



**MINUTES  
TOWN OF HILLSBORO BEACH  
REGULAR MEETING OF THE TOWN COMMISSION  
MAY 01, 2012**

**TUESDAY**

**9:00AM**

**CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE**

The Mayor called the meeting to order at 9:00 AM. The Town Clerk called the roll with the Commission members and staff present as listed below, followed by the Pledge of Allegiance.

**Town Commission:**

Mayor Dan Dodge	Commissioner Javier Garcia
Vice Mayor Claire Schubert	Commissioner Dick Maggiore
Commissioner Jim Lambert	

**Town Staff:**

Town Clerk Jean-Marie Mark	Major Jay Szesnat
Deputy Town Clerk Irene George	Town Attorney DJ Doody
Walter Keller, Town Engineer/Planner	Stephen Bloom, Severn Trent
Chris Weatherdon, Code Enforcement	

**1. APPROVAL OF MINUTES**

- a. April 3, 2012, Regular Meeting  
Mayor Dodge asked if there were any additions or deletions.

*Commissioner Garcia made a motion to approve the April 3, 2012, meeting Minutes as presented. Commissioner Lambert seconded the motion, which passed unanimously.*

**2. ZONING**

- a. Ordinance No. 261 - Land Development Notice - 2<sup>nd</sup> Reading

Mr. Walter Keller, the Town Engineer stated this was the second reading to adopt the Zoning Code changes and he has not received any comments regarding the zoning code changes.

Town Attorney Doody read into record by title only, Ordinance No. 261 - Land Development Notice - 2<sup>nd</sup> Reading.

Mayor Dodge asked if anyone in the audience wished to comment on Ordinance No. 261. With no response from the audience, Mayor Dodge closed the public hearing and asked if there was a motion.

*Vice Mayor Schubert made a motion to approve Ordinance No. 261 - Land Development Notice. Commissioner Maggiore seconded the motion, which passed unanimously.*

Vice Mayor Schubert requested that the Boca Inlet memo be moved to 7a on the Agenda, which was approved by Mayor Dodge.

Commissioner Lambert requested moving Fire Services up on the Agenda, which was approved by Mayor Dodge. Mayor Dodge advised that Fire Services would be heard after Zoning, and it will be moved up on the Agenda permanently.

Mayor Dodge stated the Fire Department will be heard after the Zoning and for the future will move it permanently up on the agenda.

b. 1202/1203 (The Shoreland) – Dockage Variance

Town Attorney Doody swore in those testifying.

Mr. Walter Keller provided a brief history and stated the applicant has been working on this permit for the last 4-5 years. Mr. Keller indicated the dock previously existed and may have been removed when the seawall was torn down. Adjacent property owners have been sent a notice and the Town only recently received two objections. Mr. Keller recommended the Commission approve the variance.

Mayor Dodge asked if anyone in the audience wished to comment on this variance request.

Mr. J.R. Fishman, the President of the Shoreland Association, came forward to address the two objections received on the variance request. Mr. Fishman provided an extensive background and hardship explanation on the proceedings.

Mayor Dodge asked if anyone in the audience wished to comment on this variance request. With no response from the audience, Mayor Dodge closed the public hearing and asked if there was a motion.

*Commissioner Garcia made a motion to approve the 1202/1203 (The Shoreland) Variance Request as presented. Commissioner Maggiore seconded the motion, which passed unanimously.*

c. 1202/1203 (The Shoreland) – Site Plan Amendment

Town Attorney Doody swore in those testifying.

Mr. Walter Keller stated the site plan amendment was to replace the dock and include three finger piers and five boat lifts. Mr. Keller recommended approval of the site plan amendment.

Mayor Dodge asked if anyone in the audience wished to comment on this site plan amendment. With no response from the audience, Mayor Dodge closed the public hearing and asked if there was a motion.

*Commissioner Maggiore made a motion to approve the 1202/1203 (The Shoreland) Site Plan Amendment as presented. Vice Mayor Schubert seconded the motion, which passed unanimously.*

d. 1091 (Loof Residence) – Site Plan Amendment

Mr. Walter Keller stated this single-family home would be expanded on the 1<sup>st</sup> and 2<sup>nd</sup> floors and include a balcony. Mr. Keller further stated the requests were consistent with regulations, and recommended an easement be provided to A1A.

