



REPORTS

4 Town Manager

Manager Schenck reported the following: 1) Coconut Lane Drainage – The final paving is complete, however the wire to power the pump failed inspection; one of the 4 wires needs to be replaced. The system installed works very well with the temporary pump. 2) FDOT Discussions - FDOT has agreed to construct a proper pedestrian crossing at Woolbright Blvd and A1A, and have started the surveys for the project. FDOT is cleaning out the ponds on Ocean Ave. The north side needs to dry out before they can remove the mangroves. We are still working on the flap gate issue to reduce the flooding, and Transfield Services is getting the original plans to review the problem. FDOT has responded to our request for a pedestrian crosswalk at Town Hall. There will be a cost to gather the required information. We'll need a busy weekend to get sufficient pedestrian and vehicle counts to satisfy FDOT's requirements for the crosswalk. FDOT has completed the repairs on the sidewalks. 3) Bonito Drive Drainage – The contract has been signed with Anzco Inc. to do the drainage improvements, and the project has started. There has been a delay due to unmarked water lines and FPL underground power lines where the drain pipe is suppose to go. We're waiting on FPL to move the lines. 4) Inlet Cay Batter Pile Replacement – We've authorized Admiral Boatlift to replace the deteriorated pilings. They are working to obtain the necessary permit from FDEP. Once the permit is issued they will begin the project. 5) Inlet Cay Drainage - He is meeting with Lisa Tropepe, our Town Engineer to review the reason for the standing water in the cul-de-sacs. 6) Mosquito Spraying – The Commission requested a price to spray for mosquitoes in Ocean Ridge. The price is \$44/mile with an eight mile minimum. They previously did about seven miles of roads. The cost will vary depending on the areas sprayed and the minimum would be \$352 a treatment. Previously we didn't spray north of Inlet Cay. Several residents complained about the truck and the spraying technique, and we stopped the spraying. We can readdress the issue in the spring if the Commission desires. 7) Beach Walkways. Hurricane Sandy destroyed our beach crossovers. We have repaired 2 of them, but the rest are in need of an outside contractor. Per the Commission direction, we obtained 3 bids and reduced the scope to obtain a lower cost for repairs. We took out one landing and changed the size of the piling. The bids were \$17,800, \$20,500 and \$22,999. V.P.H. Builders, Inc. was the low bidder, and they started with the sidewalk repairs last week on Edith Street. 8) FPL Power Poles – We've reviewed the poles in Town and there are 14 that are leaning, 5 of them are severely. We are forwarding the information to FPL.

Comm. Hennigan stated that other municipalities administer rental property fees to owners that rent out their residences. It was discussed that the City of Lake Worth does it when they have a meter change from the owner to the renter, and they charge \$35 a property. It was also discussed that the City of Boynton Beach also charges a rental property fee. There was a consensus for management to research other municipalities and the potential utilization of rental property fees.

5. Town Attorney

Atty. Spillias gave an update that since the last meeting there had been 2 hearings regarding the Inspector General. At one hearing, the Inspector General requested a Motion to Intervene in the lawsuit themselves as they feel their interests are not being properly represented by the County and the judge denied their motion. The other hearing was the cities motion for summary judgment. They asked the judge to declare the scheme for city payment as an illegal tax. If granted by the court than the monies cannot be collected from the municipalities in the method they requested. The argument has been handled by Doug Yergen, Assistant City Attorney for West Palm Beach and Jennifer Ashton, Corbitt & White. If the judge denies it, then it will move to trial, but if granted, then it may be over for awhile.

Atty. Spillias stated that Ocean Breezes LLC has recently requested Kenneth Kaleel to represent them regarding redeveloping their property. Several years ago this had come before and was approved by the P & Z and this board, while Ken Kaleel was a sitting Commissioner. No development was performed, and since then it has lapsed. He stated that Mr. Kaleel has contacted him and asked if there were any legal issues regulating him being a former Town Commissioner. Atty. Spillias read the Florida Bar, Rule 4-.1511 and summarized that a former official of local government cannot represent a private client on a matter before the government where the official had previously taken action on that matter unless the government agency gives its consent. Mr. Kaleel is seeking your permission to represent Ocean Breezes LLC. Atty Spillias stated as several years have lapsed since that time he does not feel there would be a conflict, and in his opinion there would be no detriment to the Town.

