

REGULAR TOWN COMMISSION MEETING HELD JUNE 6, 2011

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, June 6, 2011, at 6:00PM in the Town Hall Meeting Chambers.

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

Commissioner Allison	Commissioner Hennigan
Commissioner Brookes	Commissioner Pugh
Mayor Kaleel	

Pledge of Allegiance

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of May 2, 2011

ANNOUNCEMENTS AND PROCLAMATIONS

2. The Administrative Offices will be closed on Monday, July 4, 2011 for the Official Holiday and the Regular Meeting will be held on Tuesday, July 5, 2011 at 6 PM

Atty. Spillias requested to change the May minutes, Page 3, Last Paragraph under his report to change to the following: "He was recommending that the Commission object the extension, as this lawsuit..." Also to change: "...consensus from the Commission to object to the extension."

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

Motion Carried – yea (5).

PUBLIC COMMENT

Joe Belmonte, 5572 N. Ocean Blvd, reminded the newly elected commissioners that they had promised, at the Palm Beach County League of Women Voters Candidate debate, to support the public concern of beach clean-up. He asked them to set aside their own ideas when they voted. He felt that the clean beaches improved the property values, and help to preserve the sea turtles. The Sand-Sifters have over 220 volunteers a month and save the county and municipalities \$40,000-\$60,000 a year with their service. He felt Gary Solomon and the Sand-Sifters performed a great service to the community at little cost, and asked that Ocean Ridge help them in any way possible.

Clerk Hancsak reported that Ocean Ridge was collecting items for the "Forgotten Soldiers", in conjunction with the City of Boynton Beach and the Sand-sifters. There was a box in the lobby and a list of items needed. The list is also in the Town Newsletter. Any donations will be accepted in Town Hall through the month of June.

REPORTS

3. Town Manager

Manager Schenck reported the following: 1) Coconut Lane Drainage-Seven bids were received ranging from \$389,688 to \$676,282. Engenuity Group has reviewed the bids and confirmed references. A homeowner on Coconut Lane had agreed to give us an easement along his property for an underground electric line, but has now changed his mind and refused to sign the agreement. We met with FPL to find another route to provide power. This will change the design and affect the bids. 2) Old Ocean Blvd Dune - The Garden Club Dune Committee has completed their plantings on the dune. They have FDEP approval for a wooden bench that should be installed this month. 3) Old Ocean Blvd. – The plan to remove the scavoela and replant the area with native vegetation, is still on hold due to the lack of rain. 4) Noseeum Spraying – We advertised on June 6th for spraying services. Bids are due on June 23rd, and the contract is proposed for 12 months starting October 1, 2011. 5) The Energy Grants – The State has finally approved the

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grant, and were allocated \$116,500 to help homeowners retrofit for energy savings. We will work with FPL and provide rebates to the residents for energy savings improvements. The details for the rebates are being developed. A Memorandum of Understanding with Lantana will be addressed later in the meeting. This is necessary as Lantana is the lead applicant for the State grant. We have signed the agreement with EMC engineers to do the energy survey of the Town Hall and lighting on Ocean Ave. this month. 6) Entrance Signs – Three of the signs have been installed. A variance application to FDOT for the southern sign on A1A has been submitted but not approved yet. 7) Capri Apts. – The plans to remove the present laundry discharge have been submitted to the Health Dept. The Capri Apts. completed a unity of title, and are waiting for final approval from the Health Dept. The laundry room has been shut down until the new system is complete. 8) Ethics Commission – They will be providing mandatory training to all of the municipalities as to ethics, and is for all commissioners, board members and staff. Our sessions are set for June 9th at 8:30 am and June 11th at 8am. Those that are not able to attend either meeting need to contact Town hall for other arrangements. The Inspector General's office will be coming to meet with the Town Manager for a discussion as to how their office will function. 9) Spanish River Drive Drainage – There was a problem with the drain line that made them line the pipe with 10inch instead of the 12inch, but the job is now complete. 10) Police Union Discussions – On May 11th, there was a meeting with PBA to discuss the union contract. They were informed that any monetary issues would not be discussed until the budget for next year has been prepared. A few of the non-monetary issues were discussed and our attorney will provide the PBA with our comments for their review. We then set another meeting for the end of July, when we hope to have a better idea of next year's budget. 11) Purchase of Universal Chain Saw and Equipment – The present equipment is beyond repair, and as this is a capital item that wasn't budgeted, we plan to take the \$650 out of the machinery and equipment line item. There is sufficient funding to cover this cost.