Mayor Dodge asked if anyone in the audience wished to comment on this site plan amendment. With no response from the audience, Mayor Dodge closed the public hearing and asked if there was a motion.

Town Attorney Doody advised that this motion needs to include the removal of the existing driveway, making the construction consistent with the A1A easement requirements so there would be a 10' on the east and west sides of A1A. In addition, the form will need to be acceptable to Mr. Doody.

*Commissioner Garcia made a motion to approve the 1091 (Loof Residence) Site Plan Amendment to expand this single-family home on the 1<sup>st</sup> and 2<sup>nd</sup> floors and include a balcony, however, the Site Plan must be amended to include the removal of the existing driveway, making the construction consistent with the A1A easement requirements so there will be a 10' easement on the east and west sides of A1A, and that the amended form must be acceptable to Town Attorney, D.J. Doody. Vice Mayor Schubert seconded the motion, which passed unanimously.*

Mayor Dodge announced that Fire Services would be next on the Agenda.

#### 10. FIRE SERVICES

Chief Chad Brocato thanked the Mayor and Commission. He reported that last month, there were five fire rescue calls and twenty-two emergency medical service calls. Chief Brocato next announced that there was a new Life Safety Educator assigned to this area and her name is Melanie Oren. She is available to assist the Town with events. Chief Brocato also reported he is researching grants and was including the Town of Hillsboro Beach.

Commissioner Garcia thanked Chief Brocato for having some of his staff present at the Recycling/Earth Day Event on April 22, 2012.

#### 3. BUILDING

Mayor Dodge announced that Mr. Julio Briceno, Town of Hillsboro Beach Building Official, would not be present today, however a report was provided by the Town Clerk. There were no comments from the Commission

#### 4. CODE ENFORCEMENT

Mr. Chris Weatherdon, of Code Enforcement, reviewed violations from the previous month, and reported that the Notices of Violations have already been distributed. The violations were as follows:

- 1161 - Walkover, currently being investigated, may be new
- 1223 - Walkover, currently being investigated, may be new
- 923 - Signage without a permit
- 925 - Signage without a permit

Mr. Weatherdon reported that a call had been received regarding a floating boat lift at 900 Hillsboro Mile, which is being investigated.

#### 5. CITIZEN COMMENTS - NON AGENDA ITEMS ONLY/ALLOTMENT TIME OF 3 MINUTES PER PERSON

Mayor Dodge opened the meeting for public comments at 9:46 AM

Mr. John Carlson, resident of 975 Hillsboro Mile, distributed a spreadsheet to the Commission showing the volume of sand being bypassed at the Boca Raton Inlet and the amount of

bypassed by the Hillsboro Inlet.

Mayor Dodge closed the meeting for public comments at 9:50 AM

6. CONSENT AGENDA

*Commissioner Garcia made a motion to approve the Consent Agenda as presented. Vice Mayor Schubert seconded the motion, which passed unanimously.*

7. BEACH

a. Beach Renourishment Project Update

Ms. Penny Cutt, of Coastal Systems International, (CSI), reported that the Department of Environmental Protection recognized that there were no ecological impacts from the sand spill on March 31, 2011. However, the Town must pay a \$2,500.00 penalty to the Department of Environmental Protection. Ms. Cutt indicated this was reasonable, and reminded the Commissioners that the Town has withheld 20% of payment to Great Lakes Dredge & Dock (GLDD).

Ms. Cutt stated the U.S. Army Corp. of Engineers was looking at assessing the mitigation, and CSI put together a Uniform Mitigation Assessment Method (UMAM) evaluating the sand release. Ms. Cutt further stated the Corp. of Engineers also submitted a UMAM, and indicated she would continue to work with Mr. Jose Riviera, with the Corp. of Engineers, on this penalty phase.

*Vice Mayor Schubert made a motion to accept the Department of Environmental Protection's Consent Order and approve payment of the \$2,500 penalty for the sand spill on March 31, 2011 to be paid to the Department of Environmental Protection. Commissioner Lambert seconded the motion, which passed unanimously.*

Ms. Cutt provided an update on beach management funding. By partnering with the City of Deerfield Beach, the Town of Hillsboro Beach would score low, however, would receive some credit due to the City of Deerfield Beach having the beach access and public restrooms. Ms. Cutt has not received notice that the program has opened this year, although she will provide a proposal for a new task order.