Comm. Aaskov motioned to provide a Letter of Consent for Kenneth Kaleel to represent Ocean Breezes, LLC in the matter their new development plan. Seconded by Comm. Hennigan.

Motion Carried – yea (3)

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### 6. Police Chief

Chief Yannuzzi presented his monthly report, along with the monthly and annual fire reports, and asked if there were any questions.

Comm. Hennigan thanked Chief Yannuzzi for a breakdown of the walk-ins at the dispatch department, and questioned the number of alarm issues “after hours”. She also asked how many of the 911 calls invoked a true police response. She asked for transparent statistics that would show the actual work done by our officers and dispatch. She felt this information would be important if the Town was to outsource in the future. Chief Yannuzzi stated all alarm companies are to present themselves to the Police Department prior to servicing the resident’s homes. He explained that “after hours” represented the times that the Town Hall are closed. Town Hall is open Mon-Fri 8:30 – 3:00pm. In regards to a more detailed 911 breakdown, he would have to go through each call to give a more detailed breakdown. If there was a consensus from the Commission he would do so.

Comm. Hennigan motioned for the Chief Yannuzzi to provide a detailed breakdown report of the 911 dispatch calls that invoked calls for police response. She asked that he eliminate test calls and hang-ups. There was no second.

Motion failed.

Chief Yannuzzi stated as a result of correspondence to the Sheriff’s Dept regarding the criminal activity at the Inlet Park, there was a meeting on Wednesday at the Palm Beach County’s Park Dept. As a result there is a now a County Park employee who lives on site, and effective tomorrow at dusk there will temporary barricades and then a gate to close off part of the park to eliminate those that are not fishing from loitering in the area.

Comm. Hennigan stated her concern of the bid that was recently presented to the Town of Manalapan for their dispatch service and also that she was not provided a copy. It was prepared without notifying the Commissioners of the price or terms or conditions of the bid. She felt it was the Town Manager’s responsibility to notify them, and she wished that he had discussed it with them one by one. She felt this was a strategic item, and should be made a part of their strategic plan as a Town. Vice Mayor Allison stated that with past RFP’s, they were not notified – such as the bid for Briny Breezes. Chief Yannuzzi agreed and said there was a time limit and only 2 weeks to prepare it. There was a lot of research and comparisons made with other towns. Vice Mayor Allison stated that she had contacted the Chief and was told the approximate price and knew that Lantana was also competing for the bid. It was the job of the administration to prepare the bid, and once it was accepted the Commission would approve the bid and its’ terms. Clerk Hancsak stated that she believed that copies of the bid were included with the Commissioner’s packages, but she would check to make sure. Atty. Spillias stated that this was a bid, and the Commission is not bound to this pricing or terms before it is made a contract. Chief Yannuzzi announced that on December 18<sup>th</sup>, 2012 Manalapan would be having their meeting to discuss this bid.

Gerry Magruder, 9 Ridge Blvd asked if Manalapan decided to go with Ocean Ridge, would they be able to receive the same 911 service and alarm monitoring service. Chief Yannuzzi stated that they would. It was part of the bid for them to supply us with a new server. Manalapan also has a camera system, or automated license plate recognition service. It would be turn key for them to switch their dispatch department to Ocean Ridge.

Vincent Mollica was sworn in as a new Sergeant with Ocean Ridge. His wife and children were present to witness. The Commission congratulated Sgt. Mollica.

### 7. Town Engineer

Engineer Tropepe was absent with notice.

