



**TOWN COUNCIL OF BRINY BREEZES  
REGULAR MEETING  
AT BRINY BREEZES CORPORATION  
5000 N. OCEAN BLVD., BRINY BREEZES, FL 33435**

**NOVEMBER 30, 2017, 4:00 P.M.**

**MINUTES**

- I. Call to Order, Pledge of Allegiance, and Roll Call:** President Thaler mentioned due to the roof being done at Town Hall and the strong odor of tar the meeting had to be held at Briny Breezes Corporation called the meeting to order at 4:09 p.m.; Sue Thaler called the roll: Susan Thaler, Christina Adams, Robert Jurovaty, Chick Behringer, James McCormick, John Skrandel and Jackie Ermola
- II. Additions, Withdrawals, Deferrals, and Arrangement of Agenda Items:** None
- III. Ex-Parte Communications:** None
- IV. Minutes for Approval:**
  - a. Special Meeting, Budget, September 28, 2017:** MOTION (Adams, Behringer) to approve; after a call for public comment, motion passed unanimously.
  - b. Special Meeting, Hurricane, October 19, 2017:** MOTION (Jurovaty, McCormick) to approve; after a call for public comment, motion passed unanimously.
  - c. Regular Town Council Meeting, October 26, 2017:** MOTION (McCormick/Behringer) to approve; after a call for public comment, motion passed unanimously.
  - d. Special Meeting, Town Manager Candidates, November 7, 2017:** (Adams, Jurovaty) to approve; after a call for public comment, motion passed unanimously.
- V. Announcements and Related Items:**
  - a. The next Regular Meetings of the Town Council will be held at 4:00 p.m. on December 28, 2017, January 25, 2018 and February 22, 2018 at Briny Breezes Town Hall.
- VI. Correspondence:**
  - a. Thank you letter to Town Council for the interview from Dale Sugerman.
  - b. Dave Westgate concern about the building code changes being discussed at today's meeting.
  - c. Judy Kraft mentioned an email communication between the Town Hall and the Corporation regarding her permit. She was concerned about the length of time it was taking. The issue was with her contractor who did not respond to questions from the Inspector and then failed to pick up the permit. Neither the Corporation, nor the Town held up the process.
- VII. Reports:**
  - a. Public Safety Services** –Captain Yannuzzi gave report. Correction on the monthly report. Figures were transposed. Correction as noted. Captain mentioned they do not like to write parking tickets, but when they do have to write a ticket, Do Not go to Town Hall if

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you want to argue your parking ticket. You must go to Delray Court House. There is a fee to plead not guilty. He also mentioned that December 2, 2017 at 4:00 p.m. is the Boynton Beach Parade and Tree lighting. In addition, December 8 is the Boat Parade and both bridges will be closed temporarily for that event.

b. **Briny Breezes, Inc.** –None

c. **Mayor** – None

d. **President, Sue Thaler**-Status of part time Town Manager. We interviewed 3 Candidates. There was a question raised regarding mail received on a Company that is a contractor for finding candidates. If we decide to go through that process we would have to develop an RFP and initiate a sealed bid process. There is a period of 10 days we would have to leave proposals open, and then we would have a Council Meeting and open all the sealed bids. Similar to what we do for our Auditors, which will be coming up this year? President Thaler asked if we should go through the process, or based on the interviews is there a candidate that stands out? Bob Jurovaty made a Motion to move on with the candidates that we interviewed. MOTION to move forward with candidates by (Jurovaty/Behringer) Christina Adams said STS proposal was good financially. She is concerned regarding budget and feels they may be able to handle more work which would help financially. Joe Masterson asked about why not volunteers and about the resumes. Sue Thaler explained that this process and discussion has been ongoing for months and we have had open meetings. Bob reminded everyone that this work is State related and there are reports, filings, grants, etc. some knowledge is what they are seeking. Ted Gross urged people to volunteer and run in the upcoming election for Council. Sue stated there have been no elections for 10 years, and maybe someone will step up for the role. Mr. Masterson stated most people in Briny do not like rules and regulations. Mr. McCormick stated that this is not an easy job; there have been many law changes throughout the years. Sue is doing this job now. There are many things to learn, much reading, many meetings to attend and learning about State Regulations. Barbara Molina stated that she gives credit to Council this is not an easy job and it is easy to criticize. There are statutes, laws and filings with Federal and State entities. She stated she knows, she did it, and has a Government background and she couldn't handle it any longer. Sue Gross asked what is the Town Manager job description. Sue Thaler responded that there was a committee formed who draft the description and it was read by Keith Black at a Council Meeting months ago. It is available at Town Hall. There was a call for volunteering. MOTION to proceed with candidates already interviewed by and seconded (Jurovaty/Behringer) Christina Adams opposed, Motion passed by vote of 4 to 1.

