



**Minutes**  
**Town of Lake Park, Florida**  
**Regular Commission Meeting**  
**November 18, 2009 7:38 p.m.**

**Town Commission Chambers, 535 Park Avenue**

The Town Commission met for the purpose of a Regular Commission Meeting on Wednesday, November 18, 2009 at 7:38 p.m. Present were Mayor DuBois, Vice-Mayor Carey, Commissioners Daly, Rumsey, and Osterman, Attorney Thomas Baird, and Town Clerk Vivian Lemley. Town Manager Maria Davis was absent.

Mayor DuBois led the invocation and the Pledge of Allegiance.  
Town Clerk Vivian Lemley performed the Roll Call.

**ADDITIONS/DELETIONS/APPROVAL OF AGENDA**

None

**Motion: A motion was made by Commissioner Rumsey to approve the Agenda; Vice-Mayor Carey made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Rumsey	X		
Commissioner Daly	X		
Commissioner Osterman	X		
Vice-Mayor Carey	X		
Mayor DuBois	X		

Motion passed 5-0.

**PROCLAMATION**

**Merry Ann Catusus, Finance Employee in Recognition of 34 ½ Years of Service**

Mayor DuBois read the Proclamation.

Merry Ann Catusus accepted her Proclamation and thanked the Commission.

**PRESENTATION**

**American Cancer Society Relay for Life 2010**

Jenny Drozd, Community Representative with the Palm Beach Unit of the American Cancer Society thanked the Commission, Mayor and Human Resources Director Bambi McKibbon-Turner for their past support of the American Cancer Society Relay for Life. She announced that the 2010 American Cancer Society Relay would be taking place in Singer Island and Lake Park. She played a short video about the event. She explained the reason for the event and the ways that funds were raised by the event.

**PUBLIC and OTHER COMMENT**

None

**Public Comment Closed.**

**CONSENT AGENDA:**

1. Special Call Commission Meeting Minutes of October 21, 2009
2. Sober House Workshop Meeting Minutes of October 28, 2009
3. Resolution No. 55-11-09 Mayor to Sign Amended Hy-Byrd, Inc. Contract
4. Resolution No. 57-11-09 Final Budget Amendment for Fiscal Year 2008/2009
5. Resolution No. 58-11-09 FIND Grant Agreement Phase II Breakwater Project
6. Resolution No. 59-11-09 Job Description for Administrative Assistant II Position for the Community Development Department
7. Mayor’s Letter for Lake Park Street Map and Resource Guide

Commissioner Daly requested that item # 5 be pulled from the Consent Agenda for discussion.

**Public Comment Open.**

*None*

**Public Comment Closed.**

**Motion: A motion was made by Vice-Mayor Carey to approve items 1 through 4 and items 6 and 7 of the Consent Agenda; Commissioner Rumsey made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Rumsey	X		
Commissioner Daly	X		
Commissioner Osterman	X		

Vice-Mayor Carey	X		
Mayor DuBois	X		

Motion passed 5-0.

Commissioner Daly stated that he disagreed with spending additional monies at the Marina for a project that would be in progress while a lawsuit was pending at the Marina. He expressed his views and concerns about beginning any new projects at the Marina.

Commissioner Rumsey asked if the grant for the Marina would be lost if they did not approve it that night. He asked how long the grant money was good for.

Mayor DuBois stated that the grant money was in hand and it would not be a good idea to pass it up.

Grants Writer Virginia Martin stated that \$349,000 has been granted to the Town and if the agreement is not returned by December the Town would lose the grant. The matching funds for the grant currently are awaiting approval from the Florida Fish and Wildlife Commission BIGP Grant and from the DEP Land and Water Conservation Grant which would be the match that would not require any local dollars. In the event that either one or both of those grants are not awarded, the project would qualify for 100% funding through the US Department of Agriculture RBEG Grant Program.

Commissioner Rumsey asked when the Town would hear back about the two grants.

Grants Writer Virginia Martin stated that she expected to hear back on the two grants any day and explained the contingencies of the grants.

**Public Comment Open.**

*None*

**Public Comment Closed.**

**Motion: A motion was made by Commissioner Rumsey to approve item number 5 of the Consent Agenda; Commissioner Osterman made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Rumsey	X		
Commissioner Daly		X	
Commissioner			

Osterman	X		
Vice-Mayor Carey	X		
Mayor DuBois	X		

Motion passed 4-1.

**ORDINANCE ON 1<sup>ST</sup> READING**

**ORDINANCE NO. 17-2009 – Changing the Time of the Regular Commission Meetings  
AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE  
PARK, FLORIDA, AMENDING CHAPTER 2, DIVISION 2, SECTION 2-51, OF  
THE TOWN CODE ENTITLED “MEETINGS” TO CHANGE THE TIME  
REGULAR MEETINGS OF THE TOWN COMMISSION BEGIN; PROVIDING  
FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN  
CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN  
EFFECTIVE DATE.**

Mayor DuBois explained the reason for Ordinance No. 17-2009.

