

REGULAR TOWN COMMISSION MEETING MINUTES
JANUARY 9, 2017

Minutes of the Regular Town Commission Meeting of the Town of Ocean Ridge held on Monday,
January 9, 2017, at 6:00 PM in the Town Hall Commission Chambers.

CALL TO ORDER

The meeting was called to order by Mayor Pugh at 6:00 p.m.

ROLL CALL

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

	<u>Present:</u>	<u>Absent:</u>	<u>Tardy:</u>
Commissioner Aaskov	x		
Commissioner Bonfiglio	x		
Commissioner Coz	x		
Mayor Pugh	x		

PLEDGE OF ALLEGIANCE

Mayor Pugh led the Pledge of Allegiance.

ADDITIONS, DELETIONS, MODIFICATIONS, AND APPROVAL OF AGENDA

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

DISCUSSION REGARDING OPEN TOWN COMMISSION SEAT

Mayor Pugh noted that the Town currently has an open seat on the Town Commission for the February and March meeting due to the resignation of Commissioner Lucibella. He stated if we appoint someone, we would need to go through the process of collecting applications and reviewing them before making an appointment which would likely happen at the February meeting, and then there would be only one meeting left until the March election. He believes it would be an exercise in futility. Commissioner Coz agreed.

Commissioner Bonfiglio stated he would not want the public to feel that the Commission was endorsing someone for the open seat so close to the election, so we should keep it open.

There was consensus of the Commission to keep the seat open until the March election.

PUBLIC COMMENT

Bruce Gimmy, 12 Ocean Avenue, thanked the Commission and the Town Manager for installing a stop gate (red valve) for water retention during high tides on Ocean Avenue.

Deputy Town Clerk Hallahan read into the record a letter submitted by Dr. Ted Ritota, 4 Hudson Ave: "Dear Mayor, Commissioners and Town Manager, in light of the especially warm weather we have had, we wanted to thank you very much for making the necessary repairs to our Edith Street beach access. We have been using it daily and are much appreciative of having it open again. Hoping you all enjoy a great Holiday Season. Thanks again and Cordially, Dr. Ted & Lisa Ritota, 4 Hudson Avenue."

Nancy Hogan, 37 Hibiscus Way, voiced her concern and displeasure regarding the non-involvement of Ocean Ridge residents and officials in the Boynton Beach Woolbright Rd development. She is concerned about the health and safety of our residents due to the traffic flow on Woolbright Rd and the bridge area especially in an emergency situation. Commissioner Coz responded that Ocean Ridge cannot dictate to Boynton Beach what they can or cannot do with their development, and doing so may have the reverse effect of what we may want to happen.

Ed Brookes, 15 E. Ocean Ave, stated he supports Nancy Hogan's comments. He stated he attended the CRA meeting in Boynton Beach and spoke at the meeting regarding his concerns. He noted that the Town Manager and Police Chief attended the meeting, but noticed that none of our Commissioners were there.

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He feels that the Commission should have been at the meeting representing the citizens of Ocean Ridge. He stated that karma is a beautiful thing, in reference to the elections.

Town Manager Titcomb stated the Boynton Beach CRA voted 3-2 in favor of the Riverwalk Project, and the issue will be coming up again next month. He stated that he is not in a position to speak on behalf of Ocean Ridge at those meetings unless he has direction from the full Town Commission. He stated he will continue to monitor it for the Town.

APPROVAL OF CONSENT AGENDA

1. Minutes of the Regular Town Commission Meeting of December 5, 2016.

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

ANNOUNCEMENTS AND PROCLAMATIONS

Mayor Pugh read the announcements for the public.

2. Town Hall will be closed on Monday, January 16, 2017 in observance of Martin Luther King, Jr. Day.
3. The Municipal Election will be held on March 14, 2017. There are two Town Commission Seats Open for a Three Year Term. Candidate Filing Dates run from Noon on January 31, 2017 through Noon on February 14, 2017 / Las elecciones municipales se celebrará el 14 de marzo de 2017. Hay dos ciudad Comisión asientos abierto por tres años. Fechas de presentación de candidatos se ejecute desde el mediodía del 31 de enero de 2017 a mediodía del 14 de febrero de 2017.