4. Town Attorney

Atty. Spillias reported that even though we opposed, the Cory Heith litigation regarding the Right of Ways was granted another 60 day extension until July 25, 2011. After that time it could be dismissed.

Atty. Spillias reported that there is under legislation a new Senate Bill #88 in regards to severance pay and bonuses. If signed into law then Ocean Ridge may need to consider a proposed policy. Mayor Kaleel suggested that we also implement a policy addressing longevity of service. Comm. Brookes stated that since there has been past issues regarding "bonuses", that a policy be implemented and included in the budget process. Atty. Spillias stated that Ocean Ridge does have a policy concerning outstanding performance, but it's vague. If this Senate Bill gets approved, it should probably be more specific. Comm. Hennigan asked if this also addressed compensation for when employees leave, such as severance pay. Atty. Spillias stated that we could not provide compensation for work already done and paid for, it would have to be based on work done now or future work above and beyond, and had to be personal and not across the board, and available to all employees. The longevity could be in stages by years. Mayor Kaleel noted that in past a "Hurricane Bonus" was given to those who worked through the hurricane period for their performance, but with the new Bill it would not be allowed.

Mayor Kaleel stated that Atty. Spillias would be off for the next four months, and would be missed while he was on sabbatical. Atty. Spillias stated that one of his associates, Bill Capko, would be serving in his place. Atty. Capko was well versed in municipal law and Special Districts.

5. Police Chief

Chief Yannuzzi presented his monthly report and the Boynton Beach Fire/EMS Activity Report. He announced that on May 27th, they recovered a stolen vehicle. The resident had left the car unlocked, and the keys in the vehicle. It was found in Boynton Beach. On May 26th, a retirement

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party was given for Jeanne Zuidema, Dispatcher, as acknowledgement of her dedication and service to Ocean Ridge for 28 years.

Chief Yannuzzi reported that we were successful in being granted a waiver for our firearms qualifications. He stated that at no time should any of the residents have felt that our officers were not qualified. All had completed their firearms training; it was the firearms instructor that was not certified, but has since obtained the necessary certification. Comm. Brookes complimented Chief Yannuzzi for his conduct with the press, and the method in which it was handled. Chief Yannuzzi stated that since then a few other towns with the same problem have now contacted him for advice.

He announced that it was Hurricane Season and encouraged all residents to be prepared. Since May over 100 homeowners were warned and advised to trim trees found in the power lines. As we are now in Hurricane Season, official action will be taken for those homes not in compliance. He also advised that no more warnings would be given for water violations.

6. Town Engineer

Engineer Tropepe was absent with notice.

ACTION ITEMS

7. Request for a Maximum Amount of \$1,200 to Assist the Sand Sifters for the Purchase of 36 Reacher/Grabbers and 200 T-Shirts with the Sand Sifters/Ocean Ridge Logos for the July 2, 2011 "All American Beach Cleanup" By: Gary Solomon, Sand Sifters

Gary Solomon, Sand Sifters, stated that this was their 6th year of service in cleaning the beaches and presented new flyers. To date they had performed 25,000 hrs of work with a savings of \$50,000. As the County has stopped raking the beaches, they have a greater need for help. He was requesting from Ocean Ridge \$1200 for 36 Grabbers & 200 T-Shirts. They have 136 grabbers and many are in need of repair and need to be replaced. Jupiter & Palm Beach County were donating 2 dozen grabbers each. Currently Palm Beach County supplies them with bags, and the City of Boynton Beach prints their flyers. He did understand that there were budget constraints for all municipalities, and thanked Ocean Ridge for any support they would be able to give this year.

Mayor Kaleel asked staff to see if Republic Services, our current garbage contractor, would be able to donate some grabbers or supplies also.

Comm. Allison motioned to authorize the approval of \$1200 to assist the Sand Sifters for the purchase of Reacher/Grabbers and T-Shirts for the July 2, 2011 "All American Beach Cleanup" from the Contingency Account. Seconded by Comm. Pugh.

Comm. Brookes asked if the Sand-sifters could be more visible to the south end of town, instead of primarily at the beach front, as that had been the complaint of many residents. Mr. Solomon stated that he had volunteers from schools and businesses for other times throughout the month. He asked for a specific location that needed to be addressed, but asked if parking could be made available for the workers. Chief Yannuzzi stated that they could assist coordinating parking. Mayor Kaleel suggested a small station be set at the south end of Old Ocean for beach cleaning. Mr. Solomon stated that they did provide clean-up for 1-1/2 miles north & south of the Boynton Beach Park, but that it would be difficult with the displays and services that they provided such as sign-up for Community Service to locate an extra station off Old Ocean Blvd.

