



**MINUTES  
TOWN OF HILLSBORO BEACH  
REGULAR COMMISSION MEETING  
NOVEMBER 9, 2021**



**10:30 A.M.**

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**CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE**

Mayor Deborah L. Tarrant called the meeting to order at 10:30 a.m. Roll was called with the Commission members and staff present as listed below.

**Town Commission:**

Mayor Deborah L. Tarrant  
Vice Mayor Irene Kirdahy  
Commissioner Jane Reiser

Commissioner Barbara Baldassarre  
Commissioner Vicky Feaman

**Town Staff:**

Town Manager Mac Serda, ICMA-CM  
DJ Doody, Town Attorney, Esq.  
Town Clerk Sherry D. Henderson, CMC  
Police Chief Jay Szesnat

Mayor Tarrant led a moment of silence in honor of Veterans Day.

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**APPROVAL OF AGENDA**

**Motion** made by Commissioner Feaman, seconded by Vice Mayor Kirdahy, to approve the agenda as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

**I. APPROVAL OF MINUTES**

**A. Minutes of the October 5, 2021 Board of Zoning & Appeals Public Hearing**

**Motion** made by Commissioner Feaman, seconded by Vice Mayor Kirdahy, to approve the minutes from the October 5, 2021 Board of Zoning & Appeals Public Hearing as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

## **B. Minutes of the October 5, 2021 Regular Commission Meeting**

**Motion** made by Commissioner Baldasarre, seconded by Commissioner Feaman, to approve the minutes from the October 5, 2021 Regular Commission Meeting as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

## **II. PRESENTATIONS**

None.

## **III. ORDINANCES**

### **A. Ordinance No. 2021-09 Amendment to the Town's Code of Ordinance, Chapter 12 Land Development Code, Amending Sec. 12-396 to Provide for the Use of Artificial Synthetic Turf. (First Reading)**

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF HILLSBORO BEACH, FLORIDA, AMENDING THE TOWN'S CODE OF ORDINANCES BY AMENDING CHAPTER 12 ENTITLED "LAND DEVELOPMENT CODE,"; BY SPECIFICALLY AMENDING SECTION 12-396 ENTITLED "APPROPRIATE LANT SELECTION, LOCATION, AND ARRANGEMENT" TO PROVIDE FOR THE USE OF ARTIFICIAL TURF; PROVIDING FOR AN AMENDMENT TO PROCEDURE, REVIEW CRITERIA, AND DESIGN STANDARDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Doody read the Ordinance by title only.

Town Manager Mac Serda stated this was a response to the current condition requiring any synthetic turf requests come before the Town Commission. He stated the Ordinance would lay out minimum standards.

Mayor Tarrant suggested amendment to require a sample be provided with all applications. Mr. Serda agreed.

Mayor Tarrant stated under no circumstances may installation include a water barrier. Discussion ensued regarding the approach to keep weeds down.

Mayor Tarrant pointed to a grammatical error within the language of the Ordinance.

Commissioner Baldasarre asked if condominiums were excluded. Discussion ensued as to whether the intent was for single family homes or Town-wide.

Mr. Doody stated he would amend the language of the Ordinance to remove the zoning reference, as well as the reference to single family homes.

Mayor Tarrant opened public comment on the Ordinance, however there being none to speak, closed the public comment.

**Motion** made by Commissioner Feaman, seconded by Commissioner Baldasarre, to amend Ordinance 2021-09 on first reading to include the changes outlined below. In a roll call vote, the **motion** passed unanimously. (5-0)

- Sample required with all applications
- Include all residential and commercial properties within the Town
- Language revised for grammar

**Motion** made by Vice Mayor Kirdahy, seconded by Commissioner Feaman, to approve Ordinance 2021-09 on first reading as amended. In a roll call vote, the **motion** passed unanimously. (5-0)

#### **IV. DISCUSSION & POSSIBLE ACTION**

##### **A. Discussion on Procedure for Proclamations**

Mayor Tarrant stated the proposed proclamation process was in response to a resident having a 100<sup>th</sup> birthday between Commission meetings and wanted to acknowledge such with a proclamation.

Mr. Serda presented sample language for review by the Commission. He stated there was no requirement to make a change.

Commissioner Baldasarre stated she supported a change to the language.

Mayor Tarrant thanked Town Clerk Henderson for the proclamation she prepared for the 100<sup>th</sup> birthday and discussed her experience making the presentation to Mrs. Angelique Salic.

Mr. Serda sought and received consensus to return to a future meeting with a Resolution for further discussion.

Mr. Doody asked for clarification regarding the process as outlined in the proposed language. Discussion ensued.

