



**Town of Surfside  
Regular Town Commission Meeting  
MINUTES  
October 12, 2022  
7:00 PM**

Commission Chambers - 9293 Harding Avenue  
Surfside, FL 33154

**1. Opening**

**1A. Call to Order**

Mayor Danzinger called the meeting to order at 7:25 p.m.

**1B. Roll Call of Members**

Town Clerk McCready called the roll with the following members present:

Present: Mayor Shlomo Danzinger, Vice Mayor Jeff Rose and Commissioner Fred Landsman.

Absent: Commissioner Marianne Meisheid and Commissioner Nelly Velasquez.

Also present were Town Manager Andrew Hyatt, Assistant Town Manager Jason Greene, Town Attorney Lillian Arango and Town Attorney Tony Recio.

**1C. Pledge of Allegiance**

Junior Marines provided the pledge of allegiance.

**1D. Mayor and Commission Remarks - Mayor Shlomo Danzinger**

Mayor Danzinger reminded the public about the decorum statement and provided the statement and rules to the public.

**1E. Agenda and Order of Business Additions, deletions and linkages**

Mayor Danzinger asked for Community Notes to be moved after item 3 (Consent Agenda).

A motion was made by Mayor Danzinger to move item 5B (Family Court Awareness Month Proclamation), item 5C (Red Ribbon Week Proclamation), item 5D (Hispanic Heritage Month Proclamation), item 5E (Hindu Heritage Proclamation) after item 2 (Quasi-Judicial Hearings), seconded by Vice Mayor Rose. The motion carried with a

3-0 vote with Commissioner Meischeid and Commissioner Velasquez absent.

#### 1F. Community Notes - Mayor Shlomo Danzinger

Mayor Danzinger stated that when some hear the word heroes they think of police officers and firefighters, but our Public Works Department employees go over and beyond their duties during hurricanes and other scenarios. He provided a Certificate of Appreciation for what they have done for the Town.

Public Works Director Gomez accepted the Certificate of Appreciation on behalf of the Public Works Department staff and thanked the Commission for their support.

#### 2. Quasi-Judicial Hearings

#### 3. Consent Agenda

***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 that an item be removed from the Consent Agenda and discussed separately. If the public wishes to speak on a matter on the consent agenda they must inform the Town Clerk prior to the start of the meeting by completing a speaker card. They will be recognized to speak prior to the approval of the consent agenda.***

Town Manager Hyatt requested to amend the general fund expenditure on the budget amendment that details the Shul. He requested that they add a line item to stated "a transfer from the general fund to the capital improvement fund for \$125,000".

The following individual from the public spoke:

Gerardo Vildostegui asked regarding the Ford F150 trucks and do they need these trucks and it being a possible pedestrian hazard.

Commissioner Landsman asked the Town Manager if there is a need for this type of vehicle and are there alternatives.

Public Works Director Gomez addressed the comments made and stated all the different options for vehicles which were discussed and the height is due to avoiding flooding and they last longer. He stated that they have safety driving practices for all employees.

Mayor Danzinger agrees with Public Works Director Gomez and his comments.

A motion was made by Commissioner Landsman to approve the consent agenda, seconded by Vice Mayor Rose. The motion carried with a 3-0 vote with Commissioner Meischeid and Commissioner Velasquez absent.

**3A. Approval of Minutes** - Town Clerk Sandra McCreedy, MMC

Approved on consent.

[September 13, 2022 Special Town Commission Meeting-First Budget Minutes.pdf](#)

[September 13, 2022 Town Commission Meeting Minutes.pdf](#)

[September 28, 2022 Special Town Commission Meeting-Final Budget Hearing.pdf](#)

[September 28, 2022 Special Town Commission Meeting.pdf](#)

**3B. Authorization to Execute Florida Department of Transportation (FDOT) Utility Work by Highway Contractor Agreement (UWHCA) and Approval for Fiscal Year 2023 Expenditure of Funding towards Utility Valve Adjustments as part of FDOT Project Number 443899** - Andrew Hyatt, Town Manager

Town administration recommends Town Commission approval to execute Utility Work by Highway Contractor Agreement (UWHCA) with FDOT and expend a total of \$53,240.00 towards utility valves and manhole adjustments by FDOT procured contractor. Funding was approved in Fiscal Year 2023 budget.

