

REGULAR TOWN COMMISSION MEETING HELD JUNE 4, 2012

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, June 4, 2012, at 6:00PM in the Town Hall Meeting Chambers.

The meeting was called to order by Mayor Pugh. The roll call was answered by the following:

Commissioner Aaskov	Commissioner Allison
Commissioner Hennigan	Mayor Pugh

Comm. Brookes was absent with notice.

Pledge of Allegiance

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Clerk Hancsak stated that Comm Hennigan requested a change to the May 8, 2012 workshop minutes on Page 6 after Tara Evans comment to read...“ Comm. Hennigan stated that the Ocean Ridge officers were in the middle or upper middle range with generous benefits. Ms. Evans replied that it wasn't what she had heard, and that there was a disconnect between the resident's happiness and the police officer's happiness and if we could get that together maybe things could work out.”

Atty. Spillias requested to add Item #5A - Update of the Inspector General's Litigation.

CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of May 7, 2012
2. Minutes of the Workshop Meeting of May 8, 2012

Comm. Aaskov moved to approve the agenda/consent agenda as amended. Seconded by Comm. Allison.

Motion Carried – Yea (4).

ANNOUNCEMENTS AND PROCLAMATIONS

3. The Administrative Offices will be closed on Wednesday, July 4, 2012 for the Official Holiday and the Regular Town Commission Meeting has been Changed from July 2, 2012 to July 9, 2012 at 6 PM

PUBLIC COMMENT

Justus Brown, 39 Coconut Lane, stated that after he had made his public statement and was returning to his seat at the PBSO workshop, a comment was made towards him by one of the Sheriff's "you must have been arrested at one time". Mr. Brown informed Chief Yannuzzi of the statement and felt it was rude and considered it a threat. He was in favor of keeping the ORPD.

Jerry Magruder, 9 Ridge Blvd, stated that another resident told her that the Boynton Beach Fire Dept was relocating to Ocean Ridge. She asked if this was true. She also suggested that instead of the PBSO, they develop an A1A Police Dept. Manager Schenck informed her that there had been discussions of moving Station #1 to our facilities but they were separate issues. The discussions are idle at this time.

James Bonfiglio, 5616 N Ocean Blvd, asked for public comment under Item #9. In regards to the PBSO bid, he had prepared some spreadsheets using the PBSO's website for research. The spreadsheets were a comparison of Ocean Ridge's costs vs. PBSO. It showed Ocean Ridge with a better cost control and a lower cost per employee than the Sheriff Dept. The PBSO's low ball pricing gave the Sheriff Dept a deficit. He felt that the County taxes would have to be increased to offset it. Ocean Ridge had a very low crime rate, and he didn't feel a need to change to the Sheriff Dept. He was in favor of Ocean Ridge keeping control of the officers while continuing the level of service.

Bob Ganger, 1443 N Ocean Blvd, Delray Beach, and President of the Florida Coalition for Preservation, asked that the Commission consider placing on the next agenda an item that relates to an A1A future plan. A citizen driven group has begun working on this common concept approximately 6-9 months ago that would affect Manalapan to Delray Beach. The focus is to discuss more effective police and safety up and down the A1A corridor. He added that everyone is aware of the possible mergers with PBSO, however; one merger could affect all of the other municipalities and suggested a long term assessment for all barrier

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island residents. He was also asking for funds to gather the information for a long term plan. He felt that many residents were open to this option that would meet the unique needs of the Intra-coastal communities.

Bernd Schulte, 5 Osprey Court, stated that he had received a request from one of the Commissioners to prepare a comparison. Because of the economy he saw a major shift from the small town police service to larger municipalities. Just like Briny Breezes could no longer supply their own police force, and had to subcontract out, he felt that smaller towns like us would follow suit. He asked for a good analysis, and to establish a constructive competent analysis cost, and to stop all the separate outside analysis. He felt that we had insulted the Sheriff Dept at the PBSO workshop when they had come at the Town's request.