e. **Aldermen**- None

f. **Chairman, Planning & Zoning Board, Jerry Lower** – We had one resignation and two spaces to fill. Two candidates volunteered and Jerry asked they be considered. On Agenda later and will be discussed then.

g. **Attorney John Skrandel** – No

h. **Financial Report for October 2017** - Christina read the October 2017 report. Ted Gross asked about the FEMA bills that were not paid; the bills in question were Harvel bills. The bills were for the Corporation not for the Town. Bills paid by the town were for debris removal.

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**VIII. Items for Council Discussion:**

a. **Follow up discussion of enforcement of unpaid parking tickets** – Attorney Skrandel to get the information and get back to council with the contact.

**IX. Items for Council Action:**

a. **Consideration of Resolution 2017-24 Appointment to fill vacancy as Mayor.** There are two individuals who sent letters for the Mayoral position. Roger Bennett and Mike Hill. Gail Elble raised concern regarding Roger Bennett, she asked wouldn't it be a conflict of interest to hold a dual office. The answer was the Briny Breezes Board is a private organization and has nothing to do with the State. Keith Black stated he was interested in running for Mayor and was told he couldn't because he was a Director in the Corporation. Attorney Skrandel stated that you can hold office on both entities. Sue Thaler offered an apology to Mr. Black, explaining that she had been told in writing by the previous Town attorney that no one could hold office in both entities. She asked if Keith wanted to be considered for appointment to Mayor at this time; Keith declined. Motion for Roger Bennett for Mayor (Jurovaty/Behringer). Motioned passed, 3 votes in favor and two votes opposed. Roger Bennett was sworn in by Robert Jurovaty.

b. **Consideration of Resolution 2017-25 Appointment to fill vacancy on Planning and Zoning Board.** There are two community members Omar Garcia Rivera and Barbara Molina asking to be part of the Planning and Zoning Board. MOTION by (Adams/McCormick) to appoint Omar Garcia Rivera and Barbara Molina to be members of the Planning and Zoning Board. After call for public comment it passed unanimously. Jerry Lower commented that this is a good training ground for volunteers. Jerry would like to see more people in the community volunteer. Barbara Molina was sworn in; Omar Rivera was not present.

c. **Consideration of Appointment of Replacement Liaison to LMS Local Mitigation Strategies Working Group.** President Thaler asked if anyone was interested in volunteering to be the liaison to the LMS group. Bob Jurovaty volunteered. A MOTION was made (McCormick/Behringer) to appoint Bob Jurovaty as the liaison. There were no volunteers from the floor. After a call for public comment it was passed unanimously.

d. **Second Reading of Ordinance 3-2017 changing the Date for Qualification period for Candidates for Town Office.** The SOE office asked for a change of qualification dates due to Service personnel and those citizens living abroad. A MOTION was made (Jurovaty/Adams) to adopt Ordinance 3-2017 on second reading. After a call for public comment it passed unanimously.

e. **Consideration of the Interlocal Agreement submitted by the Palm Beach County Supervisor of Elections for Vote Processing Equipment Use and Election Services between the town of Briny Breezes and the SOE.** A MOTION was made to approve agreement (Jurovaty/McCormick). After a call for public comment it passed unanimously.

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**f. First Reading of Ordinance 4-2017 Amending Code of Ordinances re Building Code.** There were two versions. The first section of the Ordinance specifies set back requirements, amending the Town Code 153.027. There was discussion on one section regarding vegetation, entitled Permitting Requirements for Tree and Vegetation Removal. Ken Gross suggested taking out the requirement for a certified arborist. If this was left in it could be very expensive. Since the Corporation has an active landscape committee; take out the permit information. Jerry Lower says it makes sense to simplify the town's paperwork. Ira suggested no revisions at this time. It was decided after discussion to bring this topic back after a Planning and Zoning Meeting, where this could be discussed. This topic will be discussed again at the next Town Council Meeting.