### ACTION ITEMS

8. Authorize a Temporary Hiring of a Dispatcher/Clerk to Fill One of the Vacant Positions to be Confirmed at the January 7<sup>th</sup> Meeting

Chief Yannuzzi stated the dire need to hire additional dispatchers. We are currently down 3 dispatchers. Because of the new state ruling it is required that all be certified, and our officers are currently being certified to fill in for dispatch. Some officers were grandfathered in if they passed the exam. We have also requested to get approval for Ocean Ridge to become a training site. The approval takes 30 days. To fill

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the open positions it has caused an increase of overtime however. Because of the timing involved with the Commission meetings he was requesting Commission approval to hire new dispatchers prior to the next meeting in January. There are currently 2 applicants being processed. The hiring would be based on satisfactory background check etc. and they would be formally confirmed at the January meeting. Vice Mayor Allison requested Clerk Hancsak to read on record a memo received by Mayor Pugh regarding a few items on the agenda, and he requested his opinion be read into the minutes with the understanding that his opinion could not count as a vote. In the memo Mayor Pugh stated that it was important to expedite the hiring of dispatchers to fill in the open positions as soon as possible

Comm. Hennigan motioned to approve the authorization of hiring one dispatcher prior to the January meeting to fill a vacant position to be confirmed at the January 7<sup>th</sup>, 2012 meeting, and that the Commissioners be notified by e-mail of her hire, and subject to confirmation by the Commission. Seconded by Comm. Aaskov.

Motion Carried – yea (3).

9. Authorizing Closing the Administrative Office on Monday, Dec. 24, 2012 and Monday, Dec. 31, 2012 with Staff Utilizing a Vacation Day for Each

Vice Mayor Allison summarized the request to close the administrative office on Christmas Eve and New Years Eve. She also read Mayor Pugh's memo stating that as the employee's did not receive a Christmas bonus he recommended that they be paid for the 2 days. It was discussed that if the Town Staff receive the 2 days with pay, that it would have to extend to all employees. As the officers are in the middle of the PBA negotiations, it could not be done. It would be adding an additional holiday.

Comm. Hennigan motioned to approve the authorization of closing the Administrative offices on Monday, December 24, 2012 and Monday, December 31, 2012 with Staff utilizing a Vacation Day for each. Seconded by Comm. Aaskov.

Motion Carried – yea (3).

10. Request to by Palm Beach County DERM to Perform Maintenance Dredging From Dawn to Dusk Seven Days a Week for Approximately One Hundred-Fifty (150) Days Commencing in Early 2013 Near the Ocean Inlet Park/Marina and Sand Transfer Area

Manager Schenck stated that the County has revised their request for the Town's approval to undertake a maintenance dredging project inside the Boynton Inlet. Phase I will consist of hydraulic dredging of sand onto the beach in the north end. The tidal action will then carry the sand south and distribute it along the beach. Phase II will be removing some rock which will be placed in the artificial reef at Ocean Inlet Park. In order to complete the work prior to turtle season, they are requesting approval to work 24/7 until the end of April 2013 off shore for Phase I and then work sunup to sundown 7 days a week for approximately 120 days for Phase II.

Comm. Aaskov motioned to approve Palm Beach County's DERM request as outlined by the Town Manager. Seconded by Comm. Hennigan.

Motion Carried – yea (3)

11. Consider Retirement Bonus for Retiring Dispatcher Marcia Martin

Chief Yannuzzi summarized Marcia Martin's 22 years of service to Ocean Ridge as a dispatcher, stating that she had been a valuable, dedicated employee whose evaluations rated her in the "Outstanding" category. Her son's injury expedited her request to retire, and he stated that she would be missed. He was recommending that she receive a retirement bonus of \$2200.

Comm. Hennigan stated that she thought the new bonus policy was approved with a cap amount of \$2000. Clerk Hancsak stated that she reviewed the minutes, and that it was approved without a cap amount. Atty. Spillias at the time had recommended the Commission to approve the bonus policy, with the ability to amend it at a later time to include a cap amount. It was never amended to include a "cap" amount.

Comm. Hennigan motioned to approve a retirement bonus for Marcia Martin in the amount of \$2200, with the discussion of revising the bonus policy to include a bonus cap at the next meeting. Seconded by Comm. Aaskov.

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Motion Carried – yea (3).

12. Accept a Donation of \$30,000 from the Support Group for the Purchase of a 2013 Police Vehicle and also Authorize an Amount Not to Exceed \$5,000 from the Contingency Account to Cover the Remaining Balance By: Kenneth Schenck

Chief Yannuzzi requested that the Town accept a \$30,000 donation to be used for the purchase of a 2013 Police Vehicle. To fully equip the car would be an additional \$5000; however the Town would receive \$7000 from the trade-in. This would result with \$2000 in the black. Comm. Hennigan asked if the donor/s were one person or multiple people of the \$30,000, and would the vehicle be the Town's property or belong to the Support Group. Chief Yannuzzi stated that it was a group of donors who wished to remain anonymous. The new vehicle would be a 2013 Ford Explorer. Clerk Hancsak stated that it would be listed as the Town's inventory.

