



**MINUTES  
TOWN OF HILLSBORO BEACH  
REGULAR MEETING OF THE TOWN COMMISSION  
NOVEMBER 05, 2013**

**TUESDAY**

**9:00AM**

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

The Vice 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:**

Vice Mayor Claire Schubert  
Commissioner Jim Lambert

Commissioner Javier Garcia  
Commissioner Dick Maggiore

**Town Staff:**

Town Clerk Jean-Marie Mark  
Town Attorney D.J. Doody

Chief Thomas Nagy

**REGULAR TOWN COMMISSION MEETING**

Vice Mayor Schubert opened the Regular Town Commission Meeting at 9:00 AM

Commissioner Garcia requested the Rehabilitation of the Hillsboro Inlet Bridge be added to the agenda.

*Commissioner Maggiore made a motion to add the Rehabilitation of the Hillsboro Inlet Bridge to the agenda as requested by Commissioner Garcia. Commissioner Lambert seconded the motion which passed unanimously.*

**1. APPROVAL OF MINUTES**

- a. Minutes of the September 30, 2013, Chloramine or Chlorine Workshop
- b. Minutes of the October 01 2013, Regular Commission Meeting
- c. Minutes of the October 17, 2013 Special Meeting

*Commissioner Garcia made a motion to approve all three sets of minutes as presented. Commissioner Lambert seconded the motion which passed unanimously.*

**2. BUILDING DEPARTMENT**

Mr. Julio Briceno reported on the following:

- 1069 Hillsboro Mile Unit 502, the new owners started remodeling in the unit, a stop work order was issued and now awaiting for application to be made for permitting.
- Working on a backflow report requested by Broward County

**3. CODE ENFORCEMENT**

Mr. Julio Briceno reported Jeff Day was not able to make this morning's meeting and advised the Commission Mr. Ralph Gonzales will be part of Code Enforcement.

**4. FIRE SERVICES**

Chief Severs provided a brief history of his personal background, which includes 35 years with Broward County. Chief Severs reviewed last month's activity and reported he will be attending the City of Deerfield Beach Commission meeting tonight where David McClusky will be recognized in his efforts in assisting Officer James Nolan.

5. **CITIZEN COMMENTS – NON AGENDA ITEMS ONLY / ALLOTMENT OF 3 MINUTES PER PERSON**  
Vice Mayor Schubert opened the meeting for public comments at 9:08 AM.

Ms. Rhea Weiss of 1149 Hillsboro Mile commented on last night's bridge meeting at the Hillsboro Club and thanked Commissioner Garcia for putting together the meeting.

With no one else stepping forward, Vice Mayor Schubert closed the public comments section of the meeting at 9:11 AM

6. **CONSENT AGENDA**  
*Commissioner Lambert made a motion to approve the consent agenda as presented. Commissioner Maggiore seconded the motion, which passed unanimously.*

7. **BEACH**

a. Year 3 Post Construction Nearshore Hardbottom

Ms. Penny Cutt of Coastal Systems International provided a brief overview on the following reports; physical monitoring, hardbottom, and the 24month post construction. Ms. Cutt reported they will continue to monitor and believe the sand will be moved around during the winter months and the sand is moving southward from Boca Raton and being bypassed at the Hillsboro Inlet

b. Consideration and Review of Coastal Planning & Engineering Contract

Town Attorney Doody requested the Commission to review article 4 the duration of the contract and when will it begin.

Commissioner Lambert inquired what would be the out clause, if CP&E does not perform.

Town Attorney Doody stated it is 15 days.

Vice Mayor Schubert stated she would like to have CP&E start tomorrow and asked the Commission if they had any comments on the rates, since it is slightly higher.

Mr. Doug Mann of CP&E stated as Sr. Coastal Engineer, he will be the town's main contact.

*Commissioner Lambert made a motion to approve the contract for two (2) years with a starting date of November 6, 2013. Commissioner Garcia seconded the motion, which passed unanimously.*

8. **WATER**

Mr. Jim Rabideau stated he was happy to report that the final completion will be reached by next Tuesday or Wednesday depending on the training that has been scheduled for Monday. Mr. Rabideau further stated once the training is completed he will be submitting the final pay application. Mr. Rabideau stated he would like to meet with Commissioner Lambert to review and finalize the last pay application for Close Construction.

