

Regular Town Meeting of the Town Commission of Ocean Ridge held on Monday, January 4, 1999 in the Town Hall Meeting Chambers.

The meeting was called to order by Mayor Kaleel and roll call was answered by the following:

Commissioner Aaskov Commissioner Stamos
 Mayor Kaleel

It was noted for the record that Comms. Bridges and O'Hare were absent with notice.

Following the Pledge of Allegiance, an invocation was read by Commissioner Stamos.

Additions, Deletions, Modifications and Approval of Agenda

Town Manager Dunham requested to add an item 6a to consider an extension of the Postma construction.

Comm Aaskov moved to approve the agenda as amended, seconded by Comm Stamos.

Motion carried – yea 3.

Consent Agenda

1. Minutes of the Town Commission Meeting of December 7, 1998
2. Appointment of Poll Workers By: Karen E. Hancsak, Town Clerk
3. Approval of Annual Audit for Fiscal Year 1997/98 Prepared by Bob Rives & Company By: Karen E. Hancsak, Town Clerk

Comm Aaskov moved to approve the consent agenda as presented, seconded by Comm Stamos.

Motion carried – yea 3.

Announcements and Proclamations

4. 1999 Municipal Election
 - a. Date of Election is February 9, 1999
 - b. Two Commission Seats for Three Year terms
 - c. Candidate Filing Dates are December 29, 1998 through January 20, 1999

Town Clerk Hancsak read the above announcement.

5. Financial Summary for Fiscal Year 1997/98

Town Clerk Hancsak advised that the current cash for the Town is currently \$ 2,732,722. She explained that the only items over budget in the previous year were Town Clerk's other current charges due to an increase in the number of newspapers ads and the professional services legal account. She stated that as a whole, they were under the budget for the year and that the fund balance increased as a result.

Public Comment – (15 minute maximum with 3 minute individual limit)

Pat Doyle, 18 Hudson Ave., advised that he was against the extended hours for the bridge replacement work as the noise is directly affecting his family's eating and sleeping habits. He stated that the ordinance regarding working hours was in effect when bidding was done for the project; therefore, relief from the ordinance should not be necessary. He also submitted a petition with signatures of Hudson Ave. and Coconut Lane residents who also felt that the extended hours should not be granted.

Steve Romanowski, 23 Hudson Ave., stated that he was worried about the increased traffic and the trucks driving through at extended hours and felt it was more of a safety issue.

George Bierlin, 26 Hudson Ave., stated that he was not in favor of the contractor receiving the bonus for completing the job early if the town's residents had to suffer due to the additional noise.

Ann Marie Jeffrey, Hudson Ave., advised that she agreed with Mr. Doyle adding that her family has to get up earlier now because of the construction.

Betty Bingham, 1 Ocean Ave., stated that although she wished the residents of Ocean Ave. would have been contacted before the extended hours were approved, the residents on her street that she has spoken to do not believe that the extra noise would adversely effect them. Mayor Kaleel questioned if it would be possible for the contractor to only do work that does not create a lot of noise during these extra hours. Town Manager Dunham explained that even mobilizing for a day's work creates a lot of noise.

Mr. Bierlin stated that the contractor is not currently following the hour restrictions as he was awakened one night at 11:00 PM while they were removing the bridge.

Comm Stamos stated that he was not present at the previous meeting where the trial period for extended hours was granted and that he would consider rescinding that agreement.

Comm Stamos moved to rescind the agreement, which would allow the contractors for the bridge project to work extended hours, seconded by Mayor Kaleel.

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Mayor Kaleel stated that permission was given only to work the extended hours, but not to violate the provisions regarding noise. He advised that in order to get the bridge completed in the shortest amount of time, the extended hours should be granted with the understanding that they are not to violate the noise ordinance.

Comm Stamos stated that he felt an undue burden would be placed on the Department of Public Safety with the Mayor's suggested arrangement. He added that he felt the Town Commission needed to respond to the petition given to them by the residents.

Director Hillery questioned what his response should be when the work is being done on the Boynton Beach side of the bridge where the contractor has been allowed extended hours to which there was no explanation given by the Town Commission.

Atty Nicoletti stated that everyone needed to be clear on what the code allows. He stated that there is nothing to prohibit anyone from being on a site early, but that it is unlawful to run machines which can be heard beyond the property line from 6:00 PM to 8:00 AM. Town Manager Dunham explained that he had received complaints about the truck noise, but was unsure if that would fall under the definition of construction noise. Atty Nicoletti advised that any noise over 50 dba would not be allowed.

Comm Aaskov stated that she would still like to give the contractor a thirty-day trial period. Mayor Kaleel restated that he felt the noise ordinance was a separate issue from the extended hours.

Roll call was taken on Comm Stamos' motion.

