grounds.

Referred to the Administration.

G. ADMINISTRATION

1. Designation of Mayor Maria Tutino to the Board of Directors of *Centre local de développement* (CLD) West-Island.

WHEREAS the board of directors of a *Centre local de développement* must include an elected municipal officer, representative of the business community and the social economy;

2015-09-192 THEREFORE, it is moved by Councillor Charles Colomb, seconded by Councillor Janet Ryan and UNANIMOUSLY RESOLVED to authorize Mayor Maria Tutino to act as elected voting member to the Board of Directors of the CLD West-Island and to forward a copy of this resolution to the CLD West-Island and the bodies forming part of it, to the City of Montreal and to the Agglomeration Council.

H. PARKS, RECREATION AND ENVIRONMENT

I. PUBLIC SECURITY AND TRAFFIC

1. Tabling of the report on the activities of the Citizens on Patrol for the month of August 2015.

2015-09-193 It is moved by Councillor Lynda Phelps, seconded by Councillor Charles Colomb and UNANIMOUSLY RESOLVED to table the report on the activities of the Citizens on Patrol for the month of August 2015.

2. Tabling of the report on the activities of Sauvetage Baie-D'Urfé Rescue for the month of August 2015.

2015-09-194 It is moved by Councillor Lynda Phelps, seconded by Councillor Charles Colomb and UNANIMOUSLY RESOLVED to table the report on the activities of Sauvetage Baie-D'Urfé Rescue for the month of August 2015.

3. Appointment of Stephen Ryan as a permanent member of Sauvetage Baie-D'Urfé Rescue as of September 8, 2015.

2015-09-195 It is moved by Councillor Lynda Phelps, seconded by Councillor Brian Manning and UNANIMOUSLY RESOLVED to appoint Stephen Ryan as a permanent member of Sauvetage Baie-D'Urfé Rescue as of September 8, 2015.

4. Tabling of the report on the activities of Unit 8 of the Canadian Coast Guard Auxiliary (Quebec) Inc. for the month of August 2015.

2015-09-196 It is moved by Councillor Lynda Phelps, seconded by Councillor Brian Manning and UNANIMOUSLY RESOLVED to table the report on the activities of Unit 8 of the Canadian Coast Guard Auxiliary (Quebec) Inc. for the month of August 2015.

J. PUBLIC WORKS AND TOWN INFRASTRUCTURES

1. Quebec government gas tax funding program (TECQ) for the years 2014 to 2018.

WHEREAS the Town of Baie-D’Urfé has familiarized itself with the *Guide relatif aux modalités de versement de la contribution gouvernementale dans le cadre du programme de la taxe sur l’essence et de la contribution du Québec (TECQ) pour les années 2014 à 2018*; and

WHEREAS the Town of Baie-D’Urfé must abide by the terms and conditions outlined in this guide which apply to the Town in order to receive the government’s contribution that has been confirmed to the Town in a letter from the Minister of Municipal Affairs and Land Occupancy (MAMOT);

2015-09-197 THEREFORE, it is moved by Councillor Janet Ryan, seconded by Councillor Lynda Phelps and UNANIMOUSLY RESOLVED:

THAT the Town of Baie-D’Urfé agree to abide by the terms and conditions outlined in the guide that apply to it;

THAT the Town of Baie-D’Urfé agree to be solely responsible and clear Canada and Québec as well as their ministers, senior officers, employees and authorized agents of any responsibility for claims, demands, losses, damages and costs of any kind related to any injury of a person, death of that person, loss or damage to property caused by a deliberate or negligent act stemming directly or indirectly from investments carried out by means of the financial aid obtained under the TECQ program 2014-2018;

THAT the Town of Baie-D’Urfé approve the content of the attached work schedule and authorizes its transmittal to the MAMOT, along with all other documents required by the Ministry, in order to receive the government’s contribution that was confirmed to the Town in a letter from the MAMOT;

THAT the Town of Baie-D’Urfé commit to attaining the minimum threshold level in municipal infrastructure expenditures established at \$28 per resident per year, that is a total of \$140 per resident for the full five (5) years of the program; and

THAT the Town of Baie-D’Urfé inform the MAMOT of any change which may be made to the work schedule approved by means of this resolution.

