



Members Present:

Dennis Lipp, Vice-Mayor
Ryan Liang, Council Member
Ron Jarriel, Council Member
Dr. J. William Louda, Council Member

Members Absent:

Dave Browning, Mayor

Others Attending:

Dr. Irv Rosenbaum, Interim Town Manager (NCS)
Matthew Lippman, Interim Town Clerk (NCS)
Michelle Kantor, Interim Assistant Town Clerk (NCS)
Mike Cirullo., Esq., Town Attorney
Members of the Public

Others Absent:

None

1. – 4. Call to Order/Roll Call/Pledge of Allegiance/Invocation

The meeting was duly noticed and posted. Vice-Mayor Lipp called the meeting to order at 5:15pm. He then requested the roll call by Town Clerk Matthew Lippman. Town Clerk Lippman noted that both Mayor Browning was absent. Upon completion of the roll Vice-Mayor Lipp requested everyone stand for the Pledge of Allegiance and Invocation.

Vice-Mayor Lipp moved to Item #5.

5. Approval of Agenda

Councilman Louda made a MOTION to approve the Agenda, SECONDED by Councilman Liang and the MOTION passed unanimously 4-0, with Mayor Browning absent.

Vice-Mayor Lipp moved to Item #6.

REGULAR AGENDA:

6. Setting of Millage

Resolution 2009-019

A RESOLUTION OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ESTABLISHING THE ANNUAL MILLAGE FOR THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, PURSUANT TO THE BUDGET SUMMARY FOR THE FISCAL YEAR 2009 - 2010, IN ACCORDANCE WITH CHAPTER 200, FLORIDA STATUTES, AS AMENDED; PROVIDING FOR SEVERABILITY; PROVIDING For CONFLICT; PROVIDING FOR AN EFFECTIVE DATE

Vice-Mayor Lipp opened the Public Hearing.

Town Clerk Lippman said we did set the Maximum Millage Rate back in July 2009 at 1.4000. He said at the previous Budget Hearing we had on September 10, 2009, we tentatively adopted the Final Millage Rate at 1.4000 as well. He said just for the record, the 1st Budget Hearing was advertised by the TRIM Notice and the 2nd Budget Hearing was advertised in the Palm Beach Post and I have a certified copy of that.

Town Attorney Cirullo conducted the 2nd reading of the title of Resolution 2009-019.

Councilman Louda said I now understand the language that is involved but the Millage Rate we decreased by 6.7% not 31.9%. He said the 31.9% is the decrease in overall collected funds. He said when it says there is a decrease of 31.9% it is in roll back rate. He said I realize this is the way it was always done and said but a citizen could look at this and think we rolled the rate back 32%. He said the 31.9% is how much we collected this year as opposed to last year.

Town Clerk Lippman said the purpose of the roll back Millage rate was to protect the taxpayers from municipalities increasing it past a certain point and with this legislation now they are not allowed to.

Councilman Louda made a MOTION to approve Resolution 2009-019 to set the Millage at 1.4000 on the 2st reading and Public Hearing, SECONDED by Councilman Liang and the MOTION passed unanimously passed unanimously 4-0, with Mayor Browning absent.

Town Clerk Lippman said for the record that now indicates that the Town of Loxahatchee Groves has now adopted a Millage Rate of 1.4000 for the FY 2009-2010, beginning October 1, 2009.

Vice-Mayor Lipp closed the Public Hearing.

Vice-Mayor Lipp moved to Item #7,

7. Adoption of Budget

Resolution 2009-020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, ADOPTING A FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2009 AND ENDING SEPTEMBER 30, 2010; DETERMINING AND FIXING THE AMOUNTS NECESSARY TO CARRY ON THE GOVERNMENT OF THE TOWN FOR THE ENSUING YEAR; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Town Clerk Lippman said again this is the same Budget that we have been talking about in meetings for months and the FAAC has given a great deal of effort in guiding me in this. He said I just want to go on the record since I won't be here next year doing the Budget, that this

Town can expect next year to probably see another 25% decrease in its property tax values. He said beyond that this Budget is prepared and ready.

Town Attorney Cirullo conducted the 2nd reading of the title of Resolution 2009-020.

Councilman Liang made a MOTION to approve Resolution 2009-020 to adopt the Budget on the 2nd reading and Public Hearing, SECONDED by Councilman Louda discussion was then continued:

Vice-Mayor Lipp opened the Public Hearing.

Vice-Mayor Lipp asked for Council Member discussion.