Bob Merkel, 118 Marlin Drive, stated that in the last 40 years he had represented every police department in Palm Bch County. He had also reviewed PBSO contracts with other municipalities. All of them were different with different needs. He felt that with some adjustment and negotiation Ocean Ridge could receive a PBSO contract that would fit our needs and still show a savings of \$200,000/year. The residents say "We love our Police Dept", however in the last few years they have gotten cuts in benefits and salaries frozen. He stated that they were not close to the salaries in the PBSO – matching their officer with 7 year service to ours. Ocean Ridge did not want their rookies patrolling their streets, and felt we had great officers. Some of the officers may not be able to go with the Sheriff's Department because of health conditions, and in 6 months the Sheriff could transfer them to another part of Palm Beach County, and the new officers would not be familiar with Ocean Ridge. If the Commission chose to keep their own department, he asked that they be treated better, and that a decision be made tonight.

Sandy Foster, 5900 Old Ocean Blvd, represented 26 homeowners at Villas of Ocean Ridge, who were in favor of keeping our officers, and felt it was important to take better care of them. The residents like protection, security, and are willing to pay for the services. She was disappointed after giving up control to the BBFD with their service. After 2 yrs of the Broward Sheriff's Dept service – Pompano Bch was given a large cost increase, and was now changing back to their own police force again.

Christine DeHaseh, 27 Sabal Island Drive, and representative of the Florida Coalition of Preservation thanked the Staff for the e-mail update about this evening's meeting and the attached agenda. She asked the Commission to not rush. She understood that it was a budgetary concept because of the tight budget, and that it was a big decision. She also asked that more information be disseminated to the public. She stated that the Town of Manalapan was considering a hybrid contract and we could consider the same. She asked the Commission to not shut the door as a compromise may be achievable, and that a town-wide referendum be considered.

Nancy Hogan, 37 Hibiscus Way, stated that several other municipalities were facing the same issues and that there are negative and positive points to retain the PBSO services, and felt it was important to take the time to fully review all options. She also commended the research done by others. She mentioned pro/cons of the current police department.

Terry Brown, 23 Harbour Drive South, did not feel it was worth it to change to the PBSO for only a few \$100/resident. He did however feel it would be a good time to increase the millage to pay down the Town's huge debt. In regards to the 5011 Stores, however he did not agree with the Town Attorney's comment at the last meeting. The attorney had stated that "the agreement did not grant 3rd party rights". Mr. Brown stated that it didn't mean that they couldn't sue. Atty. Spillias replied that anyone can sue.

Ken Kaleel, 86 Island Drive, stated that as a prior Commissioner he was a contributor towards looking at the PBSO to reduce costs. He asked the Commission to look, investigate, and take emotion out of it. What is today's compassion can become tomorrow's applause. The residents were hearing different arguments, costs, and comparisons. He asked the Commission to not vote on the current proposal as it was not at the right level of service, and needed to be changed before it should be voted on. He feels it would be a disservice for the Commission to not review all options thoroughly. For the last several years, there have been cut after cut with no discretionary funds. Mr. Kaleel stated that although the cost of BBFD was \$800,000, to have our own fire department might cost \$2-3 million. He was not in favor of a

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referendum, and that it was the Commissions' duty to the community to have an objective analysis done with further investigation.

Penny Kosinski, 6000 Old Ocean Blvd, asked the Town Commission to look at tightening the code regarding vacation rentals. Weekly rentals were occurring, and she suggested rentals be not less than 100 days instead of the current 30 days. Mayor Pugh directed the Town Attorney to review the Town's policy on vacation rentals.

Jim Kelly, Police Chief for the Palm Beach County School District and current President of the Police Chiefs Assoc., agreed with a lot of the comments. He suggested the Commission first give the Sheriff's Dept the level of services needed in Ocean Ridge; then ask them for a price. He agreed with Comm. Allison statement from the PBSO Workshop, "if you can't hire/fire them, then you have lost control". The Sheriff's Department will listen, if the Commission has an issue regarding their service, but at the end the PBSO will keep the control and make the final decision. He also mentioned that with each newly elected sheriff philosophies can change. Once a municipality gives up their operation and assets, it can play a big role if you can afford to start it back again. You will always have negotiations, and happy/unhappy officers. The low-ball offer includes the dispatch center, and after 2 years Ocean Ridge should expect an increase. There is a difference style of policing from small municipalities to the County-wide policing. He has looked at their contracts, and felt it would come down to the level of service for Ocean Ridge.

Chely Markowitz, 35 Spanish River Dr, stated that she couldn't take the proposal objectively, as this affected her home and family. Our police department was one of the reasons she chose to live Ocean Ridge, she felt the majority of the residents didn't want a change, and she was in favor of a referendum. She asked if the Town was still doing the mosquito spraying, as it seemed worse, and her family could no longer be in the backyard. Justus Brown, 39 Coconut Lane, agreed that the spraying was not working as it had before.