Approved on consent.

[Resolution Approving FDOT Utility Work Agreement.DOCX](#)

[UWHC Lump Sum Agreement](#)

[Pricing Exhibit.pdf](#)

**3C. Authorization to Expend Towards AT&T Cost Proposal for Initial Engineering and Cost Estimate Preparation for Utilities Undergrounding Project for Phase I, Phase II and Phase III** - Andrew Hyatt, Town Manager

Town administration recommends approval of an authorization to expend a total of \$145,000 per AT&T proposal numbers 219428, 221126, and 221127 dated August 23, 2022 for binding cost estimate and initial engineering of AT&T specific communication infrastructure as part of the utilities undergrounding project.

Approved on consent.

[Resolution Approving AT&T Cost Proposals.docx](#)

[Surfside ATT Authorization to Quote CR219428 Phase 1](#)

[Surfside ATT Authorization to Quote CR221126 Phase 2](#)

[Surfside ATT Authorization to Quote CR221127 Phase 3](#)

**3D. Fiscal Year 2023 Budget Amendment Resolution No. 1** - Andrew Hyatt, Town Manager

Town Administration recommends approval of the budget amendment.

Approved on consent.

[Resolution Approving Budget Amendment No.1 FY 2023](#)

[FY2023 Budget Amendment No. 1.pdf](#)

**3E. Approving Agreement with Atlantic Pipe Services, LLC for Manhole Lining, Renewal and Rehabilitation Services, LLC. Utilizing Terms and Conditions of**

Minutes

Regular Town Commission Meeting

Wednesday, October 12, 2022

**St. Johns County Master Contract No. 21-MCC-ATL-13188, Procurement Bid No. 21-05** - Andrew Hyatt, Town Manager

Town Administration is seeking approval to utilize the terms and conditions of the St. Johns County Master Contract No. 21-MCC-ATL-13188 through "piggyback" method, which was competitively procured through the St Johns County, Request for Proposal (RFP) No. 21-05, and expend budgeted and approved Fiscal Year 2023 funding in an amount not to exceed \$195,000.00.

Approved on consent.

[Reso Agreement with Atlantic Pipe Services - Pipe and Manhole Repairs.docx](#)

[Cooperative Agreement Atlantic Pipe Services LLC.docx](#)

[Exhibit A - "St Johns County Master Contract No. 21-MCC-ATL-13188"](#)

[Exhibit B - "Engineer Rehabilitation Recommendations"](#)

**3F. Youth Tennis Program** - Andrew Hyatt - Town Manager

Town Administration is requesting approval of the Agreement with GM Sports, in substantially the forms attached hereto as Exhibit "A," and to authorize the expenditure of funds of \$45,000 for the services for Fiscal Year 2023.

Approved on consent.

[Resolution Approving Youth Tennis Agreement Expenditure](#)

[Exhibit A - Youth Tennis Program Agreement with GM Sports FY 2022-2023](#)

**3G. Youth Soccer Program** - Andrew Hyatt - Town Manager

Town Administration is requesting approval of the Agreement with Alves Sports Group, in substantially the forms attached hereto as Exhibit "A," and to authorize the expenditure of funds of \$46,000 for the services for Fiscal Year 2023.

Approved on consent.

[Resolution Approving Youth Soccer Agreement Expenditure.DOCX](#)

[Alves Sports 22.doc](#)

**3H. Town of Surfside Gazette Printing and Mailing Vendor** - Town Manager Andrew Hyatt

Town Administration recommends authorizing an expenditure of \$35,552 for printing services related to the Town Gazette for FY 2023.

Approved on consent.

[Resolution Approving Town Gazette Vendor](#)

[Commingling Facility Email Confirmation](#)

[PCI USPS Capabilities](#)

[PCI Annual FY 2022 2023 Estimate](#)

**3I. Authorization to Issue Project Specific Agreement to 300 Engineering Group, P.A. for Manhole Rehabilitation Construction Administration and Inspection**

**Services.** - Andrew Hyatt, Town Manager

Town Administration is seeking Town Commission approval to enter into a project specific agreement with 300 Engineering Group for construction administration and inspection services per negotiated proposal dated September 9 2022 in order to manage, inspect and provide reporting necessary with the Town Manhole rehabilitation construction project in an amount not to exceed \$48,773.25.

