



TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING MINUTES

TOWN HALL COMMISSION CHAMBERS
3614 S. OCEAN BLVD.
HIGHLAND BEACH, FL

Date: October 17, 2023
Time: 1:30 P.M.

1. CALL TO ORDER

Mayor Moore called the meeting to order at 1:30 P.M.

2. ROLL CALL

Commissioner Judith Goldberg
Commissioner Donald Peters
Commissioner Evalyn David
Vice Mayor David Stern
Mayor Natasha Moore
Town Manager Marshall Labadie
Town Attorney Glen Torcivia
Town Clerk Lanelda Gaskins

3. PLEDGE OF ALLEGIANCE

The Town Commission led the Pledge of Allegiance to the United States of America, followed by a moment of silence for Israel.

4. APPROVAL OF THE AGENDA

Mayor Moore added Resolution No. 2023-032 to the agenda as Item 5.A., and former Item 5.A., Resolution No. 2023-030, was moved to Item 5.B. under Presentations / Proclamations.

MOTION: David/Stern – Moved to approve the agenda as amended, which passed unanimously 5 to 0.

5. PRESENTATIONS / PROCLAMATIONS

A. Resolution No. 2023-032 (Item added to the agenda as Item 5.A.)

A Resolution of the Town Commission of the Town of Highland Beach, Florida, expressing the Town's support of the State of Israel; and providing for an effective date.

Mayor Moore introduced this item.

MOTION: Peters/Goldberg – Moved to approve Resolution No. 2023-032, which passed unanimously 5 to 0.

B. Resolution No. 2023-030 (Formally Item 5.A.)

A Resolution of the Town Commission of the Town of Highland Beach, Florida, ratifying the selection, appointments, and term of office of members of the Planning Board; and providing for an effective date.

Mayor Moore read the title of Resolution No. 2023-030. The two applicants for consideration were Eve Rosen and David Axelrod. The Town Commission interviewed Mr. Axelrod. He voiced his interest in serving on the Planning Board. Ms. Rosen was not present at the meeting.

MOTION: Moore/Stern – Moved to approve Resolution No. 2023-030, appointing David Axelrod to the Planning Board. Upon a roll call: Mayor Moore (Yes); Vice Mayor Stern (Yes); Commissioner Goldberg (Yes); Commissioner Peters (Yes); and Commissioner David (Yes). The motion passed unanimously 5 to 0.

6. PUBLIC COMMENTS

There were no public comments.

7. ANNOUNCEMENTS

Mayor Moore read the announcements as follows:

Board Vacancies

Board of Adjustment and Appeals	Two (2) vacancies for a three-year term and One (1) vacancy for an unexpired term ending September 21, 2024
---------------------------------	---

Meetings and Events

November 01, 2023 11:00 A.M.	Natural Resources Preservation Advisory Board Regular Meeting
November 07, 2023 1:30 P.M.	Town Commission Meeting

Board Action Report

None.

8. ORDINANCES

A. Resolution No. 2023-031

A Resolution of the Town Commission of the Town of Highland Beach, Florida, calling for a Referendum of the Qualified Electors of the Town of Highland Beach to be held on March 19, 2024, as to whether the Town shall be authorized to (A) finance and implement a Sanitary Sewer Lining Rehabilitation Project to repair, replace, and prevent structural damage to the sewer lines for a not to exceed cost of \$3.5 million dollars, and (B) issue its General Obligation Bonds, payable from the full faith and unlimited Ad Valorem Taxing Power of the Town, in an aggregate principal amount not to exceed \$3.5 million dollars to finance the cost thereof; providing for notice and advertising of the referendum; providing for referendum canvassing and for other purposes; providing for severability, conflicts, and an effective date.

Mayor Moore introduced this item. At the October 3rd meeting, the Town Commission made a recommendation to add the word “rehabilitation” before the word “project” in the title of the resolution.

Town Manager Labadie provided comments about the age and condition of the current pipes, the future lining of the existing clay pipes, and what would happen if the referendum question did not go forward in March. Breakage in the sewer system would lead to emergency replacement and could cause significant inconveniences for residents at a much higher cost. He also commented on open excavation, the 2021 competitive solicitation (bids), the gravity sewer system closed circuit videos, a state revolving grant program, and the lobbyist assisting with state appropriations for the project.

Moore opened the item for public comments. Hearing none, she closed the public comments.

MOTION: David/Stern – Moved to approve Resolution No. 2023-031 with a not more than 30-year payout. Upon roll call: Commissioner David (Yes); Vice Mayor Stern (Yes); Commissioner Goldberg (Yes); Commissioner Peters (Yes); and Mayor Moore (Yes). The motion passed unanimously 5 to 0.

