

## REGULAR TOWN COMMISSION MEETING HELD JANUARY 4, 2016

Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday, January 4, 2016, 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 Bonfiglio
Commissioner Lucibella	Mayor Pugh

Pledge of Allegiance

Comm. Allison was absent with notice.

### ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

Clerk Hancsak requested to add Item 7b regarding Holiday Lights on Ocean Avenue. Mayor Pugh requested to switch Items #11 & #14.

### CONSENT AGENDA

1. Minutes of Regular Town Commission Meeting of December 7, 2015

Comm. Bonfiglio motioned to approve the Agenda and Consent Agenda as amended. Seconded by Comm. Lucibella.

Motion Carried – yea (4)

### ANNOUNCEMENTS AND PROCLAMATIONS

2. The Administrative Offices will be closed on Monday, Jan 18, 2016 for the Official Holiday.
3. The Workshop Meeting to Discuss Possibly Converting Old Ocean Blvd. to a One Way Street is scheduled for Tuesday, Jan 26, 2016 at 6PM.
4. 2016 Municipal Election/Eleccion Municipal 2016
  - a. Proclamation for Election Held on March 15, 2016/Proclamacion para eleccion sostenida el 15 de marzo de 2016
  - b. One Commission Seat Open for a Three Year Term/Comision uno pesto para tres anos cada
5. Presentation of Retirement Resolution from the Florida Association of City Clerks (FACC) to Retiring Town Clerk Karen Hancsak by Pamela Latimore, FACC SE Director and City Clerk of North Miami Beach.

Pamela Latamore, FACC SE Director, stated that the 450 Clerks of the FACC thanked Clerk Hancsak for her years of service to the Town of Ocean Ridge and that she would be missed by her fellow colleagues. Clerk Hancsak's reputation precedes her. Ms. Latamore read the Proclamation and presented it to Clerk Hancsak. Applause from the audience.

### PUBLIC COMMENT

Ted Ritota, 4 Hudson Ave, stated that cameras were needed as crime was rising in Ocean Ridge. He thanked Clerk Hancsak for her years of loyalty and dedication to Ocean Ridge. She would be greatly missed.

Terry Brown, Harbour Drive So, thanked Clerk Hancsak for her professionalism and assistance over the years, she would be greatly missed. In regards to the Midlane closure, he was concerned with emergency vehicles having access. He was also concerned with the rise of the sea level in Ocean Ridge. He requested that the Commission schedule a future meeting regarding the impact on the Town's infrastructure. We can't wait for Grants or State funding.

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Bob Carlson, 30 Ixora Way, stated his concern that the closing off of Midlane had increased traffic and caused a hardship to the 34 families that have to extend their driving to reach their homes. He felt that the crime rate in his neighborhood was the same as other areas in Ocean Ridge. He requested that the barricades be removed, he felt the barricades weren't working.

Nancy Hogan, 37 Hibiscus Way, questioned the purpose of the speed radar equipment in her neighborhood. The left hand turn on A1A from their area was dangerous for viewing oncoming traffic. She also questioned why there was no Garbage/Trash service on Christmas Day, and she felt they should have provided an additional day of service for the holidays. Both she and her husband had observed 2 times that the garbage truck was picking up their recycling instead of the recycling truck. Manager Titcomb stated that he would notify Republic Service of her recycling complaint.

Stella Kolb, 204 Beachway, extended a Happy New Year to the Commission and staff. She requested that there be a Civility Month.

### PUBLIC HEARINGS

6. An application submitted by, Everlast Realty LLC, a Massachusetts Limited Liability Co., and John Luring, Mark Luring, James Luring, and Mayanne Seibold, as Successors Co-Trustees of the Sunshine Estate Trust, 23 Brigham Rd., Worcester MA 01609 and 94 Island Drive So., Ocean Ridge FL 33435, requesting a Public Hearing regarding the provisions of the Land Development Code at Chapter 64; Zoning, Article 5; Subdivisions; Sections 64-100 through 64-105 pertaining to replatting requirements. The applicants are requesting to replat 3 single family lots into 3 new reconfigured single family lots. All 3 lots will meet the zoning requirements for the RSF – Residential Single Family District. The 3 properties are comprised of (a) Lot 92 and a portion of Lot 93 and (b) the remaining portion of Lot 93 and Lot 94 in the McCormick Mile Add No 1 Subdivision or 92-94 Island Drive South (exact legal description located at Town Hall). The request will also require a Release of Unity of Title and Release of a Recorded Easement/s. (Continued from the Nov. 2, 2015 Regular Meeting)