Martin Ingrahm, 127 Marlin Dr, thanked the Town Manager for the summary of costs. He asked for a complete list of services provided by the Ocean Ridge police. There seemed to be many problems in the parks, and he was concerned with the patrolling. He asked the Commission to review it objectively, and the reality may be that they have to pay more taxes.

Dr. Jeffrey Goltz, 8 Ocean Harbor Circle, was concerned that the property values would drop if we went with the PBSO, and that it may cost more in the long run if we tried to change back. He was also concerned that the PBSO could be deployed elsewhere outside Town limits.

Mario Galluscio, Ocean Ridge officer, and site representative for the PBA, stated that the officers love working for the Ocean Ridge residents. They understood that it was hard decision for the Commission and that either way the officers were here to protect them. He did ask that the proposal include all the current officers, so there would be no change.

Richard Lucibella, 5 Beachway North stated that he understood both sides, and it was emotional. He was hearing "I'll write the check", but there many residents that were not in the room to speak up. He asked for an exact amount in taxes for the 2 choices because in 3 years the residents may not have the same attitude. If we went with the PBSO, he asked that the town consider taking \$200,000 of the "savings" and use it for severance packages for those who lost their jobs to clear the Town's conscience.

Edward Hillery, retired Police Chief for Ocean Ridge, cautioned the residents with the reduction of officers, and their replacements of new officers not familiar with Ocean Ridge or our level of service. He stressed that our officers were code enforcement officers 24/7, not just 2 people 8 hr/day, 5 days/week. Things would change without 24/7 code enforcement.

Clerk Hancsak requested if the audit report could be done before the Manager's Report, a consensus was given for the auditor to present the annual audit.

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8. Presentation of the Annual Audit by Nowlen, Holt & Miner, PA for Fiscal Year 2010/11

Ron Bennett, Nowlen, Holt & Miner, thanked the Commission and Management for allowing them to perform the audit for Ocean Ridge. He also congratulated the staff for an excellent job. Because it is a governmental audit there are 3 reports in this document: 1) The Auditor's Report renders their opinion of our financial statement. 2) Internal Control and Compliance – this is mandated by the Governmental Auditing Standards. Because we are in the State of Florida there is a third report. 3) A management letter that stated that they found nothing wrong. We got a clean opinion. He also presented a 5 year comparison of revenues and expenses which shows consistency over the last three years. This last FY 2010/11, our revenues decreased by 1.1% and our expenses decreased by 2.3%. There is a new Accounting Standard for Fund Balance that was effective this year that involved differing classifications: 1) Non-spendable inventory – prepaid expenses or inventory 2) Restricted debt service 3) Committed - the highest level of action needed by passing an ordinance to spend funds earmarked for certification purposes. 4) Unassigned – monies for the Town to spend at its discretion. The Town currently has \$.2mil in this reserve which is 40% of expenditures. He considers this to be a good range. Twenty-five years ago his recommendation was for municipalities to keep 60 days in reserves; however with the hurricanes he now recommends 25% to 50% in reserves. Mr. Bennett stated that they are our auditors 365 days a year, and if there are any issues or questions to contact them. They would much rather address an issue up front, than trying to correct it at a later date. Clerk Hancsak reported that the Pages 3-7 was a management analysis summarizing the budget report giving a short review of the full audit. She also advised that she provided a brief summary on her memorandum.

Comm. Allison motioned to approve the Ocean Ridge Audit Report for FY 2010/11. Seconded by Comm. Aaskov.

Motion Passed – yea (4).

