AGENDA
SPECIAL COMMISSION MEETING

9:00 AM - Monday, February 16, 2026
Commission Chambers

Page

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. DELETIONS OR WITHDRAWALS TO THE AGENDA
5. PUBLIC COMMENTS RELATED TO AGENDA ITEMS / GOOD & WELFARE
6. RESOLUTIONS

   6.1. Consideration and Approval of Resolution for Codification of Charter Amendment Related to Residency of Elected Officials - Sponsored by Clerk Commissioner Hodgkins — 3 - 39

   RESOLUTION NO: 2026-008

   A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE TOWN ATTORNEY AND THE TOWN CLERK TO COORDINATE THE CODIFICATION OF THE CHARTER AMENDMENT ADOPTED BY THE ELECTORS OF THE TOWN OF PEMBROKE PARK AT THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 8, 1988 RELATED TO THE RESIDENCY OF ELECTED MUNICIPAL OFFICIALS; DIRECTING THE TOWN ATTORNEY AND THE TOWN CLERK TO TAKE ANY AND ALL ACTION NECESSARY TO IMPLEMENT AND CODIFY THE CHARTER AMENDMENT ADOPTED BY THE ELECTORATE ON NOVEMBER 8, 1988; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

   Agenda Item Report - AIR-26-096

7. ATTORNEY COMMENTS
8. TOWN MANAGER COMMENTS
9. COMMISSIONER COMMENTS

   Commissioner Mohammed
   Acting Clerk Commissioner Morrissette
   Clerk Commissioner Hodgkins
   Vice Mayor Kashem
   Mayor Jacobs

10. ANNOUNCEMENTS

    10.1. Special Magistrate Hearing, Wednesday, February 18, 2026 at 9:00 a.m.

Special Commission Meeting, Friday, February 20, 2026 at 6:00 p.m.
Special Commission Meeting, Wednesday, February 20, 2026 at 5:30 p.m.
Workshop Commission Meeting, Wednesday, February 25, 2026, at 6:00 p.m.
Regular Commission Meeting, Wednesday, March 11, 2026 at 7:00 p.m.

SPECIAL EVENT

Food Give Aways - Saturday, February 28, 2026 at 9:00 a.m.

11. ADJOURNMENT

IN ACCORDANCE WITH THE PROVISIONS OF F.S. SECTION 286.0105, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

ANY PERSON REQUIRING AUXILIARY AIDS AND SERVICES AT THIS MEETING MAY CALL THE TOWN CLERKS OFFICE AT 954-966-4600 AT LEAST TWO CALENDAR DAYS PRIOR TO THE MEETING. IF YOU ARE HEARING OR SPEECH IMPAIRED PLEASE CONTACT THE FLORIDA RELAY SERVICES BY USING THE FOLLOWING NUMBERS: 1-800-955-8770 (VOICE) OR 1-800-955-8771 (TDD)

DECORUM - ALL COMMENTS MUST BE ADDRESSED TO THE COMMISSION AS A BODY AND NOT TO INDIVIDUALS. ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS, OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION, SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION IS GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR IN OPPOSITION TO A SPEAKER OR HIS/HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBERS. PLEASE MUTE OR TURN OFF YOUR CELL PHONE OR PAGER AT THE START OF THE MEETING. FAILURE TO DO SO MAY RESULT IN BEING BARRED FROM THE MEETING. PERSONS EXITING THE CHAMBER SHALL DO SO QUIETLY.

Cynthia Garcia-Lima
Town Clerk

Agenda Item Report

Subject:	Consideration and Approval of Resolution for Codification of Charter Amendment Related to Residency of Elected Officials - Sponsored by Clerk Commissioner Hodgkins RESOLUTION NO: 2026-008 A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE TOWN ATTORNEY AND THE TOWN CLERK TO COORDINATE THE CODIFICATION OF THE CHARTER AMENDMENT ADOPTED BY THE ELECTORS OF THE TOWN OF PEMBROKE PARK AT THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 8, 1988 RELATED TO THE RESIDENCY OF ELECTED MUNICIPAL OFFICIALS; DIRECTING THE TOWN ATTORNEY AND THE TOWN CLERK TO TAKE ANY AND ALL ACTION NECESSARY TO IMPLEMENT AND CODIFY THE CHARTER AMENDMENT ADOPTED BY THE ELECTORATE ON NOVEMBER 8, 1988; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE
Meeting Date:	Special Commission Meeting - February 16, 2026
Prepared For:	Town Commission
Staff Contact:	Bill Hodgkins, Clerk Commissioner
Dept/Group:	Administrative
Recommendation for Counsel to consider:	
Background Information:	On November 8, 1988, the electors of the Town of Pembroke Park approved a Charter amendment requiring that individuals holding elective office in the Town be residents of the Town. This amendment was placed on the ballot through Ordinance No. 88-8-3 and certified by Resolution No. 88-11-4 following the election, where approximately 85% of voters supported the change. Despite voter approval, the amendment was never formally codified into the Town Charter. Resolution No. 2026-008 directs the Town Attorney and Town Clerk to coordinate with the Town's codifier to incorporate the approved Charter amendment into Section 9 of the Town Charter. The amendment ensures that any Commissioner who ceases to maintain continuous residency in the Town during their term of office shall forfeit their position. This action aligns the Charter with the will of the electorate and the Town Commission's interpretation of the Charter.
Staff Recommendations:	Adopt Resolution No. 2026-008 to authorize and direct the codification of the 1988 Charter amendment and take all necessary steps to implement this change.

Procurement:	
Financial Implications:	There is no financial impact.
Alternatives:	

ATTACHMENTS:

Resolution No: 2026-008

RESOLUTION NO.: 2026-008

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE TOWN ATTORNEY AND THE TOWN CLERK TO COORDINATE THE CODIFICATION OF THE CHARTER AMENDMENT ADOPTED BY THE ELECTORS OF THE TOWN OF PEMBROKE PARK AT THE GENERAL MUNICIPAL ELECTION ON NOVEMBER 8, 1988 RELATED TO THE RESIDENCY OF ELECTED MUNICIPAL OFFICIALS; DIRECTING THE TOWN ATTORNEY AND THE TOWN CLERK TO TAKE ANY AND ALL ACTION NECESSARY TO IMPLEMENT AND CODIFY THE CHARTER AMENDMENT ADOPTED BY THE ELECTORATE ON NOVEMBER 8, 1988; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on August 10, 1988, the Town Commission of the Town of Pembroke Park (the "Town") adopted Ordinance No. 88-8-3 (the "Ordinance"), thereby placing the following referendum question on the November 8, 1988 general election ballot for consideration by the electors of the Town (the "Referendum"):

> RESIDENCY REQUIREMENTS FOR VOTING AND HOLDING ELECTICE OFFICE
>
> Should Section 9 of the Charter of the Town of Pembroke Park be amended to require that the electors and those holding elective office be residents of the Town of Pembroke Park, Florida?