Comm. Hennigan moved to accept the donation of \$30,000 and to fund \$5,000 from Contingency for the remaining balance and accessories to the vehicle. Seconded by Comm. Aaskov.

Betty Bingham, 1 E Ocean Avenue, asked if any of the excess funds could be placed into a separate account, and then to be used on the second vehicle which would be needed in the near future. Clerk Hancsak stated that any excess funds would be put in the General Fund, however at year end during the budget a separate fund could be decided at that time.

Motion Carried – yea (3).

### RESOLUTIONS

13. Resolution No. 2012-17; Designating the Supervisor of Elections and the Town Clerk as the Canvassing Board, to be in Attendance for the Testing of the Computer Electronic Systems Tabulating Equipment to be Used for the General Election Scheduled for March 12, 2013 and to Canvass Returns of Such Election Including the Absentee Ballots; Assigning the Supervisor of Elections to Handle the Absentee Ballots

Clerk Hancsak read Resolution No 2012-17 by title only.

Comm. Aaskov motioned to approve Resolution No 2012-17. Seconded by Comm. Hennigan.

Motion Carried – yea (3)

14. Resolution No. 2012-18; Authorizing the Mayor and Town clerk to Execute the Agreement for Vote Processing Equipment Use and Election services by and Between the Palm Beach County Supervisor of Elections and the Town of Ocean Ridge

Clerk Hancsak read Resolution No 2012-18 by title only.

Attorney Spillias stated that to maintain full disclosure, that he also represents the Palm Beach County Supervisor of Elections, however he did not prepare this agreement, it was done by the Supervisor. He did note that there was an amendment made on Page 8, Item #5 regarding the Provision limits to \$200,000 - \$300,000.

Comm. Hennigan asked if the Town has considered shifting the municipal election to November. It was discussed that there would be no savings to the Town, and that it was permitted to be changed from February to March without a Charter referendum in order to co-inside with the Federal primary elections. An additional change would require a referendum. Clerk Hancsak also mentioned that many times when there is a municipal question on a November ballot it is not voted upon because any municipal questions are at the end.

Comm. Hennigan motioned to approve Resolution No 2012-18, Pertaining to Ocean Ridge Vacant Property Registration Fees. Seconded by Comm. Aaskov.

Motion Carried – yea (3).

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15. Resolution No. 2012-19; Authorize Renewal of the Multi-Agency Law Enforcement Mutual Aid Agreement for Combined Operational Assistance and Voluntary Cooperation

Clerk Hancsak read Resolution No 2012-19 by title only.

Comm. Aaskov motioned to approve Resolution No 2012-19, to Authorize the Renewal of the Multi-Agency Law Enforcement Mutual Aid Agreement for Combined Operational Assistance and Voluntary cooperation. Seconded by Comm. Hennigan.

Motion Carried – yea (3)

16. Resolution No. 2012-20; Pertaining to Ocean Ridge Vacant Property Registration Fees

Clerk Hancsak read Resolution No 2012-20 by title only.

Manager Schenck stated that at the last meeting the Commission adopted an ordinance and resolution requiring the banks to register their foreclosed properties with the Town. We need to set a fee schedule for the registration, and he recommended \$200. This is in line with other communities, and this resolution authorized the fee.

Comm. Hennigan motioned to approve Resolution No 2012-20, Pertaining to Ocean Ridge Vacant Property Registration Fees. Seconded by Comm. Aaskov.

Motion Carried – yea (3).

Comm. Hennigan announced that the League of Cities was having a workshop on December 12<sup>th</sup>, 2013 at 10:30 at the Atlantis Country Club. It was an open forum for local elected officials and then \$25 for the Luncheon.

Meeting Adjourned at 7:09pm

Attest By:

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Town Clerk

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Commissioner Aaskov

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Commissioner Allison

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Commissioner Hennigan