Commissioner Garcia inquired about the status of the Emergency Plan

Mr. Rabideau stated the Emergency Plan has been completed and will be reviewing and providing the training to the staff next week. Mr. Rabideau also reported he had a binder with all the signed releases and the final payment would be approximately \$143,650.00 but would like to review these figures with Commissioner Lambert.

Commissioner Maggiore stated the final numbers should first be reviewed by Severn Trent before the final payment is made.

*Commissioner Maggiore made a motion to have the final pay application reviewed by Severn Trent, followed by Town Attorney Doody. Once approved, Commissioner Maggiore will deliver the final check to the Town Attorney's office for distribution. Commissioner Garcia seconded the motion, which passed unanimously.*

**9. FINANCE**

a. Severn Trent - Update

Mr. Stephen Bloom of Severn Trent provided a brief overview of the financials and stated both funds finished with a little reserve.

- **General Fund** -Revenue is at 96%
- **Water Fund** - Expenditures were at 98.6%

Commissioner Maggiore inquired about the status of the delinquent water accounts.

Mr. Bloom reported delinquent letters are mailed out in the intervals or 30, 60 and 90 days. Mr. Bloom also reported the audit has begun and is currently monitoring the progress of the FEMA Grant.

Mr. Bloom spoke briefly about the 2 loans for the Water Department and that he has been in contact with Bank of America and was quoted a rate of 3.28%, but that was not a firm rate. Representatives of Bank of America were not willing to change the term of the loan. Mr. Bloom recommended the Town not make any changes on the current water loans.

b. Reserve Analysis

Mr. Bloom reviewed the Reserve Analysis Report and stated he kept it simple with conservative numbers and that the report could be included in the monthly financial report.

**10. POLICE**

Chief Nagy reported today was the first day of the onsite accreditation review and introduced the following assessors to the Commission

- Mr. Clyde Hedrick, Manatee County Sheriff's Office
- Lt. Robert Rowe, Florida Fish & Wildlife
- Sgt. Jason Adams, Venice Police Department

Chief Nagy also reported he will be attending the City of Deerfield Beach Commission Meeting tonight and that Officer Jim Nolan is doing much better and is eager to return to work.

**11. ADMINISTRATION**

a. Acquiring the property south of Town Hall

Vice Mayor Schubert reported she had spoken to the Davis family and they are open to the idea of the town purchasing the property next door.

Mr. Kevin Crowder, Director of Economic Development Redevelopment Management Associates spoke briefly about his 15 years of experience with grant funding and land acquisition. Mr. Crowder also spoke about matching fund programs such as the Florida Forever and Florida Inland Navigation.

Commissioner Garcia stated the Davis property would be nice but believes the Kennelly property would be ideal.

Commissioner Maggiore stated the Davis property was offered to the town 20+ years ago, but the Commission never responded and believes it is worth looking into.

Vice Mayor Schubert inquired if a motion was needed to move forward.

Town Attorney Doody stated you have a general consensus at this point and asked who will be assigned to speak to the owners.

Commissioner Lambert suggested Vice Mayor Schubert to speak with the Davis family and Commissioner Garcia to pursue the Kennelly lot.

b. 75<sup>th</sup> Anniversary

Vice Mayor Schubert stated a date still needs to be selected for the beach clean-up and BBQ.

Commissioner Garcia inquired if there was something in the charter to require the town to clean empty lots.

Vice Mayor Schubert stated that there is no enforcement by Code Enforcement.

Commissioner Lambert stated Code Enforcement does walk the beach, but the Town should consider entering into contract with the Beach Rakers

Chief Nagy reported the ATV is out on the beach everyday and property owners are notified and most of the requests are normally taken care of right away.

Vice Mayor Schubert said she would like to discuss the Beach Rakers and instructed the Town Clerk to include on the December agenda.

Commissioner Garcia stated he has not spoken with Susan about the dinner yet.

b. 2014 Meeting Dates and Holiday Closings

*Commissioner Garcia made a motion to approve the 2014 Meeting Dates and Holiday Closings as presented. Commissioner Maggiore seconded the motion, which passed unanimously.*

12. SANITATION/RECYCLING

a. Sanitation / Recycling - Update

Commissioner Maggiore reported all is well with the service and reported two representatives were here from Sun Bergeron.

Mr. Brad King, Municipal Services Director spoke briefly about the bi-monthly drop-off's in Deerfield off of Power Line Road and also in Pompano. Mr. King also suggested information for quarterly drop-off events to be included in the utility mailing, newsletter and website.