**Public Comment Open.**

*None*

**Public Comment Closed.**

**Motion: A motion was made by Commissioner Daly to approve the Ordinance No. 17-2009;  
Commissioner Rumsey made the second.**

Vote on Motion:

Commission Member	Aye	Nay	Other
Commissioner Rumsey	X		
Commissioner Daly	X		
Commissioner Osterman	X		
Vice-Mayor Carey	X		
Mayor DuBois	X		

Motion passed 5-0.

Attorney Thomas Baird read Ordinance No. 17-2009 by caption-only.

**COMMENTS BY COMMISSION, TOWN MANAGER, TOWN ATTORNEY**

**Commissioner Rumsey** announced that the Library was sponsoring a “Food for Fines” program where they will be accepting food in place of a monetary fine for overdue books. The food will be given to local food banks. He stated that monetary donations are also being accepted.

He asked if anyone could explain what happened with the Town’s recycling schedule on the week of Veterans Day.

**Public Works Director Michael Arnold** explained that the Town’s normal scheduled recycling day was every Wednesday. He stated that since Veteran’s Day fell on a Wednesday this year recycling could not be collected and the word did not get out in time to inform residents that recycling would not be collected until the following Wednesday. He stated that the matter was discussed internally and a decision was made to collect on the Friday following Veteran’s Day. He stated that as far as he knew there was only one resident who called to express concern.

**Commissioner Rumsey** stated that it was his understanding that if trash or recycling pick up fell on a holiday that the pickup would occur the very next day.

**Public Works Director Michael Arnold** stated that it may have been his misunderstanding and explained that trash was normally picked up on Mondays and Thursdays, and if a holiday would fall on either of those days the trash would be picked up the following day which would fall on either a Tuesday or Friday.

**Commissioner Rumsey** asked which day would Public Works pick up trash since Thanksgiving would fall on a Thursday next week.

**Public Works Director Michael Arnold** explained that trash would be picked up on the Friday after Thanksgiving.

**Commissioner Rumsey** asked if recycling would be picked up on Wednesday since it would be a Town holiday.

**Public Works Director Michael Arnold** stated that the recycling would be picked up the following Wednesday.

**Commissioner Daly** expressed his concerns with skipping a week to pick up recycling.

**Commissioner Rumsey** also expressed concern regarding the recycling pick up and asked if the Town residents would be informed.

**Public Works Director Michael Arnold** explained that the same mistake would not be made twice and the announcement would be advertised on the Town’s website, in the Palm Beach Post, and a possible e-blast.

**Mayor DuBois** stated that it was her understanding that when recycling and trash pickup days fall on a holiday that the pickup would occur the very next day.

**Commissioner Rumsey** stated that the recycling would need to be picked up on its normal pickup day of Wednesday.

Discussion ensued between the Commissioners and Public Works Director regarding the trash and recycling pick up days.

**Commissioner Rumsey** asked what would happen if the Public Works employees had to work on a scheduled furlough day.

**Finance Director Anne Costello** explained that a bargaining session would have to take place with the union since an agreement was already made for the scheduled furlough days and if a change was made then another meeting would need to take place with union representatives.

**Commissioner Osterman** recommended that the matter be addressed next year.

**Commissioner Rumsey** asked that the public be made aware as much as possible that there would be no recycling pick up next week.

**Town Clerk Vivian Lemley** explained that they had made sure that the public was made aware by advertising the announcement in the Palm Beach Post, on the Town's website, Channel 18, the Town Calendar and the Town Hall marquee.

**Vice-Mayor Carey** asked if an e-mail blast could be sent out as well.

**Town Clerk Vivian Lemley** stated that an e-blast could be sent.

**Public Works Director Michael Arnold** explained that both Christmas and New Years Day fall on a Friday and trash is not picked up on those days and notices are not required for those holidays.

**Commissioner Rumsey** asked if any furlough days fell between the Christmas and New Year's holidays.

**Public Works Director Michael Arnold** stated that there were no furlough days between the Christmas and New Year's holidays.

**Commissioner Rumsey** stated that he and Public Works Director Michael Arnold had a conversation earlier in the week regarding the new parking spaces at the Marina. He stated that the new parking spaces were originally approved to go into the green space 18 inches. He stated that the parking spaces have been installed without the 18 inches. He asked when the parking spaces would be paved at the Marina and when they would carve out the 18 inches.

**Public Works Director Michael Arnold** stated that the plan was to add an additional 18 inches of pavement in order to get a wide enough driveway around the entire perimeter of the Marina to provide additional parallel parking spaces. He stated that he met with Marina Director Michael Pisano last Friday and he expressed concern that on a typical weekend patrons were parking all over the Marina. He stated that he didn't want to run into a situation where the patrons who parked in the metered spaces would be charged and those in the parallel spaces would not. After discussion with Town Manager Maria Davis the decision was made to put the spaces in now. He explained how the installation of the new parking spaces would look and work logistically.

**Commissioner Rumsey** asked that if once the 18 inches were carved out would there be an additional 18 inches, or would the spaces be moved back more.

**Public Works Director Michael Arnold** explained the installation of the parking spaces.

**Commissioner Rumsey** stated that the new parking spaces were very narrow and he's had trouble getting in and out especially with one particular space on the end.