Approved on consent.

[Resolution Approving Project Agreement 300 Engineering - Manhole Rehab Construction Admin and Inspection Services](#)  
[Project Agreement - 300 Engineering - FY 23 Manhole Rehab.pdf](#)

**3J. Authorization to Purchase Three Public Works Vehicles and One Parks & Recreation Vehicle Through Approval of Walker Ford Pricing** - Andrew Hyatt, Town Manager

Town administration recommends approval to expend a total of \$171,040.02 towards the purchase of four (4) new vehicles for Public Works and Parks & Recreation Department through the issue of a purchase order to Walker Ford located in Clearwater, Florida.

Approved on consent.

[Resolution Approving PW and Parks Vehicle Purchase from Walker Ford.DOCX](#)  
[Exhibit A - "Walker Ford Proposal dated September 20 2022"](#)

**3K. Authorization to Expend for the Repair of FDOT Stormwater Pump Station No. 01 Pump with Xylem Water Solutions USA Inc.** - Andrew Hyatt, Town Manager

Town administration recommends approval of the authorization to expend with Xylem Water Solutions USA Inc., for stormwater pump repairs in the amount of \$78,244.00.

Approved on consent.

[Reso Approving Purchase of Pump Station Repair Services from Xylem.docx](#)  
[Exhibit A - Xylem Proposal Dated September 22 2022](#)

**3L. Resolution Approving the Appointment of Richard Gendler as Special Master Code Compliance** - Andrew Hyatt, Town Manager

Town Administration recommends approval of the new Special Magistrate.

Approved on consent.

[CV Richard Gendler.pdf](#)  
[Reso Approving Appointment of Richard Gendler as Special Master Code Compliance.docx](#)  
[Agreement with Richard Gendler LLC Special Master Services.docx](#)

**3M. Pelican Harbor Seabird Station Donation Ratification** - Commissioner Marianne

Meischeid

Continue the Town of Surfside's legacy in donating \$1,000 to their cause of rehabilitating and releasing seabirds, pelican and other wildlife.

Approved on consent.

[Reso Approving Pelican Harbor Seabird Donation 2022.docx](#)

#### 4. Ordinances

##### Second Reading

##### **4A1. Amending Town Code Section 90-67. - Emergency Power Generators - Lillian Arango, Town Attorney**

The attached Ordinance for second reading amends Section 90-67 of the Town Code to permit the placement of generators on the rooftop in residential structures located in the H30A and H30B zoning districts, in accordance with screening mitigation requirements as set forth in Section 90-67.3 of the Code, as may be amended.

Town Clerk McCready read the title of the ordinance into the record.

Mayor Danzinger opened public comment.

The following individual from the public spoke:

Eliana Salzhauer spoke regarding the aggregate amount of machinery on the roofs will create a lot of noise.

Mayor Danzinger closed public comment.

Mayor Danzinger thanked Commissioner Landsman for bringing this item. He stated that the equipment is currently on the side of the home.

Commissioner Landsman stated it went before the Planning and Zoning Board and passed with a 5-0 vote and it is to help mitigate some of the issues.

Vice Mayor Rose also agrees with Commissioner Landsman and Mayor Danzinger.

A motion was made by Vice Mayor Rose to approve the ordinance on second reading, seconded by Commissioner Landsman. The motion carried with a 3-0 vote with Commissioner Meischeid and Commissioner Velasquez absent.

[Amending Section 90-67. Emergency Power Generators.DOCX](#)

##### First Reading

##### **4B1. Planning and Zoning Ordinance Change - Membership qualification requirements. - Lillian Arango, Town Attorney**

Consider and adopt an Ordinance at first reading to amend the zoning code to modify the Planning and Zoning Board membership qualification requirements.

Town Clerk McCready read the title of the ordinance into the record.

Mayor Danzinger stated it was to remove the sustainability section from the requirement. He stated that this was hindering the ability to find someone to appoint to the Board.

Vice Mayor Rose stated that it used to say developer before and was removed by the previous commission. He stated that he does not mind having resiliency as a recommendation and would not like to remove it completely but remove it as a mandatory requirement. He further would like to add it to number 8 as one of the criteria as an additional qualification. He would like to expand to the list.

Commissioner Landsman spoke in favor of Vice Mayor Rose's proposal.

