

**MINUTES**  
**REGULAR COUNCIL MEETING**

**AUGUST 26, 2019**  
**8:00 p.m.**

Minutes of the Regular Meeting of the Council of Montreal West held on August 26, 2019 at the Town Hall located at 50 Westminster Avenue South.

Present:	Mayor:	Mr. Beny Masella	
	Councillors:	Mr. Dino Mazzone	Seat 1
		Ms. Elizabeth Ulin	Seat 2
		Ms. Colleen Feeney	Seat 3
		Ms. Maria Torres	Seat 4

Also present: Me Raffaele Di Stasio, Director General  
Me 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 Maria Torres, seconded by Councillor Dino Mazzone and resolved:

That the Meeting be declared open.

Carried unanimously  
#20190826-001

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 Colleen Feeney, seconded by Councillor Maria Torres and resolved:

To adopt the Agenda of the Regular Meeting of Monday, August 26, 2019 as presented.

Carried unanimously  
#20190826-002

**4. Approval of the Minutes**

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

To approve the Minutes of the Council Meetings held on the following dates:

- Regular Meeting of June 26, 2019;
- Special Meeting of July 12, 2019;
- Special Meeting of August 8, 2019;
- Special Meeting of August 9, 2019.

Carried unanimously  
#20190826-003

**5. Correspondence**

There was nothing under this item.

## 6. Report of the Mayor

Mayor Masella mentioned that the Association of Suburban Municipalities was told by the City of Montreal that its proposals for a reform of the Agglomeration were not receivable. He thanked Mr. Scott McKenzie for his service as chairman of the Civic Recreation Association, which he has resigned. The Mayor also provided an update on the improvement project for the commercial district. He noted that the Town has adopted a SPAIP for that section of Westminster Avenue. Since then, various fixtures have been put in place to beautify the street. The merchants were consulted and their comments will be evaluated. This revitalization process is a joint project involving both the Town and their association. The Mayor invited the audience to the Street Fair on September 15. Finally he stated the next Coffee with the Mayor will be September 19.

## 7. First Public Question Period

The Mayor announced the beginning of the First Public Question Period at 8:10 p.m.

Residents were invited to ask the Mayor and Councillors questions concerning matters of general interest.

Jo Ann Goldwater asked if Sheraton Park will be accessible again. Councillor Torres said it is used as a storage place for the infrastructure work under way in the neighborhood. The Mayor said the park will be upgraded after the work is finished.

Susan Superstein expressed concerns about safety regarding trees in backyard of private properties. She was told by the Inspector that these had to be dealt with as a civil matter between the respective owners. The resident said her right of enjoyment was also infringed by one of her neighbor for she had less sunlight because of a tree. The Mayor explained that the only way the Town could intervene was if the tree's condition was dangerous. Councillor Mazzone added that the Civil Code states that any owner must make sure one's property does not cause a nuisance. But the persons who think they could sustain damages must assert their rights themselves.

John Marrett said he learned of a case where the City of Montreal agreed to pay for the replacement of a private sewer line up to the main in the street. This is not the Town's policy, which asks the owner to pay for it. The Mayor noted that policy is the same in most, if not all demerged municipalities, except when there are major infrastructure work on a street; in that case, the Town will replace the private pipes up to the property line. Montreal may have changed that, but he was not sure; the circumstances of the case quoted by the resident may be particular.

June Grey mentioned that residents of Ronald have very little backyards. She wondered if the land in her backyard beyond the fence is Town's property. The Mayor said he guessed it probably is hers or her neighbor's. On another point, the resident said it was difficult to drive her scooter on the sidewalk of Westminster now that there are tables in front of some restaurants; the way is too narrow. Mayor Masella thanked her for that comment and added that it would be taken into consideration.

Louise Chenevert asked if the company offering TreeAzin treatments is the same now as in 2015 and if there are reports on the percentage of Montreal West ash trees that were actually treated. The Mayor said answers were not available tonight but the Public Works Department may have them. Councillor Ulin added that the company is not the same and there may be a report, but not sure.

Cynthia Nichols wondered if there can be some relation between Town workers and the removal of roof tiles from her house. The Mayor said there are none.

