



MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF BRINY BREEZES, FLORIDA HELD ON THURSDAY, JULY 28, 2011 AT 4:00 P.M. IN THE TOWN HALL, 4802 NORTH OCEAN BOULEVARD, BRINY BREEZES, FLORIDA.

### **CALL TO ORDER & PLEDGE OF ALLEGIANCE & ROLL CALL**

President Kendrigan called the meeting to order at 4:00 p.m. and led the pledge of allegiance. Roll call was taken by Deputy Town Clerk Shari Canada.

### **IN ATTENDANCE**

Alderman/President Sharon Kendrigan, Alderman/Town Clerk Pro Tem Nancy Boczon, Alderman Pete Fingerhut Alderman Lowen Pook. Alderman Kathleen Bray participated via teleconference.

Also present are Mayor Roger Bennett, Attorney Skrandel and Deputy City Clerk Canada.

### **ADDITIONS, WITHDRAWALS, DEFERRALS AND ARRANGEMENT OF AGENDA ITEMS**

Addition of Item E under Items For Council Action At Public Hearing Resolution 2011-7. Correction of date from June 2010 to June 2011 Item H under Reports.

### **EX-PARTE COMMUNICATIONS**

President Kendrigan advised she had spoken with Mike Gut, President, Briny Breezes Inc. Board of Directors, regarding the Town's Fiscal Year 2011-2012 Budget.

### **APPROVAL OF THE MINUTES**

A motion was made and seconded (Boczon/Fingerhut) to approve the minutes for Regular Meetings of June 23, 2011, And Budget Workshop Sessions of July 12, and 14, 2011. Motion carried.

### **ANNOUNCEMENTS:**

The Next Regular Town Council Meetings Will Be Held On August 25, September 22, And October 27, 2011. All Meetings Will Be Held At The Briny Breezes Town Hall And Begin At 4:00 P.M.

The Council Will Hold A Special Meeting On Friday, September 9, 2011 For The Public Hearings For The Adoption Of The Tentative Millage Rate, The Tentative General Fund Budget, And The Tentative Enterprise Fund Budget and On Thursday, September 22, 2011 For The Public Hearings For the Final

Adoption Of The Millage Rate, The General Fund Budget, And The Enterprise Fund Budget. These Meeting Will Be Held At 5:01 P.M. In The Briny Breezes Town Hall.

At This Time The Council Will Consider Setting Alternate Dates For Its Regular Meetings In The Months Of November And December To Avoid Conflicts With The Thanksgiving And Christmas/Chanukah Holidays.

A motion was made and seconded (Boczon/Fingerhut) to change the November Council Meeting to November 17, 2011 at 4:00 PM. Motion carried.

A motion was made and seconded (Boczon/Fingerhut) to change the December Council Meeting to December 20, 2011 at 4:00 PM. Motion carried.

## **CORRESPONDENCE**

Deputy City Clerk Canada read correspondence into the record.

## **REPORTS**

### **Public Safety Services – City of Boynton Beach Police Department**

Chief Yannuzzi submitted a monthly report of police activities in Briny Breezes and Ocean Ridge.

### **Briny Breezes, Inc. – Directors and/or Manager**

Manager Steve Best provided an update on activities of the Corporation.

### **Chairman, Planning & Zoning Board**

Chair Jerry Lowry advised the August meeting has been canceled, due to lack of quorum. The Planning and Zoning Board has a vacancy for a representative of District II.

## **Mayor**

Mayor Bennett advised he had nothing to report at this time.

## **President**

President Kendrigan advised she had nothing to report.

## **Alderman**

None

## **Town Attorney**

Attorney Skrandel noted the change in State Law pre-empting municipalities from passing or enforcing laws regarding the regulations of firearms or ammunition.

A motion was made and seconded (Boczon/Fingerhut) to direct Attorney Skrandel to draft an ordinance repealing any and all Town Ordinance regulating firearms and ammunition. Motion carried.

Attorney Skrandel advised he received correspondence regarding a case action law suit against BP regarding the Deepwater Horizon Accident and advised he will continue to investigate the issues related and will bring back to the Council for action if necessary.

### **Financial Report for October 1, 2010 thru June 30, 2011**

Alderman Poock reported the following:

Operating Fund: Revenue \$ 538,715.43 Expenses \$ 412,458.56  
Enterprise Fund: Revenue \$180,284.11 Expenses \$ 135,911.85

A motion was made and seconded (Boczon/Fingerhut) to accept the Financial Report. Motion carried.