A copy of the Ordinance is attached as **Exhibit "A;"** and

WHEREAS, on November 9, 1988, the Town Commission adopted Resolution No. 88-11-4, thereby certifying the results of the November 8, 1988 general municipal election and confirming that the Referendum was approved by the voters of the Town, with 859 electors voting in favor of the charter amendment and 154 electors voting against the charter amendment, a copy of Resolution No. 88-11-4 is attached hereto as **Exhibit "B;"** and

WHEREAS, the minutes of the Town Commission meeting from November 9, 1988, further confirm the results of the November 8, 1988 Referendum election and the approval of the charter amendment related to residency of electors and those holding elective office in the Town, a copy of the November 9, 1988 commission meeting minutes are attached as **Exhibit "C**;" and

WHEREAS¸ the Ordinance placing the Referendum question on the ballot included a reference to the elimination of charter language allowing "freeholders owning real property within the Town of Pembroke Park, who are registered voters of Broward County, Florida, [to] qualify as candidates for the office of commissioner of the Town of Pembroke Park;" however, it contained no proposed charter amendment language affirmatively requiring those holding elective office in the Town to continuously maintain their residency during their term of office; and

WHEREAS, in 1988, it was the will and intent of the Town Commission and the Town electors, as detailed in the Ordinance and the subsequent results of the November 8, 1988 general municipal election, to ensure that individuals holding elective office in the Town be residents of the Town; and

WHEREAS, Sec. 2-100.2(8) of the Town's Code of Ordinances authorizes the Town Attorney "to interpret the Town Charter, this Code, and zoning code on behalf of the Town;" and the Town Attorney interprets the Charter to require continuous residency of elected officials in the Town pursuant to the adoption of the November 8, 1988 charter amendment Referendum; and

WHEREAS, Florida courts also give great judicial deference to the governing bodies of municipalities when interpreting their own charter and ordinances, and the Town Commission interprets the Charter to require continuous residency of elected officials in the Town pursuant to the adoption of the November 8, 1988 charter amendment Referendum; and

WHEREAS, on November 8, 1988, the electors of the Town approved by a nearly 85% affirmative vote that the Town Charter should be amended to require those holding elective office in the Town to be residents of the Town; however, such an amendment was never incorporated into the Charter; and

WHEREAS, the Town Commission seeks to direct the Town Attorney and the Town Clerk to coordinate with the codifier of the Town's Charter and Code of Ordinances and to ensure that Sec. 9 of the Town Charter, as approved by the Town electorate, was amended as follows:

> Any Commissioner who shall cease to maintain continuous residency in the Town during their term of office or to possess the qualifications required herein shall forfeit his or her office.

WHEREAS, the Town Commission finds that directing the Town Attorney and the Town Clerk to coordinate with the Town's codifier to ensure that the charter amendment Referendum approved by the electorate on November 8, 1988 is incorporated into the Town Charter is in the best interests of the citizens and residents of the Town.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA AS FOLLOWS:

Section 1: That the foregoing "WHEREAS" clauses are ratified and confirmed as being true and correct and are made a specific part of this Resolution. All exhibits attached hereto are incorporated herein and expressly made a part of this Resolution.

Section 2: The Town Commission of the Town of Pembroke Park hereby authorizes and directs the Town Attorney and the Town Clerk to coordinate with the codifier of the Town's Charter and Code of Ordinances and to ensure that Sec. 9 of the Town Charter, as approved by the Town electorate on November 8, 1988, was amended as follows:

Any Commissioner who shall cease to maintain continuous residency in the Town during their term of office or to possess the qualifications required herein shall forfeit his or her office.

Section 3: All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

Section 4: If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 5: This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 16th day of February, 2026.

____
MAYOR GEOFFREY JACOBS

ATTEST:

____
CYNTHIA GARCIA-LIMA
Town Clerk

Approved as to form and legal sufficiency

____
JACOB G. HOROWITZ
Town Attorney

EXHIBIT A

ORDINANCE NO. 88-8-3

AN ORDINANCE PROVIDING FOR REFERENDUM TO BE HELD AT THE TOWN HALL, 3150 S. W. 52 AVE., PEMBROKE PARK, FLORIDA, AND AT PARK LAKE ESTATES, 3190 W. HALLANDALE BEACH BLVD., PEMBROKE PARK, FLORIDA, AT THE NEXT GENERAL ELECTION (NOVEMBER 8, 1988); PRESENTING THE FOLLOWING QUESTION TO THE ELECTORATE:

RESIDENCE REQUIREMENTS FOR VOTING AND HOLDING ELECTIVE OFFICE

SHOULD SECTION 9 OF THE CHARTER OF THE TOWN OF PEMBROKE PARK BE AMENDED TO REQUIRE THAT THE ELECTORS AND THOSE HOLDING ELECTIVE OFFICE BE RESIDENTS OF THE TOWN OF PEMBROKE PARK, FLORIDA?;

PROVIDING FOR FULL TEXT OF PROPOSED AMENDMENT; PROVIDING FOR AUTOMATIC ADOPTION OF SAID AMENDMENT UPON APPROVAL OF THE REFERENDUM QUESTION, AS HEREIN PRESENTED; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATE

WHEREAS, Section 166.031 of the Charter of the Town of Pembroke Park establishes a procedure whereby the governing body of the Town of Pembroke Park may submit to the electors of the municipality a proposed amendment to the Charter municipality; and

WHEREAS, the Commission of the Town of Pembroke Park desires to submit to the electors of the Town of Pembroke Park a proposed amendment to Section 9 of the Charter of the Town of Pembroke Park the provisions of which are hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE TOWN OF PEMBROKE PARK, FLORIDA:

Section 1: At the general election to be held on November 8, 1988 at the Town of Pembroke Park Town Hall, 3150 S. W. 52nd Avenue, Pembroke Park, Florida, and at Park Lake Estates, 3190 W. Hallandale Beach Blvd., Pembroke Park, Florida, the following question will appear on the ballot:

> Residency requirements for voting and holding elective office:
>
> Should Section 9 of the Charter of the Town of Pembroke Park be amended to require that the electors and those holding elective office be residents of the Town of Pembroke Park, Florida?

Section 2: Notice of said question to be voted upon shall be given by publication thereof in a newspaper of general circulation of the Town of Pembroke Park, which publication shall be two (2) times at a one (1) week interval, with the first of said notices being at least fifteen (15) days from the date of said election.

Section 3: Should a majority of the qualified electors of the Town of Pembroke Park voting on this question vote yes, then the amendment shall be approved setting forth provision of Section 9 that will be eliminated should amendment pass. Should a majority of the qualified electors of the Town of Pembroke Park voting on said question vote no, then the amendment shall not be approved.

Section 4: The Clerk-Commissioner is hereby authorized and directed to take all necessary steps to provide for the inclusion of the foregoing question on the ballot for the electors of the Town of Pembroke Park for the general election on November 8, 1988 and coordinate such procedure with the Superintendent of Elections of Broward County, Florida, as may be required.

Section 5: Should the question, as presented to the electors, be approved, then with regard to Section 9 of the Charter, specifically Qualification of Commissioners, there shall be eliminated from said provision the sentence that permits freeholders owning real property within the Town who are not residents to hold office and, accordingly, there shall be stricken from Section 9 with regard to Qualifications of Commissioners, the following sentence:

> Freeholders owning real property within the Town of Pembroke Park, who are registered voters of Broward County, Florida, may qualify as candidates for the office of Commissioner of the Town of Pembroke Park.

Section 6: Should the question, as presented to the electors, be approved, then with regard to Section 9 of the Charter, specifically Qualification of Electors, there shall be eliminated from said provision the sentence that permits freeholders owning real property within the Town who are not residents, to vote, so that the qualification of electors will thereafter read as follows:

> Qualification of Electors:
>
> Electors, in order to participate in municipal elections of the Town of Pembroke Park shall be registered voters of Broward County, Florida, residing within the territory limits of the Town of Pembroke Park.

Section 7: That all ordinances or parts of ordinances, resolutions or parts of resolutions, in conflict herewith be and the same are hereby repealed to the extent of such conflict.