Mayor Danzinger opened public comment.

The following individuals from the public spoke:

George Kousoulas agrees with the Vice Mayor's approach. He suggested a resiliency position under the Town Planner.

Gerardo Vildostegui spoke against the item.

Eliana Salzhauer spoke against the item.

Mayor Danzinger closed public comment.

Mayor Danzinger is happy that the speakers brought up sustainability and Hurricane Ian and that is why the understories is an important solution to that problem. He spoke regarding the purpose of the Planning and Zoning Board. He spoke regarding the requirements and what those fields are and does not see why sustainability needs to be a requirement across the board.

A motion was made by Vice Mayor Rose to approve the ordinance on first reading as amended adding number 8 "sustainability", number 9 "developer (residential/commercial)" and number 10 (realtor), seconded by Commissioner Landsman. The motion carried with a 3-0 vote with Commissioner Meisheid and Commissioner Velasquez absent.

[Ordinance Modifying Planning and Zoning Board Requirements - First Reading.DOCX](#)

## 5. Resolutions and Proclamations

***If the public wishes to speak on a matter on this section of the agenda, they must inform the Town Clerk by completing a speaker card and they will be recognized to speak prior to the approval of any resolution..***

### 5A. Legislative Priorities - Andrew Hyatt, Town Manager

Town Administration recommends approval of the Legislative Priorities list and to authorize the Town's lobbyist to act on behalf of the Town on these matters during

the upcoming legislative session.

Town Clerk McCready read the title of the resolution into the record.

Town Manager Hyatt introduced the item and provided an overview of the legislative priorities with some additions from the previous year. He stated that these priorities were passed along to their state lobbyist. He asked the Commission if there is anything they would like to add or take anything away.

Mayor Danzinger asked the Commission if they want to add or remove any and if they would like to go one by one.

A motion was made by Vice Mayor Rose add to number 10 sustainability and resiliency to add "seawalls and dune rehabilitation", seconded by Commissioner Landsman. The motion carried with a 3-0 vote with Commissioner Meischeid and Commissioner Velasquez absent.

Commissioner Landsman stated that some of these are legacy in nature. He spoke regarding the lobbyist and what they have accomplished.

Assistant Town Manager Greene addressed the comments made by Commissioner Landsman and the funding they have received for the different projects.

Commissioner Landsman spoke regarding the list and is there a chance to have further discussion beyond today. He is not comfortable with leaving some of these because he is not sure if they will happen.

Mayor Danzinger asked if they want to remove any specific items.

Mayor Danzinger agrees with Commissioner Landsman that many are legacy items and they are paying for the lobbyist. He believes their efforts should be going towards other items.

A motion was made by Mayor Danzinger to remove item 4 (legislation to ban single use plastics and plastic bags in all coastal communities), seconded by Vice Mayor Rose. The motion carried with a 3-0 vote with Commissioner Meischeid and Commissioner Velasquez absent.

Vice Mayor Rose asked if they have had conversations with the lobbyists to see if there are any conversations the lobbyist have with other municipalities.

Town Manager Hyatt addressed the comments made regarding discussion among other municipalities and the lobbyist.

Commissioner Landsman clarified what the legislative priorities list is about and possibly having our lobbyist to be more focused on it.

Mayor Danzinger opened public comment.

The following individuals from the public spoke:

George Kousoulas  
Gerardo Vildostegui  
Eliana Salzhauer

Mayor Danzinger closed public comment.

Mayor Danzinger reiterated what they are trying to push forward. He stated that a lot of these items were placed on the list by the previous commission and the commission previous to that one as well. He spoke regarding the removal of item 4.

Mayor Danzinger spoke regarding number 5, "clean water and everglades restoration and stricter fines for waste dumping in waterways".

A motion was made by Mayor Danzinger to remove number 5, "clean water and everglades restoration. Stricter fines for waste dumping in waterways", seconded by Vice Mayor Rose. The motion carried with a 3-0 vote with Commissioner Meischeid and Commissioner Velasquez absent.

A motion was made by Commissioner Landsman to remove number 6, seconded by Vice Mayor Rose. The motion carried with a 3-0 vote with Commissioner Meischeid and Commissioner Velasquez absent.

Mayor Danzinger spoke regarding number 7 and asked if the Town is allowed to place solar panels.

