

PUBLIC HEARING/SPECIAL TOWN COMMISSION MEETING HELD
SEPTEMBER 10, 2009

Public Hearing/Special Town Commission Meeting of the Town of Ocean Ridge held on Monday, September 10, 2009, at 5:01PM in the Town Hall Meeting Chambers.

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

Commissioner Pugh Commissioner Bingham
Commissioner Allison Commissioner Brown
Mayor Kaleel

Pledge of Allegiance

Mayor Kaleel announced that Clerk Hancsak was absent with notice, and welcomed Atty. Terry Lewis who was filling in for Atty. Spillias.

PUBLIC HEARING

Presentation of Tentative Budget and Proposed Millage Rate for Fiscal Year 2009-2010

Manager Schenck reported that the general fund operating budget had been reduced by \$211,160 from 2008 because of reductions in expenses by the staff and the Commission. The Commission set a tentative millage at the last budget workshop of 5.5, which is 6.8% increases over last year's 5.15 although below the rollback rate of 5.9. The present general fund budget is \$5,402,324 which includes the \$160,000 to be transferred to the capital projects account. Based on the millage of 5.5 the revenues are \$253,833 short of balancing the budget. This deficit includes \$93,833 to balance the general fund budget and the \$160,000 to be transferred to the capital project account for drainage improvements. The shortfall is due to a reduction of \$111,594,321 in taxable property values from last year. This equates to a reduction in income of \$307,084 based on the 5.5 millage rate. We have gone back through the budget to try to find additional expenses we could reduce. There are basically two areas where reductions are possible. These are programs and staff costs, including benefits. We have reduced or eliminated the programs as far as I would recommend. As a result of the new garbage/trash service effective Oct. 1, 2009, the budget for the Sanitation Dept has decreased from \$245,000 to \$210,000. This also resulted in a change from \$283,245 to \$260,660 in garbage/trash generated revenue. This change decreased the overall budget by \$35,000. Replacing Officer Cazzolli with a new officer reduces the Law Enforcement department by \$16,460 thereby reducing the amount to balance the General Fund budget from \$93,833 to \$74,373.

Comment from Commissioners and Public

The Commission discussed that the remaining balance in the reserves were \$2.4 million. A \$100,000 FEMA Grant had been submitted to Tallahassee, and was not included in the \$2.4 million. Comm. Brown requested that every budget item be reviewed carefully to give the home owners a break. Mayor Kaleel stated that with property tax appeals, our revenues may be lower than expected for this year and next year. Comm. Bingham stated that she felt Ocean Ridge had been very conservative overall, compared to other towns.

Earl Jones, 14 Sailfish, stated his concern that prospective buyers may find Ocean Ridge taxes higher than Manalapan or other towns.

Dr. Goltz, 8 Ocean Harbour Circle, was concerned with our country's high unemployment rates, and foreclosure rates, and asked to Commission to look closely at the budget and to not raise the taxes.

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Comm. Bingham stated that with property values going down, tax revenue would also decline. Comm. Brown stated his concern of high unemployment and that a large percentage of realty sales resulted from foreclosures. Comm. Pugh stated that if Ocean Ridge stayed at 5.15 millage, there would be a shortfall of \$500,000. He considered the Town's reserves to be critical if a storm would come, and it would put our Ocean Ridge in a bad position. He would approve either a 5.4 or 5.5 millage rate. Mayor Kaleel was concerned that next year's reserve would be lower, if all the funds did not come in, and then the problem would be compounded. Comm. Allison felt that Ocean Ridge had been reserved over the last few years, and would not approve a lower than a 5.4 millage. She felt that the Commission had been very thorough in reviewing the budget, and wanted to keep the level of services.

a. Adoption of Tentative Budget for Fiscal Year 2008-2009

Comm. Bingham moved that a budget in the amount of \$5,382,684 be tentatively adopted for the 2008-2009 Operating Fund. Seconded by Comm. Pugh.

