

REGULAR TOWN COMMISSION MEETING MINUTES
AUGUST 1, 2016

Minutes of the Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday,
August 1, 2016, at 6:00 PM in the Town Hall Commission Chambers.

CALL TO ORDER / ROLL CALL

The meeting was called to order by Vice Mayor Lucibella at 6:00 p.m. in the absence of Mayor Pugh.

Town Clerk Stevens led the roll call, which was answered by the following:

Commissioner Aaskov
Commissioner Coz

Commissioner Bonfiglio
Commissioner Lucibella

Mayor Pugh was absent with notice.

PLEDGE OF ALLEGIANCE

Vice Mayor Lucibella led the Pledge of Allegiance.

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

APPROVAL OF CONSENT AGENDA

1. **Minutes of Regular Town Commission Meeting of July 11, 2016**
2. **Minutes of Special Town Commission Meeting of July 13, 2016**

Commissioner Bonfiglio moved to approve the agenda and consent agenda as presented; seconded by Commissioner Coz. Motion Carried 4-0.

ANNOUNCEMENTS AND PROCLAMATIONS

Town Clerk Stevens read the announcements for the public:

3. **Town Administrative Offices will be closed on Monday, September 5, 2016 in observance of the Labor Day holiday.**
4. **The Regular Town Commission meeting in September has been moved to Monday, September 12, 2016 due to the Labor Day holiday.**
5. **The first public hearing on the FY16/17 Budget will be held at 5:01 p.m. on Monday, September 12, 2016.**
6. **The second/final public hearing on the FY16/17 Budget will be held at 5:01 p.m. on Wednesday, September 21, 2016.**

PUBLIC COMMENT

Betty Bingham, 1 Ocean Ave, mentioned that the City of Boynton Beach will be meeting twice this month to discuss the new development near Ocean Ave and Woolbright Road (10 story buildings). She stated she would like the Commission to give some consideration to how we can protect private property with that many people coming across the bridge.

Ted Ritota, 4 Hudson Ave, spoke about a concern he has with contractors cleaning up the seaweed from one part of the beach where they were hired to do so, and dumping it on another part of the beach near someone else's property. He would like to know if there is any way to get them to remove the seaweed entirely from the beach or pile it up somewhere that it doesn't wash up on someone else's area of the beach. Town Manager Titcomb stated the companies are performing work which is regulated by DEP. He stated he will discuss this issue with Mr. Ritota after the meeting, and do some research to make sure they are doing the work according to the regulations. Commissioner Bonfiglio asked if our Town Code covers this, and Town Manager Titcomb stated it is actually out of our jurisdiction because it is below the high water

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mark which is regulated by DEP. The Commission directed the Town Manager to place this discussion on the agenda at his discretion, either in his report or as an action item once he receives more information.

Terry Brown, Harbour Drive South, mentioned that the mission statement of the town says Ocean Ridge is a diverse seaside community, and noted that it is diverse in that people have different opinions. He stated that during the last election we had a 51% turnout and 71 people voted for Bernie Sanders, which shows a diverse point of view. He asked if there has been a change in the code or enforcement of the code regarding road rights of way and yard signs in the right of way. He stated it is a violation of Town Code to have yard signs in the right of way, and there is a sign next to Commissioner Bonfiglio's property that has not been removed. He stated he would like the sign removed if it is not authorized. He also mentioned that there are always construction vehicles along the east side of A1A, and he would like the Police Department to look into it, as it is against Town Code and it is a safety issue. Town Manager Titcomb stated we have been discussing those issues internally, and he will look into it further.

Don McGruder, 9 Ridge Blvd, mentioned that there is a large area of dead brown grass near the detention area, and asked if the area has been treated which is causing it, or a lack of moisture under the soil. Town Manager Titcomb stated the contract landscapers as well as chemical companies have been discussing the health and efficacy of the detention area with us. He stated one of the companies is looking at stormwater drain box vacuuming tomorrow and they can take a look at it then.

Vice Mayor Lucibella noted that the Town Manager has an open-door policy, and residents may see him at any time to discuss issues of concern.

PUBLIC HEARINGS

None Scheduled.

REGULAR AGENDA

REPORTS

7. Town Manager

Town Manager Titcomb advised that his written report is included in the meeting package that includes topics such as Ocean Avenue Tree Removal, Stormwater Detention Update, PBA Contract Update, Barrier Island Fire District Services Study Final Version, Traffic Calming Infrastructure Costs, Town Code Updates and Revision, and Budget Workbook Updates, and touched on each item briefly. He reminded the public that all of the reports are posted on the website.