Francesco Alessi explained he made a claim to the Town for the replacement of a car tire and enumerated the details of the file. His claim was refused and he brought the case to the Small Claims Court. Given the circumstances, he said he was disappointed. The resident also said the Public Works Department left grass cuttings in front of his place, and wondered if he could use a leaf blower to push them. The Mayor advised him to rather tell the Public Works Department if they left some behind.

Norbert Bedoucha asked what financial options or model were considered in the file of the library lot sale. He also asked what experts were hired to assist in this project. The Mayor said a professional evaluator was hired to do the commercial assessment of the property.

David Superstein expressed concerns about the health condition of trees.

Louise Chenevert said there was no follow up on her remark that some contractors dumped material in Montreal West. The Mayor said someone would go back to her.

Councillor Torres said that if the dumping was done on Hydro-Québec or someone else's property, the Town could not intervene itself. The resident also asked if the Public Works Department could allow the public to access its yards. Mayor Masella said no.

Norbert Bedoucha asked if there could be speakers and other things provided for the upcoming Street Fair. He made this request as treasurer of the merchants' association. The Mayor said these logistic questions could be addressed to the Public Works Department or the Public Security Officers, as the case may be.

The First Question Period ended at 9:10 p.m.

## **8. Contracts and Town Clerk's Office**

### **a) Reducing the use of single-use plastic on the island of Montreal**

WHEREAS the population is more and more preoccupied by the rapid growth of single-use plastic packaging and bags worldwide;

WHEREAS there is a significant and important link between the production of plastic and the greenhouse gas emissions which contribute to the climatic changes;

WHEREAS the rapid growth of the plastic industry undermines the efforts aimed at preventing climatic catastrophe, in addition to contributing to the destruction of the environment and the weakening of human health;

WHEREAS plastics biodegrade very slowly and represent a considerable fraction of the waste that clutters our landfills;

WHEREAS the population is now aware of the risks that plastic poses to human health and the environment, as well as the fact that plastic particles find their way into the food chain of fish and other animals;

WHEREAS the Canadian population is clearly worried about the quantity of plastic waste in the environment and expects action to be taken;

WHEREAS recycling alone does not constitute an effective solution and some countries recently stopped accepting Canada's recyclable materials;

WHEREAS plastic waste overwhelms municipal recycling facilities due to the difficulty of separating various types of plastic and their incompatibility;

WHEREAS it is reasonable to now consider banning single-use plastic such as plastic packaging, plastic bags, water bottles, straws, utensils, cups, can holders and polystyrene in all its forms on the Island of Montreal;

THEREFORE:

It was moved by Councillor Maria Torres, seconded by Councillor Elizabeth Ulin and resolved:

1) That the Town of Montreal West support all initiatives aimed at banning single-use plastics on the Island of Montreal.

2) That the Town of Montreal West ask the Association of Suburban Municipalities and the City of Montreal to work together to have the Agglomeration Council, the Metropolitan Community of Montreal and the Quebec Government adopt appropriate legislation banning single-use plastic items for take-out meals, in grocery stores and restaurants, including plastic packaging, plastic bags, water bottles, straws, utensils, cups, can holders and polystyrene in all its forms on the Island of Montreal.

Carried unanimously  
#20190826-004

## **9. Administration and finances**

### **a) Approval of disbursements – June 20 to August 25, 2019, 2019**

It was moved by Councillor Colleen Feeney, seconded by Councillor Dino Mazzone and resolved:

That the list of accounts payable from June 20 to August 25, 2019, 2019 totaling \$2,171,344.81 be approved and paid as listed.

Carried unanimously

#20190826-005

**b) Delegation of powers for the months of July and August 2019**

It was moved by Councillor Dino Mazzone, 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 months of July and August 2019.