##### **B. Discussion on Amending Land Development Code, Maximum Lot Size**

Mayor Tarrant stated she had asked for this discussion due to an issue with a property with lots being combined to amass a lot the size of the Dezer Development parcel. She noted the original discussion was misconstrued to appear the Commission was looking to approve

more construction on larger lots, rather than to restrict such. She stated she had asked staff to review how future combination of properties could be restricted, and the possibility of limiting maximum lot size was suggested.

Mr. Doody explained that historically zoning in South Florida restricts development to certain lot sizes. He provided additional detail and stated this would be a continuation of that concept so as to ensure orderly development and not impose any large burdens. Mr. Doody stated if this was something the Commission wanted to consider, he would recommend engaging a consultant to conduct a study and develop a basis for the proposed legislation.

Discussion ensued as to the current best and reasonable use allowed within the Town's Code, and lot sizes within each zone.

Mayor Tarrant noted that a developer looking for the most frontage possible could purchase multiple parcels to build something that does not fit the community. She discussed parts of the island where zoning allows for higher units.

Commissioner Reiser asked about land lease situations. Mayor Tarrant explained.

Mr. Doody explained the proposed Ordinance related to the Dezer property had been withdrawn and would not be coming before the Commission.

Mr. Serda asked if the Commission wanted staff to engage a consultant to look at a potential delineation regarding lot sizes.

Mr. Doody added that the consultant would look at what Ordinances may be required to maintain the character currently enjoyed by the Town.

Mayor Tarrant asserted legislation was only required if the Commission wanted to maintain the character of the Town. She asked that Mr. Serda investigate the potential cost.

Commissioner Reiser suggested taking public comment on the topic.

Vice Mayor Kirdahy commented on how the issue was handled in other parts of Florida. Discussion continued regarding differing restrictions in single family and multi-family.

## V. RESOLUTIONS & CONTRACTS

### A. Resolution No. 2021-50

CONSIDERATION TO APPROVE AND AUTHORIZE THE APPROPRIATE TOWN OFFICIALS TO EXECUTE MAINTENANCE MEMORANDUM OF AGREEMENT (MMA) WITH FLORIDA DEPARTMENT OF TRANSPORTATION - DISTRICT, RELATING TO STATE ROAD A1A PROJECT #441360-1-56-01.

Mr. Doody read the Resolution by title only.

Mr. Serda explained the agreement was a requirement by the Florida Department of Transportation (FDOT). He stated the Town does participate in State revenue sharing for transportation projects, and this was separate from the shuttle improvements.

Vice Mayor Kirdahy asked for clarification on how the funds would be spent. Mr. Doody explained the limitations on the spending.

Mayor Tarrant stated she would like to further discuss the proposed crosswalks not included in the agreement.

Commissioner Reiser asked the lifespan of the lighted pedestal signs contemplated in the agreement. Mr. Serda explained.

Mr. Serda clarified if there was not enough right-of-way for FDOT to install the lighted pedestal signs, he would seek an option for the Town to coordinate installation, but that information was not available at this time.

Commissioner Baldassarre asked for clarification on the end date for the transportation funds. Mr. Serda explained.

Mr. Serda stated under the agreement there were five (5) locations identified, FDOT would do the installation, and the Town would be responsible for maintenance.

**Motion** made by Commissioner Feaman, seconded by Commissioner Reiser, to adopt Resolution 2021-50 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

Mayor Tarrant asked about the sixth location outside of the Town of Hillsboro Beach, located at 10<sup>th</sup> Street in Deerfield Beach, and how maintenance would be managed. Mr. Serda agreed to pursue clarification.

Mayor Tarrant stated the current crosswalk configuration reflected the earliest development of the Town and did not necessarily match the current needs of the Town. She listed the locations and provided feedback on the number of people served by each.

Mr. Serda explained the FDOT's position regarding the addition of crosswalks and the feedback received from the Town Engineer.

Mayor Tarrant asked the cost of an engineering study regarding the placement of the crosswalks in Town. Mr. Serda agreed to explore the issue.

Commissioner Reiser referenced a past study done on the crosswalks, and stated it was 250 pages and not done during peak season.

Mayor Tarrant stated she would like to review the study. Discussion continued regarding the existence of a previously completed traffic study.

Police Chief Szesnat agreed to look for an existing study.

**B. Resolution No. 2021-51**

CONSIDERATION TO APPROVE AND AUTHORIZE THE \$19,996.00 PURCHASE OF SPEED VARIABLE SIGNS FROM TRANSPORTATION SOLUTION AND LIGHTING FOR THE POLICE DEPARTMENT.

Mr. Doody read the Resolution by title only.

Police Chief Szesnat explained two (2) of the signs had been borrowed under a demonstration and had positive results over the weekend. Discussion ensued regarding the speed limit and the maximum idle speed.

**Motion** made by Commissioner Baldassarre, seconded by Commissioner Feaman, to adopt Resolution 2021-51 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

**C. Resolution No. 2021-52**

CONSIDERATION TO APPROVE AND AUTHORIZE \$25,342.15 PURCHASE OF OFFICE FURNITURE FROM RUSS BASSETT FOR COMMUNICATIONS AREA AT POLICE STATION.

Mr. Doody read the Resolution by title only.

Police Chief Szesnat and Mr. Serda provided detail on the furniture selected.

**Motion** made by Commissioner Reiser, seconded by Commissioner Feaman, to adopt Resolution 2021-52 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

**D. Resolution No. 2021-53**

CONSIDERATION TO APPROVE AND AUTHORIZE FISCAL YEAR 2021 BUDGET AMENDMENTS.

Mr. Doody read the Resolution by title only.

Mr. Serda explained this was year-end cleanup of accounts and stated Stephen Bloom was available to walk through the amendments if required.

**Motion** made by Commissioner Baldasarre, seconded by Commissioner Feaman, to adopt Resolution 2021-53 as presented. In a roll call vote, the **motion** passed unanimously. (5-0)

#### **E. Resolution No. 2021-54**

CONSIDERATION TO APPROVE AND ADOPT THE TOWN OF HILLSBORO BEACH 2022 COMMISSION MEETING SCHEDULE.

Mr. Doody read the Resolution by title only.

Mayor Tarrant pointed to issues with holidays near the Commissioner meetings and discussed the schedule. She stated Mr. Serda had identified four (4) meetings the Commission may want to move.

Discussion ensued as to whether to move the October meeting, as Yom Kippur does not begin until sundown. The Commission agreed to hold meetings on the first Tuesday of each month in 2022 with the following exceptions:

- January 11
- July 12
- September 13

**Motion** made by Commissioner Reiser, seconded by Commissioner Feaman, to amend Resolution 2021-54 to move the January, July, and September meeting dates as discussed. In a roll call vote, the **motion** passed unanimously. (5-0)

**Motion** made by Commissioner Baldasarre, seconded by Commissioner Feaman, to adopt Resolution 2021-54 as amended. In a roll call vote, the **motion** passed unanimously. (5-0)

## **VI. CONSENT AGENDA**

### **A. Invoices for Approval**

1. **LSF Shuttle:** Invoice #21-0930-26 Services rendered through Sept 2021 **\$6,083.87**
2. **LSF Shuttle:** Invoice #21-1031-26 Services rendered through Oct 2021 **\$6,083.87**
3. **CG&A:** Invoice #8911 Services for Sept 2021 **\$31,657.33**
4. **CG&A:** Invoice #90078 Services for Oct 2021 **\$71,165.11**
5. **Inframark:** Invoice #68833 Services rendered for Oct 2021 **\$7,325.94**
6. **GCDE** Invoice #37935 9/27/2021 through 10/26/21 **\$6,680.65** (General Matters)

7. **GCDE** Invoice #37936 9/28/2021 through 10/18/21 **\$1,397.70** (Development)
8. **GCDE** Invoice #37935 9/27/2021 **\$180** (Writ of Garnishment)
9. **RMA:** Invoice #4637 8/20 through 10/1/21 **\$8,650.00**
10. **LSF Shuttle:** Invoice #21-1031-26 Services rendered through Oct 2021 **\$6,083.87**

**Motion** made by Commissioner Baldasarre, seconded by Commissioner Reiser, to approve the invoices for approval in the Consent Agenda as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

## **B. Proclamations**

1. Proclamation Recognizing January 23-29, 2022 as National School Choice Week
2. Proclamation Celebrating Angelique Salic's 100<sup>th</sup> Birthday (Ratification)

**Motion** made by Commissioner Feaman, seconded by Commissioner Baldasarre, to approve the proclamations for approval in the Consent Agenda as printed. In a roll call vote, the **motion** passed unanimously. (5-0)

## **VII. BEACH REPORT**

### **A. Update on Beach Renourishment Project with City of Deerfield Beach**

Mr. Serda provided a brief update. He stated things continue to progress and explained a formal determination from Moffat & Nichol regarding the stability of the beach until the planned renourishment. He stated Deerfield Beach is working on solidifying their erosion control line. He stated there is no new news from Boca Raton, but they are listed as an approved project from the State.

Mayor Tarrant asked about the sand from Deerfield Beach 10,000 cy. Mr. Serda stated procurement and engineering was taking place at this time, but a date was not yet set.

Mayor Tarrant asked if the large renourishment project was on track to be completed prior to the next turtle season. Mr. Serda stated that it was.

### **B. Update for Florida Shore & Beach Preservation Association Action Items**

Mr. Serda stated the A1A project was being reviewed for resiliency compliance, despite FDOT stating it was not required. He explained the review was not required but incorporated Broward County's sea level rise forecasts.

Mayor Tarrant asked about a Miami-Dade sand replacement and potential Federal project which included Key Biscayne. Mr. Serda provided explanation regarding the Army Corps of Engineering involvement and the public access points present in that project.

Mayor Tarrant asked if Mr. Serda had made contact with Palm Beach County regarding their cooperative agreement. She stated they had an agreement to the north, but they would like there to be one (1) for the south. She suggested the item be revisited.

Mr. Serda explained he had been working on putting together a job description for a beach staff person and would be presenting that item at the next Commission meeting.

## **VIII. STAFF UPDATES**

### **A. Police Department**

#### **1. Police Department Monthly Activity Report**

Police Chief Szesnat presented his report. He stated the number of contacts is relatively the same as the prior month. He explained the Police Department continues to monitor the bicyclist issues and concerns. He pointed out the Department performed roughly 6,300 security checks last month and the number of miles driven. Continuing, Police Chief Szesnat reviewed notable events over the month, and noted a report of a person drowning was a manatee with a GPS unit. He discussed the response to a kayak found floating in open water. He stated there had been a reduction in buoy violations.

The Commissioners shared experiences with Police Officer interactions and discussion ensued regarding the responses received.

#### **2. Vehicle Noise Enforcement**

Police Chief Szesnat stated that the Commission had asked he explore restrictions on noise from vehicles and he had worked with Mr. Doody to determine applicable Statutes and explore the existing case law. He stated a Town cannot enact an Ordinance related to noise. Mr. Doody provided additional clarification.

Vice Mayor asked for clarification regarding waterway noise restrictions. Police Chief Szesnat explained.

### **B. Finance Department**

Steven Bloom, Inframark, presented the unaudited year-end financial report for Fiscal Year 2021. He reviewed the General Fund and stated there was a \$331,700 surplus and

revenue at 103.2 percent of the annual budget. He noted property taxes were 100 percent collected. Mr. Bloom reviewed expenditures and stated total expenditures were at 82.2 percent of the annual budget. He provided an overview of highlights from the Special Revenue Funds.

Mr. Bloom stated total revenue for the Water Fund was down five (5) percent year-to-year but was at 99.9 percent of annual budget. He discussed the usage by service type and the month-to-month changes. He discussed expenses, including loan payments and capital expenses for the Water Fund over the year. Continuing, Mr. Bloom reviewed the fuel cost analysis for the year and the analysis of Workers' Compensation claims and premiums.

Mayor Tarrant asked for clarification on the conference line item. Mr. Serda explained.

Mayor Tarrant inquired as to the payroll line items for vacation. Mr. Bloom explained, and stated the amount was lowered in the Fiscal Year 2022 budget to match the actuals more accurately.

Mayor Tarrant expressed appreciation for the police forfeiture expenditure line item.

### **C. Building Services**

Steve Mitchell, Building Official, CG&A, presented the September Building Services report. He stated this month and next would be busy, and that would drop off at the beginning of the year. He provided a brief overview of pending projects and stated it was all on track.

Mayor Tarrant asked for an update on the rebuilding after the fire at Opal Towers West. Mr. Mitchell explained the status of the application.

Commissioner Baldasarre asked the actual status inside the building. Mr. Mitchell stated most of the drywall was gone from the hallways and repairs had not begun. He explained of the 16 impacted condominiums, he believed 10 were vacated.

Mr. Serda noted the damage had occurred the weekend after July 4. Discussion continued regarding concerns associated with the leadership at the property and next steps.

Commissioner Baldasarre asked if there were insurance issues holding the process back. Mr. Mitchell responded that they only know what is reported to them. He stated they may have to look at compartmentalizing the building and deeming a portion unsafe.

Mayor Tarrant asked if there were any Opal Towers West board members involved in the process. Mr. Mitchell explained the contact made and discussed the history of management of the property.

Commissioner Reiser inquired as to potential Commission action. Mr. Doody explained the Building Official's report could be taken under advisement, but Commission action was not appropriate at this time.

Mr. Serda provided additional information regarding the Town's efforts to encourage and support the emergency repairs.

Mayor Tarrant asked if Mr. Serda could put something in writing to explain the Town was not holding back the repairs.

Mr. Doody stated a memo from the Building Official to the Town Manager could be prepared for information purposes only and circulated to the Commission.

#### **D. Code Compliance**

Bernard Pita, Code Official, CG&A, presented the Code Compliance report. He discussed compliance issues related to the sea turtle season, noting there were 35 cases in this reporting time period and a total of 70 turtle lighting cases were generated over the season. He discussed efforts to provide the buildings with recommendations ahead of the next season.

Mr. Pita reported on the Special Magistrate hearing the day before, and stated of the eight (8) cases, five (5) had findings of fact and three (3) had come into compliance. He discussed how repeat offenders were being addressed.

Vice Mayor Kirdahy asked about a courtesy notice received. Mr. Pita provided additional explanation.

Commissioner Reiser asked for clarification on turtle lighting and covers on her building. She expressed concern regarding safety and security. Mr. Pita explained the approach and the ideal situation. Discussion ensued regarding safety concerns and repeat offenders.

Steve Mitchell, Building Official, commended Mr. Pita's efforts and shared an article in the Sun Sentinel showing an overall increase in the sea turtle population.

## **IX. TOWN MANAGER REPORT**

### **A. Update on RFP #2021-002 Audit Professional Services (Request for Proposal)**

Mr. Serda explained the Commission had requested a Request for Proposals (RFP) be prepared for audit professional services. He provided an update on the RFP and encouraged the Commissioners direct any questions to staff. He stated a recommendation was expected at the December meeting.

Mr. Serda discussed a Request for Qualifications (RFQ) for engineering services to create a pre-qualified list of vendors with responses due December 2. Mr. Serda stated the Town has two (2) temporary employees and explained their projects.

### **B. Town's Comprehensive Fee Schedule**

Mr. Serda pointed to the Town's Comprehensive Fee Schedule and stated it was outstanding work completed by the Town Clerk.

### **C. Town Hall Renovation Update**

Mr. Serda stated the shutters and light fixtures had been installed and outlined plans for the coming weeks, including installation of curbing.

### **D. Community Event Update on Saturday, October 23, 2021**

Mr. Serda provided a brief review of the event. He stated it was a success.

Mayor Tarrant thanked Mr. Serda for keeping the Commission informed.

## **X. TOWN ATTORNEY REPORT**

None.

## **XI. TOWN COMMISSION COMMENTS/REPORTS**

### **A. Commissioner Jane Reiser**

Commissioner Reiser stated she had attended the community event and stated she was surprised by the number of medications turned in. She noted she got to meet a number of Town residents at the event.

### **B. Commissioner Vicky Feaman**

Commissioner Feaman discussed issues with broken recycling bins and stated it had been taken care of. She noted Waste Pro's responsiveness.

### **C. Commissioner Barbara Baldasarre**

Commissioner Baldasarre stated the U.S. flags were going up and noted the condominium forum would be rescheduled to Nov. 18 due to Veterans Day.

Mayor Tarrant asked if the Condo Forum would transition to in-person.

Commissioner Baldasarre shared her thoughts on maintaining the Zoom participation, and stated it was something to be discussed further.

### **D. Vice Mayor Irene Kirdahy**

Vice Mayor Kirdahy shared an update on the Metropolitan Planning Organization (MPO). She discussed funding for the mobility hubs, stated she had a good conversation with the local head of FDOT, and shared feedback regarding bicycle paths. She noted she had asked about getting the Hillsboro Beach project on a list circulated to the bicycle clubs to notify them of projects to avoid. Vice Mayor Kirdahy stated it was discussed that it was a 2022 Federal priority to increase the Federal gas tax and to tax electric vehicles to fund charging stations.

Commissioner Baldasarre shared regarding closure of the 14<sup>th</sup> Street bridge for maintenance. She commented on notice for closures.

Police Chief Szesnat discussed issues related to providing additional notice of road closures. He stated he would bring up doing a better job of staging for closures. Discussion ensued regarding road closures and collaborating with other municipalities to give additional notice.

### **E. Mayor Deborah L. Tarrant**

None.

## **XII. PUBLIC COMMENTS**

None.

### XIII. ADJOURNMENT

**Motion** made by Commissioner Baldasarre, seconded by Commissioner Feaman, to adjourn the meeting at 1:10 p.m. In a roll call vote, the **motion** passed unanimously. (5-0)



ADOPTED THIS 7<sup>th</sup> DAY OF December, 2021

By: Deborah L. Tarrant  
Deborah L. Tarrant, Mayor

ATTEST:

Sherry D. Henderson 12/7/2021  
Sherry D. Henderson, CMC  
Town Clerk