Commissioner Coz stated that when we approach the cost of the traffic calming initiatives, we should take into consideration the amount of money that is being spent in Boynton Beach (on new development). He noted that since 2010, the tax values in the CRA district in Boynton Beach have gone up \$350 million. Commissioner Lucibella stated that \$50,000 for raised brick pavers is outrageous. He commented that although he has the utmost respect for our Town Engineers, he believes the cost would only be around \$10-15,000 if the work was being done in a private driveway as opposed to municipal roads. He stated we can look further into it.

Commissioner Bonfiglio asked about the costs associated with the barrier island fire services study, and Town Manager Titcomb stated \$7,500 was expended for the study.

8. Town Attorney

Town Attorney Torcivia noted that his staff has begun a systematic review of the Town Code. They are cognizant of budgetary constraints, so they will prioritize and decide which sections need to be done first, with the sign code being one of them. Last year, the U.S. Supreme Court decided a case that turned sign

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code law upside down throughout the country, so we will be looking at the content issue in the sign code. The Flood Code will also need to be looked at as the National Flood Insurance Program and the Florida Building Code have been updated so we need to revise our code to remain in compliance with the most current standards. The State Legislature recently passed HB535 effective July 1, 2016 which impacts the municipality's ability to license or register licensed contractors if they are already registered with the State, the County or their own municipality. There is currently a moratorium on enforcing this until we figure out exactly what we can do to have some level of control over the work that is being performed in the Town. The intent of the law is to not burden the contractor with additional local regulations.

Commissioner Lucibella asked if the Attorney is going to bring the revisions to the Commission one piece at a time, or if he is going to bring it back to the Commission with more specific recommendations as to which parts of the Code need to be revised and which portions we might want to send to P&Z first for a recommendation. Town Manager Titcomb stated we should identify the most critical conflicts and address them first. He also suggested that the Land Development Code be reviewed as a whole by P&Z first.

Commissioner Bonfiglio stated he recalls that the most recent code rewrite was done in the early 2000's. It went to P&Z for hearings first, the P&Z sent the entire code to the Commission with recommendations, and then the Town Commission conducted public hearings to consider the changes. Town Attorney Torcivia noted that we won't be doing a complete code re-write at this time, as we are only looking at specific sections of the Code that need to be updated.

There was a brief discussion among Commissioners regarding the process that will be followed for Code revisions. Town Attorney Torcivia noted that the Codes that need to be amended due to current regulations such as the Sign Code, etc. will go directly to the Town Commission, and the Land Development Code will go through P&Z first, and there was consensus of the Commission to move in that direction.

9. **Police Chief**

In the absence of Police Chief Hutchins, Lieutenant Wohlfiel advised that the police department report is included in the meeting package and includes monthly police department statistics. He stated he would do his best to answer any questions that the Commission may have. There were no questions from the Commission.

ACTION ITEMS

10. **Set the Date for the August Budget Workshop/Special Town Commission Meeting** By: Jamie Titcomb, Town Manager

Town Manager Titcomb explained that we need to set a meeting date for the Commission to review the proposed annual budget. There was Commission consensus to set the meeting date on August 23rd at 9:00 a.m., and confirmed that the Town Attorney does not need to be present for the budget workshop.

11. **Insurance Presentations** By: Jamie Titcomb, Town Manager

Town Manager Titcomb noted that the Town expends a great deal of money in its employee insurance program offerings. As we reviewed our current health insurance plan, had conversations with town employees, and looked at the various options, we have come to the conclusion that we are not getting our money's worth with our current insurance plan. We notified our current provider, and asked other providers at the same time, to look at our current plan along with our Town census and give us options to enhance our offerings without significantly increasing our investment.

Town Manager Titcomb introduced three insurance agents (Adams Benefit, Evershore Financial Group, and PayChex) which each gave a presentation to the Commission for upcoming renewals on employee

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insurance benefits. PayChex also presented a payroll services proposal in conjunction with employee insurance benefits. Town Manager Titcomb noted that we had actually been speaking with four companies; however, Co-Advantage has withdrawn from the presentation, as their business model involved sharing an FEIN number and we could not find substantial evidence of contractual services with other public entities to move forward with that type of service. He also noted that information provided by each agent is included in the Town Commission packages.

Commissioner Bonfiglio suggested that the Commission should digest all of the input received, and defer a decision until the special meeting on August 23rd.

Commissioner Coz asked if we currently process payroll in-house, and Town Manager Titcomb confirmed that we do, and stated we are looking to outsource payroll due to the exponential increase in building permits. Commissioner Lucibella stated he is in favor of outsourcing payroll, as payroll shouldn't be processed in-house because it is a specialized area of work.