Town Attorney Recio stated yes.

Mayor Danzinger would like to keep the priorities to be those that will help move the Town forward.

A motion was made by Mayor Danzinger to remove number 8, seconded by Vice Mayor Rose. The motion carried with a 3-0 vote with Commissioner Meischeid and Commissioner Velasquez absent.

Mayor Danzinger stated that number 9 has been on there for some time and has asked if the Town has received any funding. He stated that he will keep that item.

Mayor Danzinger spoke regarding number 10 and will keep that one.

Mayor Danzinger spoke regarding number 11.

A motion was made by Mayor Danzinger to add under number 10 building safety, construction improvement, seconded by Vice Mayor Rose. The motion carried with a 3-0 vote with Commissioner Meischeid and Commissioner Velasquez absent.

Mayor Danzinger believes it is a waste of time with item number 11 and does not think the Town is something he should be doing. He stated that it is what the lobbyist should be focused on.

Town Manager Hyatt stated that every year at the state level there is discussion

regarding home rule and it is well addressed in Tallahassee. He stated that we fall under Miami Dade County and it is still being pursued.

Mayor Danzinger stated that the Florida League of Cities lobbies for this and we should not have to pay the lobbyist for this as well.

A motion was made by Mayor Danzinger to remove number 11, seconded by Commissioner Landsman. The motion carried with a 2-1 vote with Commissioner Meisheid and Commissioner Velasquez absent and Vice Mayor Rose voting in opposition.

Town Manager Hyatt stated that there is a national push for registering a service dog and include something like that in the state level.

A motion was made by Vice Mayor Rose to add service dogs to the national registry, seconded by Commissioner Landsman. The motion carried with a 3-0 vote with Commissioner Meisheid and Commissioner Velasquez absent.

A motion was made by Vice Mayor Rose to have a 5 minute recess at 9:12 p.m., seconded by Commissioner Landsman. The motion carried with a 3-0 vote with Commissioner Meisheid and Commissioner Velasquez absent.

The meeting resumed at 9:30 p.m.

Town Clerk McCready called the roll with the following members present:

Present: Mayor Shlomo Danzinger, Vice Mayor Jeff Rose and Commissioner Fred Landsman.

Absent: Commissioner Marianne Meisheid and Commissioner Nelly Velasquez.

Also present were Town Manager Andrew Hyatt, Assistant Town Manager Jason Greene, Town Attorney Lillian Arango and Town Attorney Tony Recio.

[Resolution Approving Florida Legislative priorities For 2023.DOCX](#)

[Legislative Priorities 2023 - Exhibit A.docx](#)

**5B. Family Court Awareness Month Proclamation - Shlomo Danzinger, Mayor**

For the commission to approve the Family Court Awareness Month Proclamation.

A representative from the Family Court Awareness Program gave an overview of the program.

Mayor Danzinger introduced the item. He read the proclamation and presented the proclamation.

A motion was made by Commissioner Landsman to approve this proclamation, seconded by Vice Mayor Rose. The motion carried with a 3-0 vote with Commissioner Meisheid and Commissioner Velasquez absent.

[Family Court Awareness Month Committee Request - Oct 2022.pdf](#)

[Family Court Awareness Month Committee - Oct 2022.pdf](#)

**5C. Red Ribbon Week Proclamation** - Shlomo Danzinger, Mayor

For the commission to approve the Red Ribbon Week Proclamation as presented.

Mayor Danzinger introduced the item. He read the proclamation and presented the proclamation to the Young Marines.

Romana Pitrachio introduced the Young Marines program and gave an overview of the program.

A motion was made by Vice Mayor Rose to approve this proclamation, seconded by Commissioner Landsman. The motion carried with a 3-0 vote with Commissioner Meisheid and Commissioner Velasquez absent.

[Red Ribbon Week Request - Oct 2022.pdf](#)

[Red Ribbon Week - Oct 2022.pdf](#)

**5D. Hispanic Heritage Month Proclamation** - Shlomo Danzinger, Mayor

To approve the Hispanic Heritage Month proclamation as submitted.

Mayor Danzinger introduced the item. He read the proclamation and presented the proclamation.

A motion was made by Vice Mayor Rose to approve this proclamation, seconded by Commissioner Landsman. The motion carried with a 3-0 vote with Commissioner Meisheid and Commissioner Velasquez absent.

