



**Town of Surfside  
Town Commission Meeting  
MINUTES  
July 16, 2013  
7 p.m.**

Town Hall Commission Chambers - 9293 Harding Ave, 2<sup>nd</sup> Floor  
Surfside, FL 33154

**1. Opening**

**A. Call to Order**

Mayor Dietch called the meeting to order at 7:03 P.M.

**B. Roll Call of Members**

Town Clerk Sandra Novoa called the roll with the following members present: Mayor Dietch, Vice Mayor Karukin, Commissioner Kligman, Commissioner Olchyk and Commissioner Graubart.

**C. Pledge of Allegiance**

Chief David Allen led the Pledge of Allegiance

**D. Mayor and Commission Remarks – Mayor Daniel Dietch**

Commissioner Olchyk spoke about the amount of presentations on the agenda and stated that she would like to limit the presentation to be one per department.

Commissioner Graubart suggested Commissioner Olchyk to bring it back as a discussion item.

**E. Agenda and Order of Business Additions, deletions and linkages**

Commissioner Kligman made a motion to be allowed to make some remarks about Code Enforcement issues after Good and Welfare. Commissioner Graubart made a motion to approve. The motion received a second from Vice Mayor Karukin and all voted in favor.

Commissioner Kligman also requested to present Item 1N “Recognition of Lifeguards Erik Fernandez and Jose Espinoza”.

Town Manager Michael P. Crotty requested to linked item 4A with item 5A and 5B. He also requested a motion to defer agenda item 4B2. Commissioner Kligman made a motion to defer item 4B2. The motion received a second from Commissioner Graubart and all voted in favor.

**F. Community Notes – Mayor Daniel Dietch**

Mayor Dietch announced the upcoming community events which are also available on the town website.

Commissioner Graubart announced that he would be unavailable to be present at the ribbon cutting tomorrow.

**G. Presentation from State Representative Joe Gibbons - Mayor Daniel Dietch**

State Representative Joe Gibbons was unable to attend the meeting.

- H. Presentation from Town's Lobbyist Fausto Gomez – Mayor Daniel Dietch**  
After the presentation awards, Town Lobbyist Fausto Gomez provided the Town Commission with a verbal report on the recently completed session. Some of the highlighted issues included recovery money from communication tax; water projects; Transportation Dept.; pension reform; firearms; property insurance; beach restoration; and next year's agenda items. Both Mayor Dietch and Vice Mayor Karukin thanked Mr. Gomez for his services.
- I. Outstanding Student Award to Gabriel Coto– Mayor Daniel Dietch**  
Commissioner Olchyk presented Gabriel Coto with the Outstanding Student Award Scholarship.  
She encouraged everyone in the Community to apply for the scholarship next year.
- J. Exemplary Student Award to Lawrence “Larry” Frishberg – Commissioner Joe Graubart**  
Commissioner Graubart presented Lawrence “Larry” Frishberg with the Exemplary Student Award.
- K. Presentation of Employee of the Quarter to Hector Rodriguez, Harold Lacroix and Kenny Chaviano – Randy Stokes, Capital Improvements Project Manager**
- L. Presentation to Priscilla Krutules and Marisol Rodriguez for 10 Years of Service to the Town of Surfside – Michael P. Crotty, Town Manager**  
Town Manager Michael P. Crotty presented Priscilla Krutules and Marisol Rodriguez with a Certificate of Appreciation for their 10 Years of Service to the Town of Surfside.
- M. Presentation to Officer Loxeley Arch III for 20 Years of Service to the Town of Surfside – Michael P. Crotty, Town Manager**  
Town Manager Michael P. Crotty presented Officer Loxeley Arch III with a Certificate of Appreciation for his 20 Years of Service to the Town of Surfside.
- N. Recognition of Lifeguards Erik Fernandez and Jose Espinoza – Tim Milian, Parks and Recreation Director**  
Commissioner Olchyk and Jackie Villagran presented Erik Fernandez and Jose Espinosa with the Recognition of Lifeguards award. Commissioner Olchyk personally thanked Tim Milian and his hands on team for their dedication, professionalism and service to the community and related a life saving incident involving her children at the community pool.
- O. Presentation of the Officer of the Month of April to Officer Alberto Knight – David Allen, Chief of Police**  
Chief of Police David Allen presented Officer Alberto Knight with the Officer of the Month of April award.
- P. Presentation of the Civilian of the Month of April to Parking Officer Alain Acosta – David Allen, Chief of Police**  
Chief of Police David Allen presented Parking Officer Alain Acosta with the Civilian of the Month of April award.
- Q. Presentation of the Officer of the Month of May to Sgt. Jay Matelis, Officer John Gentile and Officer Alberto Knight – David Allen, Chief of Police**  
Chief of Police David Allen presented Sgt. Jay Matelis, Officer John Gentile and Officer Alberto Knight with the Officer of the Month of May award.

