



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the March 15, 2016
Regular Town Council Meeting called for 7:00 P.M.

A. MEETING CALLED TO ORDER

Mayor Singer called the meeting to order at 7:04 p.m.

B. ROLL CALL

Councilmember's Present: Mayor Glenn Singer, Councilmember Amy Isackson-Rojas, Councilmember Judy Lusskin, Councilmember Bernard Einstein, Vice Mayor *Kenneth Bernstein (arrived during Presentations and Town Proclamations)*

Staff Present: Town Manager Alexander Diaz, Town Clerk Lissette Perez, Town Attorney Steve Helfman, Chief of Police Rudy Herbello, Finance Director Maria D. Camacho

C. PLEDGE OF ALLEGIANCE

Chief of Police Herbello led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

RECOGNITION OF EMPLOYEE OF THE FIRST QUARTER – KEN JONES, FACILITIES & MAINTENANCE DIRECTOR

RECOGNITION OF OFFICER OF THE QUARTER – DETECTIVE DAN ROSENBERG

RECOGNITION OF EMPLOYEE OF THE YEAR – OCEAN RESCUE LIFEGUARD JOHN FIALKOWSKI

E. MOTION TO SET THE AGENDA

ADDITIONS/ DELETIONS/ REMOVAL OF ITEMS FROM CONSENT AGENDA/ AND CHANGES TO AGENDA

F. GOOD AND WELFARE

None

G. MAYOR'S REPORT

Wished the Town Manager a happy birthday.

H. COUNCIL COMMENTS

Councilmember Einstein

Also wished the Town Manager a happy birthday.

Councilmember Rojas

Wished the Town Manager a happy birthday.

Vice Mayor Bernstein

Wished the Town Manager a happy birthday. Commented on how nice it is when the Town is running so smoothly and there are so very little comments.

Councilwoman Lusskin

Spoke on come of the events coming up with the Golden Beach Youth Leadership Group. Recognized and thanked Michael Glidden and Carole Larson for all of their hard work on the Town's events. Asked the Town Manager to mention something about Atlantic Broadband in his report on the progress the Town has made. Also stated that the gate arms are working beautifully.

I. TOWN MANAGER REPORT

Presented the Council with their annual stipend of \$1 for the 2015 calendar year.

Stated that the Town would be closing Tweddle Park for the redesign of the tennis courts and the dog park next week.

If there is an individual member that is having a problem they should reach out to Atlantic Broadband directly. Councilmember Rojas stated that she is still having problems with connectivity and Councilmember Lusskin as well.

Also stated that the Town has promoted part-time beach attendant Reynaldo Mundle to a full-time employee.

416 Golden Beach Drive – Mayor Singer asked that this item be discussed at the end of the meeting.

J. TOWN ATTORNEY REPORT

None

K. ORDINANCES – SECOND READING

None

M. ORDINANCES - FIRST READING

None

N. QUASI JUDICIAL RESOLUTIONS

None

O. CONSENT AGENDA

1. Official Minutes of the February 23, 2016 Special Town Council Meeting
2. Official Minutes of the February 23, 2016 Local Planning Agency Meeting
3. A Resolution of the Town Council Authorizing a \$5,000 Contribution to Teach for America.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LAW ENFORCEMENT TRUST FUND (LETF) MONIES TO MAKE A \$5,000 CONTRIBUTION TO TEACH FOR AMERICA (TFA); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3
Resolution No. 2442.16

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2442.16

4. A Resolution of the Town Council Approving the Purchase of a Police K-9.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PURCHASE OF EQUIPMENT AND TRAINING OF ONE (1) POLICE CANINE (K-9); PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2443.16

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2443.16

5. A Resolution of the Town Council Approving the Lease Agreement for Two Police Motorcycles.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE PARTICIPATION IN A LEASE AGREEMENT FOR TWO POLICE MOTORCYCLES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2444.16

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2444.16

Motion to approve was made by Councilmember Rojas, seconded by Councilmember Lusskin.

Consensus vote 4 Ayes 0 Nays. Items O1 – O5 pass. **** Vice Mayor Bernstein stepped out during the vote. ****

Councilmember Einstein asked if the K-9 dog makes the Town any money.