Section 8: Should any section of this Ordinance be declared invalid by a court of competent jurisdiction, such invalidity shall not in any way affect those provisions of this Ordinance which are not declared to be invalid.

Section 9: That this ordinance shall become effective upon its adoption and passage in accordance with law.

PASSED AND ADOPTED on First Reading this 13 day of July, 1988.

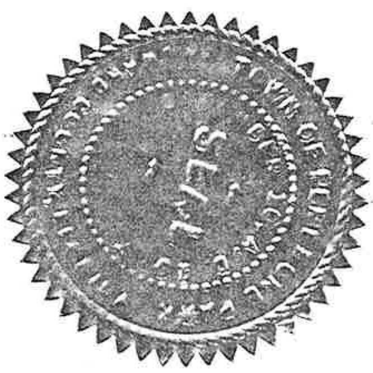
PASSED AND ADOPTED on Second Reading this 10 day of August, 1988.

PASSED AND ADOPTED on Third Reading this 10 day of August, 1988.

Barney Koretsky
BARNEY KORETSKY
Mayor-Commissioner

ATTEST:

Theresa Ciummo
THERESA CIUMMO
Clerk-Commissioner



FINAL VOTE FOR PASSAGE:

Commissioners:

Koretsky	YES
Price	ABSENT
Ciummo	YES
Lyddon	YES
Schwartz	YES

PROPOSED BY: MAYOR BARNEY KORETSKY

ORD20-ORD21A
DISK #3

EXHIBIT B

RESOLUTION NO. 88-11-4

A RESOLUTION CERTIFYING RESULTS OF THE REFERENDUM QUESTIONS VOTED UPON AT THE GENERAL ELECTION ON NOVEMBER 8, 1988; REPEALING CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a general election was held on November 8, 1988; and

WHEREAS, at the time and place of said general election, referendum questions concerning the Town of Pembroke Park were part of the general election ballot; and

WHEREAS, the results of said election have been transmitted from the Supervisor of Elections to the Town of Pembroke Park; and

WHEREAS, the Deputy Clerk has announced the results of such election as it relates to the referendum questions;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE TOWN OF PEMBROKE PARK, BROWARD COUNTY, FLORIDA:

Section 1: Set forth below are the referendum questions that were placed on the ballot on the November 8, 1988 general election, together with the number of votes voting in favor of said referendum questions and against said referendum questions.

	# OF YES VOTES	# OF NO VOTES
Residency requirements for voting and holding elective office: Should Section 9 of the Charter of the Town of Pembroke Park be amended to require that the electors and those holding elective office be residents of the Town of Pembroke Park, Florida?	859	154
The establishment of a Pembroke Park Police Department Should the Town of Pembroke Park establish a police department for the purpose of providing police services within the municipal boundaries of Pembroke Park?	311	764

Section 2: It is hereby certified that the above-stated statement of the referendum vote on vote for referendum question is a true and correct tally of the votes so voted for and against such referendum questions.

Section 3: This resolution shall be in force and take effect immediately upon its passage and adoption.

PASSED AND ADOPTED the 9th day of November, 1988.

Final Resolution presented to Commission this 9th day of November, 1988.

Barney Koretsky

BARNEY KORETSKY
Mayor-Commissioner

ATTEST:

Theresa Ciummo

THERESA CIUMMO
Clerk-Commissioner

APPROVED AS TO FORM
AND REVISED BY
NEIL FLAXMAN, ESQ.

FINAL VOTE FOR PASSAGE:

Commissioners:

Koretsky	YES
Lyddon	YES
Ciummo	YES
Badalamente	YES
Schwartz	YES

RES22-RES-23
DISK #4

TOWN OF PEMBROKE PARK
SPECIAL REFERENDUM ELECTION
NOVEMBER 8, 1988

WE HEREBY CERTIFY THE RESULTS OF THE SPECIAL REFERENDUM ELECTION FOR THE TOWN OF PEMBROKE PARK, NOVEMBER 8, 1988:

RESIDENCE REQUIREMENTS FOR VOTING AND HOLDING ELECTIVE OFFICE

SHOULD SECTION 9 OF THE CHARTER OF THE TOWN OF PEMBROKE PARK BE AMENDED TO REQUIRE THAT THE ELECTORS AND THOSE HOLDING ELECTIVE OFFICE BE RESIDENTS OF THE TOWN OF PEMBROKE PARK, FLORIDA?

TOTAL BALLOTS CAST **1,013** VOTES

YES **859** VOTES

NO **154** VOTES

THE ESTABLISHMENT OF A PEMBROKE PARK POLICE DEPARTMENT

SHOULD THE TOWN OF PEMBROKE PARK ESTABLISH A POLICE DEPARTMENT FOR THE PURPOSE OF PROVIDING POLICE SERVICES WITHIN THE MUNICIPAL BOUNDARIES OF PEMBROKE PARK?

TOTAL BALLOTS CAST **1,075** VOTES

YES **311** VOTES

NO **764** VOTES

BROWARD COUNTY CANVASSING BOARD

Kathleen A. Kearney
COUNTY JUDGE

SUPERVISOR OF ELECTIONS

Sylvia Poitier
COUNTY COMMISSIONER

EXHIBIT C

REGULAR COMMISSION MEETING OF THE TOWN OF PEMBROKE PARK

WEDNESDAY, NOVEMBER 9, 1988 - 7:00 P.M.

AGENDA
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL

I. CONSENT AGENDA

1. Approval of Minutes: Regular Commission Meeting, October 12, 1988. Recommended for Approval by Deputy Town Clerk.

2. Approval of Minutes: Workshop Commission Meetings, October 5, 1988 and November 2, 1988. Recommended for Approval by Deputy Town Clerk.

3. Acceptance of Minutes: Planning and Zoning Board Meetings, October 17, 1988 and October 24, 1988. Recommended for Acceptance by Deputy Town Clerk.

4. Reports:
   Safety: Recommended for Acceptance by Fire Chief Greer.
   Fire and Rescue: Recommended for Acceptance by Fire Chief Greer.
   Police: Recommended for Acceptance by Deputy Town Clerk.

5. Safety Bond Awards:
   Lieutenant Robert Sahdala, Fire Department
   Firefighter Joseph Barreto, Fire Department
   Firefighter William L. Huff, Fire Department
   Firefighter Raymond Kerr, Fire Department
   Mr. Willie Huff, Roads and Streets Department
   Mr. James Nelson, Roads and Streets Department
   Mr. Edward Tanner, Roads and Streets Department

6. Items To Be Removed From Consent Agenda.

II. REGULAR AGENDA

1. PROCLAMATION: "Humanitarian Day" - Mayor Koretsky
2. PROCLAMATION: "Veteran's Day" - Mayor Koretsky
3. ANNOUNCEMENT: Veteran's Day Program - Mayor Koretsky
4. COMMENDATION: Mrs. Peggy Lyddon - Mayor Koretsky
5. COMMENDATION: The Pembroke Park Fire Department - Mayor Koretsky
6. COMMENDATION: Fire Chief Dale A. Greer - Mayor Koretsky
7. COMMENDATION: Commander Joe Redfern - Mayor Koretsky
8. BID OPENING: Resurfacing Proposal for S.W. 19th Street - Mayor Koretsky
9. BID OPENING: NCR IGAS Payroll and IFMIS-III Update Software Packages - Mayor Koretsky
10. BID OPENING: Type-3 Rescue Ambulance - Mayor Koretsky
11. MOTION: Authorization for Vice-Mayor to Attend Civil Defense Conference - Mayor Koretsky