REPORTS

4. Town Manager

Manager Schenck reported the following: 1) Coconut Lane Drainage – Construction is continuing on Coconut Lane and the project is behind schedule with liquidated damages of \$450/day. They hope to finish by the end of June or early July. 2) Inlet Cay and Sabal Island Bridge Repairs – Anzco Inc. has completed the repairs on the 2 bridges on time and within budget. 3) Entrance Signs – We have to wait until November to pull the permit from Briny to install the light. They close down for the summer. 4) Energy Grants – County Grant: The contractor has ordered the collars for the lighting equipment in the parking lot. The cost will be \$2593 and covered by the grant. The interior work in Town Hall and the garage is complete. State Grant: has been extended to the end of July 2012. To date the consultant has approved 52 contracts for a total of \$44,376. 5) FDOT Discussions - FDOT has agreed to construct a proper pedestrian crossing at Woolbright Blvd and A1A. The planning probably won't start until the summer. We haven't received a response to our request to look at the retention ponds on Ocean Ave regarding the tidal influence and flooding or to our question about their sidewalk policies. 6) Chlorination Problem on A1A - The Boynton Beach Water Dept has found an area near the Dunes of Ocean Ridge that is having a problem maintaining acceptable chlorine residual. It's a very confusing situation that makes no sense. We are getting a price to directional bore under A1A and connect to a major water main on the west side of the road. This may be the only way to correct the problem.

Manager Schenck announced that a PBA Meeting was set for June 20th, 2012. It is an open meeting but the public is not to comment during the proceedings.

Clerk Hancsak announced that there would be no Code Enforcement Meeting this month, also the July meeting will be held on July 9th, 2012.

5. Town Attorney

Atty. Spillias gave an update on the funding of the Inspector General. Two weeks ago at West Palm Beach City Hall, a mediation took place and all 14 municipalities were represented by counsel, town managers, or mayors. After a 3½ hour session, nothing was resolved, and we are at an impasse. The next

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step is to finalize the pleading. The City of West Palm and the firm of Corbett & White are taking the lead to research and draft documents.

6. Police Chief

Chief Yannuzzi presented his monthly report, and stated that the charts and graphs are also on the Town's website for the public. Per Comm. Hennigan's request, he had a breakdown of the number/type of calls received. There were (74) 911 calls; (712) Non-emergency calls; (356) Outgoing non-emergency calls and 425 Internal Town Hall calls, for a total of 1567 calls for the month of April, and 6738 calls year to date. He also included a letter of commendation to Sgt. McAllister for his road assistance. He mentioned that last year, Lieut. Hutchins had investigated a contractor who had forged the owner's signature on the permit proposal and notice of commencement. He had also falsified his certificate of insurance to Ocean Ridge. As a result of Lieut. Hutchins' investigation, the contractor's license was revoked and the contractor was issued a \$32,000 fine. He commended Lieut. Hutchins for a job well done. Chief Yannuzzi also stated that he was always available to the Commission or residents for any questions.

7. Town Engineer

Engineer Tropepe was absent with notice.

ACTION ITEMS

9. Request to Extend the Commercial Use for the 5011 Stores By: Orlando and Lialiane Sivitilli, Owners of 5011 N Ocean Blvd. (Deferred from the May 7, 2012 meeting)

Comm. Aaskov recused herself as there was a conflict of interest with this property. Atty. Spillias reported that the owners of 5011 N Ocean Blvd were requesting for a 3 year extension for converting their property to townhouses due to economic restraints. Their current deadline is June 2013 to convert this property to full residential. If granted, their new deadline would be June 2017.

Comm. Hennigan stated in the settlement all parties had agreed to 10 years. She had individually spoken to all of the board members with Planning & Zoning and was cautioned that it be a one- time short extension so as not to appear preferential treatment was given. Comm. Brookes had sent an e-mail reiterating his opinion from the May Commission Meeting, knowing that he would not be able to attend tonight's meeting. He was in favor of allowing for a 1 year extension, while sending to Planning & Zoning the issue of Commercial Properties in Ocean Ridge. Comm. Allison stated her concern about a short term extension, feeling it would cause a hardship and uncertainty to the businesses in 5011 N. Ocean Blvd. She was in favor of sending it to Planning & Zoning for their review with the possibility of changing it permanently. Clerk Hancsak clarified that the Comm. Brookes e-mail was just presented to the Commission at the beginning of the meeting.

Comm. Hennigan motioned to grant a one year extension of the Commercial Use for 5011 Stores with the intent that there are no further extensions unless we change our zoning. No second and the motion died.

Comm. Allison motioned to grant a one year extension for the Commercial Use for 5011 Stores as presented. Seconded by Comm. Hennigan.

Motion Carried – yea (3).

Atty. Spillias suggested that if they wanted Planning & Zoning to review the commercial use of properties in Ocean Ridge, that it be a motion rather than a consensus. He also cautioned the Commission that then it could appear at some point that the Commission has granted a defacto rezoning.