PUBLIC HEARINGS

None.

REPORTS

4. **Town Manager**

Town Manager Titcomb advised that his written report is included in the meeting package which can be accessed on the website and includes topics such as Town Paving Assessment, Woolbright Detention Area Maintenance, Retirement of Sgt. Bill Hallahan, PD Internal Affairs Investigation, and Ocean Ridge CRS Recertification.

There was consensus of the Commission to deploy the Town Engineer to do a street assessment study in preparation of bid documents and a prioritization schedule to utilize for our paving RFP issuance.

Regarding the termination of Lieutenant Wohlfiel, Town Attorney Shutt mentioned that the Town Code provides that the Town Manager's decision to terminate an employee is subject to review by the Town Commission. He advised that since an appeal has already been filed by Lieutenant Wohlfiel, the Commission should consolidate both of those actions around the February 6th meeting. Procedurally, the Commission will review the Town Manager's decision and hear the appeal at the same time.

Commissioner Bonfiglio stated that the Commission should give the Lieutenant all of the due process and benefit of doubt that exists to him, and it would be inappropriate to take any action at this time until the Commission has had time to review the internal investigation documents and make an informed decision on the appeal.

There was consensus of the Commission to direct the Deputy Town Clerk to poll the Commissioners tomorrow and call the Attorney for Lt. Wohlfiel to see which dates are good for them so the Commission can make a decision on a special meeting date.

Town Manager Titcomb thanked the Assistant Clerk, Lisa Burns, for the work she did on the CRA recertification process.

Ed Brookes, 15 E. Ocean Ave, asked that the Commission consider a convenient time for the public when scheduling a special meeting.

Town Manager Titcomb mentioned that the Palm Beach County penny sales tax for infrastructure referendum question passed in November. He noted that he will bring an item forward on the February agenda, as the Town's options are to decide on whether to establish a penny sales tax oversight committee, to assign those functions to an existing committee, or to join the League of Cities Community Committee. The ordinance states that we need to have an oversight committee to oversee the revenue and the expenditures from the sales tax. He noted that the Planning & Zoning Committee would be a logical choice for that purpose, to make sure the infrastructure improvements that we decide upon are compliant with the ordinance when we receive and expend those monies. Ocean Ridge expects around \$108,000 during the first year.

5. Town Attorney

Town Attorney Shutt advised that there was no report.

6. Police Chief

Lieutenant Jones, who was filling in for Chief Hutchins, advised that the Police Department report is included in the meeting package and includes monthly police department statistics. There were no questions from the Commission.

ACTION ITEMS

7. Confirm the Hiring of Dispatcher/Clerk Zoie Arnold; By: Jamie Titcomb, Town Manager

Town Manager Titcomb explained that we have two openings for dispatcher, and Ms. Arnold would fill one of those positions. Ms. Arnold resides in Boynton Beach, and holds a Bachelor of Science degree.

Commissioner Bonfiglio moved to confirm the hiring of Zoie Arnold for the position of Dispatcher/Clerk as set forth in item #7 on the agenda; seconded by Commissioner Coz. Motion carried 4-0.

8. Garden Club Donation; By: Jamie Titcomb, Town Manager

Town Manager Titcomb explained that the motion from last month was to place an item on the agenda to consider donating \$2,000 to the Garden Club for the publishing of their book "A Gardening Guide for Living on the Barrier Island". The authors of the book are two highly recognized dune experts and is designed for giving our residents advice on dune trimming and maintenance as well as gardening issues unique to living on the barrier island. He noted that the Town would be acknowledged in the book for the support given, and the donation from the Town will allow the book to be published and distributed to Ocean Ridge residents in conjunction with the Coastal Star publication. They will be doing a series of events for their 50th anniversary celebration this year, but the donation from the town is solely for the book.

Commissioner Coz and Mayor Pugh noted that the Garden Club is very active in the Town.

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Commissioner Aaskov stated she would be comfortable with a donation of up to \$3,000. Commissioner Coz recommended splitting the difference and donating \$2,500. Commissioner Bonfiglio noted that he proposed \$2,000 just as a figure to get the discussion started.