[Hispanic Heritage Month Request Sept 2022.pdf](#)

[Hispanic Heritage Month Sept 2022.pdf](#)

**5E. Hindu Heritage Proclamation** - Shlomo Danzinger, Mayor

For the commission to pass the Hindu Heritage proclamation as presented.

Mayor Danzinger introduced the item. He read the proclamation and presented the proclamation to Lyn Su, Shefali Mehra, Shekar Reddy and Ran Tiwari.

Lyn Su from the Hindu Committee thanked the Commission for the proclamation.

Shefali Mehra from the Hindu Committee thanked the Commission for the recognition.

A motion was made by Vice Mayor Rose to approve this proclamation, seconded by Commissioner Landsman. The motion carried with a 3-0 vote with Commissioner Meisheid and Commissioner Velasquez absent.

[Hindu Heritage Month Request- Oct 2022.pdf](#)

[Hindu Heritage Month - Oct 2022.pdf](#)

## 6. Good and Welfare

Mayor Danzinger opened the floor to public comment.

The following individuals from the public spoke:

Eliana Salzhauer spoke regarding how unfair it is to have meetings earlier in the day which does not allow the public to attend.

Gerardo Vildostegui spoke regarding quality of air in Town and the increase of plastic in the beaches. He suggested to ban smoking on the beaches. He spoke regarding idling engines by the tot lot.

George Kousoulas stated that the 5:30 p.m. start should be when you have a large agenda. He stated having staff speak on items that are being questioned. He stated that the beach chair ordinance passed, and the beach is the same and not as bad as others have stated.

Ethan Bazan spoke regarding a new candidate, Fabian Bazabe.

Mayor Danzinger closed the floor to public comment.

Vice Mayor Rose thanked Ethan for coming. He addressed the comments made by the speakers regarding the 5:30 p.m. meeting and stated that the residents could still come at 8:15 p.m. and talk under Good and Welfare. He would also like to ban smoking on the beach. He stated that once they brought to the Town's attention the issue with the commercial trucks idling at the tot lot, the Town Manager and Public Works Director Gomez had staff go by and check those trucks. He stated that they will be talking to Indian Creek as well. He would like for Building Official McGuinness to hear from him regarding raising the home and understories since he was affected by the hurricane.

Building Official McGuinness stated that his home is elevated 11 feet and his garage door and window were blown out. He stated that the building code is important. He stated that the only buildings that survived were those homes that have understories. He stated that the number 1 thing is elevating homes and making them resilient to the water and wind.

Commissioner Landsman spoke regarding the 5:30 p.m. meetings and only sees a handful of residents here and the only time they see a large amount is when there is a controversial item. He stated that there are notice requirements letting them know when the meetings will happen and this helps them be able to finish their agendas. He addressed hurricane Ian and what took place in the west coast. He stated that maybe they should have the discussion to mitigate some of the issues, but the reality is that the majority of the homes are below the flood plain.

Mayor Danzinger addressed the comments made regarding the 5:30 p.m. meeting. He again stated that all discussion items come back as first reading or resolutions. He stated that you don't run to the ballot for every little thing. He spoke regarding the idling of the

trucks, and they need to come up with some solution. He stated that they speak with staff before they have these meetings. He stated that the beaches are very clean, and the beach chair ordinance has already passed.

Mayor Danzinger closed the floor to public comment.

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

### **7A. October Town Manager's Report - Andrew Hyatt, Town Manager**

Town Manager Hyatt introduced the item and provided a summary of his Town Manager's Report. He spoke regarding the number of outstanding projects and they prepared a project detailed sheet for each one of them.

Mayor Danzinger wanted to follow up on the aftercare program update and possibly beginning in November.

Parks and Recreation Director Milian addressed the comment made by the Mayor and they are working with the YMCA but are still having staffing issues and it will probably be after the new year. He stated that their goal is to have the YMCA on board.

Commissioner Landsman appreciates the Town Manager bringing this forward and the concern of the Commission was the status of where the projects were. He spoke regarding the time segments and that could be an issue.

Town Manager Hyatt addressed the comments made by Commissioner Landsman and as they contract with engineering groups there will be a better timeline as it pertains to materials etc.