Motion carried – yea 2 (Stamos, Kaleel)
nay 1 (Aaskov)

Justus Brown, 39 Coconut, stated that he would like to discuss options for alleviating the drainage problems on his street. Town Manager Dunham suggested that they meet when it is convenient for them both.

Public Hearings

None

Regular Agenda

(Items which require Town Commission Action that must be filed with Town Clerk one week prior to meeting – public comment permitted)

Actions and Reports

6. Authorize additional funding for renovations to underground fuel tanks and letting of contract
By: Gregory L. Dunham, Town Manager

Town Manager Dunham explained that the previous summer, Gary Lanker had reported that the EPA would be requiring an upgrade of the storage tanks and \$10,000 was budgeted for this purpose. He stated that the lowest bid he had received for the project was \$15, 450. He explained that additional expenses of \$2,500 for a site suitability study and monitoring wells and \$300 for Palm Beach County building permits would also be needed. He advised that he was asking for approval of an additional \$8,250.

Comm Stamos moved to authorize the Town Manager to do the work as outlined in his memo with the excess funds not to exceed \$8,250 taken from the contingency account, seconded by Comm Aaskov.

Motion carried – yea 3.

- 6a. Additional time extension to file for building permit for Korrine Postma, 23 Coconut

Town Manager Dunham advised that Mrs. Postma was requesting another extension for the filing of a building permit and suggested that a three-month extension be granted after which, if the construction has not begun, condemnation be considered.

Comm Stamos moved to approve a three-month extension, seconded by Comm Aaskov.

Motion carried – yea 3.

Resolutions
(Possible requiring discussion)

None

First Reading of Ordinances

None

Second Reading, Public Hearing and Adoption of Ordinances

7. Ordinance No. 515; Regulating the growth of Australian Pine trees and other plant species, by amending Chapter 26 of the Code of Ordinances, Land Development Code at Article III. Supplemental Regulations, Section 26-47, Restriction on height of certain trees to change the maximum allowable hedge height from six feet to ten feet; and amending Article XVI. General Provisions, by adding a definition for “hedge,” amending Chapter 34 of the Code of Ordinances, nuisances, at Section 34-6. Removal of rubbish, stagnant water and weeds

Mayor Kaleel read Ordinance No. 515 by title only.

Comm Aaskov moved to approve Ordinance No. 515 on second reading, seconded by Comm Stamos.

There was no discussion by the Commissioners.

Lillian Ratner, 32 Harbour Drive N, asked if there was a distinction between the hedges for a single-family home and a condo to which Town Manager Dunham explained that the maximum height would be ten feet throughout the town which would allow condos to provide screening for their sewage treatment plants. Mrs. Ratner questioned if he felt it was a good idea to allow ten foot hedges between single-family homes to which Town Manager Dunham stated that only Australian Pine hedges will have a maximum height and currently any other hedge could be higher than ten feet.

Roll call was taken on Comm Aaskov’s motion.

Motion carried – yea 3.

8. Ordinance No. 513; Amending Chapter 30 of the Code of Ordinances, Licenses and Business Regulations; by adding a new Article VIII, Special Events, defining and regulating special events within the town

Mayor Kaleel read Ordinance No. 513 by title only.

Comm Aaskov moved to approve Ordinance No. 513 on second reading, seconded by Comm Stamos.

There was no discussion by the Commissioners.

Dee Zibelli, 44 Ocean Park Way, Boynton Beach, questioned how the Town of Ocean Ridge could ask citizens of Boynton Beach for money to have events on their beach. Atty Nicoletti advised that the ordinance was not aimed at the City of Boynton Beach, but rather any organization that would have an event large enough to impact the town. He added that this would enable the town to identify when large, special events would take

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place. Mayor Kaleel advised that Boynton Beach was in the process of passing a similar ordinance. He added that they are only trying to monitor the health and welfare of the citizens of Ocean Ridge.

Roll call was taken on Comm Aaskov's motion.

Motion carried – yea 3.

Bernard Ratner, 32 Harbour Drive N, questioned some of the content on the financial summary was misleading as he felt the debt was considered an asset. Town Clerk Hancsak stated that she advised the commission and public what the Town's current cash in hand was. She suggested that he contact her at another time so they could discuss the summary in greater detail.

Mayor Kaleel stated that he would once again like to thank the Department of Public Safety for the good job they did regarding the holiday lights. Director Hillery explained that most of the thanks belong to Lt. Olejniczak and the two maintenance men, David Johnson and Fred Martin.

Mayor Kaleel stated that he appreciated the efforts of the Department of Public Safety regarding the fire that occurred on January 1st and also the help from Boynton Beach and Gulf Stream.

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Adjournment

The meeting was adjourned at 7:30PM.

Mayor Kaleel

Commissioner Aaskov

Commissioner Bridges

Commissioner O'Hare

Commissioner Stamos

Attest By:

Town Clerk