12. MOTION: Authorization to Pay $100.00 Monthly Expense Allowance for Commissioners as of October, 1988 - Mayor Koretsky

13. MOTION: Authorization to Pay 21 Cents Per Mile for League of Cities Orlando Convention Travel - Mayor Koretsky

14. MOTION: Authorization to Hold Christmas Party December 16, 1988 for Town Personnel and Families - Mayor Koretsky

15. MOTION: Authorization to Give 30 Day Written Notice to Vacate Mobile Home in McTyre Park - Mayor Koretsky

16. COMMISSION HEARING: Blackfin Boat Company - Mayor Koretsky

17. RESOLUTION: Recurring Expenses - Attorney Flaxman

18. RESOLUTION: ICMA Pembroke Park Pension Plan - Attorney Flaxman

19. RESOLUTION: Appointing Grant Thornton Town Auditor - Attorney Flaxman

RECESS

20. DISCUSSION: Payment of Legal Bill from Joel Miller for Koretsky v. Phelps Case - Mayor Koretsky

21. DISCUSSION: Request for Attorney to Draft Ordinance Requiring Monitoring Wells - Commissioner Badalamente

22. DISCUSSION: Disposal of 3 Surplus Vehicles - Commissioner Badalamente

23. DISCUSSION: Attorney's Review of AT&T Franchise Fee Contract - Commissioner Badalamente

24. DISCUSSION: Attorney Update of All Litigations - Attorney Flaxman

25. DISCUSSION: Calibrating Flow Meter for Sewerage - Commissioner Badalamente

26. DISCUSSION: Increment Salary Increases for Jimmy Woodbury, James Nelson, Clayton Barnett and Willie Huff - Deputy Town Clerk

27. DISCUSSION: Status of Agreement with Herbert Kunen - Mayor Koretsky

28. APPROVAL OF BILLS - Deputy Town Clerk O'Sullivan

29. COMMENTS FROM THE PUBLIC

30. COMMISSIONER COMMENTS

31. ATTORNEY COMMENTS

32. PERSONNEL COMMENTS

33. ADMINISTRATIVE ASSISTANT/DEPUTY TOWN CLERK COMMENTS

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION OF THE TOWN COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

REGULAR COMMISSION MEETING OF THE TOWN OF PEMBROKE PARK

WEDNESDAY, NOVEMBER 9, 1988 - 7:00 P.M.

AGENDA
CALL TO ORDER - 7:00 P.M.

Mayor Koretsky asked everyone to stand and observe two minutes of silence for former Commissioner and Mayor, Nelson Kramer, who passed away.

PLEDGE OF ALLEGIANCE
ROLL CALL

PRESENT:	MAYOR:	BARNEY KORETSKY
	VICE-MAYOR:	BILL LYDDON
	CLERK-COMMISSIONER:	THERESA CIUMMO
	COMMISSIONER:	FRANK BADALAMENTE
	COMMISSIONER:	LINDA SCHWARTZ
	DEPUTY TOWN CLERK:	EUGENE O'SULLIVAN
	TOWN ATTORNEY:	NEIL FLAXMAN
	FIRE CHIEF:	DALE GREER

ABSENT: NONE

I. CONSENT AGENDA

1. Approval of Minutes: Regular Commission Meeting, October 12, 1988. Recommended for Approval by Deputy Town Clerk. A motion by Vice-Mayor Lyddon, seconded by Commissioner Badalamente, to approve the Minutes, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

2. Approval of Minutes: Workshop Commission Meetings, October 5, 1988 and November 2, 1988. Recommended for Approval by Deputy Town Clerk. A motion by Vice-Mayor Lyddon, seconded by Commissioner Badalamente, to approve the Minutes, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

3. Acceptance of Minutes: Planning and Zoning Board Meetings, October 17, 1988 and October 24, 1988. Recommended for Acceptance by Deputy Town Clerk. A motion by Vice-Mayor Lyddon, seconded by Commissioner Badalamente, to accept the Minutes, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

4. Reports:
Safety: Recommended for Acceptance by Fire Chief Greer.
Fire and Rescue: Recommended for Acceptance by Fire Chief Greer.
Police: Recommended for Acceptance by Deputy Town Clerk.

A motion by Vice-Mayor Lyddon, seconded by Commissioner Badalamente, to accept the Safety, Fire and Rescue and Police Reports, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

5. Safety Bond Awards:
Lieutenant Robert Sahdala, Fire Department
Firefighter Joseph Barreto, Fire Department
Firefighter William L. Huff, Fire Department
Firefighter Raymond Kerr, Fire Department
Mr. Willie Huff, Roads and Streets Department
Mr. James Nelson, Roads and Streets Department
Mr. Edward Tanner, Roads and Streets Department

A motion by Vice-Mayor Lyddon, seconded by Commissioner Badalamente, to approve the Safety Bond Awards, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

6. Items To Be Removed From Consent Agenda - None.

II. REGULAR AGENDA

1. PROCLAMATION: "Humanitarian Day" - Mayor Koretsky

Mayor Koretsky read a Proclamation proclaiming November 20, 1988 as Humanitarian Day in the Town and urged all citizens to be reminded of the needs of their fellow man, to reach out to the less fortunate and to remind themselves of the struggles and dreams of the Pilgrim ancestors.

2. PROCLAMATION: "Veteran's Day" - Mayor Koretsky

Mayor Koretsky read a Proclamation proclaiming November 11, 1988 as Veteran's Day in the Town.

3. ANNOUNCEMENT: Veteran's Day Program - Mayor Koretsky

Mayor Koretsky announced that the Second Annual Veteran's Day Program would be held in front of Town Hall on Friday, November 11th at 10:30 A.M. Further, Mayor Koretsky said Vice-Mayor Lyddon had brochures prepared and they were available at the meeting. Vice-Mayor Lyddon said everyone was invited to the American Legion Post 310 after the ceremonies at Town Hall for refreshments. Vice-Mayor Lyddon said he would like to see all of the Town's residents attend the ceremonies.

4. COMMENDATION: Mrs. Peggy Lyddon - Mayor Koretsky

Mayor Koretsky presented a Certificate of Appreciation to Mrs. Peggy Lyddon for unselfish community devotion for repairing the Town flags on Hallandale Beach Boulevard which resulted in saving the Town hundreds of dollars.

5. COMMENDATION: The Pembroke Park Fire Department - Mayor Koretsky

Mayor Koretsky presented a Certificate of Appreciation to the Pembroke Park Fire Department for street collections for the Deed Club which is a children's cancer fund.

6. COMMENDATION: Fire Chief Dale A. Greer - Mayor Koretsky

Mayor Koretsky presented a Certificate of Appreciation to Fire Chief Dale A. Greer for outstanding community performance as a result of administering first aid to a woman in a supermarket who was in need of medical assistance. Mayor Koretsky said there were copies of newspaper stories about the Chief's assistance available at the meeting.

7. COMMENDATION: Commander Joe Redfern - Mayor Koretsky

Mayor Koretsky read a Certificate of Appreciation to Commander Joe Redfern of American Legion Post 310 Honor Guard in appreciation of service for the Town's Bicentennial Week Program from September 17 - 23, 1988. Mayor Koretsky explained that Commander Redfern performed Honor Guard service for the Town. Vice-Mayor Lyddon accepted the Certificate on behalf of Commander Redfern.

