

TOWN OF PALM BEACH

Office of the Town Clerk

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON THURSDAY, DECEMBER 27, 2012

1 **I. CALL TO ORDER AND ROLL CALL**

2
3 The Special Town Council meeting was called to order at 1:07 p.m. on Thursday,
4 December 27, 2012, in the Town Council Chambers. On roll call, all of the elected
5 officials were found to be present.
6

7 **II. APPROVAL OF AGENDA**

8
9 **ADDED:** Consideration of Local Bill to Preserve the Historic Vista on Wells Road
10

11 **Motion was made by Council Member Kleid, and seconded by Council Member Diamond,**
12 **to approve the Agenda, as amended above. On roll call, the motion carried unanimously.**
13

14 ***The Following Item was Added to the Agenda:***

15
16 A. Consideration of Local Bill to Preserve the Historic Vista on Wells Road
17

18 Town Manager Elwell stated that Staff has been working with its representatives
19 in Tallahassee to prepare and propose this local bill. The Legislative Delegation
20 requires that the Town Council endorse the proposed bill and request that the
21 Legislature approve it.
22

23 **Motion was made by Council Member Kleid, and seconded by Council Member Diamond,**
24 **to approve the Wells Road historic vista local bill and encourage the Town's**
25 **representatives in Tallahassee to pursue legislation to that effect. On roll call, the motion**
26 **carried unanimously.**
27

28 **III. JASON VEGA, ARTEMIS SARIDAKIS, LEVENTE HENTER, MARCUS**
29 **FARMER, SAMUEL RILEY, AND GILAD BOCKMAN VS TOWN OF PALM**
30 **BEACH, SCOTT DUQUETTE, KIRK BLOUIN, AND DANIEL SZARSZEWSKI,**
31 **CASE NUMBER 9:12-CV-81259, UNITED STATES DISTRICT COURT,**
32 **SOUTHERN DISTRICT OF FLORIDA.**
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34

Town Manager Elwell stated for the record that the State's case number for this lawsuit is 502012CA019746AI, and the State's case title is JASON VEGA, ARTEMIS SARIDAKIS, LEVENTE HENTER, MARCUS FARMER, SAMUEL RILEY, AND GILAD BOCKMAN VS TOWN OF PALM BEACH, SCOTT DUQUETTE, DIRECTOR OF PUBLIC SAFETY KIRK BLOUIN, AND DEPUTY PUBLIC SAFETY DIRECTOR DANIEL SZARSZEWSKI. It was noted that Samuel Riley has withdrawn from this lawsuit.

F.S. 286.011 (8) allows the Mayor, Town Council, and the Town Manager to Meet In A Closed-Door Attorney/Client Session For The Purpose Of Discussing Strategy Related To Litigation.

On behalf of Town Council President Rosow, Town Attorney Randolph announced the following:

- a.) The Attorney/Client Closed-Door Session
- b.) The estimated time is thirty minutes
- c.) The names of the persons attending:

Gail L. Coniglio, Mayor
David A. Rosow, Town Council President
Robert N. Wildrick, President Pro Tem
William J. Diamond, Town Council Member
Richard M. Kleid, Town Council Member
Michael J. Pucillo, Town Council Member
Peter B. Elwell, Town Manager
John C. Randolph, Town Attorney
Margaret Cooper, Attorney (via telephone)
Ley and Marsaa, Court Reporters

At 1:12 p.m., persons attending the meeting (listed above) relocated from the Town Hall Council Chambers to the immediately adjacent conference room.

IV. RECONVENE SPECIAL TOWN COUNCIL MEETING IN THE TOWN HALL COUNCIL CHAMBERS

- A.) Call to Order

The Special Town Council meeting was reconvened at 2:11 p.m., in the Town Council Chambers.

- B.) Town Council President to Announce the Termination of the Attorney/Client Session

Town Council President Rosow announced the termination of the Attorney/Client Session.

Town Attorney Randolph reported on the results of last week's mediation regarding this lawsuit. He stated that a mediation agreement was negotiated and executed at the termination of the mediation session. In that agreement, it was agreed that the sum of \$250,000 (inclusive of attorneys' fees) would be paid to Marcus Farmer and \$250,000 (inclusive of attorneys' fees) paid to Gilad Bockman, subject to an immediate resignation by each, a dismissal of each of them from this lawsuit, and a full general release of any and all claims against the Town.

Responding to Council Member Pucillo, Town Manager Elwell stated that the Town will pay 40% of the \$500,000, and the rest will be covered by the Town's insurance.

Motion was made by Council Member Kleid, and seconded by Council Member Diamond, to accept the terms of the negotiated and executed mediation settlement agreement by paying Marcus Farmer the sum of \$250,000 (inclusive of legal fees) and paying Gilad Bockman the sum of \$250,000 (inclusive of legal fees), in exchange for the resignation of each of them, a full general release of claims from each of them, and a signed dismissal of each of them from this lawsuit. On roll call, the motion carried unanimously.

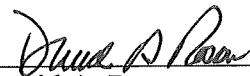
Town Council President Rosow announced that the Town Council also discussed, with their lawyers, strategy about going forward on this lawsuit.

V. ANY OTHER MATTERS – None

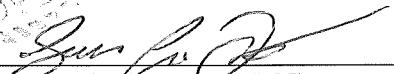
VI. ADJOURNMENT

There being no further business, the Special Town Council Meeting of Thursday, December 27, 2012, was adjourned at 2:16 p.m.

APPROVED:


David A. Rosow
Town Council President

ATTEST:


Susan A. Owens, MMC
Town Clerk

1/8/13
Date