



TOWN OF HIGHLAND BEACH TOWN COMMISSION MEETING MINUTES

LIBRARY COMMUNITY ROOM
3618 S. OCEAN BLVD.
HIGHLAND BEACH, FL

Date: September 19, 2023
Time: 1:30 PM

1. CALL TO ORDER

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

2. ROLL CALL

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

ABSENT

Commissioner Donald Peters

3. PLEDGE OF ALLEGIANCE

The Town Commission led the Pledge of Allegiance to the United States of America.

4. APPROVAL OF THE AGENDA

MOTION: David/Stern – Moved to approve the agenda as presented, which passed unanimously 4 to 0.

5. PRESENTATIONS / PROCLAMATIONS

A. Resolution No. 2023-026

A Resolution of the Town Commission of the Town of Highland Beach, Florida, recognizing and commending Leland "Butch" Harpel for thirty years of service to the Town of Highland Beach.

Mayor Moore read the title of Resolution No. 2023-026.

MOTION: David/Goldberg – Moved to approve Resolution No. 2023-026 which passed unanimously 4 to 0.

B. Palm Beach County Coastal Management Presentation

Mayor Moore read the title of Item 5.B.

Andy Studt, Palm Beach County Environmental Resources, provided a PowerPoint presentation highlighting present and future challenges, countywide beaches funding, public accessibility, and environmental considerations.

Discussion ensued about sand dredging, changes in the length of the beach over time and dune restoration.

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
	One (1) vacancy for an unexpired term ending September 21, 2024
Planning Board	One (1) upcoming vacancy for an unexpired term ending September 2025

Meetings and Events

September 21, 2023	9:30 A.M.	Planning Board Regular Meeting
September 21, 2023	5:01 P.M.	Town Commission Special Second Public Hearing Budget Meeting
October 03, 2023	1:30 PM	Town Commission Meeting

Board Action Report

None.

8. ORDINANCES

A. None.

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

August 15, 2023 Town Commission Meeting

September 05, 2023 Town Commission Meeting

September 05, 2023 Town Commission Special First Public Hearing Budget Meeting

MOTION: David/Stern – Moved to approve the Consent Agenda as presented, which passed unanimously 4 to 0.

10. UNFINISHED BUSINESS

A. Fire Rescue Implementation Update

Mayor Moore read the title of Item 10.A.

Town Manager Labadie mentioned that the project is on schedule and on budget.

Fire Chief Glenn Joseph provided an update on Fire Rescue Implementation as follows:

Recruiting process: Three captain candidates are going through the background and employment background check. They are scheduling interviews for the firefighter drivers and expect to have 6 candidates. Paramedic Firefighters interviews will be in mid-October. They will interview 39 candidates.

Hydrant testing will be on October 9th for Delray Beach ISO inspection in January 2024. Information will go out to residents.

Fire Rescue Building construction is progressing, the second floor was poured, and they will be pouring for the beam on the bay side later on this week. The station should be covered by the end of October or early November. The Kaufman Lynn tradition is when they put the cover on the structure, they have a covering ceremony.

There was a dialogue about a top-out ceremony in mid-October. However, Kaufmann Lynn does not have a definitive date at this point. Fire Chief Joseph will inform Town Manager Labadie when they have a date.

Assistant Fire Chief Welhaf explained that Vice Mayor Stern contacted him and Fire Chief Joseph concerning smoke alarms in his building. Assistant Fire Chief Welhaf did research and he spoke about the Florida Fire Prevention Code as it pertains to smoke alarms.

He attended a Fire Symposium last week and spoke about what he has learned in regard to lithium batteries in electric vehicles. He will be disbursing information to the community about electric scooters, etcetera.

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

Mayor Moore read the title of Item 10.B.

Town Manager Labadie contacted Brad with FDOT and there are no additional updates.

C. Building Department Recertification Program Update

Mayor Moore read the title of Item 10.C.

Building Official Jeffrey Remas provided an update on the Building Department Recertification Program as follows:

Out of the 53 buildings one is complete, one has submitted all their reports and they are approved and moving forward.

Four buildings have submitted partial information.

Seven buildings have submitted everything, and they are being reviewed. He excluded two because they are currently undergoing restoration.

Five buildings are moving forward with Code Compliance Cases.

13 Buildings (25%) have requested an extension and they were granted.

28% are within their due date and letters have been sent.

He explained that phase one report is a visual, phase two report is done during the restoration and then at the end of the restoration they get closeout paperwork from the engineers.

11. NEW BUSINESS

Town Manager Labadie asked the Town Commission if they would move Items 11.C. and 11.D. before Items 11.A. and 11. B.

MOTION: David/Stern – Moved to amend the agenda (New Business), which passed unanimously 4 to 0.

A. Consideration of a request for a Town of Highland Beach Right-of-Way (ROW) permit for the property located at 3521 South Ocean Boulevard. (Formally 11.C.)