**R. Presentation of the Officer of the Month of June to Officer Don McGavern and Officer Dianna Hernandez – David Allen, Chief of Police**

Chief David Allen presented Officer Don McGavern and Officer Dianna Hernandez with the Officer of the Month of June award.

Commissioner Kligman stated that she is very happy that Sgt. Matelis and Officer Hernandez take the time to really know their Community and congratulated the officers for their services to the Town.

**2. Quasi-Judicial Hearings (None)**

**3. Consent Agenda (*Set for approximately 7:30 p.m.*)**

Commissioner Graubart pulled item 4, page 12; item 6, page 31; item 10, page 33; item 3, page 36; item 1, page 38 and item 3E.

Vice Mayor Karukin made a motion to approve the Consent Agenda minus the pulled items. The motion received a second from Commissioner Kligman and all voted in favor

- A. Minutes – June 11, 2013 Regular Commission Meeting Minutes**
- B. Budget to Actual Summary as of April 30, 2013 – Donald Nelson, Finance Director**
- \*C. Town Manager’s Report (Points of Light) – Michael P. Crotty, Town Manager**
- \*D. Town Attorney’s Report – Linda Miller, Interim Town Attorney**
- \*E. Projects Progress Report – Calvin, Giordano and Associates, Inc.  
Commissioner Graubart**
- F. Committee Reports – Michael P. Crotty, Town Manager (*Note: Vice Mayor Karukin has requested that Committee minutes appear on the Consent Agenda. The most recent approved minutes have been included*)**

- May 29, 2013 DVAC Meeting Minutes
- June 6, 2013 DVAC Meeting Minutes

**G. Expenditure of Forfeiture Funds for the Purchase of Special Equipment –  
David Allen, Chief of Police**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, PROVIDING FOR THE FISCAL YEAR 2012/2013 POLICE CONFISCATION FUND EXPENDITURE IN THE AMOUNT OF THREE THOUSAND DOLLARS (\$3,000) FROM THE FORFEITURE FUND TO PURCHASE THREE (3) ADDITIONAL BICYCLES FOR THE POLICE DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent

**H. Biscayne Restoration Resolution – Mayor Daniel Dietch**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) SUPPORTING THE BISCAYNE BAY**

**COALITION OF ITS PROTECTION FOR THE HEALTH AND WELLBEING OF MIAMI-DADE COUNTY RESIDENTS AND THE IMPROVEMENT OF OUR TOURISM ECONOMY; SUPPORTING STATE RULE ADOPTION; PROVIDING FOR APPROVAL AND AUTHORIZATION; PROVIDING FOR AN EFFECTIVE DATE.**

Approved on consent

Commissioner Olchyk made a motion to approve the pulled items from the consent agenda. The motion received a second from Vice Mayor Karukin and all voted in favor.