Councilman Louda commented since I wasn't at the 1st Hearing I had an emailed a comment to be read into the record and that was: I still think and it is too late to do it this year, but should a separate contract that goes on a pass through funding be accrued, in this case Solid Waste Authority-Frank Schiola's position, I think that should be paid out of the parcel and not the General Funds, and if it was done this year it would have increased it by \$9.00 and change per parcel. He said but to pay that contract out of the General Funds, I think is wrong since it is specifically for Solid Waste Monitoring I think it should be paid for out of out of that fund.

Councilman Jarriel said personally I think if we could get it legally out of the General Funds, I don't agree with raising assessments for the people. He said if we've got enough money in the General Funds and are lowering taxes and if we've got the funds to pay for it without increasing it for the people then I am okay with that.

Councilman Liang said Councilman Louda wasn't at the 1st Hearing, but one thing I brought up that would be an issue, is that since Frank Schiola's contract isn't a yearly contract it would be difficult putting that in a yearly assessment especially if down the road he is not going to be doing the monitoring for a whole year, and until such time where he would be doing the monitoring on a yearly contract, then I think at that point then we could do that, but right now it would be difficult.

Councilman Louda responded good point.

Town Clerk Lippman said I did have a discussion with Future Town Manager Frank Spence and his Finance Team and since this year it was a little late this year, I think the compromise here is next year they are going to set up a separate Solid Waste Enterprise Fund, simply because of the fact that there are probably two expenses that would go in there, and it doesn't mean that is coming out of the assessment, it just means that to subtract any expenses for Solid Waste, whether it be General Fund or Solid Waste Revenue they just want to know that the revenue is offsetting the expense. He said so what will probably happen next year, is you will see your Solid Waste Fee for Waste Pro, any expenditure for Frank Schiola, and most likely if you decide to do any Vegetative Debris Hauling next year than that would be pulled out of a separate fund, so you will be able to track it and you will be able to see whether the revenues are greater than the expenses, and the taxpayers are still going to pay for it, but it is at a point where the Town tracks it, and we discussed it with their team and they plan on making that change next year to keep track of it.

Town Attorney Cirullo said when you have a fund that is made up of these different things, just because it adds up to the total of special assessed cost of Solid Waste Services, you can assess up to 100%, so you may find that you have different things in this fund and it sets the total amount more than Waste Pro's contract. He said you can assess down but not more than that.

Councilman Louda said I do appreciate the FAAC's input on trying to get things tracked better.

Councilman Liang said going along the lines of putting Frank Schiola's contract on a yearly basis we could put the Tire Amnesty Days every year, we could consider putting that on there too.

The MOTION passed unanimously passed unanimously 4-0, with Mayor Browning absent.

Vice-Mayor Lipp moved to Item #8.

8. Public Comments

There were no comments.

Vice-Mayor Lipp moved to Item #9.

9. Town Management Comments

There were no comments.

Vice-Mayor Lipp moved to Item #10.

10. Town Attorney Comments

There were no comments.

Vice-Mayor Lipp moved to Item #11.

11. Town Council Member Comments

Councilman Jarriel said I just like the way things are going and I appreciate everything the Staff is doing, the Legal Staff and Matthew and

Councilman Liang said I just want to reiterate what Councilman Jarriel said and I appreciate all the work the FAAC is doing and also Matt. He said we got the Budget done pretty quickly and we got all the wrinkles ironed out.

Councilman Louda said I like the going smoothly part and asked does that mean we are going to one meeting a month now.

Councilman Jarriel responded as soon as our Comprehensive Plan is done.

Vice-Mayor Lipp said I would like to thank Matthew for the work he has done and NCS has certainly helped get this Town up and running and asked Matthew if he would be present for the October 6, 2009 Meeting (1st Meeting with New Town Manager Frank Spence), and said I'm glad Michelle got her contract done with him and we are moving ahead.

Town Clerk Lippman responded yes I will be here.

Vice-Mayor Lipp moved to Item #12.

12. Adjournment

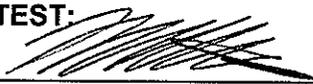
Councilman Jarriel MOTIONED to adjourn the meeting, SECONDED by Councilman Liang and the Motion passed unanimously 4-0, with Mayor Browning absent.

There being no further discussion and no additional public comment the meeting was adjourned at 5:30 p.m.



MAYOR DAVE BROWNING

ATTEST:



Michelle Kantor, Town Clerk

Date Approved