

**Town of Palm Beach
Code Enforcement Board
Minutes**

Thursday, March 22, 2012, 2:00 p.m.

Please be advised that in keeping with a recent directive from the Town Council, the minutes of all Town Boards and Commissions will be “abbreviated” in style. Persons interested in listening to the meeting, after the fact, may access the audio of that item via the Town’s website at **www.townofpalmbeach.com** or may obtain an audio recording of the meeting by contacting Joan Dunn, Secretary to the Code Enforcement Board at (561) 227-6388. As a point of reference, you will find the recording times listed on these minutes at the beginning of each item.

I. Call to Order:(2:00:12 p.m.)

The meeting was called to order by Chairman Hoffman at 2:00 p.m.

II. Roll Call:

Upon roll call, the following Board members were present: Chairman Timothy Hoffman, Vice Chairman Harris S. Fried, Members, Larry Ochstein, Madelyn Greenberg, Cynthia Van Buren, James Ballentine, and alternate member Scotch Peloso. Alternate member W. Anthony Dowell had an excused absence.

Staff present: Attorney Matthew Ramenda, Lead Code Enforcement Officer Robert Walton, Code Enforcement Officer Nick Gerry and Recording Secretary Joan Dunn.

Mr. Hoffman advised Mr. Peloso he would be a voting member today in the absence of Mr. Koepfel. He also noted that Matthew Ramenda would be the counsel today in the absence of Town Attorney John Randolph.

III. Approval of the Minutes of February 23, 2012 (2:00:48 p.m.)

**MOTION BY MR. FRIED TO APPROVE THE JANUARY 19, 2012 MINUTES
SECONDED BY MS. GREENBERG
MOTION PASSED UNANIMOUSLY**

IV. Administration of the Oath to Town Staff:(2:01:22 p.m.)

The Town staff was sworn in by Recording Secretary Dunn.

V. Public Hearings:

A. Case # CE 11-1610, 8 Golfview Rd., Ellen G. Geyer

Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, walls, gates and fences to be kept in a safe and good state of repair

Lead Code Enforcement Officer Walton advised this case was postponed from the February 23, 2012 meeting. He presented the facts of the case and submitted photographs into evidence. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and give them until April 13, 2012 to comply.

Mr. Wayne Wyndham Geyer, Jr., son of the property owner, testified that they are working toward compliance and requested more time due to possible structural issues that were not previously apparent. Mr. Walton advised he was not opposed to more time due to the structural concerns.

2:03 p.m - Mr. Koepfel arrived at the meeting and Mr. Hoffman advised him that Mr. Peloso will be a voting member on this case as it started before Mr. Koepfel's arrival.

**MOTION BY MR. FRIED TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE THEM UNTIL JUNE 15, 2012 TO COMPLY
SECONDED BY MR. OCHSTEIN
MOTION PASSED UNANIMOUSLY**

Mr. Hoffman acknowledged Councilman Diamond in the audience and welcomed him to the meeting.

B. Case # CE 12-7, 151 Seminole Ave., James Nederlander

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

Lead Code Enforcement Officer Walton advised this case was postponed from the February 23, 2012 meeting and said the fine has been paid. The Town recommended the Board accept payment of the fine and no further action be taken.

**MOTION BY MR. KOEPPEL TO ACCEPT PAYMENT OF THE FINE AND NO FURTHER ACTION BE TAKEN
SECONDED BY MS. VAN BUREN
MOTION PASSED UNAMIOUSLY**

C. **Case # CE 12-16, 129 Chilean Ave., Robert & Beverly Lowden**

Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, storage of construction debris and unsightly, unsafe or unsanitary conditions not allowed

Lead Code Enforcement Officer Walton reviewed the facts of the case, submitted photographs into evidence and advised the property owner was not present at the hearing but has had contact with the Code Enforcement Unit. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and give them until April 6, 2012 to comply.