Commissioner Coz, in looking at individual deductibles vs. family deductibles, asked how many employees insure family members through our current insurance plan. Mr. Adams responded that we have 22 employees who elected individual coverage only, one employee who elected the employee plus child option, and one employee with family coverage. Town Manager Titcomb clarified that the Town only covers the cost for employee coverage. He also mentioned that we have 27 total employees, which means three of our employees are not covered at all under our current plan, as they may have coverage options elsewhere.

In reference to comments made about employee dissatisfaction with the current plan, Commissioner Lucibella stated he wonders how the Commission will determine what will satisfy the employees without asking them what they would like, budget neutral. Town Manager Titcomb responded that we are not bringing new plans forward for consideration just because employees wanted co-pays. The feedback we have received at the administrative level is that the current plan does not function well and does not perform as marketed. We are looking at alternatives that will both stay within the parameters of the Town, and treat employees better. Commissioner Lucibella stated he would like to understand the problems that the employees are having. There was a discussion regarding prior authorizations for service as several employees have had issues in that area, and Mr. Adams was adamant that employees do not need referrals or prior authorizations, contrary to the experiences of the employees. Commissioner Lucibella stated he knows United Healthcare plans very well, but has not heard of the services of the United Healthcare NHP plan.

Town Clerk Stevens mentioned that there are several employees in the audience that have stories of their own if the Commission wants to hear from them. Commissioner Lucibella stated he would love to hear from employees individually, but he doesn't feel this is the venue for that. He believes the information should be garnered and brought to the Commission as to the problems employees are having with the plan, and then the Commission can decide if NHP is no longer a good plan for the employees, and then find something that suits the needs of the employees, budget neutral. Commissioner Bonfiglio stated he would like to hear from the employees briefly. Commissioner Lucibella stated he would prefer not to for different reasons, part of which might include HIPAA. He stated he does not believe it is appropriate for the Commission to dip below the Town Manager and go directly to his staff to hear their problems when he has not had a chance to resolve them. Commissioner Bonfiglio countered that it is a public meeting and he would like to hear from the employees. Town Manager Titcomb mentioned that the purpose of telling the Commission that we are not happy with the current plan is because that has been the anecdotal evidence and we are trying to improve that situation. Commissioner Lucibella stated that information would be good enough for him to look at a different provider; not necessarily a different agent, but a different provider, if that is the consensus of the staff.

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At this time, the insurance agents continued with their presentations to the Commission and the Commission followed up with several questions regarding the individual insurance plan coverages.

In reference to the insurance and payroll presentation by PayChex, Commissioner Coz asked about payroll service costs. Town Manager Titcomb noted for the record that PayChex is the only company presenting both insurance and payroll services, and mentioned that the payroll services can be purchased separately from the insurance, or both can be purchased together. We don't have to purchase one to receive the other. Commissioner Lucibella asked if we can receive a group break if we purchase both services, and Ms. Schuler from PayChex responded that we can. Commissioner Bonfiglio asked for confirmation that the cost for payroll services would be \$27,958 per year plus \$4,000 setup charge, and Ms. Schuler confirmed that is correct. Commissioner Lucibella commented that Ocean Ridge does not pay setup fees.

Commissioner Lucibella asked if the Town Manager is asking for permission to move forward and come back with a recommendation on insurance and payroll services, and the Town Manager responded in the affirmative.

Commissioner Bonfiglio moved to set a Special Town Commission meeting on August 23rd to consider the insurance issues; seconded by Commissioner Lucibella. Motion carried 4-0.

Commissioner Lucibella noted that he would commit to attending additional staff meetings with the insurance agents before the August 23rd special meeting, and he confirmed with the Town Attorney that there is no conflict of interest to do so.

Commissioner Bonfiglio moved to conduct the special meeting to consider the insurance issues on August 23rd to begin at 9:00 a.m. with a maximum of one hour to be followed by the budget meeting at 10:00 a.m.; seconded by Commissioner Aaskov. Motion carried 4-0.

The Commission opened up the meeting to the employees to speak regarding the current insurance plans.

Lieutenant Jones noted that he appreciates the opportunity to speak to the Commission and potentially move forward with alternative plans. He stated he does not have coverage for his family because of the high premiums along with the high deductibles. He also mentioned that it is extremely hard to find providers on both the health and dental insurance plans, as the plans are not comprehensive. He stated that the providers published on the United Healthcare website are not accurate for the NHP plan, and that is supposed to be our portal to find a doctor. He opined that he was a customer of Ms. Rosen in the past when he worked for the City of Clewiston, and her customer service is excellent. He stated he understands that the perspective of the Commission is monetary and also what is in the best interest of the entire Town, not him specifically, and he is not sharing his story for the benefit of himself, he is sharing his story so the Commission can make a more informed decision from his perspective as one single employee.

