

Public Hearing/Special Town Commission Meeting of the Town of Ocean Ridge held on Monday, September 22, 2010 at 5:01 PM in the Town Hall Meeting Chambers

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

Commissioner Bingham
Commissioner Allison
Mayor Kaleel
Commissioner Pugh
Commissioner Hogan

PUBLIC HEARING

A. Fiscal Year 2010-2011 Budget

Mayor Kaleel stated that this was the final hearing for the 2010/2011 Budget and opened it to the public for comment.

Town Clerk Hancsak commented that at the Sept. 8, 2010 meeting the Commission voted to increase the budget by \$34,000 in order to re-instate the police salaries to the original rate of pay prior to the approval of the 12 hour shift changes. She advised that the total budget was now \$5,301,852 and \$206,804 was being utilized from the reserves to balance the budget.

Town Manager Schenck mentioned that he might be proposing a change in the near future from our current insurance company for workers compensation, property, liability and automobile coverage if the cost is significantly less.

Bob Merkel, 118 Marlin Drive, stated that he had written a couple of letters concerning reducing the police officers hourly rate with the implementation of the 12 hour shifts. He stated that his firm has represented many municipalities and officers through the years and he wanted to thank the Commission for their compromise in re-instating their original hourly rates and said there would always be some individuals that would still not be satisfied but he felt this was a good result. He added that he felt Chief Yannuzzi did a fine job in the way the situation was handled. Comm Bingham thanked him for his letters and input.

1. Consideration of adopted tentative budget and proposed millage rate for fiscal year 2010-2011 Budget

Mayor Kaleel announced – THE TOWN OF OCEAN RIDGE’S ROLLED BACK RATE IS \$5.8000 AND THE TENTATIVE MILLAGE RATE WILL BE \$5.2500 WHICH IS 9.48% LESS THAN THE ROLLED BACK RATE.

2. Adopt Resolution No. 2010-12; Final Millage Rate and Making a Tax Levy Based on the 2010 Assessment Roll for fiscal year 2010-2011

Comm Brown moved that Resolution No. 2010-12 making a tax levy based on the 2010 Assessment Roll with a final millage rate of \$5.2500 per \$1,000 of assessed valuation be adopted for the 2010-2011 general operating revenues. Comm. Allison seconded.

Motion carried – Yea (5)

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3. Adopt Resolution No. 2010-13; Adopting an Annual Final Budget and Appropriating Funds Beginning Oct. 1, 2010 and Ending Sept. 30, 2011

Comm. Brown moved to adopt Resolution No. 2010-13 appropriating funds for the Fiscal Year 2010-2011 for the Ocean Ridge Budget to be finalized at \$5,301,852 for operating expenses. Seconded by Comm. Bingham.

Motion carried - Yea (5).

4. Adopt Resolution No. 2010-14; Updating Funds for the Capital Projects Fund Fiscal Year 2010-2011

Comm. Bingham moved that Resolution 2010-14 reappropriating funds for the Capital Projects Fund for Fiscal Year 2010-2011 be adopted. Seconded by Comm. Pugh.

Motion carried - Yea (5).

SPECIAL MEETING

- A, Request for Lien Reduction at 6780 North Ocean Blvd. By: Nick Jackson, Exit Realty the Global Group, representing Aurora Loan Services (Continued from Sept. 8, 2010 Regular Meeting)

Andre Harris, Exit Realty, advised he was appearing in place of Nick Jackson.

Atty Spillias summarized the chain of events from Sept. 2007 when the foreclosure was filed leading up to Aurora Loan Services actually acquiring the property on May 10, 2010. He stated the liens were filed after the foreclosure filing and are therefore enforceable for the whole amount and the Commission may consider to compromise the lien in order to close on the property. He stated there appeared to be a couple of extended time periods when the bank could have tried to expedite various processes but did not. He concluded by stating that he received a copy of the contract for the pending sale and it provides that the bank provide a clear title. He added that the contract and a subsequent addendum have not been executed by both parties as of yet.

Mr. Harris stated he agreed that the Town Atty comments were accurate. He stated that the other liens have been paid and closed and that the one remaining lien results from the prior owners recklessly taking out property from the home and that it was not an issue of demolishing without a permit. Mayor Kaleel commented that unfortunately this property has not been properly cared for, even after the lien reduction was requested, and there was nothing apparent for him to consider reducing the lien. He added that there has been a lot of time and energy involved with staff trying to keep this property in satisfactory condition. Mr. Harris commented that they maintain approximately 300 properties and the landscaping is maintained on a set 2 week schedule.

Comm Brown questioned who would benefit if the lien were reduced and asked if the Town Atty attempted to negotiate with them. Atty Spillias advised that he did not actually negotiate, however, he did a calculation on the portion of time that he felt the

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bank could not justify and it totaled approximately \$20,000 from the \$44,000 plus of the total \$49,000 plus still outstanding.

Town Clerk Hancsak advised Mr. Harris that the Town had not yet received any monies for the other liens as he stated earlier. He commented that he was told prior to this meeting that the other liens had been satisfied. Chief Yannuzzi commented that he researched the property and the police department was involved in 27 different incidents and Aurora Loan Services was contacted each time.

Comm Brown questioned if consideration should be given in order to get the property sold. Mayor Kaleel stated he did not feel a hardship to reduce the liens was presented. Comm Pugh reiterated the Mayor's earlier comments and felt that Mr. Harris had not done any due diligence investigation regarding payments or prior conditions of the property and he too was not in favor of reducing the lien. Comm Bingham and Comm Allison agreed.

Comm Pugh moved to reduce the lien by zero dollars, seconded by Comm Bingham.

Mr. Harris stated that he mistakenly understood that the other payments had been made and that the bank had control of some the items but not all.

Motion carried – Yea (4)
Nay (Brown)

- B. Approval of Interlocal Agreement for Law Enforcement Services Between the Town of Ocean Ridge and the Town of Briny Breezes for a Three Year Period Commencing Oct. 1, 2010 at an Annual Cost of \$185,000

Comm Pugh moved to approve the Interlocal Agreement with Briny Breezes, seconded by Comm Bingham.

Comm Brown questioned the termination clause to which Atty Spillias advised that the agreement would terminate only prior to the expiration of the 3 year term if Briny Breezes ceases to exist. Comm Brown clarified that Ocean Ridge also could not terminate the contract for any reason.

Motion carried – Yea (5)

- C. Discuss and Possibly Authorize Compensating Sergeants for Differential in Salary Related to the 12 Hour Shift Schedule Change

Comm Pugh moved to authorize compensating the Sergeants for the differential in salary related to the 12 Hour Shift Schedule Change, seconded by Comm Allison.

Motion carried – Yea (5)

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Adjournment

Meeting adjourned at 5:45 PM

Attest By:

Town Clerk

Mayor Kaleel

Commissioner Bingham

Commissioner Brown

Commissioner Allison

Commissioner Pugh