Mayor Moore read the title of Item 11.A.

Town Planner Ingrid Allen presented this item.

Mayor Moore opened the item for public comments and after hearing none she closed public comments.

MOTION: David/Stern – Moved to approve the Right-of-Way (ROW) permit for 3521 South Ocean Boulevard, which passed unanimously 4 to 0.

B. Resolution No. 2023-016 / 3521 South Ocean Blvd. (Formally Item 11.D.)

A Resolution of the Town Commission of the Town of Highland Beach, Florida, authorizing the Mayor to execute amendment number seven (7) of the State of Florida Department of Transportation (FDOT) District Four (4) Landscape Inclusive Memorandum of Agreement on behalf of the Town of Highland Beach, Florida and providing for an effective date. (The actual resolution number is No. 2023-025)

MOTION: David/Goldberg – Moved to approve Resolution No. 2023-025, which passed unanimously 4 to 0.

C. Discussion on proposed referendum questions for the March 2024 election. (Formally Item 11.A.)

Mayor Moore read the title of Item 11.C.

Town Manager Labadie presented this item, followed by Town Commission discussions of the potential referendum ballot titles and summaries as follows:

1. Referendum No. 1:

Ballot title. The ballot title, which is the subject of this Referendum shall be captioned as “Funding and Implementation of Sanitary Sewer Lining Project.”

Ballot summary. The ballot summary of the proposed Charter amendment shall be:

SHALL THE TOWN OF HIGHLAND BEACH BE AUTHORIZED TO FINANCE AND IMPLEMENT A TOWN-WIDE SANITARY SEWER LINING PROJECT FOR A NOT TO EXCEED COST OF \$3.5 MILLION DOLLARS TO HELP REPAIR AND PREVENT STRUCTURAL DAMAGES TO THE SEWER LINES?

There was discussion about the sewers in Highland Beach and it was the suggestion of the Town Commission to reword the ballot language to read as follows.

SHALL THE TOWN OF HIGHLAND BEACH BE AUTHORIZED TO FINANCE AND IMPLEMENT A TOWN-WIDE SANITARY SEWER LINING PROJECT TO REPAIR, REPLACE, AND PREVENT STRUCTURAL DAMAGE TO THE SEWER LINES FOR A NOT TO EXCEED COST OF \$3.5 MILLION DOLLARS?

The Town Commission agreed that this should be brought back for a first read of the ordinance.

2. Referendum No. 2: Ballot title.

The ballot title, which is the subject of this Referendum, and by which the proposed Charter Amendment is to be commonly referred to or spoken of, shall be captioned as "Funding Limitation." Ballot summary.

The ballot summary of the proposed Charter amendment shall be:

RECOGNIZING THE INCREASE IN THE COSTS OF MUNICIPAL OPERATIONS OVER THE LAST THIRTY YEARS, INCLUDING BUT NOT LIMITED TO THE MAINTENANCE OF PUBLIC STREETS, STORMWATER SYSTEMS, PARKS, AND SEWER SYSTEMS, SHALL THE TOWN OF HIGHLAND BEACH AMEND ITS CHARTER AT SECTION 2.01(30) TO AUTHORIZE AN INCREASE IN THE FUNDING LIMIT FROM \$350,000 TO \$_____ FOR TOWN PROJECTS AND THE EXTENSION OF TOWN SERVICES?

The Town Commission discussed the wording of the question, number of projects, and the costs of inflation.

The Town Commission agreed that the language should be as follows:

SHALL THE FUNDING LIMITATION OF \$ 350,000 SET FORTH IN THE CHARTER AT SECTION 2.01(30) BE ADJUSTED TO \$900.000 TO ACCOUNT FOR THIRTY-TWO YEARS OF INFLATION AND ANNUALLY INCREASED BASED ON THE REGIONAL CONSUMER PRICE INDEX.

Finance Director David DiLena suggested including the MCPI language in the ordinance. The language will be brought back for a first read.

Referendum No. 3: Ballot title.

The ballot title, which is the subject of this Referendum, and by which the proposed Charter Amendment is to be commonly referred to or spoken of, shall be captioned as "Rehabilitation of Old Town Fire Station for Community

Use.” Ballot summary. The ballot summary of the proposed Charter amendment shall be:

SHALL THE TOWN OF HIGHLAND BEACH BE AUTHORIZED TO FINANCE AND IMPLEMENT THE REHABILITATION OF THE TOWN’S OLD FIRE STATION FOR USE AS AN OUTDOOR COMMUNITY AREA PROJECT AT A NOT TO EXCEED COST OF \$1 MILLION DOLLARS?

The Town Commission suggested removing the word "Outdoor" from the language title.

Referendum No. 4: Ballot title.

The ballot title, which is the subject of this Referendum, and by which the proposed Charter Amendment is to be commonly referred to or spoken of, shall be captioned as “Use of Palm Beach County Countywide Canvassing Board.”