**Public Works Director Michael Arnold** stated that he had the same concerns about the parking spaces and stated that he would look at the space on the end to see if there could be an alternate solution.

**John Downs of Calvin, Giordano and Associates** gave a status update on the permit submitted to the DEP for the installation of the new parking spaces at the Marina.

**Commissioner Daly** asked what would happen in the case of an emergency vehicle coming through the Marina parking lot.

**John Downs of Calvin, Giordano and Associates** stated that he believed that a fifteen foot emergency easement would be needed. He stated that he would suggest to the driver of the fire truck to come in from the outbound side.

**Information Technology Director Hoa Hoang** stated that the Fire Department approved and signed off on the plans.

**Commissioner Daly** expressed his concerns regarding the parking spaces at the Marina.

**Commissioner Rumsey** asked if Mr. Downs was comfortable with the design of the parking spaces at the Marina.

**John Downs of Calvin, Giordano and Associates** stated that he had not yet reviewed the design.

**Commissioner Rumsey** asked Mr. Downs to drive down to the Marina to see the design.

**Commissioner Rumsey** expressed his condolences to Town Manager Maria Davis who lost her mother in the past week. He wished her the best and stated that she was in his prayers. He wished everyone a Happy Thanksgiving.

**Vice-Mayor Carey** wished everyone a Happy Thanksgiving and asked everyone to be safe while traveling. He stated that the Town was having the Holiday Boat Parade and other events would also be taking place.

**Commissioner Daly** wished everyone a Happy Holiday.

**Commissioner Osterman** stated that residents should check out the Town's new website. She stated that there was a new design and had a lot of great information and photos. She stated that she had received information from a company that does text alerts. She asked Mayor DuBois to explain.

**Mayor DuBois** explained that it was a service that would alert people by text message of a crime or other emergency.

**Commissioner Osterman** stated that she sent the information to staff to look into possibly using the service. She announced the Town's Tree Lighting Ceremony on December 4, 2009 and later that night the Town will have its first neighborhood Safety Walk where they will be memorializing Mr. Atilus, the ice cream man that was killed last year. She stated that there will be a total of five walks spread throughout the Town. There will be one in December, two in January and then two again in February in different neighborhoods. They will meet at the corner of 8<sup>th</sup> St. and Foresteria Drive at 5:30 p.m. and walk around the neighborhood and end up back at the tree for the lighting ceremony. She also announced a benefit being held at the Lake Park Chick Fil A on Friday night, November 20<sup>th</sup>, for a little girl named Donna Costanche who was diagnosed with stage four cancer at the age of eight months. She has been battling cancer for the last six months. Chick Fil A will have bounce houses and entertainment for the children. She wished everyone a Happy Holiday.

**Mayor DuBois** stated that it has not been the easiest year but Lord willing the Town has made it through and is going in the right direction. She stated that she wanted everyone to have a wonderful holiday and to be thankful for what they have and thankful for their families.

**Attorney Thomas Baird** stated that he was thankful for the opportunity to continue to represent the Town and he wished everyone a Happy Thanksgiving.

**Information Technology Director Hoa Hoang on behalf of Town Manager Maria Davis** stated that the Town's new website was complete and to let him know if there were any issues with it. He announced Elementary Art Classes on November 21<sup>st</sup> and December 19<sup>th</sup> at 10 a.m. to Noon at Lake Shore Park Pavilion. The Marine Industry Association of Palm Beach County will be holding the Toys for Tots Collection at three sites. Toys will be collected at the Marina, Town Hall, and the Library until November 28<sup>th</sup>. The Holiday Tree Lighting Ceremony is taking place on December 4<sup>th</sup>. The 2009 Palm Beach Holiday Boat Parade will be taking place on December 5<sup>th</sup> from 6 p.m. to 8 p.m. The Town is the First Mate Sponsor and there will be a

Family Fun Festival at Kelsey Park from 3 p.m. to 8 p.m. There will also be a 6<sup>th</sup> annual Santa Claus ride on December 19<sup>th</sup>. He stated that since there is a holiday and furlough day combined next week which would give employees almost the entire week off, Town Manager Davis was requesting that the two Regular Commission Meetings in December be combined into one meeting on December 16<sup>th</sup> since there would not be enough time to put an agenda together for the regularly scheduled meeting of December 2<sup>nd</sup>.

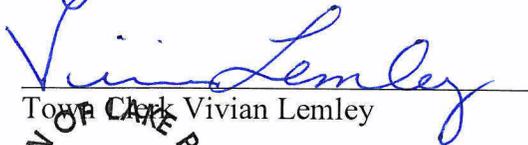
**The Commission came to consensus to combine the two regularly scheduled Commission meetings in December into one meeting on December 16, 2009.**

**ADJOURNMENT**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Osterman and seconded by Vice-Mayor Carey, and by unanimous vote, the meeting adjourned at 8:30 p.m.

  
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Mayor DuBois

  
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Deputy Clerk Jessica Shepherd

  
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Town Clerk Vivian Lemley

TOWN OF CARE PARK  
SEAL  
Town Seal

FLORIDA

Approved on this 16 of Dec, 2009.