Commissioner Coz moved to donate \$2,500 to the Garden Club for their 50th Anniversary and publication of their book; seconded by Commissioner Bonfiglio. Motion carried 4-0.

9. **Declaration of Local Dune Erosion Emergency; By: Jamie Titcomb, Town Manager**
Town Manager Titcomb explained that the Town's beaches have been battered over the last several months beginning with the Hurricane Matthew event. The condition between Edith and Anna Streets has taken a big hit on infrastructure, foliage, plants, and crossovers. We have an application for a CCCL for 6155 North Ocean Blvd to re-build a rapidly deteriorating seawall, which is now critical due to the exacerbated erosion. The applicants have reached out to DEP directly to setup a quick solution before turtle season begins. However, our Town Code has certain requirements that we must abide by before issuing a compliance letter to DEP to move forward.

The property owner of 6155 North Ocean Blvd, Mr. Rayman, spoke to the Commission regarding the ongoing beach erosion over the years. He stated that the State is trying to expedite the permit process for him, but Town approval is needed due to Town Code. He noted that he received communication from the State that stated if the local community were to issue a letter requesting either assistance or granting an emergency permit, then he could begin doing the work, so that is why he is here today.

Brett Moore from Humiston & Moore Engineers spoke to the Commission and stated he has met with several officials at the State level and they are all on board to approve this project. The only item they don't have in order to move forward with an emergency permit with the State is a letter of setback and zoning consistency from the Town. If there is a way to generate that letter now before the February 6th public hearing, with a condition that the Town Commission must approve the application on February 6th, that would give us enough to move things forward to have all of the approvals in place before turtle season begins, which will be a very tight schedule.

Town Attorney Shutt explained that there is no conflict with State law, but State law states that the Town has the ability to issue permits if they declare an emergency. However, our own code lists situations for emergency declarations and this is not one of them. Our code also has a section that deals with construction east of the CCCL and we need to abide by the code. State statute does not trump our town code, so we need to follow our own noticing requirements. He stated we cannot declare an emergency at this time. However, we can issue a temporary letter to the State asking them to expedite the permit process based on staff recommendation so permits can be issued and construction may begin immediately after the February 6th Town Commission meeting.

There was consensus of the Commission to direct the Town Manager to write a letter to DEP asking them to expedite the permit process based on staff recommendation so permits can be issued and construction may begin on the seawall at 6155 North Ocean Blvd immediately after the February 6th Town Commission meeting.

Commissioner Coz asked about the groin removal to the North of this property and the effect on the erosion. Mr. Moore responded that groin removal can affect the erosion in the Town.

RESOLUTIONS

10. Resolution No. 2017-01; Electing a Vice Mayor
Commissioner Coz moved to approve Resolution No. 2017-01, electing Commissioner Bonfiglio as Vice-Mayor; seconded by Commissioner Aaskov. Motion carried 4-0.

FIRST READING OF ORDINANCES

None.

SECOND READING AND ADOPTION OF ORDINANCES

None.

TOWN COMMISSION ITEMS

Mayor Pugh asked Commissioner Aaskov to extend the Commission's well wishes to her husband Bud.

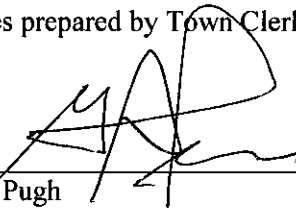
11. Congratulations to TaKye Branch; By: Commissioner Bonfiglio

Commissioner Bonfiglio mentioned that his grand-nephew TaKye Branch entered into the Punt, Pass and Kick Competition in the Buffalo area and went through a total of four steps in the process, leading to the final process on December 11th, and he was the winning entrant for the 13 year old group. He was the representative for the Bills in the Bills vs. Pittsburg game. The representative from each team compares the top four from the AFC and NFC, and he made it one step below the final competition. The Commission congratulated TaKye, and the Town sent him a congratulatory letter.

ADJOURNMENT

Meeting Adjourned at 7:15 p.m.

Minutes prepared by Town Clerk Stevens, and adopted by the Town Commission on February 6, 2017.



Mayor Pugh

ATTEST:



Tracey L. Stevens, CMC, Town Clerk