*Commissioner Garcia made a motion to approve Coastal Systems International to apply for local government funding for beach management. Vice Mayor Schubert seconded the motion, which passed unanimously.*

Vice Mayor Schubert recommended moving forward with the two issues regarding the Boca Raton Inlet sand bypassing.

Commissioner Maggiore recommended that the Town of Hillsboro Beach approach the state agency to get Boca Raton Inlet to bypass more sand. Mayor Dodge agreed, and advised that Town needs to take a formal position in writing with the City of Boca Raton and attend their meetings prior to approaching the state.

b. Preliminary Study of Submerged Breakwaters

Mayor Dodge stated he is opposed to the Submerge Breakwater project and the cost of \$10 million. The submerged breakwaters would only prevent a small amount of sand being lost.

Commissioner Lambert recommended a tax increase to reserve funds for future beach renourishments.

- c. Does eliminating the beach raking, leaving seaweed on the beach improve, sand retention?

Mayor Dodge advised that the Beach Rakers bury the collected seaweed. If we can get total funding, for a study, only then would he support the study. He also suggested possibly inviting the Beach Rakers in to have them explain their operation.

Mayor Dodge announced that Agenda item 11, 1160 Hillsboro Mile - Island House Bridge, would be after item 8., Water.

## 8. Water

- a. Water Plant Update - CH2MHill

Mr. Jim Rabideau, of CH2MHill, provided an update on the construction of the new Water Treatment Plant. Ninety-eight percent of the concrete pouring has been completed for the structure and the equipment pad for the new filters. The underground piping is nearly completed.

CH2MHill was preparing the first submittal for the state revolving funds. There is a payment of \$198,000, out of the \$250,000 allowance.

*Commissioner Lambert made a motion to approve the submittal for the state revolving funds, amount not to exceed \$200,000. Commissioner Garcia seconded the motion, which passed unanimously.*

Mr. Rabideau stated that the engineering contingency allowance is currently \$20,000. He requested approval today to use approximately \$5,000 to cover the cost in the reduction of the permitting fees through the City of Pompano Beach with the required revised drawings and re-submittals.

*Commissioner Lambert made a motion to approve Mr. Rabineau's request for payment to the City of Pompano Beach, in the amount of \$5,000, from the Engineering Contingency Fund, to cover costs for permitting fees for revised drawings and re-submittals for the construction of the Water Treatment Plant. Vice Mayor Schubert seconded the motion, which passed unanimously.*

## 11. Administration

- d. 1160 Hillsboro Mile - Island House Bridge

Mayor Dodge reported that he and Town Attorney Doody had spoken to Michael Olson, President of the Island House, whom informed him that the Island House does not want possession of the bridge.

Discussion was led on the cost of repairs for the Island House Bridge.

Town Attorney Doody reminded the Commission that the Island House Bridge is a public road, and authorization is needed to obtain a design, prior to any discussion of repair costs.

Mayor Dodge asked if anyone in the audience wished to speak on this topic.

Mr. Joe Germano, resident of 1160 Hillsboro Mile, stated that he has not been contacted regarding the Island House Bridge.

Mrs. Joan Hughes, of 1160 Hillsboro Mile stated that she and her husband, Al, have done a considerable amount of research on the bridge, and the bridge was dedicated to the Town. As owners, the Town is responsible for the repairs. Mrs. Hughes indicated that for many years, there was \$107,000 in a bridge and highway fund.

Mayor Dodge recommended that the Island House reconsiders their position on the bridge repairs, and requested that Mr. Germano arranges a meeting between the Island House Board of Directors and Town Attorney Doody.

Mayor Dodge called for a break at 11:28 AM

Mayor Dodge reconvened the meeting at 11:38 AM

## 9. FINANCE

### a. Severn Trent Update

Mr. Stephen Bloom, of Severn Trent, reported that budget worksheets have been emailed to their department heads. He will be meeting with them, and afterwards a preliminary budget will be distributed to the Commission.

Mayor Dodge stated it would be wise to establish a fund for future beach renourishments. Commissioner Lambert suggested creating a small fund for special projects.