Commissioner Lucibella stated that he is sympathetic, and mentioned that even with three decades as a competitor in the market, he has never heard of Neighborhood Health Partnership until someone reminded him of who they were.

Courtney Barreca, Dispatcher, stated that she had a premature baby last December, and she is still trying to get her medical expenses covered from eight months ago with no rectification in sight. She has spent countless hours of her own time trying to resolve the issues, but the customer service is terrible. She stated she calls one day and speaks to one representative who tells her something, and then she calls the next day to follow-up, and is diverted in another direction. Ms. Barreca stated her spouse is not on the plan because

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it is cost prohibitive, and also because of all of the problems she has experienced with the plan such as the small provider list. She also mentioned since we don't have co-pays, she never knows how much she's going to be paying for services, as we pay 10% co-insurance. A visit to the pediatrician costs anywhere between \$75 to \$100, and specialists visits have ranged from \$214 to \$250 which is a big burden on top of the monthly premiums. She mentioned that she does not feel the Town or the employees are getting their money's worth from the plan. Commissioner Lucibella asked Mr. Adams to see Ms. Barreca after the meeting to make arrangements to get these issues resolved, and Mr. Adams agreed to do so. Commissioner Bonfiglio asked Ms. Barreca if she has outstanding medical bills that she believes should be covered under the plan and has that adversely affected her credit profile, and Ms. Barreca responded that she has had significant adverse affects on her credit. Commissioner Coz asked if all of the medical expenses were derived from in-network doctors, and Ms. Barreca responded that they were. She stated the plan is ineffective overall.

Mark Hanna, 6400 North Ocean Blvd, stated he sues insurance companies for denying claims and United Healthcare is one of the worst across the board. He stated the Town should be careful which company it chooses because its obligation is the best for the employees, and the cheapest. He would like to see the Commission focus on the best plan for the employees. He also suggested that the Town Manager contact individual companies to get basis for the premiums. Commissioner Lucibella stated that we cannot get the insurance companies to give us direct insurance without going through an agent.

Sergeant Stang stated his daughter is currently on Florida Kid Care, but she will no longer be eligible in a month and a half because she will turn five years old. His daughter currently has medical issues and he is looking at what he will do for her for insurance. He is looking at issues such as the high premium, high out-of-pocket costs, and small provider list. Commissioner Bonfiglio asked him if he has outstanding medical bills that he believes should be covered under the plan and has that adversely affected his credit profile, and Sgt. Stang responded that he does not. He mentioned that he had an outpatient procedure recently with expenses that he had to fight with doctors and the insurance company to get paid.

Commissioner Aaskov stated she and her husband have Blue Cross Blue Shield through her husband's employment and they are very happy with the plan. They have never had any problems with the plan. She also stated the Town had it for its employees years ago and then the decision for the current plan was brought to the Commission because it was cheaper, and now we see the results of that.

Commissioner Lucibella stated that it is clear that NHP was a buyout and is operating on its own and is extremely disorganized. He stated that even though we will get a horror story about any of the insurance companies, in general Humana, Aetna, and Blue Cross do not have the administrative problems that we are hearing about.

Mr. Adams stated this is the first time he's hearing about these problems, and he will have a United Healthcare representative at the workshop meeting. Commissioner Lucibella stated he should have a representative from the Neighborhood Health Partnership plan with him at the workshop, as they are not being run by United, or at least their customer service portion.

Commissioner Bonfiglio stated that we ought not to be providing health insurance to our employees that results in them owing a lot of money in unpaid medical bills and adversely impacting their credit profiles. He stated that is a serious concern of his. Commissioner Lucibella stated that Mr. Adams has served the Town well and that is recognized. He also noted that Mr. Adams should take care of Ms. Barreca's problem for her, and Mr. Adams responded that it will be taken care of tomorrow.

Town Manager Titcomb announced that FDOT is holding a public information meeting regarding the Ocean Avenue bridge maintenance project on Tuesday, August 9th from 6-7 p.m.

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RESOLUTIONS

None Scheduled.

FIRST READING OF ORDINANCES

None Scheduled.

SECOND READING AND ADOPTION OF ORDINANCES

None Scheduled.

TOWN COMMISSION ITEMS

None Scheduled.

Meeting Adjourned at 8:00 p.m.

Minutes prepared by Town Clerk Stevens, and adopted by the Town Commission on September 12, 2016.

Mayor Pugh

ATTEST:

Tracey L. Stevens, CMC, Town Clerk