B. Ordinance No. 2023-004

An Ordinance of the Town Commission of the Town of Highland Beach, Florida, calling for a Referendum of the Qualified Electors of the Town of Highland Beach to be held on March 19, 2024, as to whether the Funding Limitation of \$350,000, set forth in Section 2.01(30) of the Town of Highland Beach Charter, shall be adjusted to \$900,000 to account for the past 32 years of inflation and be adjusted annually thereafter on June 1st

(beginning In 2025) in accordance with the Regional Consumer Price Index (MSA); providing for notice and advertising of the referendum; providing for referendum canvassing; providing for severability, the repeal of laws in conflict, codification, and an effective date.

Mayor Moore introduced this item.

Finance Director David DiLena commented on the consumer price index.

Mayor Moore suggested adding a new Whereas clause as to when the Town established the \$350,000 funding limitation.

Mayor Moore opened the item for public comments.

Mr. Rick Greenwald provided comments.

Hearing no further comments, Mayor Moore closed the public comments.

There was further discussion about the language for the new Whereas clause. Town Attorney Torcivia suggested the following: "Whereas, the funding limitation of \$350,000 set forth in the Town's Charter at Section 2.01(30) was established in 1992."

MOTION: David/Peters – Moved to approve Ordinance No. 2023-004 on first reading with the addition of a whereas clause specifically stating, "the funding limitation of \$350,000 set forth in the Town's Charter at Section 2.01(30) was established in 1992." The motion passed unanimously 5 to 0.

C. Ordinance No. 2023-005

An Ordinance of the Town Commission of the Town Of Highland Beach, Florida, calling for a Referendum of the Qualified Electors of the Town Of Highland Beach to be held on March 19, 2024, as to whether the Town Of Highland Beach shall amend its Charter at Article I, Section 1.06(7) to provide the Town Commission the discretion to designate, by resolution, the Palm Beach County Canvassing Board to serve as Highland Beach's canvassing board during the uniform municipal elections; providing for notice and advertising of the referendum; providing for referendum canvassing; providing for severability, the repeal of laws in conflict, codification, and an effective date.

Mayor Moore introduced this item. The Town Commission discusses the designation of the canvassing board by resolution annually, the current municipal canvassing board as written in the Town's Charter, and the responsibility of the canvassing board.

Mayor Moore suggested including an additional Whereas clause concerning the Town saving money by using the County Canvassing Board.

Town Attorney Torcivia suggested adding the language to the sixth Whereas clause. The language would read as follows: “Whereas, the Town Commission hereby finds that it is in the best interests of the Town, saves the town money, and serves the public health, welfare, and safety to amend its Charter at Article I, Section 1.06(7) to allow the town commission to delegate, by resolution, the Palm Beach County Canvassing Board to serve as Highland Beach’s canvassing board during Uniform Municipal Elections.

Mayor Moore opened the public comments. Hearing none, she closed the public comments.

MOTION: David/Goldberg – Moved to approve Ordinance No. 2023-005 with the amended Whereas clause. The motion passed unanimously 5 to 0.

D. Proposed Ordinance

An Ordinance of the Town Commission of the Town of Highland Beach, Florida, amending the Administrative Amendments to the 7th (2020) Edition of the Florida Building Code to update and amend the requirements for reinspection and recertification of existing threshold buildings and other buildings owned by a condominium or cooperative association; providing for the repeal of all ordinances in conflict; providing for severability and codification; and providing for an effective date.

Building Official Jeffrey Reman explained why the proposed ordinance amends the existing ordinance.

Mayor Moore opened the public comments. Hearing none, she closed the public comments.

MOTION: David/Goldberg – Moved to approve the Proposed Ordinance amending the Administrative Amendments to the 7th (2020) Edition of the Florida Building Code to update and amend the requirements for reinspection and recertification of existing threshold buildings and other buildings owned by a condominium or cooperative association; providing for the repeal of all ordinances in conflict; providing for severability and codification; and providing for an effective date. The motion passed unanimously 5 to 0.

9. **CONSENT AGENDA** (These are items that the Commission typically does not need to discuss individually, and which are voted on as a group.)

A. Approval of Meeting Minutes

October 03, 2023 Town Commission Meeting Minutes

MOTION: David/Stern – Moved to approve the Consent Agenda as presented, which passed unanimously 5 to 0.