**g. First Reading of Ordinance 5-2017 Establishing Code Enforcement via Special Magistrate or Code Enforcement Board.** This was discussed last month at the Town Council Meeting. John Skrandel explained the Special Magistrate and Code Enforcement Board; this authorizes the use of one or the other. Clarifications on the document about the Town Attorney being involved. We discussed prior that we do not want to incur Attorney fees for hearings. Attorney Skrandel will change the language of this document. There were a few comments again asking why this is needed. Jim McCormick explained why and how this has been discussed for the last 8 months and all the issues that have occurred by people not abiding by the rules and codes, especially unlicensed handymen. MOTION by (Jurovaty/McCormick) to pass on first reading. After a call for public comment, Motion passed 4-1 (Adams opposed).

**h. Consideration of Ratification of Contract with Elizabeth Parish as Independent Contractor to Provide Bookkeeping Services.** MOTION to approve (Jurovaty/McCormick). After a call for public comment, motion passed unanimous.

**i. Consideration of Resolution 2017-22 providing for re-appropriations of budget expenditures in the General Fund and in the Enterprise Fund for the fiscal year ended September 30, 2017.** MOTION by (Adams/Jurovaty) to pass the Resolution. After a call for public comment, motion passed unanimous.

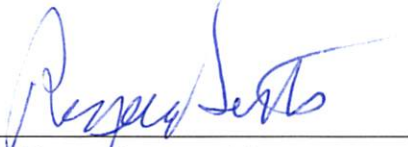
**j. Consideration of Resolution 2017-23 Changes to Accounting Policy re Exempting Employee Contracts from requirement for sealed bids.** MOTION to pass Resolution (Jurovaty/Adams). After a call for public comment, motion passed unanimous.

**k. Accounts Payable-** None


- X. Public Comments:** Many comments, captured above. One final comment about Town Council and how Council members learned the job and that anyone can come and learn.
- XI. Adjournment:** MOTION to adjourn was made and seconded ( Jurovaty/Behringer ) at 6:35 p.m. After a call for public comment, motion passed unanimously.


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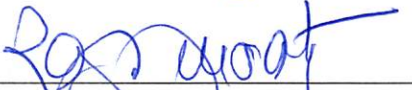
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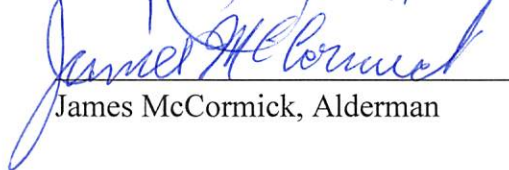
  
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Roger Bennett, Mayor

  
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Susan Thaler, President

  
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Christina Adams, Alderman

  
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Allen Behringer, Alderman

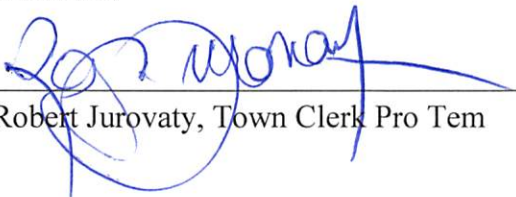
  
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Robert Jurovaty, Alderman

  
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James McCormick, Alderman

TOWN SEAL

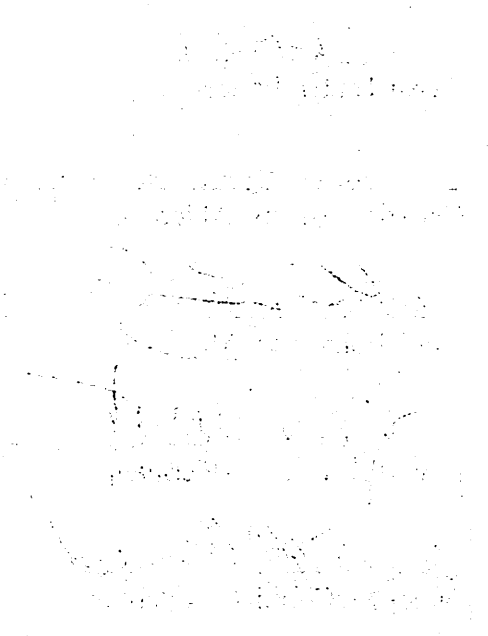


ATTEST:

  
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Robert Jurovaty, Town Clerk Pro Tem

For relevant testimony, discussion, or oral reports, etc. please refer to the audio CD available at the Town Hall.

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