Comm. Allison motioned to send to Planning & Zoning a request to evaluate, analyze and make a recommendation as to whether or not any area in Ocean ridge should be considered for commercial use. Seconded by Comm. Hennigan.

Motion Carried – yea (3).

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10. Approval of Building/Zoning Duties and Inspections Contract with Hy-Byrd Inc for a Three-Year Period Covering Period of August 1, 2012 – July 31, 2015 Without Changes to Existing Contract or Fees

Manager Schenck stated that Hy-byrd Inc. had been servicing Ocean Ridge since 2003. They are always responsive and provide an expertise that we don't have in house. Their fees have been between \$90,000 and \$100,000 which are offset by the building permit charges. Their 3 year contract expires August 31, 2012 and this renewal would be for another 3 years with no rate increase. Manager Schenck had spoken to another municipality who had advertised and they only got one reply from a one-man shop. Ocean Ridge's other option would be Palm Beach County Building Dept, which we did not feel would fit our needs. Manager Schenck recommended approval of the Hy-Byrd contract for our Building/Zoning Duties. Comm. Hennigan asked what Hy-byrd's duties were, and their part in code enforcement issues. Manager Schenck stated that they review our permits for zoning and building, and perform the building inspections. In regards to Code Enforcement if there are issues with a building, they will inspect and report to us of any building code violations.

Comm. Aaskov motioned the Approval of Building/Zoning Duties and Inspections Contract with Hy-Byrd Inc for a Three-Year Period Covering Period of August 1, 2012 – July 31, 2015 Without Changes to Existing Contract or Fees. Seconded by Comm. Allision.

Motion Carried – yea (4).

11. Authorize Issuing the a Special Assessment Notice of Violation and Intent to Correct for 110 Bonito Drive Regarding the Roof and Rear Enclosure

Clerk Hancsak stated that this property is in the process of foreclosure and that she had been in contact with the Field Maintenance Company. They do have a roof contractor and have given them a down payment to perform the work. There was an issue with the permit process however, as they had to obtain a Court Order that allowed them to sign as authorized owner and do the repairs. They received their Court Order in December. They came in last week with a permit, however, there was insufficient backup material authorizing the person who signed as the property owner/authorized agent. Hopefully they will return in the next week with the appropriate backup for their permit. Atty. Spillias recommended that the Commission defer it one month, as it was too far into the year for a special assessment to the tax roll.

Comm. Allison motioned to defer to next month the authorization to issue a Special Assessment Notice of Violation and Intent to Correct for 110 Bonito Drive Regarding the Roof and Rear Closure. Seconded by Comm. Aaskov.

Bob Merkel, 118 Marlin Drive, lived close to 110 Bonito Drive, and he stated his concern of the Town's potential liability from flying debris of this property during a storm. He requested that the town perform action for the safety of the neighborhood.

Motion Carried – yea (4).

12. CONTINUE DISCUSSION OF THE PBSO PROPOSAL FOR POLICE SERVICES AND REQUEST DIRECTION REGARDING FILLING THE CURRENT VACANT POLICE OFFICER AND DISPATCHER/CLERK POSITIONS AND ALSO THE NEW POLICE OFFICER POSITION AUTHORIZED AT THE MARCH 2012 MEETING

Comm. Allison stated: 1) She did not feel we insulted the Sheriff Dept at the workshop. Although we had issues, she felt we gave our opinions in an orderly manner. 2) Torn between the 2 choices. She did feel that a decision was needed regarding our current officers, and the open positions. She had received several e-mails from out of town residents, and didn't want to rush it. She felt we needed more facts, but was not sure the facts would change her opinion, but she would be open. 3) She did feel it was an emotional decision; and that it was not just a financial decision. She asked for time to look at Manalapan's choices with their PBSO bid. She did feel that there were current problems that needed to be addressed.

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Comm Hennigan read a 3 page document into the record citing her concerns regarding the PBSO proposal. She commented that the Commission had a fiduciary responsibility for full review as this was a complex issue that involved not only economic options but also the evaluation of major management and the upcoming budget process. She cited that the proposal from PBSO should remain open and amendable while: negotiations are done with both the PBA and PBSO; a more comprehensive cost/performance analysis is completed by the Town Manager (with the Commission fully informed); identification is made of other alternatives that might help the morale, financial and safety issues; understand the issues that led to the unionization; and also ascertain the health of the organization.