Vice Mayor Rose stated that he has not had a chance to dive into the report but will do so and sit with Public Works Director Gomez and Assistant Town Manager Greene. He spoke regarding some of the projects and does know that some are completed. He stated that if there comes a time that there are too many projects then they should set priorities and also consider more staffing if needed. He appreciates that all department heads got this done.

Mayor Danzinger thanked Town Manager Hyatt and asked if they could break it down by dates, week, year and month. He also agrees to discuss prioritizing the projects. He also stated using these companies that have been utilized before as project managers.

Mayor Danzinger spoke regarding different projects and the project dates.

Mayor Danzinger asked regarding the construction estimate for the Hawthorn Tot Lot project and to keep the project moving forward at a quicker pace.

Mayor Danzinger spoke regarding the traffic study and when it started.

Public Works Director Gomez stated that in September they started the data collection.

Mayor Danzinger stated that time has been lost since the project was approved. He asked what happened that the purchase order was done so many months after it was approved.

Public Works Director Gomez explained the process and the comprehensive study that is required to take place.

Vice Mayor Rose spoke regarding the gap time of when it is discussed to implementation. He gave examples and asked what the things are they need to do on their side to expedite the projects.

Town Manager Hyatt explained the process and state law.

Public Works Director Gomez explained that something so complex like a traffic study involves different parties that have to be involved and negotiating a price.

Further discussion took place among the Commission and staff regarding the process of implementation once the Commission requests a plan or project to come back to them with specifics and cost.

Mayor Danzinger asked regarding the Tennis Center and the delay in that project getting moved forward.

Public Works Director Gomez addressed the questions from the Mayor.

Mayor Danzinger asked the status of the 96th Street Park.

Public Works Director Gomez addressed the questions from the Mayor and stated that next week they will be having the bid opening.

Mayor Danzinger asked for an update of the beautification and dune project.

Public Works Director Gomez addressed the questions from the Mayor.

Further discussion took place among the Commission and staff regarding the process of implementation and what is the process with DEP.

Town Manager Hyatt reminded the public that November 8 is election date.

A motion was made by Vice Mayor Rose to approve the Town Manager's Report, seconded by Commissioner Landsman. The motion carried with a 3-0 vote with Commissioner Meischeid and Commissioner Velasquez absent.

[2022-10 October Town Manager's Report.pdf](#)

#### **7B. Town Attorney's Report - Town Attorney Lillian Arango**

Town Attorney Arango introduced the item and provided a summary of her Town

Attorney's Report. She provided an update on the litigation matters. She stated that since the new ordinance was passed, the Grand Beach will withdraw their lawsuit. She provided a summary on the Solimar litigation. She provided a summary of the Gallagher lawsuit.

Mayor Danzinger asked regarding the ordinance changes to the hedges and could it be brought back in November.

Town Attorney Arango stated that they will bring it back in November.

Town Manager Hyatt asked when someone drops a lawsuit are they required to pay for the other parties attorneys fees.

Town Attorney Arango stated no and explained the reason.

A motion was made by Commissioner Landsman to approve the Town Attorney's Report, seconded by Vice Mayor Rose. The motion carried with a 3-0 vote with Commissioner Meischeid and Commissioner Velasquez absent.

[Town Attorney Report.pdf](#)

## 8. Unfinished Business and New Business

## 9. Mayor, Commission and Staff Communications

Mayor Danzinger would like a round table discussion in a different setting with the Commission and see what dates will work better.

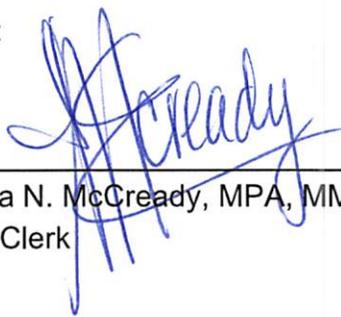
## 10. Adjournment

There being no further business to discuss before the Commission, a motion was made by Commissioner Landsman to adjourn the meeting at 10:19 p.m. The motion carried with 3-0 vote with Commissioner Meischeid and Commissioner Velasquez absent.

Accepted this 15<sup>th</sup> day of November, 2022.

  
\_\_\_\_\_  
Shlomo Danzinger, Mayor

Attest:

  
\_\_\_\_\_  
Sandra N. McCready, MPA, MMC  
Town Clerk