10. **UNFINISHED BUSINESS**

A. Fire Rescue Implementation Update

Town Manager Labadie provided an update on Fire Rescue Implementation as follows:

Recruiting process: They will be interviewing the firefighter paramedic applicants this week. The fire captain applicants are finishing their pre-employment physicals and background checks. They are beginning phase 2 of the background check for the firefighter drivers applicants.

Construction: The mezzanine and bay roof concrete pour was completed, the second-floor roof concrete will be poured this week, and the first-floor framing will begin next week. The windows, stucco exterior, and doors will be done in about a week.

The City of Riveria Beach will store the Town's fire truck after the painting has been completed.

B. Florida Department of Transportation (FDOT) RRR Project Update

Town Manager Labadie provided an update on the project. FDOT has yet to be able to provide a schedule. They plan to bid the project out in December. Once a contractor is selected, they will begin to build a means and method schedule for the project. They are aiming for a post-season start in this budget year.

C. Building Department Recertification Program Update

Building Official Jeffery Remus provided an update on the Building Department Recertification Program. There is 100% compliance with the buildings that are due at this time. Also, there are 15 buildings that are not due yet, and 16 buildings were given extensions that are due in November and December.

D. Continued discussion of Milani Park.

Town Commission discussions ensued regarding Milani Park.

Town Manager Labadie encouraged the stakeholder's involvement, such as a group of residents getting petitions. He suggested that the Town Commission wait until after the February 2024 public meeting to attend a Palm Beach County Commission meeting. He also suggested hiring a legal counsel and an archeologist to manage this matter.

Discussion ensued about other land uses, historical/archaeological preservation, safety, and the costs associated with building the park. There was a discussion about hiring a specialist to assist with this.

Mayor Moore opened the item for public comments.

Mr. Richard Greenwald spoke about several avenues the Town Commission could take concerning Milani Park.

Mayor Moore closed the public comments.

Motion: David/Goldberg - Moved to hire a special project coordinator to bring in all the necessary personnel to determine what is the best use of that property for most people in our county. Upon a roll call: Commissioner David (Yes); Commissioner (Goldberg (Yes); Commissioner Peters (Yes); Vice Mayor Stern (Yes); and Mayor Moore (Yes). The motion passed unanimously 5 to 0.

11. NEW BUSINESS

- A. Approve and authorize a Right of Way Permit for KMV Fiber Telecom Inc. to bore fiber optic communication cables under State Road A1A starting at the north property line of 4713 South Ocean Boulevard and ending on the west of State Road A1A south property line of 4800 South Ocean Boulevard.**

Mayor Moore read the title of Item 11.A.

Pat Roman, Public Works Director, presented this item.

MOTION: David/Goldberg – Moved to approve and authorize a Right of Way Permit for KMV Fiber Telecom Inc. to bore fiber optic communication cables under State Road A1A starting at the north property line of 4713 South Ocean Boulevard and ending on the west of State Road A1A south property line of 4800 South Ocean Boulevard. The motion passed unanimously 5 to 0.

12. TOWN COMMISSION COMMENTS

Commissioner Judith M. Goldberg thanked the Town Commission and the public.

Commissioner Donald Peters commented on the community prayer vigil held last Thursday. He thanked those who organized the event.

Commissioner Evalyn David thanked Dr. Greenwald for his perspective on the Milani Park property. She also commented on the community prayer vigil event held last Thursday.

Vice Mayor David Stern spoke about the community prayer vigil held last Thursday.

Mayor Natasha Moore provided comments on the community prayer vigil held last Thursday. She acknowledged Jeffrey Remas for participating on the Palm Beach County Construction Industry Licensing Board.

13. TOWN ATTORNEY'S REPORT

Town Attorney Torcivia had nothing to report.

14. TOWN MANAGER'S REPORT

Town Manager Labadie thanked Father Horgan and discussed their partnership and having the Light Up the Holiday event at St. Lucy Catholic Church. He and Terisha will be meeting with Father Horgan about the future event.

He encouraged the Town Commission to attend the Florida League of Cities monthly meeting.

15. ADJOURNMENT

The meeting adjourned at 3:33 P.M.

APPROVED: November 07, 2023, Town Commission Meeting.

ATTEST:

Natasha Moore, Mayor

Transcribed by
Jaclyn DeHart and Lanelda Gaskins

11/07/2023

Date

Lanelda Gaskins, MMC
Town Clerk

Disclaimer: Effective May 19, 2020, per Resolution No. 20-008, all meeting minutes are transcribed as a brief summary reflecting the events of this meeting. Verbatim audio/video recordings are permanent records and are available on the Town's Media Archives & Minutes webpage: <https://highlandbeach-fl.municodemeetings.com/>.