

SPECIAL TOWN COMMISSION MEETING HELD JANUARY 28, 2015

Special Town Commission Meeting of the Town of Ocean Ridge held on Thursday, January 28, 2015, at 8:00AM 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 Bonfiglio
Commissioner Allison	Commissioner Lucibella
Mayor Pugh	

Mayor Pugh announced that this meeting was for the approval of Separation and Consulting Agreements with Chris Yannuzzi.

Atty. Spillias stated that the Agreements have been executed by Chief Yannuzzi and now need to be executed by Ocean Ridge. He summarized the actions of staff and prior meetings that led up to drafting the Separation and Consulting Agreements with Chief Yannuzzi. This morning the Commission needs to take action to approve the final separation agreement. The Town Manager will then rescind his termination and the Chief's resignation would be effective March 1, 2015. He requested separate motions for the Settlement Agreement and the Consulting Agreement.

Comm. Bonfiglio asked for clarification regarding the consulting agreement, and for a comfort clause to be added to determine Chief Yannuzzi's authority for those 5 months.

Atty Spillias was preparing documents for Chief Yannuzzi to initial that would allow Lt Hutchins full authority as acting chief through March 1st, 2015. As an active police officer, we could not take away Chief Yannuzzi's arrest authority if a crime occurred in front of him. After March 1st, 2015 he would be a civilian consultant as determined by the Town Manager.

Mayor Pugh stated that until March 1st, Chief Yannuzzi would be on a Paid Leave of Absence from Ocean Ridge, and not representing Ocean Ridge in anyway. A leave of absence means there should not be any reason for him to be in Ocean Ridge unless requested by the Town Manager.

Lt Hutchins stated that after March 1st, 2015, FDLE would be notified that Chief Yannuzzi would be an inactive officer with the Ocean Ridge Police Department.

Atty. Spillias stated that Chief Yannuzzi had agreed to take the Paid Leave of Absence. Chief Yanuzzi is to be directed by the Town Manager as the purpose of his role. The Town Manager has to set the conditions: no use of equipment or uniforms. If Chief Yannuzzi does not comply it would be a breach of agreement.

Comm. Bonfiglio asked if the agreement included a penalty clause. He requested for the Town Manager to prepare a draft of Chief Yannuzzi's role. Atty. Spillias replied that while this agreement does not have a penalty clause, there is a standard penalty clause, which would rescind the agreement.

Comm. Lucibella stated his concern for the moral of the officers and dispatchers during this process. He asked Lt Hutchins to communicate to the officers and dispatch that they have been in his focus during these events, and that they have his support during this time.

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Lt Hutchins, stated that he had received no negative feedback. As with any executive change there is uncertainty among the department. He had requested to the sergeants, officers and dispatch that they consider the residents of Ocean Ridge, and to remain neutral. Lt Hutchins has not received any negative comments from them, Manager Schenck agreed. Lt. Hutchins stated that there are many issues to address moving forward in the next few months.

Comm. Bonfiglio motioned to authorize the Town Manager to rescind the termination of Chief Yannuzzi and approve the Mutual Release and Settlement Agreement with Chief Yannuzzi. Seconded by Comm. Allison.

Comm. Allison asked for clarification of Item #10 in the Settlement Agreement. Atty. Spillias stated commented that Chief Yannuzzi could not sue the Town or Town's Attorney or Town Commission, but it does preclude the Chief or Comm. Lucibella from pursuing their own actions.

Motion Carried – yea (5).

Comm. Aaskov motioned to approve the Consulting Agreement with Chris Yannuzzi. Seconded by Comm. Allison.

Motion Carried – yea (5).

Manager Schenck formally rescinded the termination of Chief Yannuzzi. Atty. Spillias advised Manager Scheck to prepare a formal memo.

Manager Schenck formally appointed Lt Hutchins as Acting Chief from now through March 1st, 2015.

There was a discussion and consensus to leave succession planning on the February agenda at this time. It was also discussed that the Town needed to do its due diligence and advertise for a Police Chief.

Comm. Lucibella requested that the Commission have an active role in interviewing of the applicants for Police Chief. There was a consensus.

Meeting Adjourned at 8:30am.

Attest By:

Town Clerk

Mayor Pugh

Commissioner Aaskov

Commissioner Allison

Commissioner Bonfiglio

Commissioner Lucibella