Clerk Hancsak read the application submitted by, Everlast Realty LLC, a Massachusetts Limited Liability Co., and John Luring, Mark Luring, James Luring, and Mayanne Seibold, as Successors Co-Trustees of the Sunshine Estate Trust, 23 Brigham Rd., Worcester MA 01609 and 94 Island Drive So., Ocean Ridge FL 33435, requesting a Public Hearing regarding the provisions of the Land Development Code at Chapter 64; Zoning, Article 5; Subdivisions; Sections 64-100 through 64-105 pertaining to replatting requirements. The applicants are requesting to replat 3 single family lots into 3 new reconfigured single family lots. All 3 lots will meet the zoning requirements for the RSF – Residential Single Family District. The 3 properties are comprised of (a) Lot 92 and a portion of Lot 93 and (b) the remaining portion of Lot 93 and Lot 94 in the McCormick Mile Add No 1 Subdivision or 92-94 Island Drive South (exact legal description located at Town Hall). The request will also require a Release of Unity of Title and Release of a Recorded Easement/s

Atty. Spillias stated that the representatives for this project have requested that this item be continued to the February 1st, 2016 meeting.

Comm. Bonfiglio motioned to continue this item to the February 1st, 2016 meeting. Seconded by Comm. Askov.

Motion Carried – yea (4).

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### REPORTS

#### 7. Town Manager

Manager Titcomb reported the following: 1) Midlane Road Closure – The installed temporary barrier pylons at Midlane and Woolbright Rd are working as intended to restrict ingress/egress. The Town staff is working cooperatively to mitigate any negative impacts the closure may create. 2) Town Drainage – Isolated pockets of water retention areas continue to challenge us. We deployed our vacuum truck vendor to service to all drainage ports on Inlet Cay Island this past month as a part of a preventative maintenance sweep. It has improved the efficient operation of the system there. 3) Landscaping Maintenance – he would be convening meetings with various community stakeholders to mediate longstanding landscape agreements and disagreements. We have communities in the town in need of more regular maintenance schedules to work together for an effective long term fix. 4) New Staff – We welcome new police employees and a new Town Clerk who will be trained by Clerk Hancsak this month. As the Town transitions through long time employees retiring and moving on, we strive toward making this a small town to be proud of.

Comm. Bonfiglio asked if the temporary closure of Midlane Rd triggered our obligation for Ridge Blvd road standards to be brought into compliance. Atty. Spillias advised that it did not require FDOT approval for a temporary closure; however any necessary permitting would be completed prior to a permanent closure.

Clerk Hancsak stated that she had received an email requesting that the holiday lights on Ocean Ave stay lit through April. Traditionally they are taken down after New Year's. There was a consensus by the Commission to not extend the lights. Clerk Hancsak stated that the audio of the Commission Meetings could be accessed through You-Tube. A \$22,730 Special Assessment had been placed on 110 Bonito for their demo back in September and the funds for this Special Assessment had been received. The Town Clerk had performed a preliminary year end closing and it showed a \$500,000 surplus. This was a result of open positions in the Law Enforcement Department and associated costs and the receipt of several large satisfied liens.

#### 8. Town Attorney

##### a. William Swaim's Request.

Atty Spillias stated that Mr. Swaim is still requesting an easement from Ocean Ridge to demonstrate to other permitting agencies that he has access to his property. At the September 10, 2015 meeting it was the consensus of the Commission to delay consideration of the approval of any easement until Mr. Swaim could demonstrate that he had obtained easements from other affected property owners. On Dec 22, 2015 Mr. Swaim's attorney requested to renew Mr. Swaim's request for immediate action by the Commission. The underlying purpose for the timing is that they are in the process of preparing a complaint(s) to file in the Circuit Court to seek the easement(s) Mr. Swaim would need by judicial action since he was having no success in obtaining them. The Town has 3 options: 1) Grant the requested easement immediately. 2) Agree to be bound by the results of the lawsuit against other property owners and provide the requested easement if the results of that lawsuit provide him with the remaining easement necessary for access. 3) Be named a defendant in the lawsuit. Atty. Spillias recommended the third option and for the Commission to take no action at this time.