Motion carried – yea 5

c. Adoption of Tentative Millage Rate for Fiscal Year 2008-2009

Comm. Brown moved that a millage of \$5.400 per \$1,000 of assessed valuation be tentatively adopted for the 2008-2009 general operating revenues. Seconded by Comm. Pugh

Motion carried – yea 4 (Kaleel, Allison, Brown, Pugh)
nay 1 (Bingham)

d. Mayor Kaleel announced that the Computed Millage Rate Exceeds Rolled Back Rate by 9.7%

e. Mayor Kaleel announced that the second and final public hearing will be on Thursday, Sept. 17, 2009 at 5:01 PM. The 2009-2010 operating and debt service budgets and corresponding millages will be finalized and adopted at that time.

REGULAR MEETING

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Manager Schenck requested to pull Item #11 as the lien has been paid, and Item #13 as it was still under review. He also requested to Add the Solid Waste Contract for Recycling as a new Item #11.

CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of Aug. 3, 2009
2. Special Town Commission Meeting of July 29, 2009
3. Special Town Commission Meeting of Aug. 27, 2009
4. Approval of Annual Floodplain Management Report for FY 2008/09

ANNOUNCEMENTS AND PROCLAMATIONS

5. Proclamation Declaring September as “National Sickle Cell Month”

Comm. Pugh motioned to approve the agenda and consent agenda. Seconded by Comm. Allison.

Motion carried – yea (5).

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PUBLIC COMMENT

Dr. Goltz was concerned that if the property values went down, then the Homestead Exemption would also be affected, and would discourage people from using the Homestead Exemption.

PUBLIC HEARINGS

6. An application submitted by the City of Boynton Beach, 100 E. Boynton Beach Blvd., Boynton Beach FL 33435, requesting a Land Development Permit from the provisions of the Land Development Code, Article 2; COASTAL CONSTRUCTION, Section 67-17; Coastal Construction and Excavation Setback Line; Sub-Paragraph (a); Setback line Established; and Sub-Paragraph (h) Existing Structures to permit the replacement of the existing boardwalk with a combination of wood and tile pavers and additional minor changes that will extend a maximum of 212' (+/-) east of the Coastal Construction Control Line located at 6415 North Ocean Blvd. or legally described as being all of the south 986.93' of Government Lot 5 Lying East of Ocean Blvd. (SRA1A) and West of the Town of Ocean Ridge Erosion Control Line #1091 Lying in Section 22 (exact legal description located in the Clerk's Office)

Deputy Clerk Hallahan announced that all fees had been paid, and that no additional correspondence had been received, and that Jody Rivers, representative of City of Boynton Beach was present for questions if needed.

Comm. Bingham questioned the cement wall that was going to be built on the beach. Ms. Rivers explained that it was not a wall but a underground footer to hold the sidewalk in place.

Comm. Brown motioned to approve the application as submitted by the City of Boynton Beach requesting a Land Development Permit. Seconded by Comm. Pugh.

Motion Carried – yea 5

Ms. Rivers thanked the Commission, and stated that they hoped to start in October or November of this year.

REGULAR AGENDA

REPORTS

7. Town Manager

Manager Schenck reported the following: 1) New Town Hall – We have submitted the revised FEMA contract for an additional \$36,000 that has been approved. A request has been submitted for all of the funds which we hope to get soon. 2) Coconut Lane Drainage-This project is on hold until the Commission decides whether or not to proceed depending on the availability of funds. 3) Ocean Ave. Landscape - We have been working with our landscape company to develop a plan to improve the landscaping on Ocean Ave. They have submitted their plan which is on the agenda later in the meeting. 3) Island Drive Bridge - Construction started on the bridge replacement the week of August 17th. They will remove the north span first and then move to the south side. One lane will remain open at all times. The project is expected to take about 6 to 7 months. 4) Old Ocean Blvd - The Garden Club Dune Committee will be assisting us with this effort, and will be working with the State and DERM and will present the plan to the Commission for approval. 5) No Wake Zone - The State is looking at speed zones but only as they relate to boater safety, at least at this time. Florida Fish and Wildlife Conservation Commission is reviewing the request and will determine if they want to look into it further in order to make the change. I checked with the County and the State regarding enforcement and neither could guarantee consistent enforcement due to their present minimal staffing. 6) Zoning Code

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Recommendations - The Planning and Zoning Board will meet again to discuss possible changes in the zoning code. A definite date hasn't been set. 7) Noseeum Spraying - Clarke is spraying only the back of homes where we have permission from the resident once a week on Tues. or Wed. depending on weather. 8) Pedestrian Street Signs- The permit application has been submitted to FDOT. It is presently being reviewed in Ft. Lauderdale. The verbal indication from FDOT is that they will approve the project. We're waiting for the actual permit which should be received this month. 9) Police Report - The police report for the August activities is attached. 10) Briny Breezes- The Town of Briny Breezes has advertised for a proposal to provide police coverage for the Town. We met with Briny and they have asked us to modify our proposal. Boynton Beach stations a man there 8 hours a day and they want our cost to do the same. We're evaluating our ability to do that and still supply the other services cost effectively. 11) Garbage and Trash Collection - We received five bids with Republic Services of Palm Beach being the lowest bidder. We are working with them to develop a contract, and they will start on October 1st.

Manager Schenck added that he received a letter from DEP approving the 319 Grant for Coconut Lane, but the funds would not be available until next summer. They were requesting a letter from Commission approving the work. It was discussed that the monies were not available to do this \$400,000 project. A consensus was made to send a letter to DEP stating that the project could not be done at this time.

Comm. Allison asked for an update of the Ocean Ave Landscape, and when it would be done. Mayor Kaleel stated that with budget constraints, he would not be inclined to spend \$26,000, and suggested not making the landscape changes.

Manager Schenck requested that the Commission reevaluate the employee's health insurance in December, and if there were any balance left, that it be used toward the full deductible or a portion thereof without further impacting next years budget. The Commission was in favor of reevaluating the health insurance deductible in December.

Comm. Allison asked that a total cost evaluation be done in regards to the proposal to Briny Breezes for law enforcement. Mayor Kaleel stated that he was not in favor of having a single officer restricted to Briny Breezes for 8 hours a day/7days a week. Comm. Allison stated that if our personnel and related costs were less than our proposal of \$180,000, then it should be reevaluated if the Town could make revenue from it.

8. Town Attorney
Atty Terry Lewis had nothing to report.

9. Director of Public Safety
Chief Hillery had nothing to report.

10. Town Engineer
Engineer Tropepe was absent with notice.

11. Contract Renewal of Solid Waste Authority
Manager Schenck reported that in the new contract, they are revising the existing recycling agreement. The communities will now receive a percentage of the recycling profits. The amount of this revenue is unknown at this time however.

Comm. Brown motioned to authorize the contract renewal of the Solid Waste Authority subject to the approval of the attorney. Seconded by Comm. Pugh.

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Motion Carried – yea (5).

12. Award of Sanitation Contract with Republic Services of Palm Beach
Manager Schenck stated that a revised contract had been prepared, and that David Unversaw with Republic Services was present for questions.

Mayor Kaleel requested to clarify that bulk items be picked up on both days of service. He also noted that in prior years the residents had wanted service on Mon/Thur., and it was not available with Waste Management. Comm. Brown asked if a street or home was missed if it could be picked up within 24 hours of notification. Chief Hillery noted that bulk items are sometimes put on vacant lots, and if they could be picked up. Mr. Undersaw stated that if the town decided to change days of service at a later time, it could be done. He also stated that the contract does address that items be picked up that day or at the least the next day if any residence is missed. The contract also allows for items to be picked up from vacant lots, as long as it is not vegetation.

Comm. Bingham motioned to approve the award of the Sanitation Contract with Republic Services of Palm Beach subject to the comments mentioned and approval of Town Attorney. Seconded by Comm. Allison.

Motion Carried – yea (5)

Comm. Brown announced that he had been reappointed on the Palm Tran Service Board. He was now however, the official representative of the Municipal Group.

Comm. Allison announced that Comm. Bingham and herself were able to represent Ocean Ridge at the Literacy Luncheon this week.

Meeting adjourned at 6:10pm.

Attest By:

Deputy Town Clerk

Mayor Kaleel

Commissioner Allison

Commissioner Bingham

Commissioner Brown

Commissioner Pugh