**4. Ordinances**

*(Set for approximately 8:30 p.m.) (Note: Good and Welfare must begin at 8:15)*

**A. Second Readings (Ordinances and Public Hearing)**

**1. Reformed Mark Wandall Traffic Safety Act – David Allen, Chief of Police (TIME CERTAIN 8:30 PM)**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 74 “TRAFFIC AND VEHICLES”, ARTICLE III “DANGEROUS INTERSECTION SAFETY” AND SPECIFICALLY AMENDING SECTION 74-72 “USE OF IMAGE CAPTURE TECHNOLOGIES”, SECTION 74-76 “IMPLEMENTATION OF GENERAL LAW”, AND SECTION 74-77 “ISSUANCE OF NOTICE; REVIEW OF RECORDED IMAGES” OF THE TOWN OF SURFSIDE CODE OF ORDINANCES IMPLEMENTING CHAPTER 2013-\_\_, LAWS OF FLORIDA; PROVIDING FOR LOCAL HEARING OFFICERS CONSISTENT WITH GENERAL LAW; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE**

Town Clerk Sandra Novoa read the title of the ordinance.

Chief of Police David Allen presented the item to the Town Commission. Chief Allen gave insight to the advantages of the town having its own Special Magistrate Court to handle traffic violations and said it would be cost efficient. Chief Allen also indicated the use of red cameras would result in a net profit for the town. Commissioner Graubart made a motion to approve. The motion received a second from Commissioner Olchyk.

Mayor Dietch opened the public hearing. No one wishing to speak, Mayor Dietch closed the public hearing.

The motion carried 5-0.

*(Set for approximately 9:00 p.m.) (Note: Good and Welfare must begin at 8:15)*

**B. First Reading Ordinances**

- 1. Deferred Retirement Option Plan (“DROP”) – Yamileth Slate-McCloud, Human Resources Director and Michael P. Crotty, Town Manager (TIME CERTAIN 8:00 PM)**

**AN ORDINANCE AMENDING THE CODE OF THE TOWN OF SURFSIDE; RELATING TO THE RETIREMENT PLAN FOR EMPLOYEES OF THE TOWN OF SURFSIDE; AMENDING SECTION 2-193 OF THE CODE TO PERMIT ALL MEMBERS ELIGIBLE FOR NORMAL RETIREMENT TO PARTICIPATE IN THE DROP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

Pension Attorney Robert Kelausner presented the item to the Town Commission.

Commissioner Kligman asked for a definition of the Drop Program in laymen terms. Attorney Kelausner explained that a senior employee eligible for retirement will have the option to continue their employment without accruing additional retirement benefits (up to five years). Attorney Kelausner indicated the plan poses to be beneficial to both the employee and the Town. Also, that Surfside has a very healthy pension plan in place. Commissioner Kligman asked if participants in the program are guaranteed a rate of return and Attorney Kelausner indicated that the rate of return is not guaranteed but variable. After some discussion Commissioner Kligman made a motion to accept. Commissioner Graubart seconded the motion. All voted in favor.

- 2. Planning & Zoning Board Member Requirements – Linda Miller, Interim Town Attorney**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” AND SPECIFICALLY AMENDING SECTION 90-15 “MEMBERSHIP/QUORUM, MINIMUM QUALIFICATIONS, OFFICERS, TERMS OF OFFICERS, VACANCIES, GENERAL REGULATIONS, RECOMMENDATIONS,**

**EXPENDITURES, INDEBTNESS” BY ADDING TWO VOTING EX-OFFICIO POSITIONS, AND CHANGING THE FLORIDA LICENSURE REQUIREMENTS FOR ARCHITECTS SERVING ON THE PLANNING AND ZONING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Item deferred.

3. **Hardpack Easement** – Linda Miller, Interim Town Attorney

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 SECTION 90-60 “CONSTRUCTION ADJACENT TO BULKHEAD LINES” SUBSECTION 90-60.1 OF THE TOWN OF SURFSIDE CODE OF ORDINANCES REQUIRING NO PERMIT SHALL BE ISSUED FOR THE REPAIR, EXTENSION, ALTERATION OR REPLACEMENT OF ANY HABITABLE, FULLY-ENCLOSED STRUCTURE EAST OF THE OCEAN BULKHEAD LINE; NO PERMIT SHALL BE ISSUED FOR THE CONSTRUCTION OF ANY HABITABLE, FULLY ENCLOSED STRUCTURE CLOSER THAN 20 FEET TO THE WEST OF THE OCEAN BULKHEAD LINE; ALL PROPERTIES EAST OF THE OCEAN BULKHEAD LINE WILL BE REQUIRED TO PROVIDE AN ACCESS EASEMENT TO THE TOWN GRANTING THE PERPETUAL USE OF THE HARDPACK TO THE PUBLIC; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Planner Sarah Sinatra presented the item to the Town Commission. There was some discussion and clarification of the ordinance. Commissioner Graubart made a motion to approve. The motion received a second from Vice Mayor Karukin. The motion carried 5-0.