**MOTION BY MR. FRIED TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE THEM UNTIL APRIL 6, 2012 TO COMPLY
SECONDED BY MS. GREENBERG
MOTION PASSED UNANIMOUSLY**

D. **Case # CE 12-58, 1178 N. Ocean Blvd., Frank Jensen Tr.**

Violation of Chapter 134, Section 134-1472 of the Town of Palm Beach Code of Ordinances, no walls, fences, hedges or other structures or growth shall be erected or be grown eastwardly of Ocean Boulevard to a height greater than four (4) feet above the surface of the Ocean Boulevard

Lead Code Enforcement Officer Walton reviewed the facts of the case and submitted photographs into evidence. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and give them until April 13, 2012 to comply.

Property owner Wolfgang Von Falkenburg testified that he would like to keep the vegetation for privacy but advised he would comply.

**MOTION BY MR. KOEPEL TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE THEM UNTIL APRIL 13, 2012 TO COMPLY
SECONDED BY MR. OCHSTEIN
MOTION PASSED UNANIMOUSLY**

E. **Case # CE 12-78, 238 Nightingale Trl., Randolph A. Hopkins**

Violation of Chapter 134, Section 134-1472 of the Town of Palm Beach Code of Ordinances, no walls, fences, hedges or other structures or growth shall be erected or be grown eastwardly of Ocean Boulevard to a height greater than four (4) feet above the surface of the Ocean Boulevard

Lead Code Enforcement Officer Walton requested this case be postponed as they have trimmed the maximum allowable under the Seagrape trimming guidelines, but not in compliance with the Town code and are waiting for the required permits from DEP for additional trimming.

MOTION BY MR. FRIED TO POSTPONE THIS CASE UNTIL THE APRIL 19, 2012 HEARING
SECONDED BY MS. GREENBERG
MOTION PASSED UNANIMOUSLY

F. **Case # CE 12-86, 2875 S. Ocean Blvd, Armenta Landscape**

Violation of Chapter 42, Section 42-230 of the Town of Palm Beach Code of Ordinances, no landscape work on holidays

Code Enforcement Officer Gerry reviewed the facts of the case and advised the violator was not present at the hearing. Mr. Gerry advised he has spoken with the violator and he was aware that the fine is outstanding. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and order them to pay the \$250.00 fine.

MOTION BY MS. GREENBERG TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND ORDER THEM TO PAY THE \$250.00 FINE.
SECONDED BY MR. FRIED
MOTION PASSED UNANIMOUSLY

G. **Case # CE 12-126, 231 Kenlyn Rd., Robert A. Roddy**

Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, accumulation of debris and unsightly, unsafe or unsanitary conditions not allowed; Violation of Chapter 42, Section 42-87, all properties to be maintained in good condition and all exterior surfaces to be kept painted and in good repair

Lead Code Enforcement Officer Walton requested this case be dismissed as the property was now in compliance.

MOTION BY MR. KOEPPEL TO DISMISS THIS CASE FOR COMPLIANCE
SECONDED BY MS. VAN BUREN
MOTION PASSED UNANIMOUSLY

H. **Case # CE 12-151, 139 Bradley Pl., Valley Crest Landscape Maintenance**

Violation of Chapter 42, Section 42-230 of the Town of Palm Beach Code of Ordinances, leaf blowers prohibited between the hours of 5 p.m. and 9 a.m. on weekdays

Lead Code Enforcement Officer Walton requested this case be postponed as they have indicated they are going to pay but were unable to get the check cut prior to the hearing due to paperwork issues at their business.

**MOTION BY MS. GREENBERG TO POSTPONE THIS CASE UNTIL THE
APRIL 19, 2012 HEARING
SECONDED BY MR. KOEPPPEL
MOTION PASSED UNANIMOUSLY**

I. Case # CE 12-209, 404 Hibiscus Ave., Gasiunasen Gallery & Love II LLC

Violation of Chapter 134, Section 134-1107 of the Town of Palm Beach Code of Ordinances, no existing commercial use which is subject to the 3000 square feet maximum gross leasable area regulation may occupy additional space within 1500 feet of the existing licensed business; Violation of Chapter 134, Section 134-2372, permit required for the erection or installation of any sign within the Town

Code Enforcement Officer Gerry presented the facts of the case and submitted photographs into evidence. He requested the violation of Chapter 134, Section 134-2372 be dismissed for compliance. The Town recommended the Board find the violator in non-compliance for the violation of Chapter 134, Section 134-1107, assess administrative costs of \$150.00 and give them until April 13, 2012 to comply.