Comm Hennigan commented that she had reviewed the police performance evaluations and discovered that they had not been completed in a routine manner. She observed that the Chief and Lt. had not had a review since being promoted and 3 Sergeants had not been evaluated in 10 or more years. She felt there were serious relationship issues between the Chief/Officers, Chief/Town Manager, and also between some of the Commissioners and Residents/Town Manager. She felt the background work prepared by the Town Manager prior the workshop meeting was inadequate. She was grateful for the work compiled by several residents that was unbiased and provided a better understanding of the financials to see a longer range projection. She felt the Chief has not presented an unbiased view and he is far too emotionally involved to be objective. She made several comments regarding the Officers expressing to residents their dissatisfaction with internal issues that involve more than money and benefits. She concluded by stating that prior to making any decisions the Commission must understand the implications of the budget, the PBA contract and the PBSO proposal.

Comm. Aaskov stated that things can't continue the way they are now, and felt it was important for the Chief to know about filling the open positions, as they are short-staffed. She felt the PBSO proposal should be put on a back burner for a few years, and maybe look at the Bob Granger's proposal of the "A1A Future Plan". She asked that we allow time for things to settle down and get back to normal.

Mayor Pugh stated that it was an emotional issue; however as Commissioners they should determine how this will affect Ocean Ridge now and in the future. He did feel the need to continue on with business and hiring for open positions. He felt: a) Continue on with our own police department and bring it up the level of fair compensation. He also felt the Town Manager should step up and be a leader. b) Get someone with an objective viewpoint to prepare a PBSO proposal to meet all of our needs. Use that proposal to compare with our department, and make a factual decision. He suggested Ken Kaleel be the one to prepare the proposal, as for 16 years he had sat at the dias as Commissioner and Mayor and knew the issues that would have to be addressed.

Ken Kaleel, 86 Island Drive, stated that he would not mind helping out, and felt we knew what the town was looking for. It needed to be objective and rise above the emotion. The Manalapan Report was prepared after their workshop, and he felt it could be mimicked.

James Bonfiglio, 5616 N Ocean Blvd, cautioned the Commission that negotiations can sometime take a life of their own. He also commented that it was not personal, just business. Mayor Pugh stated that at this time we were requesting a proposal, not negotiations yet.

Chief Yannuzzi, asked to respond to the public and commissioners comments. He had received positive and negative feedback directed to the Police Officers and himself. His intent was not to scare the public but to inform them. He felt that there has only been one other decision that was more important than this one; and that was the decision in 1931 when the residents decided to succeed from Boynton Beach. In 2006 when he was hired as a full time investigator there were union discussions. Then again the next year, there was another union discussion because of salary and benefits, with a final decision made not to go union. When Lt. Katz went on Workers Comp he was promoted to acting Lieutenant, and when Lt Katz retired, he was promoted to Lieutenant. He felt there was a dissention created among the tenured officers from feeling that they had been jumped over when he was hired as a full-time investigator, and then again as a Lieutenant and then a few years later Chief. Before both promotions he demanded to Chief Hillery that the position be posted, and no one else applied either time. In 2009 there was a lengthy investigation and major disciplinary action taken against an officer resulting in termination. Within 60

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days of becoming Chief on April 1st, 2010, another investigation took place regarding a damaged squad car (\$1200 damage) that resulted in suspension of one officer and three sergeants. He stated that the Commission and Town Manager had given him direction to change the culture in the police department when he was promoted to Chief. Chief Yannuzzi stated that he was willing to accept his responsibility for low morale if the Commission would assume responsibility for low morale as a result of taking away benefits – the loss of the Cafeteria Plan, changing the health insurance with high deductibles and not covering the deductible, no raises for 3 years and a freeze in the step plan for 2 years.

He was against the PBSO proposal because it would reduce the level of service to Ocean Ridge residents, even though under the PBSO bid he would personally receive a \$20,000 pay increase with benefits. Chief Yannuzzi also felt that the PBSO bid was insulting to compare the current staff of 19 to their proposal with 11 staff. He also asked for direction in filling the empty positions in the police department and dispatch. In March they approved a new patrol officer, but he had not filled it because of the pending bid with the Sheriff's Department. Only three days before the May 8th workshop, he met with the Sheriff Department and was offered the Lieutenant position. He questioned their purpose to offer him the Lieutenant position three days prior to that meeting; he felt it was to sway his opinion. He stated that if the Commission directed him to, he could have the new budget reflect an outside source for the dispatch department and change the staff to 1 Chief and 10 officers. Chief Yannuzzi presented spread sheets showing the exact salary increases for each officer if they chose the PBSO bid. He compared these costs to the PBSO bid and it showed the PBSO at a loss to the expenses they would incur. He felt this loss would be offset by all the tax payers of Palm Beach County. He also noted that there would be severance payouts of vacation and sick time for those employees who would be leaving. This cost will reduce the "savings" to the Town.