Comm. Bonfiglio motioned to take no action at this time. Seconded by Comm. Aaskov.

Motion Carried – yea (4).

#### 9. Police Chief

Chief Hutchins advised that his report was distributed. He cautioned residents to secure their cars and homes as there had been several auto burglaries in Town. Of the 10 cars stolen, 9 had been recovered.

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Ocean Ridge is working with the Palm Beach County task force and it seemed that there are 3 gangs working in the area. It was discussed that cameras could be used as a tool/resource to tag any stolen cars coming in/out of town.

10. Town Engineer  
Engineer Tropepe was absent with notice.

### ACTION ITEMS

14. Confirm the Hiring of One Police Officer, Katherine Berish and One Police Dispatcher, Kelly Conte and also Request Authorization to Hire Upon Completion of Successful Background an Additional Police Dispatcher to Fill Budgeted Vacancies.

Chief Hutchins introduced Officer Katherine Berish and Dispatcher Kelly Conte to the Commission. Another dispatcher, Tomas Storey, was also being processed. He requested that the Commission approve Officer Berish and Dispatcher Conte and a pending applicant for another police dispatcher.

Comm. Aaskov motioned to approve the hiring of Officer Berish and Dispatcher Conte, and a pending applicant for the additional police dispatcher. Seconded by Comm. Lucibella.

Motion Carried – yea (4).

11. Discuss Shortlist and Schedule Special Meeting Date for Interview for the Legal Representation Selection.

Manager Titcomb stated that a shortlist had been received from the Commission for the top 4 firms: Torcivia, Donlon, Goddeau & Ansay, P.A.; Weiss, Serota, Helfman, Cole & Bierman; Lohman Law Group, P.A.;

Corbett, White, Davis & Ashton, P.A. Representatives from 3 of the law firms were present and introduced themselves to the Commission and thanked the Commission for their consideration.

It was discussed and a consensus was made for a Special Meeting to be held on Thursday, January 14<sup>th</sup> at 8:30 am allowing 30 minutes for each firm to present, and a half hour for discussion and action.

12. Discuss Proposed Format for Old Ocean Blvd, Workshop Meeting

Mayor Pugh stated his concern of a possible lengthy meeting and suggested that a timeframe for the meeting last no more than 2 hours.

Terry Brown, Harbour Dr. So, requested further information of the Town's presentation at the Workshop regarding traffic and legal consequences. Mayor Pugh stated that there was no actual presentation at this time and that the purpose of the workshop was to obtain public input only and then decide the options or proceeding with anything further.

13. Authorize the Longevity Retirement Bonus for the Retiring Town Clerk Based on Adopted Resolution No. 2011-22

Manager Titcomb stated that per Resolution No. 2011-22, it allows for a maximum of up to \$100/year of service. Manager Titcomb recommended a \$3500 payout of a longevity retirement bonus to Clerk Hancsak.

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Comm. Bonfiglio motioned that per Resolution No. 2011-22, a \$3500 payout of a longevity retirement bonus to retiring Clerk Hancsak as specified in the Town Manager's memo. Seconded by Comm. Aaskov.

Motion Carried – yea (4).

Manager Titcomb announced that staff is finalizing farewell activities for Clerk Hancsak. A private luncheon in Karen's honor would be on Friday the 29<sup>th</sup> for staff, elected officials and selected invited guests and family. Also on Karen's last day, the Town will host an Open House here at Town Hall from 3-5pm for members of the public including residents, vendors and other friends to share memories and say goodbye. Light refreshments would be served. It would be open to the public, no RSVP required.

Meeting Adjourned at 7:30pm.

Minutes adopted by the Town Commission at the Town Commission meeting of February 1, 2016.

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Mayor Geoffrey Pugh

ATTEST:

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Tracey L. Stevens, CMC, Town Clerk