**MOTION BY MR. FRIED TO DISMISS THE VIOLATION OF CHAPTER
134, SECTION 134-2372 FOR COMPLIANCE AND TO FIND THE
VIOLATOR IN NON-COMPLIANCE FOR THE VIOLATION OF CHAPTER
134, SECTION 134-1107, ASSESS ADMINISTRATIVE COSTS IN THE
AMOUNT OF \$150.00 AND GIVE THEM UNTIL APRIL 13, 2012.
SECONDED BY MS. VAN BUREN
MOTION PASSED UNANIMOUSLY**

Mr. Hoffman acknowledged Councilman Kleid in the audience and thanked him for his attendance at the hearing.

J. Case # CE 12-222, 1230 S. Ocean Blvd., SMM Realty LLC

Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, stagnant water or unsanitary conditions not allowed; Violation of Chapter 18, Section 18-551 enclosure required around swimming pool with self-latching gates with latches placed four feet above the underlying ground

Code Enforcement Officer Gerry reviewed the facts of the case and advised that this violation has been corrected but not within the time specified by the Code Officer. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and no further action be taken.

**MOTION BY MR. FRIED TO FIND THE VIOLATOR IN NON-
COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF
\$150.00 AND NO FURTHER ACTION BE TAKEN.
SECONDED BY MR. KOEPPPEL
MOTION PASSED UNANIMOUSLY**

K. **Case # CE 12-267, 1178 N. Ocean Blvd., Frank Jensen Tr.**

Violation of Chapter 18, Section 18-242 of the Town of Palm Beach Code of Ordinances, building permits required to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure or install, alter, repair, remove, convert or replace any electrical, mechanical or plumbing system; Violation of Chapter 42, Section 42-86 storage of debris and unsightly, unsafe or unsanitary conditions not allowed

Lead Code Enforcement Officer Walton reviewed the facts of the case and submitted photographs into evidence. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and give them until April 13, 2012 to comply. Building Official Jeff Taylor spoke in reference to his involvement in this case.

Gail Alexander testified on behalf of the property owner and advised they are working toward compliance and requested more time to comply.

**MOTION BY MR. KOEPEL TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE THEM UNTIL MAY 4, 2012 TO COMPLY.
SECONDED BY MR. BALLENTINE
MOTION PASSED UNANIMOUSLY**

L. **Case # CE 12-325, 243 Worth Ave. #M, Jackie Rogers**

Violation of Chapter 114, Section 114-38 of the Town of Palm Beach Code of Ordinances, no outside display of merchandise

Code Enforcement Officer Gerry reviewed the facts of the case and submitted photographs into evidence. He advised the merchandise and signs have now been removed. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and order them to pay a \$50.00 fine.

**MOTION BY MR. OCHSTEIN TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND ORDER THEM TO PAY A \$50.00 FINE.
SECONDED BY MS. GREENBERG
MOTION PASSED UNANIMOUSLY**

M. **Case # CE 12-100, 205 Jamaica Ln., Joshua Leader**

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

Lead Code Enforcement Officer Walton reviewed the facts of the case and advised the property owner was not present at the hearing. He stated the property owner has

been in contact with the code enforcement office and is requesting a postponement as he is waiting on paperwork from FPL about a possible power outage.

**MOTION BY MS. GREENBERG TO POSTPONE THIS CASE UNTIL THE
APRIL 19, 2012 HEARING
SECONDED BY MR. FRIED
MOTION PASSED UNANIMOUSLY**

Letters S,V,Y,Q and O were taken out of order.

S. **Case # CE 12-175, 1250 N. Ocean Blvd., Robert B. Paltrow**

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

Lead Code Enforcement Officer Walton reviewed the case and advised the property owner supplied evidence of a repair just prior to the meeting. The Town recommended the Board dismiss this case based on this evidence.

**MOTION BY MR. FRIED TO DISMISS THE VIOLATION
SECONDED BY MS. VAN BUREN
MOTION PASSED UNANIMOUSLY**

V. **Case # CE 12-243, 112 Kings Rd., JDPB Holdings Inc.**

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

Lead Code Enforcement Officer Walton advised the fine has been paid in this case. The Town recommended the Board accept payment of the fine and no further action be taken.