Mayor Dodge next spoke of his concern regarding bank fees. Over a 6-month period, the Town has incurred over \$2,300 in bank fees, although there has been a marginal savings in combining the accounts. Mr. Bloom will work with both the Deputy Town Clerk and Town Clerk on reducing these fees. Mayor Dodge also expressed his concern with the large amounts of cash in the checking accounts and recommends that it is moved over to investment accounts with higher yields.

### b. Final Audit Report

Mr. Stephen Bloom, with Severn Trent, reported that the final Audit Report has been submitted by Grau & Associates, and approval prior to transmittal to the state.

*Commissioner Maggiore made a motion approve the Audit Report submitted by Grau & Associates. Commissioner Garcia seconded the motion, which passed unanimously.*

### b. Updating Accounts Receivable Policy

Mr. Ken Cassel, of Severn Trent, reported that he had met with Commissioner Maggiore regarding delinquent water accounts (90-days past due).

Mr. Cassel stated that, currently, there was approximately \$20,000 in outstanding water accounts. He suggested establishing a policy for a 60-day notice for shut off at the 90-day mark.

Town Attorney Doody advised that a resolution would be sufficient to establish the policy, which would be attached to the resolution.

## 11. ADMINISTRATION

### a. Employee Recognition

Mayor Dodge read a letter received from Mr. Ray Smutniak of Opal Towers commending the outstanding work and professionalism shown by Mike George, Water Plant Superintendent, and his staff.

### b. Proclamation Commemorating Jamaica, Trinidad & Tobago's 50<sup>th</sup> Anniversary of Independence

Town Attorney Doody read into record by title only the Proclamation Commemorating Jamaica's 50<sup>th</sup> Anniversary of Independence.

*Commissioner Garcia made a motion to adopt the Proclamation Commemorating Jamaica's 50<sup>th</sup> Anniversary of Independence. Vice Mayor Schubert seconded the motion, which passed unanimously.*

Town Attorney Doody read into record by title only the Proclamation Commemorating Trinidad & Tobago's 50<sup>th</sup> Anniversary of Independence.

*Commissioner Maggiore made a motion to adopt the Proclamation Commemorating Trinidad & Tobago's 50<sup>th</sup> Anniversary of Independence. Vice Mayor Schubert seconded the motion, which passed unanimously.*

### c. IT Consultant Services - Presentation

Presentations from the following companies were received regarding the provisions of information technology services:

1. Calvin, Giordano & Associates
2. Netwebs
3. Net Stuff

*Commissioner Garcia made a motion to award the RFP for IT Consultant Services to Net Stuff, Inc. of Delray Beach, Florida, and Town Attorney Doody will prepare a contract for their services. Vice Mayor Schubert seconded the motion, which passed unanimously.*

### e. Hillsboro Inlet Bridge

Mayor Dodge reported during the third quarter of 2014, the Florida Department of Transportation, (FDOT), will be constructing 15-year maintenance and rehabilitation improvements to the structural, mechanical, and electrical components of the Hillsboro Inlet Bridge. The anticipated cost to FDOT is approximately \$5,000,000. FDOT has agreed if the adjacent municipalities (Pompano Beach, Hillsboro Beach, and Lighthouse Point) agree to undertake

concurrent aesthetic improvements they would be willing to cooperate with them in the endeavor.

Mr. Lewis Friend, Construction Project Manager for the City of Pompano Beach, attended the meeting and distributed a presentation to the Commission explaining the conceptual ideas. Mr. Friend offered to arrange for the architectural firm to provide a formal presentation.

Mayor Dodge thanked Mr. Friend for attending the meeting.

f. Local Gas Tax Amendment

Town Attorney Doody provided a brief background on the Local Gas Tax Amendment and advised that it will require Commission approval.

g1. Local Gas Tax - Resolution No. 742 - Amendment to the Interlocal Agreement with Broward County

Town Attorney Doody read into record by title only Resolution No. 742 - Amendment to the Interlocal Agreement with Broward County.

***Commissioner Lambert made a motion to accept Resolution No. 742. Vice Mayor Schubert seconded the motion, which passed unanimously.***

g2. Local Gas Tax - Resolution No. 743 - Local Gas Tax on Motor Fuel

Town Attorney Doody read into record by title only Resolution No. 743 - Local Gas Tax on Motor Fuel.