4. **Trellises** – Sarah Sinatra, Town Planner

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” SPECIFICALLY SECTION 90-19 “SINGLE-FAMILY AND TWO-FAMILY DEVELOPMENT PROCESS” TO ADD “TRELLISES” LOCATED IN THE REAR OR INTERIOR SIDE YARD TO ITEMS NOT SUBJECT TO PLANNING & ZONING BOARD REVIEW; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR**

**PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Planner Sarah Sinatra presented the item to the Town Commission. She would like to clarify the text on the actual Ordinance under Section 90-19.7 to read “in the rear or interior side yard.” Commissioner Graubart asked if a permit had to be pulled and Building Official Rosendo Prieto indicated that any structural feature installed would need a permit. Commissioner Graubart made a motion to accept. The motion received a second from Commissioner Kligman. The motion carried 5-0.

**5. Required Carport Standards – Sarah Sinatra, Town Planner**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING”, AND SPECIFICALLY AMENDING SECTION 90-58 “CARPORT CANOPIES” FOR CONSISTENCY WITH DRIVEWAY REGULATIONS AND CONSTRUCTION STANDARDS; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Planner Sarah Sinatra presented the item to the Town Commission. Vice Mayor Karukin made a motion to accept. The motion received a second from Commissioner Kligman. The motion carried 5-0.

**6. Metal Roofs – Sarah Sinatra, Town Planner**

**AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AMENDING CHAPTER 90 “ZONING” SPECIFICALLY SECTION 90-50 “ARCHITECTURE AND ROOF DECKS” TO EXCLUDE METAL ROOFS FROM PLANNING & ZONING BOARD REVIEW; PROVIDING FOR INCLUSION IN THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE**

Town Planner Sarah Sinatra presented the item to the Town Commission. Vice Mayor Karukin made a motion to approve. The motion received a second from Commissioner Graubart. The motion carried 5-0.

**5. Resolutions and Proclamations**

*(Set for approximately 9:30 p.m.) (Note: Depends upon length of Good and Welfare)*

**A. Second Amendment to American Traffic Solutions, Inc. Agreement – David Allen, Chief of Police**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING THE TOWN TO ENTER INTO A SECOND AMENDMENT TO THE CONTRACT BETWEEN AMERICAN TRAFFIC SOLUTIONS, INC., AND THE TOWN OF SURFSIDE, FLORIDA (“TOWN”) ATTACHED AS EXHIBIT “A” AUTHORIZING THE TOWN MANAGER AND TOWN ATTORNEY TO DO ALL THINGS NECESSARY TO IMPLEMENT THE TERMS OF THE CONTRACT; AND PROVIDING FOR AN EFFECTIVE DATE.**

Chief David Allen presented the item.

Commissioner Graubar would like make an amendment to section 1 of the Terms and Conditions to read as follows: “ The convenience fee set forth in Section 18 of Exhibit D, is hereby amended as follows: “ATS is authorized to charge, collect and retain a convenience fee up to the actual processing cost for each electronic payment processed. Such fees are paid by the violator.”

Commissioner Graubart made a motion to accept with the new language. The motion received a second from Commissioner Olchyk and all voted in favor.

**B. Reformed Mark Wandall Traffic Safety Act Code Enforcement Implementation – David Allen, Chief of Police**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA (“TOWN”), DESIGNATING THE TOWN OF SURFSIDE’S CODE ENFORCEMENT SPECIAL MASTERS AND CODE COMPLIANCE OFFICER(S) TO SERVE AS LOCAL HEARING OFFICERS PURSUANT TO CHAPTER 2013-160, LAWS OF FLORIDA; AUTHORIZING THE TOWN MANAGER AND TOWN CLERK TO UTILIZE CODE ENFORCEMENT STAFF TO IMPLEMENT CHAPTER 2013-160, LAWS OF FLORIDA; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

Chief David Allen presented the item.