Comm. Hennigan asked if these funds could be included in the budget process. Clerk Hancsak stated she would include this item in the budget. Last year it was included but due to budget restraints last year however, it was removed.

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Motion Carried – yea (5).

8. Request to Reduce/Release 2 Code Enforcement Liens at 3 Fayette Drive By: Allyn Bryan, 3 Fayette Drive

Clerk Hancsak stated that a written request had been received from Ms Allyn Bryan, 3 Fayette Drive to reduce 2 liens regarding Code Enforcement Issues. The homeowner had come into compliance however not all administrative costs and several days of daily fines accrued before compliance. The total of these liens including daily fines, administrative costs, interest and cost to record/release the liens totaled \$1660.85.

Comm. Brookes stated that at least the administrative costs should be reimbursed. Comm. Hennigan questioned if granting a reduction would set a precedent for other requests. It was noted that Ms. Bryan was not present to plead her case.

Comm. Hennigan moved that the liens stay as stated with no reductions. Seconded by Comm. Allison.

Motion Carried – yea (5).

9. Authorize a Surplus and Recovered Item Property Sale to be Held on Friday, June 24, 2011 between 9:00 – 10:00 AM and Sale Award Immediately Following By: Karen Hancsak, Town Clerk

Comm. Pugh motioned to approve a surplus and recovered item property sale to be held on Friday, June 24, 2011 between 9:00 – 10:00 AM and Sale Award immediately following. Seconded by Comm. Allison

Comm. Brookes asked if/when the items could be reviewed before the sale. Clerk Hancsak stated that they could be reviewed 1 hour before the sale.

Motion Carried – yea (5).

10. Authorize and the Confirm the Hiring of Gene Rosenberg as a Part-Time Dispatcher for a Minimum of 16 Hours Weekly By: Kenneth Schenck, Town Manager

Comm. Allison motioned to authorize and confirm the hiring of Gene Rosenberg as a Temporary Part-Time Dispatcher for a minimum of 16 hours weekly. Seconded by Comm. Pugh

Motion Carried – yea (5).

11. Authorize July 20, 2011 at 8:00 a.m. as the Budget Presentation/Proposed Millage Meeting By: Karen E. Hancsak, Town Clerk

Comm. Pugh motioned to authorize July 20, 2011 at 8:00 a.m. as the Budget Presentation/Proposed Millage Meeting. Seconded by Comm. Brookes.

Motion Carried – yea (5).

12. Authorize the Hiring of Bridge Design Assoc., Inc. to Prepare Plans and Specs for Repairs to Both the Inlet Cay and Sabal Island Drive Bridges in an Amount not to Exceed \$5,034 from the Capital Projects Fund and also Authorize the Bidding of the Actual Repairs

Manager Schenck reported that he had received a FDOT report on the conditions of the Inlet Cay and Sabal Island bridges. Although both received “good” ratings, the evaluation pointed out areas that were deteriorating. The integrity of the bridges was not compromised, but the problems will continue to get worse, and it would be cheaper to correct them now. Bridge Design Assoc., Inc. had originally designed these bridges, and I had them review the reports and give me their recommendations as well as a cost to develop plans and specs to bid out the repairs. Their cost to do the plans and specs is a lump sum of \$5034, and they estimate the cost to be less than

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\$30,000 per bridge for repairs. He recommended that the Commission approve to hire Bridge Design Assoc., Inc. to do the plans and specs and assist with the bidding. Once bids were received, they would bring the bids back to the Commission with a firm cost.

Comm. Pugh noted that this was the same company that had designed the Island Drive Bridge and stated that they had left out details for that bridge that caused an overrun in the budget costs. He asked them to be careful with future designs, to avoid the same problem.

Comm. Pugh motioned to authorize the hiring of Bridge Design Assoc., Inc. to prepare plans and specs for repairs to both the Inlet Cay and Sabal Island Drive Bridges in an amount not to exceed \$5034 from the Capital Projects Fund and also authorize the bidding of the actual repairs. Seconded by Comm. Brookes.

Motion Carried – yea (5)

13. Authorize Execution of the Memorandum of Understanding Between the Town of Lantana (as the Lead Applicant) and the Towns of Haverhill, Palm Beach Shores, Ocean Ridge, and the City of Atlantis for the Joint Participation in Grant Agreement #ARE022 for State Energy Grant Assistance

Comm. Allison motioned to authorize execution of the Memorandum of Understanding between the Town of Lantana (as the Lead Applicant) and the Towns of Haverhill, Palm Beach Shores, Ocean Ridge, and the City of Atlantis for the Joint Participation in Grant Agreement #ARE022 for State Energy Grant Assistance. Seconded by Comm. Pugh.