A consensus was made to continue with the Ocean Ridge Police services, and for Ken Kaleel to prepare a proposal for Ocean Ridge with a high level of service (understanding that the process could take months), and to fill the 3 open positions of this current budget.

Comm. Hennigan stated that she agreed that the Town should not make a quick decision but she also stated that she was opposed to filling the positions now considering the current uncertain environment. Chief Yannuzzi stated that the officers had been working 18 hour shifts to cover. Clerk Hancsak stated that since January, the dispatchers had been working 6-7 days shifts or 12 hour days with overtime, and was putting a strain on the personnel and budget (overtime was at 72% at the end of April).

Atty. Spillias recommended to the Commission that Item #11 be discussed again.

Comm. Allison moved to reconsider Item #11. Seconded by Comm. Aaskov.

Motion Carried – yea (4).

Atty. Spillias stated that after further thought he was changing his recommendation for 110 Bonito Drive. Since we are at the beginning of hurricane season, and rather than deferring it another month, he recommended to the Commission that if the lending company has not pulled their permit within the next 2 weeks, that the Commission authorize the staff to begin the process of a special assessment.

Comm. Aaskov motioned to approve the authorization of a special assessment for 110 Bonito Drive, if a permit for improvements was not pulled within the next 2 weeks. Seconded by Comm. Allison.

Motion Carried – yea (4)

FIRST READING OF ORDINANCES

13. Ordinance No. 598; Amending the Code of Ordinances, at Chapter 67, Buildings and Building Regulations, Article VIII, Building Standards, Section 67-174, Maintenance and Appearance Standards, and at Chapter 66, Environmental Regulations, Article IV, Landscaping, Section 66-119, Installation; Maintenance; Plant Material, and at Chapter 34, Nuisances, Article I, in General, Section 34-6, Removal of Rubbish, Noxious Plants, Stagnant Water and Weeds, Making it Unlawful and Constituting a Nuisance for any Person Owning Land Within the Town to Have or Permit Thereon any Dead, Dying or Defoliated

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Hedges or Trees and/or Hedges, Trees or Other Plants Infested with any Type of Exotic Pest Such as White Fly; Providing for Severability; Providing for Repeal of Ordinance in Conflict; Providing for Codification; and Providing for an Effective Date

Clerk Hancsak read the Ordinance by title. Atty. Spillias stated that the Town Manager had brought attention the issue of “white fly” causing damage/blight to shrubs. It had been suggested that add to the code that the property owners take care of any damaged plants. Comm. Aaskov requested that it be changed and the phrase added “must be treated or removed”. She stated that for smaller areas treatment could be applied and the plants brought back to health rather than totally remove the plants.

Comm. Hennigan motioned to approve the First Reading of Ordinance #598, with an adjustment to be made to add ...“must be treated or” removed,... Seconded by Comm. Allison.

There was no public comment.

Motion Carried – yea (4).

SECOND READING AND ADOPTION OF ORDINANCES

14. Ordinance No. 597; Opting Out of the Amended Palm Beach County Lobbyist Registration Ordinance 2011-039

Comm. Aaskov motioned to approve the Second Reading of Ordinance No. 597; Opting Out of the Amended Palm Beach County Lobbyist Registration Ordinance 2011-039. Seconded by Comm. Allison.

There was no public comment.

Motion Carried – yea (4).

TOWN COMMISSION COMMENTS

15. Brief Summary on the Library Advocacy Event Attended By:

Comm. Allison stated that she had attended a Library Advocacy Event held at the Delray Beach Public Library. Their speaker Dr. Watson, is a professor and an excellent speaker and very informative. She had brochures that would be left in the lobby. She encouraged the public to continue the funding of our libraries and the variety of services that they provide to the public.

Meeting Adjourned at 8:55pm

Attest By:

Town Clerk

Mayor Pugh

Commissioner Aaskov

Commissioner Allison

Commissioner Hennigan