Commissioner Graubart made a motion to approve. The motion received a second from Commissioner Olchyk and all voted in favor.

**C. Proposed Ad-Valorem Budget Millage for Fiscal Year 2013/14 – Donald Nelson, Finance Director**



**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, DETERMINING A PROPOSED OPERATING MILLAGE RATE, DETERMINING THE CURRENT YEAR ROLLED-BACK RATE; ESTABLISHING THE DATE, TIME AND PLACE FOR THE FIRST AND SECOND PUBLIC BUDGET HEARINGS AS REQUIRED BY LAW; DIRECTING THE TOWN CLERK TO FILE SAID RESOLUTION WITH THE PROPERTY APPRAISER OF MIAMI-DADE COUNTY PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES AND THE RULES AND REGULATIONS OF THE DEPARTMENT OF REVENUE FOR THE STATE OF FLORIDA; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Finance Director Donald Nelson presented the item to the Town Commission and recommended to set a cap at 5.3 Mills.

Commissioner Graubart made a motion to accept. The motion received a second from Vice Mayor Karukin.

Commissioner Olchyk made a friendly amendment to set the cap at 5.0 Mills.

The friendly amendment was not accepted by motion maker Commissioner Graubart.

The motion carried 4-1 with Commissioner Olchyk voting in opposition.

**D. Abbott and 94<sup>th</sup> Street Parking Lots – Michael P. Crotty, Town Manager**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA AUTHORIZING EXECUTION OF LYNX CONSTRUCTION MANAGEMENT, LLC PROPOSAL FOR ADDITIONAL SERVICES TO CONTINUE DESIGN BUILD SERVICES FOR THE RENOVATION OF THE ABBOTT AVENUE AND 94<sup>TH</sup> STREET PARKING LOTS TO INCLUDE NECESSARY CONCRETE CUTS FOR AN ADDITIONAL COST NOT TO EXCEED \$16,772.55; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Manager Michael P. Crotty presented the item and asked the Town Commission to reconsider this item that was in front of them during the June Town Commission meeting. Vice Mayor Karukin made a motion to approve. The motion received a second from Commissioner Graubart. Motion carried 3-2 with Commissioner Kligman and Commissioner Olchyk voting in opposition.

**AND**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SURFSIDE, FLORIDA, AUTHORIZING AN EXPENDITURE NOT TO EXCEED \$80,127.20 FOR THE ABBOTT AVENUE AND 94<sup>TH</sup> STREET PARKING LOTS TO LUKES' LANDSCAPING, INC. DBA LUKES-SAWGRASS LANDSCAPE FOR A PROPOSAL TO LANDSCAPE THE ABBOTT AVENUE AND 94<sup>TH</sup> STREET PARKING LOTS; APPROVING AND AUTHORIZING EXPENDITURES FROM THE MUNICIPAL PARKING FUND; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

Town Manager Michael P. Crotty presented the item and asked the Town Commission to reconsider this item that was in front of them during the June Town Commission meeting. There was some discussion regarding landscaping and the costs. Vice Mayor Karukin, Commissioner Graubart and Commissioner Kligman voted in favor of reconsideration of the item.

Vice Mayor Karukin made a motion to approve. The motion received a second from Commissioner Graubart. Motion carried 3-2 with Commissioner Kligman and Commissioner Olchyk voting in opposition.

**6. Good and Welfare (Set for approximately 8:15 p.m.)**

Terry Cohen spoke about the situation that she continues to have with her two (2) neighbors.

Commissioner Kligman made a motion to move item 9D up in the agenda since it is related to Ms. Cohen. Commissioner Graubart seconded the motion and all voted in favor.

Town Manager Michael Crotty said he has been following up on the situation involving Ms. Cohen and has been advised by the Code Officer that there has been some progress made.