Motion Carried – yea (5)

14. Discuss RFP by the Town of Manalapan for Dispatch Services

Chief Yannuzzi reported that the Town of Manalapan had published a request for Proposal soliciting interested bidders to take over the Manalapan Police Dept. Dispatch and Records function. The RFP also contains a list of other duties and responsibilities that should be included in the overall scope of work; to include, computer and radio maintenance and connectivity, monitoring and maintenance of an existing Automated License Plate recognition camera system, private residence alarm monitoring and dispatch, etc. Chief Yannuzzi stated that there were many issues that needed to be worked out and the deadline for bid submission is June 24, 2011. He noted that all other municipalities that were considering bidding for the RFP had backed out. We were the only municipality that was still bidding. He asked if he needed Commission approval before submitting the bid. He would be more comfortable with proposing a 3 year contract rather than a 7 year contract.

Mayor Kaleel felt that this was a good opportunity to explore. Four of the seven Commissioners for The Town of Manalapan were newly elected. Also because of the clientele and service provided to the residents he felt Ocean Ridge could consolidate easier with an intra-coastal municipality rather than neighboring towns to the west. He noted that other Palm Beach County municipalities had done the same and the transition was seamless. Comm. Allison was in favor to do the RFP.

Atty. Spillias noted that the RFP stated that the qualified bid could not be altered, and that any math errors were at the risk of the bidder. There would probably be further negotiations once a proposal was submitted.

Comm. Allison excused herself from the meeting at 7:05pm.

Comm. Hennigan was concerned of the pressing deadline and was not sure if the Commission was qualified to give him direction, without a comprehensive plan for the consolidation. She felt it may be a wonderful opportunity, but was unsure of the pros/cons or other alternatives available. She also wanted to maintain quality service to Ocean Ridge.

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Mayor Kaleel stated Ocean Ridge in the past has provided Dispatch Service for Manalapan, and felt that the proposal should state that it would be contingent upon Commission approval. Chief Yannuzzi stated that the RFP did not mention an effective date. It would take time for the transfer to happen, and if any additional personnel were needed Manalapan asked for their staff to take preference. Chief Yannuzzi asked if the Commission wished for a Special Meeting to review the proposal before submitting it to Manalapan.

It was discussed that a Special Meeting was not needed for the initial proposal, but may be needed for counter proposals. A Consensus was reached for the staff to go forward with the proposal to Manalapan with final approval contingent upon Commission approval of the contract.

RESOLUTIONS

15. Resolution No. 2011-15; Authorizing the Mayor and Town Manager to Execute the Interlocal Cooperation Agreement with Palm Beach County to Participate in the Urban County Entitlement Jurisdiction for FY 2012, 2013, and 2014

Manager Schenck summarized that Palm Beach County had requested our participation in HUD's Urban County Entitlement Jurisdiction Program. In the past we have not participated in the program, however the county would like us to be included as it will increase their access to more funds. Should we decide to participate in the future we would then be eligible for funding. Most of the funds are geared toward low income populations. There is no cost involved by signing the agreement and he recommended the Town approve it.

Atty. Spillias stated that the Town could benefit during disaster relief, but then could not accept State Funding also. It could also help during grant applications.

There were no motions to approve the resolution.

Mayor Kaleel gave an update of his lunch meeting that he had with the other Mayors of the neighboring municipalities. It was discussed to engage a consultant to review the government services of the communities as a whole to possibly consolidate and reduce costs for all staff/positions. The Mayor of South Palm Beach felt it was not necessary at this time. The other towns however did feel it necessary in order to investigate reducing costs for the barrier islands. He stated that Gulfstream, Briny Breezes, Ocean Ridge and Manalapan had many similarities with problems and resources. He felt that the economy could only get worse not better. We are small towns who want quality service for our residents, and maybe we could even reinstitute a fire department if we pooled our resources.

There was a consensus to proceed with engaging a consultant. Clerk Hancsak asked if extra monies for the consultant services should be included in next year's budget. Mayor Kaleel stated that it could be done within the budget out of the Contingency Account.

Meeting adjourned at 7:36pm.

Attest By:

Town Clerk

Mayor Kaleel

Commissioner Allison

Commissioner Brookes

Commissioner Pugh

Commissioner Hennigan