8. BID OPENING: Resurfacing Proposal for S.W. 19th Street - Mayor Koretsky

After determining that there were no other bids forthcoming, Mayor

Koretsky entertained a motion to close the bidding. A motion by Commissioner Badalamente, seconded by Vice-Mayor Lyddon, to close the bidding, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Mr. O'Sullivan said he received three bids. The first bid was from Brown's Paving Co., Inc., 3820 S.W. 25th Street, Hollywood, Florida, 33023 in the amount of $6,163.00. No one was present from the company. Attorney Flaxman said there were no bid figures on Items 2, 3, 4 and 8, but that Item 8 might be included in the lump sum figure. The second bid was from All-Rite Engineering Contractors, Inc., 2001 North State Road 7, Hollywood, Florida, 33021 in the amount of $16,325.00. No one was present from the company. Item 8 indicated that it was to be done by the Town. The third bid came from Blacktop Maintenance Division E.E.I., 1512 S.E. 12th Court, Fort Lauderdale, Florida, 33316 in the amount of $14,700.00. This bid contained a bid bond in the amount of $1,470.00. Discussion followed. Commissioner Badalamente made a motion to refer two bids, since one of the bids was a partial bid, to the Town's Engineering Department for their recommendation. Mayor Koretsky suggested all three bids be referred to Mr. Knor. A motion by Commissioner Badalamente, seconded by Commissioner Schwartz, to forward all three bids to the Engineering Department for its recommendation, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Attorney Flaxman advised the Commission that new bidders should not be allowed to submit bids at this time and the company that submitted an incomplete bid should not be allowed to amend the bid at this time but may be allowed to at a later date if none of these bids is acceptable. Discussion followed.

Mayor Koretsky announced that Commander Joe Redfern was now present and read the Certificate of Appreciation to him.

9. BID OPENING: NCR IGAS Payroll and IFMIS-III Update Software Packages - Mayor Koretsky

Mayor Koretsky determined that there were no bidders present at the meeting and entertained a motion to close the bidding. A motion by Commissioner Badalamente, seconded by Vice-Mayor Lyddon, to close the bidding, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Mr. O'Sullivan said he received no bids. Mayor Koretsky asked Attorney Flaxman if the Commission could go ahead with the proposals from NCR since they were the only company that would update the computer package. Attorney Flaxman advised that the Commission could waive further competitive bid requirements. Discussion followed. Commissioner Badalamente said he would like this item deferred for further discussion at a Workshop meeting. Discussion continued. Attorney Flaxman suggested that the bidding requirements could be waived and someone could call various software companies and request proposals. Discussion continued. Commissioner Badalamente made a motion to defer this item until the Budget and Finance Director returns from vacation to review the original proposal and to make calls to various software companies. In the event, there are no further proposals, then the Commission could take action on what it has. Commissioner Schwartz seconded the motion and it was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	NO

10. BID OPENING: Type-3 Rescue Ambulance - Mayor Koretsky

Since there were no other bidders present at the meeting, Mayor Koretsky entertained a motion to close the bidding. A motion by Commissioner Badalamente, seconded by Vice-Mayor Lyddon, to close the bidding, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Chief Greer said there were four bids. The first bid was from Aero Products, 708 Industry Road, Longwood, Florida, 32750, in the amount of $58,937.00 for a 1989 Ford XL E350 Type 3 Ambulance. The second bid was from Emergency Vehicle, Inc., Post Office Box 12713, Lake Park, Florida, 33403-0713 in the amount of $58,910.00 for a 1989 Ford XL E350 Type 3 Ambulance. The third bid was from National Ambulance

Builders, 230 North Ortman Drive, Orlando, Florida, 32805 in the amount of $51,995.00 for a National Ambulance Type 3 Modular Rescue Unit, 1989 Ford XL E350. The fourth bid was from Front Line, Inc., 8501 - 65th Street North, Pinellas Park, Florida, 34665 in the amount of $58,439.00 for a 1988 Ford Type 3 Custom Ambulance. Mayor Koretsky entertained a motion. A motion by Commissioner Badalamente, seconded by Commissioner Schwartz, to refer these bids to Chief Greer for review and a report, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

11. MOTION: Authorization for Vice-Mayor to Attend Civil Defense Conference - Mayor Koretsky

Commissioner Badalamente made a motion that authorization be given to Vice-Mayor Lyddon to attend the Civil Defense Conference in Cocoa Beach, Florida, for two days, and that all expenses incurred be paid by the Town. Commissioner Badalamente commented that Vice-Mayor Lyddon was dedicated to civil defense. The motion was seconded by Commissioner Schwartz and was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

12. MOTION: Authorization to Pay $100.00 Monthly Expense Allowance for Commissioners as of October, 1988 - Mayor Koretsky

Commissioner Badalamente made a motion that the monthly expense allowance of $100.00 per month be given to each Commissioner starting October, 1988 for expenses rendered as Commissioners of Pembroke Park. Vice-Mayor Lyddon seconded the motion and it was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

13. MOTION: Authorization to Pay 21 Cents Per Mile for League of Cities Orlando Convention Travel - Mayor Koretsky

Mayor Koretsky explained that if this motion is adopted, those

Commissioners who put in a different amount would be reimbursed the difference. Mayor Koretsky said the Commission would discuss at a Workshop meeting all of the parameters of handling expenses in all cases and in all facets. Commissioner Badalamente made a motion to authorize the amount of 21 cents per mile paid to the Commissioners for convention travel to Orlando. Discussion followed. Commissioner Schwartz seconded the motion and it was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Attorney Flaxman confirmed that this was a one-time item and that a Resolution was not needed. Mayor Koretsky commented that when the parameters were finalized by the Commission, a Resolution would be necessary at that time.

14. MOTION: Authorization to Hold Christmas Party December 16, 1988 for Town Personnel and Families - Mayor Koretsky

A motion was made by Vice-Mayor Lyddon to hold the Christmas Party on December 16, 1988 for Town personnel and their families. Clerk-Commissioner Ciummo seconded the motion and it was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

15. MOTION: Authorization to Give 30 Day Written Notice to Vacate Mobile Home in McTyre Park - Mayor Koretsky

Mayor Koretsky explained that this was necessary because the Town was hiring a manager for McTyre Park. Part of the manager's responsibilities would include the tennis courts along with the availability of the mobile home. Mayor Koretsky remarked that if the people living in the mobile home had some problems, he was sure the Commission would give an extension. A motion was made by Commissioner Badalamente to give 30 days written notice to the residents of the mobile home with consideration in the event of any problems. The motion was seconded by Vice-Mayor Lyddon and carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES

MAYOR KORETSKY	YES

16. COMMISSION HEARING: Blackfin Boat Company - Mayor Koretsky

Mayor Koretsky said each Commissioner had received a package of material on Blackfin and referred to his letter of July 15, 1987 with backup material and read same into the record. In addition, Mayor Koretsky read Mr. O'Sullivan's letter of October 21, 1988 into the record in which Blackfin was notified that the Commission would be discussing the matter of discontinuing their Occupational License.