**MOTION BY MR. KOEPPPEL TO ACCEPT PAYMENT OF THE FINE AND
NO FURTHER ACTION BE TAKEN
SECONDED BY MR. FRIED
MOTION PASSED UNANIMOUSLY**

Y. **Case # CE 12-165, 1070 N. Ocean Blvd., 1071 N. Ocean Blvd. Trust**

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

Lead Code Enforcement Officer Walton advised the fine has been paid in this case. The Town recommended the Board accept payment of the fine and no further action be taken.

**MOTION BY MR. KOEPPEL TO ACCEPT PAYMENT OF THE FINE AND
NO FURTHER ACTION BE TAKEN
SECONDED BY MS. GREENBERG
MOTION PASSED UNANIMOUSLY**

Q. Case # CE 12-132, 224 Angler Ave., Helmut Koller

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

Lead Code Enforcement Officer Walton reviewed the facts of the case and submitted the photographs into evidence. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and order them to pay the \$125.00 fine.

Property Owner Helmut Koller testified that he believed he was in compliance with the ordinances because he had obtained what he believed was the current watering schedule from the Town website.

**MOTION BY MR. KOEPPEL TO DISMISS THE VIOLATION
SECONDED BY MR. OCHSTEIN
MOTION PASSED UNANIMOUSLY**

O. Case # CE 12-119, 1290 S. Ocean Blvd., Linda Saville

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

Lead Code Enforcement Officer Walton reviewed the facts of the case and he allowed the representative for the property to speak without making a recommendation.

William Souza testified on behalf of the property owner. He advised there was an issue with the timer clock and it was replaced. Mr. Souza supplied a bill for repair. After reviewing the evidence submitted, the Town recommended dismissing this case.

**MOTION BY MR. KOEPPEL TO DISMISS THE VIOLATION
SECONDED BY MS. GREENBERG
MOTION PASSED UNANIMOUSLY**

Letters N,P,R,T,U and W cases were heard together as the facts are the same in each case.

N. **Case # CE 12-91, 1451 N. Lake Way, West Group Residential LLC**

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

Lead Code Enforcement Officer Walton advised that cases N,P,R,T,U and W would all be heard as a group as the facts remain the same in each case. Mr. Walton reviewed the facts The Town recommended the Board find each violator in non-compliance, assess administrative costs of \$150.00 and order them to pay the fine of \$125.00.

**MOTION BY MR. KOEPEL TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND ORDER THEM TO PAY THE \$125.00 FINE
SECONDED BY MR. FRIED
MOTION PASSED UNANIMOUSLY**

P. **Case # CE 12-123, 801 S. County Rd., Frances Kettenbach**

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

**MOTION BY MR. KOEPEL TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND ORDER THEM TO PAY THE \$125.00 FINE
SECONDED BY MR. FRIED
MOTION PASSED UNANIMOUSLY**

R. **Case # CE 12-134, 253 El Pueblo Way, Durach Family LTD**

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

**MOTION BY MR. KOEPEL TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND ORDER THEM TO PAY THE \$125.00 FINE
SECONDED BY MR. FRIED
MOTION PASSED UNANIMOUSLY**

T. **Case # CE 12-181, 150 Woodbridge Rd., DLP Land Inc. the Corporation**

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

**MOTION BY MR. KOEPPEL TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND ORDER THEM TO PAY THE \$125.00 FINE
SECONDED BY MR. FRIED
MOTION PASSED UNANIMOUSLY**

U. **Case # CE 12-218, 101 El Brillo Way, Jean M. Van Waveren**

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

**MOTION BY MR. KOEPPEL TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND ORDER THEM TO PAY THE \$125.00 FINE
SECONDED BY MR. FRIED
MOTION PASSED UNANIMOUSLY**

W. **Case # CE 12-172, 11 Via Vizcaya, PC Grace FL Revocable Trust**

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

**MOTION BY MR. KOEPPEL TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND ORDER THEM TO PAY THE \$125.00 FINE
SECONDED BY MR. FRIED
MOTION PASSED UNANIMOUSLY**

X. **Case # CE 12-217, 11 Via Vizcaya, PC Grace FL Revocable Trust**

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

Lead Code Enforcement Officer Walton reviewed the facts of the case and submitted photographs into evidence. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and order them to pay the fine of \$250.00.