Ballot summary. The ballot summary of the proposed Charter amendment shall be:

SHALL THE TOWN OF HIGHLAND BEACH AMEND ITS CHARTER AT SECTIONS 1.06(7) AND 1.06(8) TO DELEGATE CANVASSING DUTIES TO THE COUNTYWIDE CANVASSING BOARD FOR MORE EFFICIENTLY RUN MUNICIPAL ELECTIONS?

The Town Commission agreed to change the wording to and/or so they would have the option of using the County Canvassing Board or the Town Canvassing Board.

Referendum No. 5: Ballot title.

The ballot title, which is the subject of this Referendum, and by which the proposed Charter Amendment is to be commonly referred to or spoken of, shall be captioned as “Limitation on Increases in Salaries for Mayor and Commissioners.”

Ballot summary. The ballot summary of the proposed Charter amendment shall be:

SHALL THE TOWN OF HIGHLAND BEACH AMEND ITS CHARTER AT SECTION 3.05 TO PROVIDE THAT THE SALARIES OF THE MAYOR AND COMMISSIONERS MAY NOT BE INCREASED MORE THAN 5% IN ANY SINGLE FISCAL YEAR?

There was discussion about surrounding areas salaries, adding in specific numbers to the question, inflation, and the number of questions on the ballot. They hope to get resident feedback on the questions. All five questions will be brought back at the next Town Commission meeting as ordinance first reads.

D. Milani Park Update (Formally Item 11.B.)

Mayor Moore read the title of Item 11.D.

Mayor Moore mentioned that she and the Town Manager met with Palm Beach County Commissioner Marci Woodward, the Director of Parks and Recreation for Palm Beach County, the Director of Facilities Development and Operations, and the Assistant County Administrator. They are moving forward with the design of the park, and they do not want to defer the development of the park.

Palm Beach County is willing to hold public outreach meetings at the Highland Beach Library Community Room during the week of January 20 or January 29, 2024.

Mayor Moore's recommendation is that the Town Commission come up with a date.

Town Manager Labadie explained that the Town will allow the County to facilitate the meeting and the meeting will not be a Town Commission meeting. He explained that he and Commissioner Goldberg spoke with the Town of Ocean Ridge Town Manager about their park, and they have not had any issues with their park.

Mayor Moore recommended February 1, 2024 at 6 P.M.

Town Manager Labadie will contact Father Reverend Horgan about overflow parking. Once the meeting date is confirmed with the County, Town Manager Labadie will have Skender Coma communicate the information to the public.

E. Approve and authorize the Mayor to execute contract with U.S. Water Service Corporation in an amount of \$428,238.21 for Lift Station No. 3 Rehabilitation Project in accordance with Invitation to Bid (ITB) No. 23-005.

Mayor Moore read the title of Item 11.E.

Skender Coma, Management Analyst, presented this item. It was recommended to execute an agreement with U.S. Water Services Corporation for the Lift Station No. 3 Rehabilitation Project in accordance with Invitation to Bid (ITB) No. 23-005.

There were no public comments.

MOTION: David/Goldberg – Moved to authorize the Mayor to execute the contract with U.S. Water Service Corporation for Invitation to Bid No. 23-005, which passed unanimously 4 to 0.

F. Discussion of the Financial Advisory Board's recommendation of New Purchasing Policy and Proposed Ordinance.

Mayor Moore read the title of Item 11.F.

Eric Marmer, Human Resources and Risk Manager Director presented this item.

There was discussion about the new purchasing policy, and it will be brought back as an ordinance first read at a future Town Commission meeting.

12. TOWN COMMISSION COMMENTS

Commissioner Judith M. Goldberg has been participating in the Florida League of Cities Legislative Policy Committees. She is serving on the Finance Taxation and Personal Committee. She spoke about the upcoming meetings. She asked the Town Commission to support her in attending the National League of Cities Annual Conference in November 2023. It was the consensus of the Town Commission to support Commissioner Goldberg.

Commissioner Donald Peters was not present.

Commissioner Evalyn David had no comments.

Vice Mayor David Stern had no comments.

Mayor Natasha Moore inquired about the dune study as mentioned by Andy Studt. She inquired about the status of the dune study report. Assistant Town Manager Cuebas indicated that the report should be available within the next two months.

13. TOWN ATTORNEY'S REPORT

Town Attorney Torcivia thanked Eric Marmer for collaborating with Attorney Jennifer.

14. TOWN MANAGER'S REPORT

Town Manager Labadie announced the September 21 Second Special Public Hearing Budget Meeting.

15. ADJOURNMENT

The meeting adjourned at 4:29 p.m.

APPROVED: October 3, 2023, Town Commission Meeting.

ATTEST:

Natasha Moore, Mayor

Transcribed by
Jaclyn DeHart and Lanelda Gaskins

Lanelda Gaskins, MMC
Town Clerk

10/03/2023
Date

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/>.