Mayor Koretsky suggested the Commission discuss this as far as possible but to not arrive at a decision at this time since it was too complex to be squeezed into the crowded agenda and because Mr. Kelsey and Mr. Herndon were not able to be present. Mayor Koretsky said when these gentlemen return, the Commission could do more investigating of the premises and said he planned a walk-through with Harry Koretsky, an industrial chemist, along with Milan Knor and Chief Greer on or about November 14th. Mayor Koretsky asked that a Special Commission Meeting be held on Tuesday, November 22, 1988 at 7:00 P.M. to review this matter. Attorney Flaxman said he had been in contact with Blackfin's attorney and was moving toward a resolution and something important was found to allow the Commission to demand certain things. Discussion followed. Commissioner Badalamente said he would not be available on November 22nd and stated that Blackfin should comply with whatever Ordinances they were not in compliance. Commissioner Badalamente said Mayor Koretsky should be given the opportunity to have his delegation review the site prior to November 22nd and made a motion to have the Special Commission Meeting on November 22nd at 7:00 P.M. Commissioner Schwartz confirmed that this item was being moved so that the absent parties could be heard. Commissioner Schwartz seconded the motion and it was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Mayor Koretsky said he had not given in on what was required regarding the building. Commissioner Badalamente suggested every Commissioner visit the area.

17. RESOLUTION: Recurring Expenses - Attorney Flaxman

Attorney Flaxman read a Resolution by title only amending Resolution No. 88-4-2, as amended, relating to payment of certain recurring expenses and read the list of vendors. Discussion followed regarding the amount paid to Mr. Kunen. Mayor Koretsky explained that the $1,600.00 had to be in the recurring list because of certain Town residents always checking with the State Attorney who listens to them. Mayor Koretsky said each Commissioner's $100.00 expense allowance voted on earlier in the meeting had to be added to the list. A motion by Commissioner Badalamente, seconded by Vice-Mayor Lyddon, to add the $100.00 Commissioner expense allowance to the list of recurring expenses, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Commissioner Schwartz said she wanted to amend the amended Resolution and made a motion to change the amount for Mr. Kunen from $1,600.00 to $1,100.00. Discussion followed. Commissioner Badalamente seconded the motion. Discussion continued. The motion was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	NO
MAYOR KORETSKY	NO

A motion was made by Commissioner Badalamente to adopt the amended Resolution as amended. Commissioner Schwartz seconded the motion and it was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

18. RESOLUTION: ICMA Pembroke Park Pension Plan - Attorney Flaxman

Attorney Flaxman read a Resolution establishing a Money Purchase Plan and Trust to be known as the Pembroke Park Employees Pension Plan. A motion by Commissioner Badalamente, seconded by Clerk-Commissioner Ciummo, to adopt the Resolution, was carried as follows:

COMMISSIONER SCHWARTZ	ABSENT
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

19. RESOLUTION: Appointing Grant Thornton Town Auditor - Attorney Flaxman

Attorney Flaxman read a Resolution by title only appointing and designating Grant Thornton, C.P.A., as auditor and accountant for the Town for the fiscal year October 1, 1988 through September 30, 1989. A motion by Commissioner Badalamente, seconded by Vice-Mayor Lyddon, to adopt the Resolution, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Mayor Koretsky asked if Commissioner Schwartz wanted to record a vote for the ICMA Pension Plan Resolution since she was listed as being absent for the roll call. Commissioner Schwartz commented that since she was absent for the vote, she should be listed as absent.

Mayor Koretsky called for a ten minute recess at 8:10 P.M. and reconvened the meeting at 8:25 P.M.

20. <u>DISCUSSION: Payment of Legal Bill from Joel Miller for Koretsky v. Phelps Case - Mayor Koretsky</u>

Mayor Koretsky commented that an unprofessional presentation regarding an obsolete State Attorney's opinion was made at the October meeting by the attorney for Ms. Phelps. Mayor Koretsky said the opinion was obsolete because in September, 1985 he personally bankrolled the Ferrara vs. Caves case which rendered the 1980 case obsolete. Mayor Koretsky suggested Resolution 87-11-6 regarding indemnification of Town officials and employees be amended to reflect that the Town would indemnify, except for any official who thinks the Commission should go by the opinion of any outside attorney and for those officials the opinion of the outside attorney should prevail and those officials would be listed in the Resolution. Mayor Koretsky distributed the Town Attorney's opinion on the matter and explained that he disagreed with it. Mayor Koretsky commented, among other things, that the opinion handed down by the Fourth District Court of Appeals is case law and irrefutable and will prevail if Judge Price's decision is different when he hears the case.

Attorney Flaxman reviewed the steps he had taken in formulating his opinion and said he suggested that no action be taken on the bill until Judge Price ruled on the amended order regarding the payment of attorney fees on November 16, 1988. A lengthy discussion followed regarding the legal repercussions of paying the bill prior to Judge Price's decision. Attorney Flaxman recommended that payment of the bill be deferred until Judge Price had an opportunity to amend his order on November 16th along with a formal presentation being made as to Mayor Koretsky submitting his bill.

Mayor Koretsky said he would like any motion that was made to reflect that the Commission is voting to pay more money, if they vote to wait for Judge Price's opinion. Commissioner Badalamente made a motion to not pay the legal fees at this time for the expense borne by Mayor Koretsky. Commissioner Schwartz seconded the motion and it was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	NO
MAYOR KORETSKY	NO

Commissioner Badalamente said the intent of his motion was to have the Commission wait for a final determination from the Judge and, after that determination, the Commission should be advised by the Town Attorney as to the next procedure.

21. <u>DISCUSSION: Request for Attorney to Draft Ordinance Requiring Monitoring Wells - Commissioner Badalamente</u>

Commissioner Badalamente asked that the Commission direct Attorney Flaxman to develop an Ordinance and Resolution to make it mandatory that any gas station or any places that have underground gas tanks institute a monitoring well. He said this was in compliance with the EPA and Broward County. Commissioner Badalamente commented that there was evidence in the past that code enforcement actions were dismissed and hazardous material was left underground for 3 or 4 years before it was removed. Commissioner Badalamente said each existing gas station should be given one year to put it into effect and then have the Town's Engineering Department and Code Enforcement Board enforce the Ordinance.

Mayor Koretsky said he thought it was a good idea and said Mr. Oglesby could speak on it. Mr. Oglesby appeared and discussed his experience with underground tanks and commented that all new tank installations included monitoring wells. Discussion followed regarding the tanks the Town has behind Town Hall. Attorney Flaxman said he would review the County Ordinance. Commissioner Schwartz said she wanted Attorney Flaxman to determine if the Town would be accepting liability if it adopted an Ordinance that was the same as the County's and not more restrictive.

22. <u>DISCUSSION: Disposal of 3 Surplus Vehicles - Commissioner Badalamente</u>

Commissioner Badalamente made a motion that the Town declare as surplus the 1953 Fire Truck #4755, 1977 Pontiac Sedan #2018 and the 1977 Pontiac Sedan #0619. Commissioner Schwartz seconded the motion and it was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Mayor Koretsky explained that the Commission had to state how these vehicles were to be disposed. Commissioner Badalamente made a motion to dispose of these vehicles as scrap. Mayor Koretsky suggested Mr. O'Sullivan advertise for sealed bids for disposal. Discussion followed. Attorney Flaxman said the Commission could waive bids. Discussion continued. Attorney Flaxman said the Commission could make a motion to waive the formal bidding and go for a simple ad. Commissioner Badalamente so moved and it was seconded by Commissioner Schwartz. The motion was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

23. <u>DISCUSSION: Attorney's Review of AT&T Franchise Fee Contract - Commissioner Badalamente</u>

Commissioner Badalamente said he would like to have Attorney Flaxman review the current franchise to determine if the phrase "rental phones" carries the impact he thinks it should carry. Discussion followed. Attorney Flaxman explained the franchise expired in 1990 and the Commission may want to rewrite it. Attorney Flaxman said he received a letter from Florida Power & Light in response to his request for interest relating to the franchise which letter stated that Florida Power & Light does not pay interest on the 10% franchise payment retained each month. Discussion followed.