***Commissioner Lambert made a motion to accept Resolution No. 743. Vice Mayor Schubert seconded the motion, which passed unanimously.***

g3. Local Gas Tax - Resolution No. 744 - Local Gas Tax on Motor Fuel for Transit

Town Attorney Doody read into record by title only Resolution No. 744 - Local Gas Tax on Motor Fuel for Transit

***Commissioner Lambert made a motion to accept Resolution No. 744. Vice Mayor Schubert seconded the motion, which passed unanimously.***

h. Bocce Ball Court

Mayor Dodge stated the bocce courts were built approximately fifteen years ago from the efforts of resident Mr. Sandy Satullo. Mr. Satullo donated the funds to have the first court installed and the Town paid to have the second court installed. The Mayor then announced the recent passing of resident Carlos Tavarozzi, whom had devoted much time and effort to the bocce courts. Town Hall has a plaque in memory of Lt. Robert Jones and Hugo Panarese for the first bocce court, and Mayor Dodge would like to have a plaque made for Carlos Tavarozzi for the second court.

***Commissioner Garcia made a motion to approve a memorial plaque for Carlos Tavarozzi. Vice Mayor Schubert seconded the motion, which passed unanimously.***



Mayor Dodge also included that Mr. Tavarozzi was a structural engineer in Connecticut. Mr. Tavarozzi had provided a design for pavers in an area near the southern court and Mayor Dodge would like to see this project completed. There is approximately \$7,000 in the Bocce Court fund.

*Commissioner Maggiore made a motion to approve the expenditure for completion of the pavers project near the southern bocce court. Vice Mayor Schubert seconded the motion, which passed unanimously.*

12. SANITATION/RECYCLING

a. Recycling Update

Commissioner Maggiore reported that the Recycling/Earth Day Event on April 22, 2012, was a success and an excess of 360 pounds of trash was collected on the beach. Commissioner Maggiore acknowledged the efforts of Vice Mayor Schubert and resident Holly Ward for the event.

Commissioner Maggiore suggested forming a Recycling Committee of approximately twenty people.

Mayor Dodge announced that in two years, it will be the Town's 75<sup>th</sup> anniversary and recommended including on the next Agenda, the initial planning stages of a celebration event.

a. Waste RFP

Commissioner Maggiore reported the contract with Waste Management expires on September 30, 2012. He inquired if the Commission wanted to negotiate a contract renewal with Waste Management or go out for an RFP for another service provider.

*Commissioner Maggiore made a motion to have Town Attorney Doody prepare an RFP for waste collection services. Commissioner Lambert seconded the motion, which passed unanimously.*

13. TRANSPORTATION

a. Bus Update - Commissioner Garcia stated there was nothing to report.

b. Metropolitan Planning Organization - Commissioner Garcia spoke about the use of natural gas lines for the Town. He will be researching to see what would be involved, the costs, and if any grants are available. Mayor Dodge advised that solar energy will also be added to Commissioner Garcia's responsibilities.

14. LEGAL

a. Lobbyist Registration Form

Town Attorney Doody recommended the Commission adopt the use of the Lobbyist Form. Mr. Doody provided the following example: When the Town goes out for an RFP for waste collection services, the companies will need to complete a registration, which is required by the new ethica ordinance. The form distributed is one that is being used by other municipalities. Mr. Doody reminded the Commission if anyone approaches them, they need to first ask if a Lobbyist

form has been completed and submitted to Town Hall.

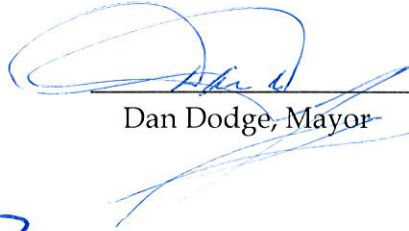
*Commissioner Lambert made a motion to approve the Lobbyist Form presented, with the removal of the fee requirement. Commissioner Maggiore seconded the motion, which passed unanimously.*

COMMISSIONER'S COMMUNICATION-NON AGENDA ITEMS ONLY

Having no further business, the meeting adjourned at 1:04 PM

ADOPTED THIS 5<sup>th</sup> DAY OF June 2012.

By:

  
\_\_\_\_\_  
Dan Dodge, Mayor

ATTEST:

  
\_\_\_\_\_  
Jean-Marie Mark, Town Clerk