



MINUTES OF THE REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF BRINY BREEZES, FLORIDA HELD ON THURSDAY, OCTOBER 22, 2009 AT 4:00 P.M. IN THE TOWN HALL, 4802 NORTH OCEAN BOULEVARD, BRINY BREEZES, FLORIDA.

CALL TO ORDER & PLEDGE OF ALLEGIANCE & ROLL CALL

Alderman Kendrigan called the meeting to order at 4:00 p.m. and led the pledge of allegiance. Roll call was taken by Alderman/Town Clerk Pro Tem Bray.

IN ATTENDANCE

Alderman Nancy Boczon, Alderman /Town Clerk Pro Tem Kathleen Bray, Alderman /President Kendrigan and Alderman Karen Wiggins.

Absent without notice are. Alderman Frank Barba.

Also present are Mayor Roger Bennett and Attorney Skrandel

ADDITIONS, WITHDRAWALS, DEFERRALS AND ARRANGEMENT OF AGENDA ITEMS

A motion to add item 15.1 of the agreement with Solid Waste Authority and a new signature page was made and seconded (Wiggins/Bray). Motion carried.

A motion to add minutes of the September 22,2009 Budget meeting was made and seconded (Wiggins/Boczon). Motion carried.

EX-PARTE COMMUNICATIONS

None

MINUTES FOR APPROVAL

Alderman Wiggins moved to approve minutes of the September 17, 2009, September 22, 2009 and September 24, 2009. Alderman Boczon seconded. Motion carried.

ANNOUNCEMENTS

President Kendrigan announced the regular upcoming meeting dates as November 19, 2009, an December 17, 2009, January 28, 2010 and February 25, 2010.

The Town Council will be meeting on March 11, 2009 @ 10:00 A.M. to certify the results of the town election.

CORRESPONDENCE

None

REPORTS

Public Safety Services – City of Boynton Beach Police Department

None

Briny Breezes, Inc. – Directors and/or Manager

None

Chairman, Planning & Zoning Board

The next meeting for the P&Z will be on November 12, 2009 @ 4:00.

There will be no appointment for an alternate to the Planning and Zoning Committee at this time, due to the lack of volunteers.

P&Z Chairperson Jerry Lower mentioned that his brother-in-law has recently moved to Briny Breezes and has volunteered to be the alternate for the P&Z.

Mayor

Mayor Bennett discussed two referendums being proposed:

One referendum would challenge Home Rule and the other referendum, Tabor Rule would limit a municipality's ability to increase their revenue to a maximum of 1.35%

President

None

Alderman

Alderman Boczon reminded people to wear their badges.

Town Attorney

Attorney Skrandel is working on a letter to encourage recipients of parking tickets to pay their fine.

Attorney Skrandel needs to make changes to the agreement with Hy-Byrd, Inc. They should be ready for the November meeting.

Financial Report for October 2008

Alderman Wiggins reported the following:

Operating Fund:	Expenses \$ 557,068.90	Revenue \$ 530,211.08
Enterprise Fund:	Expenses \$ 133,056.87	Revenue \$ 145,121.09

Alderman Boczon moved to **accept** the report as presented. Alderman Wiggins seconded. The motion carried.

Items for Council Discussion

Mayor Bennett, Alderman Boczon and Resident Lew Williams attended the October Boynton Beach Town Council meeting to plead the case, for Briny Breezes, to reduce the water and sewer rates Boynton charges Briny. Boynton will take it into consideration.

Attorney Skrandel explained to the council that Boynton Beach is interpreting the status of Briny Breezes as a mobile home park that receives water from them. The reality is that the Town of Briny Breezes is a municipality which is purchasing water for its residents, from Boynton Beach.

Items for Council Action

RESOLUTION 2009-5 A RESOLUTION OF THE TOWN OF BRINY BREEZES, FLORIDA, APPOINTING HARVEL UTILITY CONSTRUCTION, INC. AS THE TOWN'S UTILITY MAINTENANCE CONTRACTOR TO PROVIDE MAINTENANCE SERVICES FOR THE TOWN'S WATER AND SEWER UTILITY SYSTEM; ACCEPTING AND APPROVING AN AGREEMENT WITH THE SERVICE PROVIDER; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT FOR SERVICES; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion to approve Resolution 2009-5 was made and seconded (Wiggins/Boczon). After council discussion, Resolution 2009-5 was tabled until details can be worked out with Mr. Harvel.

A motion to table Resolution 2009-5 was made and seconded (Wiggins/Boczon). Motion carried.

RESOLUTION2009-6 A RESOLUTION OF THE TOWN OF BRINY BREEZES, FLORIDA, IN SUPPORT OF THE MAY 21, 2009 INVESTIGATIVE REPORT OF THE PALM BEACH COUNTY GRAND JURY ON PALM BEACH COUNTY GOVERNANCE AND PUBLIC CORRUPTION ISSUES; URGING THE BOARD OF COUNTY COMMISSIONERS FOR PALM BEACH COUNTY TO IMPLEMENT THE RECOMMENDATIONS OF THE GRAND JURY'S REPORT BY ADOPTING A CONFLICT OF INTEREST ORDINANCE, BY ESTABLISHING AN ETHICS COMMISSION, BY ADOPTING A CODE OF ETHICS ORDINANCE, AND BY CREATING AN INDEPENDENT OFFICE OF INSPECTOR GENERAL TO INVESTIGATE AND DETER WASTE, MISMANAGEMENT, ABUSE AND FRAUD IN GOVERNMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Alderman Boczon moved to accept Resolution 2009-6. Alderman Wiggins seconded. Motion carried.

RESOLUTION NO. 2009-13 A RESOLUTION OF THE TOWN OF BRINY BREEZES, FLORIDA, ACCEPTING AND APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE TOWN AND THE SOLID WASTE AUTHORITY OF PALM BEACH COUNTY FOR THE DELIVERY OF MUNICIPAL SOLID WASTE TO DESIGNATED FACILITIES AND FOR THE TOWN'S PARTICIPATION IN A MUNICIPAL REVENUE SHARING RECYCLING PROGRAM; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Alderman Wiggins moved to accept Resolution 2009-13. Alderman Boczon seconded. Motion carried.

THER ITEMS FOR ACTION

Alderman Bray made a motion to approve the invoice from the Palm Beach Post for legal ads for the 2009/2010 Budget, totaling \$1704.24. Alderman Wiggins seconded. Motion carried.

PUBLIC COMMENTS

None

ADJOURNMENT

Alderman Wiggins **moved** to adjourn the meeting at 4:54 pm. Alderman Boczon seconded. The motion passed.

Mayor Roger Bennett

President Sharon Kendrigan

Alderman Nancy Boczon

Alderman Kathleen Bray

SEAL

Alderman Frank Barba

Alderman Karen Wiggins

ATTEST:

Kathleen Bray, Town Clerk Pro Tem