24. <u>DISCUSSION: Attorney Update of All Litigations - Attorney Flaxman</u>

Attorney Flaxman said each Commissioner received a letter on this but that the wastewater litigation was left off. Further, regarding the Healy case, Attorney Flaxman said $125,000.00 had been budgeted by the Town for attorney fees and costs and, as of this date, the Court awarded the sum of $102,000.00. Attorney Flaxman said the Healy's attorney had requested an additional $35,000.00 but he had negotiated it down to an additional $23,000.00 which would total the budgeted amount of $125,000.00. Attorney Flaxman suggested the Town pay the $125,000.00 and the case would be over. Mayor Koretsky remarked that the Healy attorney said he knew the budgeted amount. Discussion followed. Mayor Koretsky suggested the Commission consider the sum of $110,000.00 to $115,000.00. Discussion continued. Attorney Flaxman said he would offer $115,000.00 to the Healy's attorney if instructed to do so. A motion by Commissioner Badalamente, seconded by Commissioner Schwartz, to authorize Attorney Flaxman to offer $115,000.00 to the attorney for the police to close the case, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Mayor Koretsky entertained a motion to authorize Attorney Flaxman to sue Sarah Phelps for repayment of the Town's expenditure due to former Vice-Mayor Price's case and the suit should include the legal costs of the suit if allowable under the law. Attorney Flaxman said he would have to research the matter and would only want to do that if the Commission wanted him to start a lawsuit. Discussion followed. Commissioner Badalamente made a motion to have this discussed at a Workshop meeting and Vice-Mayor Lyddon seconded it. The motion was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Mayor Koretsky asked for a preliminary opinion and Attorney Flaxman said he would provide it prior to the Workshop meeting. Mayor Koretsky said there had been one frivolous investigation after another and they caused wasted time and expense. One case involving public records cost the Town over $1,600.00 in legal fees. Although the case has been closed for a while, the Town has been unable to obtain the public records from the State Attorney. Because of this, Mayor Koretsky entertained a motion to authorize Attorney Flaxman to file a Writ of Mandamus for the production of the public records of that case and from any other case that should be closed. Commissioner Badalamente so moved and it was seconded by Clerk-Commissioner Ciummo. Attorney Flaxman said he would formally ask the State Attorney under F.S. 119 to provide any and all documents related to any investigations against the Town and individuals which are closed. Discussion followed. The motion was carried as follows:

COMMISSIONER SCHWARTZ	NO
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

25. DISCUSSION: Calibrating Flow Meter for Sewerage - Commissioner Badalamente

Commissioner Badalamente said he had proposed at the Workshop meeting that after a careful review of the study of an engineering report submitted to the Town in July, 1988 that the Town comply with the request of the engineering company that made a recommendation regarding the flowmeter. Commissioner Badalamente said he had determined that the flowmeter belonged to the Town, that the City of Hollywood did not have any objection to calibration and that two types of calibration should be instituted, i.e., magnetic and P-top. Commissioner Badalamente said Mr. Knor was going to provide the Commission with a list of companies that do calibration and the costs involved. Further, Commissioner Badalamente said Mr. Knor thought it would cost less than $1,000.00. Discussion followed. A motion by Commissioner Badalamente, seconded by Clerk-Commissioner Ciummo, to authorize an expenditure to not exceed $1,001.00, was carried as follows:

COMMISSIONER SCHWARTZ	NO
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

26. DISCUSSION: Increment Salary Increases for Jimmy Woodbury, James Nelson, Clayton Barnett and Willie Huff - Deputy Town Clerk

Mr. O'Sullivan explained that these men had been passed over for merit increases over the past few years and were not considered during the last budget. Mr. O'Sullivan said Mr. Knor and Mr. Davis asked for increases for them and he suggested an increment salary increase of $300.00 per man retroactive to October 1, 1988. A motion by Commissioner Badalamente, seconded by Vice-Mayor Lyddon, to approve the $300.00 per man salary increases retroactive to October 1, 1988, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

27. DISCUSSION: Status of Agreement with Herbert Kunen - Mayor Koretsky

Mayor Koretsky asked if the Commission had reviewed the contract and if it had anything to discuss. Attorney Flaxman said he was contacted by Mr. Knor who said there were certain portions of the agreement to which Mr. Kunen objected but that he had not had an opportunity to review it but would do so before the next Workshop meeting and let the Commission know which items were objectionable. Commissioner Schwartz asked how and where the advertisement was placed for this project. Discussion followed. Attorney Flaxman commented that if there are additional State requirements for advertising of this type, he would advise the Commission at the next meeting and readvertise. Discussion continued. Attorney Flaxman said he would research it and report before the next Workshop meeting. Discussion continued. Commissioner Badalamente complimented Attorney Flaxman on the preparation of the agreement.

28. APPROVAL OF BILLS - Deputy Town Clerk O'Sullivan

Mr. O'Sullivan explained the bills over $500.00 (see attached) and said the amount payable to the City of Hallandale had been deducted from the list leaving a total of $7,204.93. Discussion followed. A motion by Vice-Mayor Lyddon, seconded by Clerk-Commissioner Ciummo, to pay the bills over $500.00 totalling $7,204.93, was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

29. COMMENTS FROM THE PUBLIC

Mayor Koretsky read a letter he received from Rita London (see attached) concerning certain activities by the Deputies in support of their services being maintained in the Town. Commissioner Schwartz quoted a portion of F.S. 104.31 relating to political activities of State, County and Municipal Officers and Employees. Discussion followed regarding a Town car being used on Election Day. Mayor Koretsky pointed out that people needed transportation in order to vote and the Town should be accommodating. Commissioner Schwartz asked about the Town's liability for having an unauthorized person riding in a Town vehicle not on Town business and Mayor Koretsky asked if that was the same liability when Commissioner Schwartz rode with the Deputies.

Vice-Mayor Lyddon asked Attorney Flaxman to look up the Hatch Act which relates to employees campaigning.

Mayor Koretsky said he had a request to speak from the Lake Forest Optimists and advised them that they had 3 minutes to speak. Mr. Larry Johnson, President of the Lake Forest Optimists Club, appeared and discussed the Town's contribution to the Club and asked the Commission to reconsider its donation of $400.00. Discussion followed. Commissioner Badalamente asked the Commission to reconsider making available to the Optimists Club the balance of the funds set aside for donations. Discussion continued. Commissioner

Badalamente made a motion to donate the remaining $400.00 set aside for donations to the Lake Forest Optimists Club for a total of $800.00 and Vice-Mayor Lyddon seconded the motion. The motion was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Mr. Johnson asked the Commission if it would allocate a portion of the $10,000.00 recreation budget for the immediate purchase of a linemarking machine and the paint to line the soccer field. Discussion followed. Mayor Koretsky asked Mr. O'Sullivan to ask Mr. Davis about his machine. Mr. Johnson discussed the two types of machines needed for lining the soccer and baseball fields. Commissioner Schwartz suggested Mr. Johnson make a list of the specifications. Chief Greer said he had a paint spray machine that could be used.

30. COMMISSIONER COMMENTS

Mayor Koretsky said to set the record straight in regard to an article in the Miami Herald stating that Commissioner Schwartz paid her own way for the Las Vegas Convention, he'd like to report this. When you discuss expenses, you need to do it in the context of what's in the budget for the year in question. The Las Vegas convention was in the 1987-88 budget year. The amount of money the Town spent because of Commissioner Schwartz for Las Vegas was $320.00 and for her two conventions, $493.00. Her expenses were one of the highest. For example, the amount spent on account of the Las Vegas trip for the Mayor was $250.00 and Commissioner Ciummo $245.00. At the next Workshop, we will discuss a possible set of parameters that we should adopt governing Commissioner expenditures.