Ms. Lee Rickles also of Sun Bergeron provided recycling flyers and stated she would be happy to assist the Town in any recycling event.

Commissioner Maggiore also requested Carlos Verney of Progressive Waste Services to

provide contributions towards any recycling event.

**13. TRANSPORTATION**

a. Community Bus - Update

Commissioner Garcia reported the ridership is good and was able to able to renew the contract at the same rate.

b. Metropolitan Planning Organization (MPO)

Commissioner Garcia reported he is now on the board of the MPO and is looking forward to going to Tallahassee and the A1A Scenic Highway meeting went well.

c. Hillsboro Inlet Bridge

Commissioner Garcia reported the meeting went well the previous night and FDOT are experiencing some hurdles. Commissioner Garcia requested the Commission support to the request the Coast Guard to re-evaluate their restrictions on this project. With the support of the Commission, Commissioner Garcia will work on coordinating a special meeting to include the Coast Guard and FDOT.

**14. CONSERVATION/ENERGY**

a. Commissioner Garcia did not have anything to report

Vice Mayor Schubert called for a 10 minute break at 10:40 AM

**15. LEGAL**

a. Appointment to fill the vacant commission seat

1. Victoria Feaman of 1172 Hillsboro Square has a background in management and is also familiar with construction. Currently the General Manager of the Berkshire Resort in Deerfield Beach and President of the Hillsboro Square HOA.
2. Louis "Benny" Fisher of 1043 Hillsboro Mile. A native Floridian, owner of the Fisher Auction Company.
3. Albert Gabrielle of 1073 Hillsboro Mile - Was not present
4. Troy Link of 1009 Hillsboro Mile. Originally from Wisconsin and has been in Hillsboro Beach since 2009. Mr. Link is the President and CEO of Links Snacks, Inc.
5. Beverly O'Lini of 1170 Hillsboro Mile resident for the past 25 years. A massage therapist and former school teacher
6. Judith Prine of 1237 Hillsboro Mile. A former insurance executive, Treasurer of the Port De Mer Board of Directors and an Executive Member of the Friends of the Library at the Percy White Deerfield Beach Library.

Commissioner Lambert expressed his concerns and believes there could be a conflict when someone who is serving on their HOA as well as the Commission.

Vice Mayor Schubert stated it's possible we may want to ask that individual to resign that position.

Commissioner Maggiore stated he did not see a problem and that he himself is on the board. When needed the individual will need to recues themselves from the discussion and vote.

Commissioner Garcia stated there is a lot of great talent to pull from.

Commissioner Lambert stated the Commission needs to be able to look at both sides and make a decision with the Town's best interest in mind.

*Commissioner Lambert made a motion to appoint Troy Link as Commissioner. Commissioner Garcia seconded the motion.*

Vice Mayor Schubert expressed her concerns with Troy Link's availability for meetings.

Commissioner Lambert asked Troy how hard is it to rearrange your schedule?

Mr. Link stated he would be able to make it happen.

*The motion failed 2/2 with Vice Mayor Schubert and Commissioner Maggiore voting against.*

*Commissioner Maggiore made a motion to appoint Vicky Feaman as Commissioner. Vice Mayor Schubert seconded the motion which passed unanimously.*

Vice Mayor Schubert thanked all the candidates for coming out and reminded them there will be an election in March.

Town Attorney Doody swore Vicky Feaman into office.

b. Appointment of Mayor

*Commissioner Maggiore made a motion to nominate Claire Schubert as Mayor. Commissioner Garcia seconded the motion, which passed unanimously.*

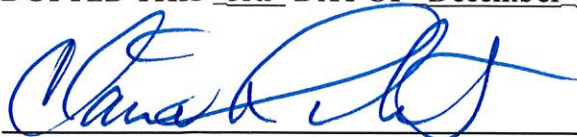
c. Appointment of Vice Mayor

*Mayor Schubert passed the Gavel to Commissioner Feaman and made a motion to nominate Richard Maggiore as Vice Mayor. Commissioner Feaman returned the gavel and seconded the motion, which passed 3/2 with Commissioners Garcia and Lambert voting against.*

Having no further business, the meeting adjourned at 11:52 PM

ADOPTED THIS 3rd DAY OF December 2013.

By:



Claire Schubert, Mayor

ATTEST:



Jean-Marie Mark, Town Clerk