2. Resolution amendment – Roxboro Excavation inc. in the amount of \$819 751.43 (taxes included) for the 2015 paving and drainage program within the context of project TP-2015-16B.

WHEREAS it was resolved, by way of resolution no. 2015-08-178, to transfer the sum of \$819 751.43 from the non-affected surplus (account no. 55-991-00-000) to account no. 22-320-00-721 for the 2015 paving and drainage program; and

WHEREAS this transfer of funds should have been for a sum of \$719 751.43;

2015-09-198 THEREFORE, it is moved by Councillor Lynda Phelps and seconded by Councillor Brian Manning to amend resolution no. 2015-08-178 in order to correct the transfer of funds as follows:

TO transfer the sum of \$719 751.43 from the non-affected surplus (account no. 55-991-00-000) to account no. 22-320-00-721 for the 2015 paving and drainage program.

A certificate of availability of funds was issued by the Treasurer.

The motion is put to a vote:

In favour : Councillors Charles Colomb, Brian Manning, Lynda Phelps and Janet Ryan.
Opposed : Councillor Peter Fletcher.

MOTION CARRIED.

3. Ratification – Additional work performed by Les Signalisations R.C. Inc. for line marking services for the years 2013-2014-2015 within the context of project TP-2013-17.

WHEREAS Les Signalisations R.C. Inc. was awarded a contract, in the amount of \$45 050.83 (taxes included), for line marking services for the years 2013-2014-2015 within the context of tender TP-2013-17, by means of resolution no. 2013-04-107; and

WHEREAS additional work, in the amount of \$7 350.24 (taxes included), was required in connection with said contract;

2015-09-199 THEREFORE, it is moved by Councillor Janet Ryan and seconded by Councillor Charles Colomb:

TO transfer the sum of \$678.54 from the non-affected surplus (account no. 55-991-00-000) to account no. 02-355-00-521 for line marking services for the years 2013-2014-2015; and

TO ratify the authorization for the additional work completed by Les Signalisations R.C. Inc. in the amount of \$7 350.24 (taxes included), within the context of project TP-2013-17 and to charge this expense as follows:

Source: General Funds
Charge to: 02-355-00-521

A certificate of availability of funds was issued by the Treasurer.

The motion is put to a vote:

In favour : Councillors Charles Colomb, Brian Manning, Lynda Phelps and Janet Ryan.
Opposed : Councillor Peter Fletcher.

MOTION CARRIED.

4. Ratification – Additional work performed by Antidote Arboriculture Inc. for the treatment of public ash trees with Treeazin within the context of project TP-2015-07.

WHEREAS Antidote Arboriculture Inc. was awarded a contract, in the amount of \$26 834.83 (taxes included), for the treatment of public ash trees with Treeazin within the context of tender TP-2015-07, by means of resolution no. 2015-06-136; and

WHEREAS additional work, in the amount of \$492.14 (taxes included), was required in connection with said contract;

2015-09-200 THEREFORE, it is moved by Councillor Charles Colomb and seconded by Councillor Lynda Phelps to ratify the authorization for the additional work completed by Antidote Arboriculture Inc. in the amount of \$492.14 (taxes included), within the context of project TP-2015-07 and to charge this expense as follows:

Source: General Funds
Charge to: 02-470-00-635

A certificate of availability of funds was issued by the Treasurer.

The motion is put to a vote:

In favour : Councillors Charles Colomb, Brian Manning, Lynda Phelps and Janet Ryan.
Opposed : Councillor Peter Fletcher.

MOTION CARRIED.

5. Contract termination - Supervision of the tennis court reconstruction project within the context of tender TP-2015-17B.

WHEREAS H/B Sports Enterprises Inc. is a distributor of tennis court products;

WHEREAS the Town of Baie-D'Urfé entered into an agreement with H/B Sports Enterprises Inc. for the supervision of the tennis court reconstruction project within the context of tender TP-2015-17B and that within the context of this agreement the company had the obligation to divulge that it was a distributor of tennis court products;

WHEREAS this divulgation was not done;

2015-09-201 THEREFORE, it is moved by Councillor Charles Colomb, seconded by Councillor Janet Ryan and UNANIMOUSLY RESOLVED to hereby terminate the agreement entered into between H/B Sports Enterprises Inc. and the Town of Baie-D'Urfé.

K. TOWN PLANNING

1. Tabling of the minutes of the Planning Advisory Committee meeting held on Wednesday, June 17, 2015 at 8:30 a.m.

2015-09-202 It is moved by Councillor Janet Ryan, seconded by Councillor Lynda Phelps and UNANIMOUSLY RESOLVED to table the minutes of the Planning Advisory Committee meeting held on Wednesday, June 17, 2015 at 8:30 a.m.

2. Notice of motion and adoption of *first draft by-law no. 875-110 amending Zoning By-law no. 875, as already amended, in order to allow for a greater total surface area for supplementary signs displayed along the Trans-Canada Highway in Zone I-50.*

Councillor Janet Ryan gives notice of motion that Council intends to present and adopt, at a subsequent council meeting, *By-law no. 875-110 amending Zoning By-law no. 875, as already amended, in order to allow for a greater total surface area for supplementary signs displayed along the Trans-Canada Highway in Zone I-50.* The purpose of this by-law is to increase from 6.5 square metres (70.0 square feet) to 8 square metres (86.1 square feet) the total surface area for supplementary signs displayed along the Trans-Canada Highway in Zone I-50.

2015-09-203 It is moved by Councillor Janet Ryan, seconded by Councillor Charles Colomb and UNANIMOUSLY RESOLVED:

TO adopt *first draft by-law no. 875-110 amending Zoning By-law no. 875, as already amended, in order to allow for a greater total surface area for supplementary signs displayed along the Trans-Canada Highway in Zone I-50, as read;* and

TO submit it, in compliance with the law, to public consultation regarding its object and the consequences of its adoption at a public meeting that will be held on Tuesday, October 13, 2015 at 6:45 p.m. at the Baie-D'Urfé Town Hall located at 20410, chemin Lakeshore, Baie-D'Urfé.

3. Notice of motion and adoption of *first draft by-law no. 875-111 amending Zoning By-law no. 875, as already amended, in order to modify the provision establishing the maximum height for a retaining wall located on the boundary of two lots situated on a slope.*

Councillor Janet Ryan gives notice of motion that Council intends to present and adopt, at a subsequent council meeting, *By-law no. 875-111 amending Zoning By-law no. 875, as already amended, in order to modify the provision establishing the maximum height for a retaining wall located on the boundary of two lots situated on a slope.* The purpose of this by-law is to establish a maximum height of 2 metres (6.6 feet) for a retaining wall located on a lower lot, in the rear or side setback, within 4 metres (13.1 feet) of the boundary with the higher lot.

2015-09-204 It is moved by Councillor Janet Ryan and seconded by Councillor Brian Manning:

TO adopt *first draft by-law no. 875-111 amending Zoning By-law no. 875, as already amended, in order to modify the provision establishing the maximum height for a retaining wall located on the boundary of two lots situated on a slope;* and

TO submit it, in compliance with the law, to public consultation regarding its object and the consequences of its adoption at a public meeting that will be held on Tuesday, October 13, 2015 at 7:00 p.m. at the Baie-D'Urfé Town Hall located at 20410, chemin Lakeshore, Baie-D'Urfé.

The motion is put to a vote, and exceptionally, the mayor takes part in the vote:

In favour : Mayor Maria Tutino and Councillors Lynda Phelps and Janet Ryan.
Opposed : Councillor Charles Colomb, Peter Fletcher and Brian Manning.

MOTION DEFEATED.

4. Notice of motion and adoption of *draft by-law no. 961-4 amending By-law no. 961 on Minor Exemptions of the Town of Baie-D'Urfé, as already amended, in order to allow a minor exemption in the case of a non-conformity of a set-back resulting from a cadastral reform.*

Councillor Brian Manning gives notice of motion that Council intends to present and adopt, at a subsequent council meeting, *By-law no. 961-4 amending By-law no. 961 on Minor Exemptions of the Town of Baie-D'Urfé, as already amended, in order to allow a minor exemption in the case of a non-conformity of a set-back resulting from a cadastral reform.* The purpose of this by-law is to require that a certificate of location not more than 5 years old accompany any request for minor exemption, and that the reduction of a minimum front, secondary front, side or rear setback be

limited to 1 metre (3.3 feet), relative to the minimums established in the Zoning By-law, except when the non-conformity of a setback is attributable to a cadastral reform.

2015-09-205 It is moved by Councillor Brian Manning, seconded by Councillor Janet Ryan and UNANIMOUSLY RESOLVED:

TO dispense with the reading of draft by-law no. 961-4, as Council declares having read it;

TO adopt *draft by-law no. 961-4 amending By-law no. 961 on Minor Exemptions of the Town of Baie-D’Urfé, as already amended, in order to allow a minor exemption in the case of a non-conformity of a set-back resulting from a cadastral reform; and*

TO submit it, in compliance with the law, to public consultation regarding its object and the consequences of its adoption at a public meeting that will be held on Tuesday, October 13, 2015 at 7:15 p.m. at the Baie-D’Urfé Town Hall located at 20410, chemin Lakeshore, Baie-D’Urfé.

5. Notice of motion – By-law no. 969-9 amending Nuisance By-law no. 969, as already amended, in order to prohibit access to fenced areas on Town property outside of opening hours.

Councillor Janet Ryan gives notice of motion that Council intends to present and adopt, at a subsequent council meeting, *By-law no. 969-9 amending Nuisance By-law no. 969, as already amended, in order to prohibit access to fenced areas on Town property outside of opening hours.* The purpose of this amendment is to prohibit access to fenced areas located on Town property outside of opening hours and to set to a minimum of \$100 and a maximum of \$200 the fine that can be imposed to anyone who contravenes this provision of the Nuisance By-Law.

L. CITIZEN SERVICES AND COMMUNITY AFFAIRS

1. Financial support within the context of the Excellence Support Program.

WHEREAS the Town has implemented an Excellence Support Program to recognize and encourage Baie-D’Urfé residents who excel at the provincial, national and international levels; and

WHEREAS the following individual has submitted an application for the month of August 2015 which satisfies the criteria set out in the Town’s Excellence Support Policy:

Applicant	Competition	Amount
Isabelle Lemay	Canadian Ultimate Championships 2015 (Frisbee)	\$100

2015-09-206 THEREFORE, it is moved by Councillor Lynda Phelps, seconded by Councillor Brian Manning and UNANIMOUSLY RESOLVED to table the list of recipients for the Excellence Support Program for the month of August 2015.

M. FINANCE

1. Approval of the list of expenses for the month of August 2015.

2015-09-207 It is moved by Councillor Janet Ryan, seconded by Councillor Lynda Phelps and UNANIMOUSLY RESOLVED to approve the list of expenses for the month of August 2015 in the amount of \$508 805.58.

2. Transfers of funds.

2015-09-208 It is moved by Councillor Janet Ryan and seconded by Councillor Charles Colomb to transfer the following sums:

Projects	Amount	From Account	To Account
Victoria pathway	\$35 379.40	22-320-00-721	02-320-00-529
Vehicles	\$15 000.00	55-991-00-000 (Non affected surplus)	02-391-00-640
Consulting services – Town planning	\$15 000.00	55-991-00-000 (Non affected surplus)	02-610-00-415

Certificates of availability of funds were issued by the Treasurer.

The motion is put to a vote:

In favour : Councillors Charles Colomb, Brian Manning, Lynda Phelps and Janet Ryan.

Opposed : Councillor Peter Fletcher.

MOTION CARRIED.

N. CLOSING OF MEETING

2015-09-209 At 10:45 p.m., it is moved by Councillor Charles Colomb, seconded by Councillor Brian Manning and UNANIMOUSLY RESOLVED to close the meeting.

Mayor

Town Clerk