Town Manager Diaz stated that the K-9 personnel are not necessarily in place to make money. They are an added tool for officer safety and apprehension.

P. TOWN RESOLUTIONS

None

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Kenneth Bernstein:
None Requested

Councilmember Bernard Einstein:
None Requested

Councilmember Amy Isackson-Rojas:
None Requested

Councilmember Judy Lusskin:
None Requested

Town Manager Alexander Diaz

416 Golden Beach Drive – for the last decade the Town has been trying to address the issue with 416 Golden Beach Drive. The riprap and mangroves began to be a problem about 7 years ago when the Town started seeing more and more water coming from the property into the Town's streets. The Town Attorney recommended the Town speak with the Town's engineers to see if the Town can come up with an alternative to the situation. One of the things the engineers have designed is the installation of a berm on the property line to prevent the water from coming onto the Town's streets. For the last 7 years, the Town's administration has not taken any code enforcement action against the property in trying to get the property to be helpful and work with the Town to find a resolution. The property owner feels that the property is not in disarray and that there is nothing that needs to be fixed. The Town's engineers have come up with a \$17,000 berm design for

the property for the Town to try and mediate the water coming out from the property. Asked Council whether or not this is the next appropriate course of action or should the Town try to figure something else out.

Mayor Singer stated that that water sits there; it affects Golden Beach Drive and residents vehicles and the sidewalks. Even when the rest of the Town is drive, that water sits there.

Councilmember Einstein asked for clarification as to the engineers findings.

Attorney Helfman stated that there are two things that are contributing to the problem: one is there is rising tide water coming into the property, the other is that there is also a stormwater problem. The site itself becomes so saturated with water that the water spills out onto the streets. The Town has requested that they put in the seawall and the property owners have stated that the Town settled with them back in 1995 and they do not need to put in the seawall.

Mayor Singer stated that the Town has even offered to pay to put in the seawall, with the stipulation that when they sold the house they would have to pay the Town back and the property owners would not agree to that either.

Councilmember Einstein stated that the Town revisited the seawall issue when it did the capital improvement project several years ago to see if everyone is in compliance. Inquired why this property owner didn't need to comply at that time.

Attorney Helfman stated that she has a contract with the Town. The Town can fight and go to court, but the Town will probably lose.

Councilmember Einstein stated that there is something that doesn't smell right with this.

Attorney Helfman stated that the Town made an agreement with her that she didn't have to put in a seawall in she only had to put in riprap, she did that, the Town can't go back on its agreement with her now.

Attorney Helfman stated that they have already started conversations with her attorney, and the property owners are tired of fighting with the Town. In the interim, the Town should consider putting in the berm to mediate the problem with the water spilling into the public right-of-way.

Mayor Singer stated that the problem he has with the berm is that it is going to be an eyesore.

Attorney Helfman stated that the he would be meeting with the property owner and her attorney along with the Manager and the Mayor to try to come to an agreement with the property owner.

Landscape Ordinance Workshop – Town Manager stated that the Administration is looking at a new landscape ordinance for the Town. Asking the Council if they want to be involved and have a workshop to go through the ordinance before bringing it to them for consideration.

Vice Mayor Bernstein asked what the impotence of doing this right now was.

Town Manager stated that its time to start asking homeowners to be as compliant as the Town has been. Also wants to address the hedge height requirements in the swales of homes and in the Town's swale.

Vice Mayor Bernstein stated that he would like to have a workshop. Other councilmembers also agreed that there should be a workshop.

Canal Maintenance Program Update- Town Manager stated that the Town has already spent over \$50,000 on how to address the Town's canal maintenance program. Administration will be revisiting this next year.

Town Manager reminded council that the next meeting is scheduled for April 19th. Asked that it be scheduled for 6:30 p.m. Council agreed with the change in time.

R. ADJOURNMENT:

A motion to adjourn the Council Meeting was made by Councilmember Luskin, seconded by Vice Mayor Bernstein.

Consensus vote 5 Ayes 0 Nays. Motion passes.

The meeting adjourned at 7:52 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk