

Town of Pomona Park - Town Council & Public Hearing Meeting Minutes
Tuesday, October 8, 2019 (6pm)

Mayor Joseph Svingala presided. Council present were Dr. Robert Warren, CarrieAnn Evans, Patricia Mead, James Griffin, and Victor Szatkowski were all present. Attorney Sherar, Clerk Donna Fontana, Asst. Clerk Kelly Krupski and Maintenance Supervisor Bruce Wolfred were all present.

Mayor Joseph Svingala led in the pledge to the flag. Mayor Svingala called the meeting to order at 6:00 pm and welcomed everyone.

Meeting Minutes:

The Mayor requested approval of the Minutes from 7/16/19, 7/29/19 & 8/20/19 with revision on page 18 on 8/20/19 changing the absent member from Pat Mead to Pat Bergquist. Councilman Griffin made a Motion for approval and it was seconded by Councilman Warren. Vote to approve was unanimous.

Guest Speakers:

Yvonne Munn – presented a check in the amount of \$600.00 to the Town to offset some of the bills for the Pomona Park Senior Program, Inc. usage of the Community Center. Mayor said, that next year the check will increase because we have tremendously increased the program in the last few months because of the Putnam Family Fitness Center closing and we've picked up 3 of their programs. We are in there 5 days a week now with probably 150 people using it.

Public Hearing items:

Clerk - 2nd reading of Ordinance 2019-3 Authorizing the Mayor to sign a deed transferring ownership of Town owned property at 117 Hill St. First reading passed with 5 yeas and 0 nays with 2 absent. Councilwoman Evans made a Motion to adopt Ordinance 2019-3, 2nd by Councilman Szatkowski. No discussion. The Motion passed unanimously.

Clerk – Resolution 2019-3 Authorizing Mobile Food Trucks for the Annual Everybody's Having a Yard Sale on November 2, 2019, 8am-2pm. Councilwoman Evans made a Motion to adopt Resolution 2019-3, 2nd by Councilman Warren. Councilwoman Evans asked about the price, Clerk explained that there is a Special Event Permit Application which has the price on it. The Motion passed unanimously.

Unfinished Business:

Beautification update was just a statement that the last breakfast was the biggest one. We made \$500 even. Pomona Park Senior Program, Inc. paid for their attendee's breakfasts. New items were on the menu.

Clerk Assistant, Kelly gave an update on the financials. Pages 26-28 are check registry for last month. Page 29-32 is the Trial balance for the full year. Councilwoman Evans asked about the a/c. Kelly explained this was a replacement of the motor at the Community Center. Councilwoman Evans asked about a yearly service plan and the Mayor asked the Clerk to get an

estimate for that. Pages 33-39 is the budget from last year, anything in yellow was overspent or extra income that wasn't budgeted for. The last column is the new budget.

Bruce Wolfred gave a maintenance update. Bruce thanked the maintenance staff and Jeff for filling in for him and completing all the tasks he had left for them and some he hadn't. Donation drop box at Community Center installed for classes; acquired materials for the Mayor's Park light/camera pole. The dock renovations and stringer inspection revealed 1 section that has to be replaced aside from the decking. Going to do a board and stringer replacement for safety for less than \$200. Bruce was planning to repair the fence at Mayor's park and turn the receipts in for the insurance claim. There is another tree on Pleasant that we need to get a quote on to have removed. Right of ways and at Maintenance shop we have an air potato issue that needs to be chemically treated and I will start addressing that. Bruce will get a list of homes that have issues for the Clerk's office to send out an information letter. Pressure cleaning around the Community Center to keep down the algae and looking for a sealing to prevent. DOT required new traffic signs for the road maintenance and mowing, we have received them and have begun to use them. Bruce is going to write a Comprehensive Emergency Management Plan for our Town with standard operating procedures for Council, legal, maintenance and Clerk's office. Will create a draft plan. I will pursue contract maintenance agreements.

Pat Mead talked about planting a Live Oak in the Mayor's Park where the fence is down and place the Tom Skidmore plaque at that location.

Annual audit engagement letter from Moats & Associates will not exceed \$11,200.00. Councilman Griffin made a Motion to authorize the Mayor to sign the audit engagement letter, 2nd by Councilwoman Evans. Motion passed unanimously.

Employee retirement plan. Reviewed and answered the questions from the Council. 3 year vesting, matching up to 5% of employee wage and contribution. The employees elect how funds are invested. Councilwoman Evans made a Motion to approve the 401A, 457B, vesting schedule of 3 years from date of employment, Town contribution rate of up to 5% based on employee contribution and the employee selects the investment of the funds. Councilman Griffin 2nd the Motion. Motion passed unanimously.

New Business:

Certificate of Appreciation presented for Councilwoman Patricia Bergquist's service to the Town of Pomona Park on the Town Council and on the Beautification Committee. It was signed by the Council, framed and hand delivered to Pat Bergquist.

Councilwoman Evans requested that the open seat be advertised in the future as not everyone knew it was open. Discussion ensued on this and will be considered for future seat openings. Clerk offered placing future openings on the Marquee, Open Council Seat #X, inquire within. Councilman Szatkowski cited Charter 2.05 wherein the Mayor and the Council choose some candidates for the open seat and then vote on it.

Candidates Lynda Linkswiler and John Morbitzer each spoke to the Council on why they would like to be considered for Council seat 2 vacated by Patricia Bergquist. The Mayor asked the candidates and their spouses if they would go into the Clerk's office even though they were told

that since it is a public hearing they do not have to. The candidates chose to go into the other room. Mayor stated that both are great candidates and whoever doesn't get this seat, I hope comes up next year and looks for a seat. Many Councilmembers spoke that both are great candidates. Discussion ensued and Councilman Griffin made a Motion to appoint John Morbitzer to fill seat 2. No second made. Mayor stated he would 2nd if he could. Councilwoman Evans made a Motion to appoint Lynda Linkswiler for seat 2, 2nd by Councilmen Warren & Szatkowski. Motion passed unanimously.

Candidates returned into the room and the Mayor thanked both candidates, both are appreciated by everyone on this Council and the one not appointed tonight, its unanimous that they come forward in June to run for next year's election. I'm up along with 3 people here and this seat will be open to finish the timeline on it. The Council has chosen Lynda Linkswiler. Clerk read Resolution 2019-4 Appointing Lynda Linkswiler to Council seat 2. Councilman Warren made a Motion to accept the Resolution 2019-4 and it was 2nd by Councilman Griffin. Clerk administered the Oath of Office and Lynda Linkswiler swore to said Oath and then took her place at Council seat 2.

Mayor discussed maintenance cell phone allowance that was placed in the budget, \$25 per person per month. It needs to be approved by the Council. Attorney Sherar said that this should be a Resolution and identify where it will come out of. Clerk will write a Resolution.

Clerk requested that she and Asst. Clerk go to St. Augustine on 11/11-11/12 for a Quickbooks class and that we would take a day in lieu of the holiday as a day off and not receive holiday pay. \$579 per person. Councilman Griffin made a motion to allow the Clerk and Asst. Clerk to go out of Putnam County for a Quickbooks class. Motion passed unanimously.

Everybody's Having a Yard Sale expenses were discussed. The Town has been paying the Sheriffs and the Port a Potties. Clerk questioned why the Town would pay for the Port a Potties as in the past the Beautification Committee paid for them until 2017 when it is believed the Treasurer may have paid for it in error out of the General Fund. Mayor felt like Beautification is a Town government committee and we have no choice but to have it. Mayor thinks the Town should pay for the Port a Potties. Attorney Sherar said according to the Ordinances, not the Charter, all of the expenses of the beautification should be voted on by the committee members and noted in the minutes. The Town Beautification Committee will have a separate bank account and their own budget subject to the Town's accounting procedures and administered by the Town Clerk... More explanation from the Attorney explaining that it is a self sustaining committee. The Mayor asked so, why aren't they paying for the sheriffs? Councilman Warren said, they should and Attorney Sherar said I think they should too. Mayor said it is in the budget for the Town. Attorney Sherar explained that if it were a private company, they would have to supply their own sheriffs for the mass gathering they were having and the facilities. Attorney Sherar said, his official read is, they do have their own budget and they do raise their own money for the purpose of Beautification projects as enumerated in 2-11. Its up to you all to decide how you want to interpret that. Attorney Sherar said you may have budgeted the Town to pay the sheriff, but you shouldn't have. Mayor stated, so you guys are going to start nit picking that committee that busts their ass all the time for this Town, I hope that if you nit pick them to death tonight that every single one of them quit. I hope they quit. Attorney Sherar explained that

when he started there were issues about the Beautification committee and that's why we gave very clear direction as to what the Beautification committee was supposed to do. The Council voted for this and it's my job to interpret it and you guys can do what you want but I'm going to stand fast on my position which is all the expenses of the Beautification committee shall be voted on the committee members. The committee will have a separate bank account and their own budget. This is their project. Clerk said, the Beautification committee is there to provide things for the Town, so I don't understand why it's an issue for them to pay for their event expenses. Councilwoman Mead asked, you mean to say that the Town can't donate money to Beautification? Attorney Sherar said, you can but you guys have made it clear that you're not going to give to little league and other people. Mayor said but they are not a government entity in Pomona Park. It is Pomona Park government. Attorney Sherar said, it is a semi-autonomous organization, organized under the auspices of the Town that they Town said you are responsible for all of your expenses. Mayor said, we are taking away what the Town's being doing for them with this yard sale that they work so hard on. The Town helped them out to make their money and now we're saying you don't care how hard you worked, we're not going to give you a penny for it. Attorney Sherar said, the fact that the government should live by the rules which it adopts, because if it does not like the rule, it has the power to change it. The fact that it's been done incorrectly is not an excuse to keep doing it. You can change your Ordinance, so this debate doesn't happen next year, that you're going to pay for the cops. Mayor said, the cops are in the Town budget, if they have to pay for the outhouses then they have to pay for it. Mayor said, if somebody wants to make a Motion to take the deputies and porta potties away from the Beautification committee then you guys do it. Stand up for you're saying, make a Motion that you're not going to pay for them, make the Motion. The money from the Beautification comes back to the Town anyway and Attorney Sherar said, 50% has to according to the Ordinance. Councilwoman Evans said, well then, we should pay 50% of the Sheriff. Judy said it is protecting the citizens of the Town. Councilman Griffin made a Motion that the Town pay for the Sheriff for the yard sale. There was discussion but no 2nd. The Mayor said, we don't need anymore motions, beautification will pay for the outhouses. Clerk said, that Joyce had already agreed to pay for the porta potties. Clerk stated that please understand that when I bring these issues before the Council it's not to start disagreements it's to say that I have seen something that needs to be discussed by the Council. I saw something that happened in the past that I thought was a mistake and so that's why I brought it before the Council. Mayor said, 3 years from now you bring it up again and you'll have a different Council and they're going to have a different opinion. It changes all the time, the more you bring it up, the more it changes. Councilwoman Evans said, you're doing exactly what you're paid to do. Attorney Sherar said, in conjunction with what Donna is saying, I represent the Town and technically I don't represent the Council and when I see the Council going in a direction that I don't think is right. Regardless of how popular or unpopular it is, as the legal advisor, I have to sit there and tell you. I'm only a legal advisor, you guys are the client and you have to make the decision.

Council reviewed the 2014 ballot for the election. There were 4 items on the ballot and only one passed. Councilwoman Mead wanted the council to look at these 3 and see if they are something that we need to put back on the ballot for 2020. Attorney Sherar suggested that if we want to put 2 on the ballot then we would need to send out a letter to the registered voters twice stating to Vote Yes on 2 and an explanation. Councilwoman Evans made a Motion to put allowing fees and budgets by resolution on the ballot, 2nd by Councilman Griffin. Motion passed unanimously.

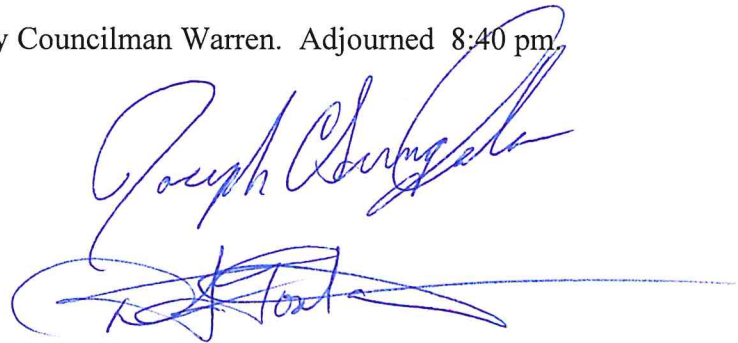
Councilwoman Evans made a Motion to send out mass flyers in support of placing #2 back on the ballot, 2nd by Councilman Warren & Griffin. Motion passed unanimously.

Questions and comments. – none

Clerk announced that the Putnam Family Fitness Center is going to go up for sale. Bruce and I discussed with the Mayor and the Mayor concurred that we should look into this as a long range planning option for the Town. I emailed the fitness board and explained that we are interested in possibly purchasing that property at a reduced amount for the Town. They appreciate our interest and will bring it before the board. Attorney Sherar pulled the deed and there is nothing on the deed regarding the funds going to the Salvation Army.

Upcoming events: Neighborhood Watch Thursday October 10, at 5:30pm. Conversation with the Mayor will be Saturday October 12, 7am-9am. Clerk training October 14-17. Government Finance Training for Kelly October 21-23. Council Ethics Training October 28 1-5pm. First Saturday breakfast & Everybody's having a yard sale is November 2, 7am-10am & 8am-2:00pm. Women's Supervisory Training Kelly Monday November 4-5. Beautification Meeting will be November 12 at 10am. Town Council Meeting Tuesday, November 12 at 6pm.

Councilman Griffin made a Motion to adjourn, 2nd by Councilman Warren. Adjourned 8:40 pm.

A handwritten signature in blue ink, appearing to read "Joseph A. Griffin", with a long horizontal flourish extending to the right.