Mayor Koretsky said he had been receiving hundreds of complaints from residents dealing with items that the Deputies were not properly enforcing, whether it was blocked intersections, so people couldn't get out of their parks or dumpsters being unloaded at illegal hours or the lack of adequate patrol, illegal parking, etc. As Mayor, he felt it was his obligation to come up with a plan to solve those problems and since he couldn't resolve the problems with the Deputies, it was clear to him the Town needed its own police department. He said the pople had spoken and his proposal failed but he really could not see how that made all the problems go away unless Commissioner Schwartz, who worked to defeat his plan, had a better plan. He said in case she is not fully aware of the total problem, he was instructing Mr. O'Sullivan to channel all complaints of a police nature to Commissioner Schwartz.

Mayor Koretsky said we might start with his complaint of an unhitched truck trailer illegally parked on Bryan Road next to the Union Hall. Mayor Koretsky asked how anyone but the Deputies could miss that. Further, Mayor Koretsky said that some time back they all had a conference on this very same problem. In addition, Mayor Koretsky said Commissioner Schwartz was all over Precinct 51Q and wondered if she spoke to the Deputies, who were also all over the place, about the trailer.

Mayor Koretsky said Attorney Flaxman should send a letter to Sheriff Navarro about extending the contract for the full year 1988-1989. Commissioner Schwartz suggested it be a two year contract as before. Mayor Koretsky said one year with a one year option was fine. Vice-Mayor Lyddon said there should be stipulation that the Town paid as it went. Mayor Koretsky said the contracts always had a provision to cancel the contract with 30 days notice.

Mayor Koretsky said the Deputies set themselves up as judge and jury with regard to illegally parked cars and so he was proposing that Attorney Flaxman draft a strong Ordinance forbidding stopping, standing and parking on an area designated as a green area such as a swale, etc. In addition, the Ordinance should forbid unattended parking in an area not designated for parking. Mayor Koretsky said there was verification that the Deputies do not have the cars removed and that they argue they have no authority to have them removed.

Mayor Koretsky said the improvement project on Bryan Road and S.W. 27th Street was held up because the owner of the Dynasty property changed his mind about building and bought a piece of Mr. Smiley's building. However, he said Mr. Cezare is still willing to convey the 20 foot road dedication on Bryan Road. Mayor Koretsky said he would like Attorney Flaxman to contact Mr. Cezare's attorney, Mr. Moskowitz.

An unidentified member of the audience shouted about Commission remarks about the Deputies. Commissioner Schwartz discussed the police department referendum.

Commissioner Schwartz discussed Las Vegas Convention travel expenses versus registration fee and said she was not reimbursed for her travel expenses.

Commissioner Schwartz discussed notification of the Deputies when a crime occurs or there is a violation of an Ordinance.

Commissioner Schwartz recommended the Sheriff's contract be made for two years with a cancellation option.

Commissioner Schwartz discussed what items should be handled under Commissioner Comments. Mayor Koretsky pointed out that Commissioners could discuss anything they wanted under this item. Discussion followed regarding parliamentary procedure.

Vice-Mayor Lyddon made a motion to name Commissioner Schwartz as Police Commissioner of the Town. Mayor Koretsky remarked that he believed she should have the title after she has shown that she has earned it. Discussion followed.

Commissioner Badalamente pointed out that the entire Commission had to work together to be successful. Commissioner Badalamente expressed appreciation for law enforcement officials. Commissioner Badalamente said he hoped the Commissioners would set aside their differences and work toward solving the major problems of the Town.

Commissioner Schwartz said she offered the option of having a third BSO patrol car in the Town. Mayor Koretsky asked if her proposal had been made at a Workshop or Regular meeting and she said probably at both. Mayor Koretsky requested that Commissioner Schwartz ask Meg Strobel to find that section so it can be discussed. Mayor Koretsky said there were problems in the Town and the Commission was supposed to be working toward the betterment of the problems. Mayor Koretsky said the concern was for the parked cars all over the streets, the lack of patrol and the lack of citations for Town Ordinance violations. Discussion followed. Vice-Mayor Lyddon's motion of naming Commissioner Schwartz as Police Commissioner failed for lack of a second.

Vice-Mayor Lyddon said he turned in more complaints from residents than the majority of the all the Commissioners and the complaints are acted on. Vice-Mayor Lyddon said responses to Town letters from Captain Bower of the BSO were not worth commenting on. Vice-Mayor Lyddon commented on all the calls he receives from residents every night and said he did his job to the best of his ability and helped a lot of the residents along with Mayor Koretsky.

31. <u>ATTORNEY COMMENTS</u>

Attorney Flaxman said a Resolution should be adopted certifying the results of the election. Attorney Flaxman read a Resolution certifying the results of the referendum questions voted upon at the General Election on November 8, 1988. Mr. O'Sullivan said the total ballots cast for the residence requirements for voting and holding elective office were 1,013 with 859 Yes votes and 154 No votes. Regarding the establishment of a Town police department, there were 1,075 ballots cast with 311 Yes votes and 764 No votes. Mr. O'Sullivan said these figures were certified by Jane Carroll, Supervisor of Elections. Mayor Koretsky entertained a motion. Commissioner Badalamente made the motion and it was seconded by Vice-Mayor Lyddon. The motion was carried as follows:

COMMISSIONER SCHWARTZ	YES
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Attorney Flaxman thanked the Commission for the fee increase and remarked that he performs his job in as timely a manner as possible given the number of items he has been called upon to do.

Mayor Koretsky commented on the number of votes cast with regard to the police department.

32. PERSONNEL COMMENTS

Chief Greer discussed Fire Central going to a new frequency and all Fire Department radios had to be changed and requested approval to go forward with the purchase of new radios. The G.E. radios cost $18,444.00 and Motorola's cost $21,000.00 on the State and County bids. Chief Greer recommended the G.E. radios. Discussion followed. A motion by Vice-Mayor Lyddon, seconded by Clerk-Commissioner Ciummo, to authorize the purchase of the G.E. radios for $18,444.00, was carried as follows:

COMMISSIONER SCHWARTZ	NO
COMMISSIONER BADALAMENTE	NO
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Mr. O'Sullivan said Gladys Vargas left her job for personal reasons and requested authorization to advertise for another employee. A motion by Commissioner Badalamente, seconded by Clerk-Commissioner Ciummo, to authorize Mr. O'Sullivan to advertise for another employee, was carried as follows:

COMMISSIONER SCHWARTZ	ABSENT
COMMISSIONER BADALAMENTE	YES
VICE-MAYOR LYDDON	YES
CLERK-COMMISSIONER CIUMMO	YES
MAYOR KORETSKY	YES

Mr. O'Sullivan said he purchased a basket of fruit for Mr. Kramer's family and delivered it and Mr. Kramer's family conveyed their thanks to the Mayor, Commissioners and Town employees. Vice-Mayor Lyddon advised Mr. O'Sullivan to have the flag raised to full staff since the three day mourning period had been observed.

33. ADMINISTRATIVE ASSISTANT/DEPUTY TOWN CLERK COMMENTS

None.

Since there was no further business, Mayor Koretsky adjourned the meeting at 10:30 P.M.

Respectfully submitted,

By: Eugene O'Sullivan
EUGENE O'SULLIVAN
Deputy Town Clerk