Carried unanimously  
#20190826-006

**c) Loan by-laws – unused balance**

WHEREAS the Town of Montreal West has completed the work authorized and decreed in the three loan by-laws listed below in this resolution;

WHEREAS these by-laws have already been financed on a long-term basis without reaching the total authorized loan amount;

WHEREAS there is an unused balance in each of these by-laws and the amount of the loan that was approved by the Minister of Municipal Affairs and Housing cannot be used for any other purpose;

WHEREAS it will not be necessary to use these loan amounts and they should no longer be on the Ministry's records for the Town;

WHEREAS, for this purpose, the by-laws listed in appendix must be amended to reconcile the total amount spent with the actual amount borrowed and, as the case may be, to appropriate monies from the general fund or a subsidy to bridge the difference, if any;

THEREFORE:

It was moved by Councillor Colleen Feeney, seconded by Councillor Dino Mazzone and resolved:

1) That the Town of Montreal West modify as follows the three loan by-laws listed in appendix and quoted in article 3 of this resolution:

A. by replacing the amount of the expenditure or of the loan with those shown under "Amount of actual expenditure" and "Financed amount" in the appendix;

B. by adding a provision to authorize the appropriation of the amount shown under "General Fund" and "Subsidy" in the appendix for the purpose of paying a portion of the expenditure.

2) That the Town notify the Ministry of Municipal Affairs and Housing that the loan powers of the by-laws listed in appendix will not be fully used, as a result of the modifications brought above to these by-laws.

3) That the Town request the Ministry to write off the unused loan balance in each of these by-laws:

<b>By-Law No.</b>	<b>Unused balance to cancel (\$)</b>
2015-002	633,500
2016-003	969,115
2017-002	2,108,450

4) That a certified copy of this resolution be forwarded to the Minister of Municipal Affairs and Housing.

Carried unanimously  
#20190826-007

**10. Urban Department**

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

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

1) To acknowledge receipt of the minutes of a meeting held by the Planning Advisory Committee (PAC) on August 21, 2019.

2) To approve as presented under the SPAIP the following plans submitted to this meeting, in accordance with the recommendations of the PAC as outlined in the minutes:

<b>Address</b>	<b>Project</b>
1 Fenwick	Replacement of a regular door and garage door on the detached garage;
16 Fenwick	Rebuilding side landing and stairs and capping front stairs;
8034 Avon	Replacement of front stairs on the building.

3) To approve with conditions under the SPAIP the following plans submitted to this meeting, in accordance with the recommendations of the PAC as outlined in the minutes:

<b>Address</b>	<b>Project</b>
87 Percival	Demolition and reconstruction of a detached garage in the back yard

4) To defer the examination of the following plans to another meeting of this Council, in accordance with the recommendations of the PAC as outlined in the minutes:

<b>Address</b>	<b>Project</b>
2 Courtney	Replacement of thirteen windows (as requested by the resident);
16 Fenwick	Installing new railings on side and front stairs.

5) To refuse the following plans, in accordance with the recommendations of the PAC as outlined in the minutes:

<b>Address</b>	<b>Project</b>
8034 Avon	Replacement of all windows and two doors.

Carried unanimously  
#20190826-008

**b) Approval of a Draft By-Law and fixing of the date of a public consultation meeting – By-Law respecting municipal work agreements**

It was moved by Councillor Dino Mazzone, seconded by Councillor Colleen Feeney and resolved:

- 1) To approve the Draft By-Law for a By-Law respecting municipal work agreements.
- 2) To convene a public consultation meeting on this Draft By-Law at the Music Room, on October 16, 2019 at 7:30 p.m.

Carried unanimously  
#20190826-009

**11. Public Works**

**a) Contribution agreement with the Ministère des Transports du Québec concerning repair work on Avon Road**

WHEREAS the Ministry of Transport of Québec carried out major infrastructure work within the scope of the Turcot project and as a result, a part of traffic was redirected on Avon Road in Montreal West, which caused a premature deterioration of the roadway;

WHEREAS, in particular, road users were forbidden from accessing Highway 20 by Saint-Jacques Street through Angrignon interchange, and had to take Avon Road, which has resulted in significant traffic increase on that local road;

WHEREAS, on December 1, 2016, the Minister of Transport acknowledged the compensation request filed by the Town and undertook to make a contribution in the amount of \$600,000 towards fixing Avon Road;

WHEREAS the Direction générale des grands projets Turcot et du tunnel Louis-Hippolyte-La Fontaine in the Ministry, on August 26, 2019, sent the Town an agreement for approval by Council, in order to determine the conditions attached to the payment of this contribution and the mutual obligations of the Town and Quebec Government;

THEREFORE:

It was moved by Dino Mazzone, Councillor, seconded by Maria Torres, Councillor, and resolved:

1) That the Town of Montreal West enter into an agreement with the Ministry of Transport of Québec, for the purpose of a contribution in the amount of 600 000\$ intended for repair work on Avon Road to be carried out by the Town.