### **COUNCIL DISCUSSION**

#### a. Discussion Of Retaining A Town Auditor

The Town Council discussed the retention of a Town Auditor.

President Kendrigan noted that 2009-2010 audit contained comments that the following policies should be developed: Investment and Accounting.

A motion was made and seconded (Boczon/Fingerhut) directing Deputy Town Clerk Canada to prepare the policies.

Attorney Skrandel suggested a budget policy also be developed.

A motion was made and seconded (Boczon/Fingerhut) directing Deputy Town Clerk Canada to prepare the policy.

#### b. Review Of Discussions At The Budget Workshop Sessions Of July 12, and 14, 2011

Deputy Town Clerk Canada reviewed the recommended budget.

##### i. Discussion of Billing Procedures For the Enterprise Fund

Town Council noted there will be no changes in the Billing procedures for the Enterprise Fund for Fiscal Year 2011-2012.

##### ii. Discussion of Contracts With Briny Breezes, Inc. Regarding Payment of Police And Fire/EMS

Town Council discussed having contracting with Briny Breezes, Inc. Regarding Payment of Police And Fire/EMS.

Attorney Skrandel advised he would review the issues and advise the Council at the next meeting.

iii. Contracts and Enterprise Fund to Town

Town Council discussed having contracting with Briny Breezes, Inc. Regarding Payment of the Enterprise Fund.

Attorney Skrandel advised he would review the issues and advise the Council at the next meeting.

iv. Discussion of Contractor Registration and Fees

A motion was made and seconded (Boczon/Fingerhut) directing Attorney Skrandel to prepare an Ordinance requiring Contractor Registration and Fees. Motion carried.

v. Discussion of Permits, Inspections and Fees

A motion was made and seconded (Boczon/Fingerhut) directing Attorney Skrandel to discuss with Hy-Byrd inspections and inspection fees and bring back to Council for action if necessary.

**ITEMS FOR ACTION**

a. Discussion Of The General Fund And The Enterprise Fund Budgets For Fiscal Year 2011 -2012

Deputy Town Clerk Canada provided an overview.

b. Approval Of The Town's DR-420 And DR-420 MMP Forms For The Palm Beach County Property Appraiser Stating The Prior Year Millage Rate, The Current Year Proposed Millage Rate, and The Current Year Rolled-Back Millage Rate

A motion was made and seconded (Boczon/Fingerhut) to approve the Town's DR-420 and DR-420 MMP and Direct the Town Clerk to certify the forms and delivery to the Palm Beach County Property Appraiser. Motion Carried.

c. Approval Of A Preliminary General Fund Budget For 2011-2012

A motion was made and seconded (Boczon/Fingerhut) to approve the preliminary General Fund Budget for 2011-2012. Motion carried.

d. Approval Of A Preliminary Enterprise Fund Budget For 2011-2012

A motion was made and seconded (Boczon/Fingerhut) to approve the preliminary Enterprise Fund Budget for 2011-2012. Motion carried.

e. Approval of Engagement Letter for Professional Auditing Services to be provided by Alberni, Caballero & Company, LLC. for the Fiscal Year ending September 30, 2011 as Authorized by Town Resolution No. 2011-7

A motion was made and seconded (Boczon/Poock) to approve Resolution 2011-7. Motion carried.

Attorney Skrandel noted that the auditors have requested a liaison between the auditors and the Town.

A motion was made (Boczon/Fingerhut) to name Deputy Town Clerk Canada as the liaison and Alderman Bray as the alternate. Motion carried.

**ACCOUNTS PAYABLE**

A motion was made and seconded (Bray/Fingerhut) to pay the invoice received from Attorney Skrandel for the period beginning February 1, 2011 and ending March 31, 2011. Motion carried.

**PUBLIC COMMENTS**

No public comments.

**ADJOURNMENT**

President Kendrigan **moved** to adjourn the meeting. Alderman Fingerhut seconded. Meeting adjourned at 5:25 PM.

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Mayor Roger Bennett

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President Sharon Kendrigan

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Alderman Nancy Boczon

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Alderman Kathleen Bray

SEAL

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Alderman Pete Fingerhut

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Alderman Lowen Pock

ATTEST:

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Shari L. Canada, Deputy Town Clerk