Joe Damien Code Compliance Director reported on actions that have been taken regarding the properties in code violation and is continuing to monitor and pursue the violations on such properties.

**Code Enforcement Compliance Regarding Hedges and Site Triangle**

**\*\*Item added by Commissioner Kligman\*\***

Gisella Santiago spoke regarding the town code for hedges and indicated that she as well as many residents has never received any education regarding codes for such and was unaware that there was a violation until they were cited. After some discussion Commissioner Kligman made a motion that the Town Staff contact those that are in compliance and give them the opportunity to be included in the July 26, 2013 Special Masters Hearing to request mitigation of their fines. Commissioner Karukin seconded the motion. Mayor Dietch who voted in favor wanted the town to be mindful of the cost

of Special Masters Hearings. The motion carried with Commissioner Olchyk in opposition.

**7. Town Manager and Town Attorney Reports**

Town Manager and Town Attorney Reports have been moved to the Consent Agenda – Item 3.

*All items on the Consent Agenda are considered routine or status reports by the Town Commission and will be approved by one motion. Any Commission member may request, during item 1E Agenda and Order of Business, that an item be removed from the consent agenda and discussed separately.*

**8. Unfinished Business and New Business**

**Presentations - Commissioner Olchyk**

**\*\* Item added by Commissioner\*\***

Commissioner Olchyk requested that presentations be limited to one per department per month. Mayor Dietch suggested there may be options regarding presentations and that the item be deferred and placed on the next agenda for discussion. Commissioner Olchyk was in agreement.

**9. Mayor, Commission and Staff Communications**

**A. Charter Review Committee Process – Vice Mayor Michael Karukin**

Vice Mayor Karukin presented the item and asked the members of the Town Commission to appoint one resident to serve on the Charter Review Board.

Commissioner Olchyk appointed Lou Cohen

Vice Mayor Karukin appointed former Commissioner Mark Imberman

Mayor Dietch appointed Marty Oppenheimer.

Commissioner Graubart and Commissioner Kligman will appoint someone at a later date.

**B. Construction Worker Parking Program – Commissioner Joe Graubart**

After some discussion no motion was made.

**C. Interim Town Attorney Evaluation – Commissioner Michelle Kligman**

Commissioner Kligman presented the item. Commissioner Kligman did not make a recommendation because all evaluations had not been received and suggested a discussion. After some discussion and remarks by the Board, Commissioner Olchyk made a motion for a vote of confidence and Commissioner Kligman was appointed to negotiate a contract with the Labor Attorney for Linda Miller as Town Attorney. The motion was seconded by Vice Mayor Karukin and all voted in favor.

**D. Status of Code Compliance Efforts at 1268 and 1292 Biscaya Drive – Joe Damian, Code Compliance Director**

*\*\*Item discussed after Good and Welfare*

Town Manager Michael P. Crotty presented the item to the Town Commission. Code Enforcement Joe Damian spoke on the item as well.

**E. Communication Re: Undergrounding** – Commissioner Joe Graubart

Commissioner Graubart submitted the Commission Communication as informational and would like for everyone to read it.

Town Manager Michael P. Crotty passed an email received from former Town Manager Roger M. Carlton in response to Commissioner Graubart's Communication regarding the independent analysis of the cost estimate and discussions he had with Town Manager Crotty during the interim period.


**F. Resilient Communities for America Agreement** – Mayor Daniel Dietch

Mayor Dietch presented the item to the Town Commission and encouraged them to sign up for the resilient Communities for America Agreement.

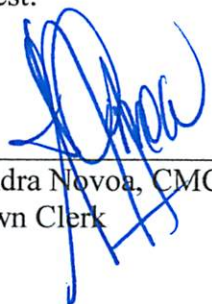
**10. Adjournment**

There being no further business to come before the Commission, the meeting adjourned at 12:21 a.m.

Accepted this 13 day of August, 2013

  
\_\_\_\_\_  
Daniel Dietch, Mayor

Attest:

  
\_\_\_\_\_  
Sandra Novoa, CMC  
Town Clerk