2) That Mayor Beny Masella be authorized to sign this agreement on behalf of the Town.

Carried unanimously  
#20190826-010

**b) Cross sewer connections – research and correction**

WHEREAS the Town of Montreal West, within the scope of a protocol of agreement it signed with the Government of Quebec for the renewal of its aqueduct and sewer systems, under the New Canada Quebec Building Fund (Small Communities Component), is bound to have an action plan in order to eliminate cross sewer connections;

THEREFORE:

It was moved by Councillor Maria Torres, seconded by Councillor Elizabeth Ulin and resolved:

1) That Council adopt the work schedule of this municipal program prepared by the Public Works Department for the research and correction of cross connections in the storm and sanitary sewer system of Montreal West.

2) That Council submit this plan and schedule to the Ministry of Municipal Affairs and Housing as part of the required documentation in order to complete the program's final statement in program New Canada Quebec Building Fund – subcomponent 1.1 (File No. 2000074).

Carried unanimously  
#20190826-011

**12. Human Resources**

There was nothing under this item.

**13. Appointments**

There was nothing under this item.

**14. Councillors' Reports**

**a) Seat Number 4**

Councillor Maria Torres reported on matters pertaining to Environment, Public Works and Buildings.

**b) Seat Number 1**

Councillor Dino Mazzone reported on matters pertaining to Public Security and to Special Projects Fundraising.

**c) Seat Number 2**

Councillor Elizabeth Ulin reported on matters pertaining to Communications, Recreation and Culture.

**d) Seat Number 3**

Councillor Colleen Feeney reported on matters pertaining to Urban Planning, Finance, Administration and Human Resources.

**15. Deposit of Documents**

There was nothing under this item.

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

**a) Notice of Motion and Deposit of Draft By-Law for a By-Law respecting municipal work agreements**

Mayor Masella gave notice of motion that it is intended at a subsequent Meeting of Council to submit for adoption a “By-Law respecting municipal work agreements”.

The said By-Law, in draft version, was tabled with Council and made available to the public.

**17. Second Public Question Period**

The Mayor announced the beginning of the Second Public Question Period at 9:50 p.m.

Residents were invited to ask the Mayor and Councillors questions concerning the matters on the agenda of this meeting.

Cynthia Nichols asked if there was a link between the announcement of an initiative that took place at the day camp and her feeling that she is harassed. Councillor Ulin said no.

Judy MacDonald urged the Town to encourage merchants to reduce their use of plastic. On another point, she said the pool schedule may well be accommodating for families with young children, but should also take into account the seniors. Councillor Ulin answered she would bring that issue to the managers. It is a balancing act, really. The resident also praised a Town Hall employee, Agata Palarchio, for her assistance with permits.

Harold Knowles asked if the promised grant for resurfacing Avon Road would be enough. The Mayor said the Town does not have a recently updated cost estimate for the work but it should not be much more. The work ought to be completed by the end of 2021.

Louise Chenevert asked if the Councillors’ reports could be summed up in the minutes, like the Mayor’s report. Councillor Ulin said it could be discussed by Council in caucus. On another point, she said old skis that were put outside for garbage collection were not picked up. Councillor Ulin told her to call the Public Works Department or go on the website in such a case to signal the contractor’s default. Finally, she asked when will be the “Open Door” organized by Hydro-Québec. Councillor Torres she would let her know. It may not be announced on time in The Informer if Hydro decides to do it soon.

Norbert Bedoucha noted that, in Australia, plastic is incorporated in asphalt, and he wondered if the Town could have such a requirement for its roads. The Mayor said he is aware that plastic may be incorporated in cement in Canada, but not asphalt, to his knowledge. This is not something the Town has the authority to decide with respect to technical specifications, at least not by itself.

**18. Termination of the Meeting**

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

It was moved by Councillor Elizabeth Ulin, seconded by Councillor Maria Torres and resolved:

That the Meeting be terminated.

Carried unanimously  
#20190826-012

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Beny Masella  
Mayor

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Claude Gilbert  
Town Clerk

*The annexes mentioned above are deposited  
in the municipal archives in File Archives-20190826*