**MOTION BY MR. KOEPPEL TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND ORDER THEM TO PAY THE \$250.00 FINE
SECONDED BY MS. GREENBERG
MOTION PASSED UNANIMOUSLY**

VI. Fine Consideration

A. **Case # CE 11-1505, 456 S. Ocean. Blvd., Charley's Crab**

REPEAT Violation of Chapter 134, Section 134-2179 (f) of the Town of Palm Beach Code of Ordinances, required or supplemental off-street parking shall be effectively screened with hedges which shall extend across the entire building line which separates the parking area from the street except for the access way and such screening shall also be required along the interior lot lines of not less than four feet in height

Lead Code Enforcement Officer Walton briefly reviewed the case. The Town recommended the Board assess a \$150.00 a day fine commencing on March 17, 2012, the day after compliance was ordered by the Board. Building Official Jeff Taylor testified about the building department's involvement in this case.

Christopher Benvenuto, attorney for Charley's Crab, testified they are continuing to work toward compliance and requested that no fine be imposed. Larry Chynches, building contractor for Charley's Crab, gave his testimony in this case.

**MOTION BY MR. KOEPEL TO GRANT THE VIOLATOR ADDITIONAL TIME TO COMPLY, UNTIL MAY 3, 2012. HE FURTHER ORDERED IF COMPLIANCE IS NOT ACHIEVED BY MAY 3, 2012 A FINE IN THE AMOUNT OF \$150.00 A DAY WILL COMMENCE ON MAY 4, 2012 RETROACTIVE TO MARCH 17, 2012 AND CONTINUE UNTIL COMPLIANCE IS ACHIEVED
SECONDED BY MR. BALLENTINE
MOTION PASSED UNANIMOUSLY**

VII. Old Business

A. **Case # CE 12-12, 596 N. County Rd., Ann De Braganca**

Violation of Chapter 122, Section 122-53 of the Town of Palm Beach Code of Ordinances, watering outside of allowable days/hours of the emergency water restrictions

Lead Code Enforcement Officer Walton directed the Board to read the letter in their packets from the daughter of the property owner explaining the circumstances surrounding this case and requesting they rescind the administrative costs and fines previously assessed in this case.

**MOTION BY MR. OCHSTEIN TO RESCIND THE ADMINISTRATIVE COSTS AND FINE PREVIOUSLY ASSESSED IN THIS CASE
SECONDED BY MR. KOEPEL
MOTION PASSED UNANIMOUSLY**

VIII. Foreclosure Hearing

A. Case # 10-2705, 332 S. County Rd., 332 S. County Road LLC

Violation of Chapter 42, Section 42-86 of the Town of Palm Beach Code of Ordinances, it is unlawful to have any building or other structure which is in dilapidated condition, an accumulation of debris on private property and grass in excess of 8 inches high, Chapter 42, Section 42-87, exterior walls to be kept painted and in good repair and appurtenances such as walls and canopy awnings to be kept in a safe and good state of repair and Chapter 18, Section 18-241, plumbing and electrical wiring to be maintained in a safe condition and in compliance with the Florida Building Code and the National Electrical Code

Lead Code Enforcement Officer Walton briefly reviewed the case. The Town recommended the Board submit this case to the Town Council to start the foreclosure proceedings. Building Official Jeff Taylor gave his testimony reference the construction issues with the property.

George Ord, attorney for the property owner, spoke about his client's progress in this case and requested more time to comply.

MOTION BY MR. KOEPPEL TO POSTPONE THE FORECLOSURE HEARING AND TO GRANT THEM ADDITIONAL TIME TO COMPLY, UNTIL APRIL 21, 2012 PROVIDED THE PAYMENT OF \$15,750.00 IS MADE AGAINST THE CURRENT OUTSTANDING FINE AND A PAYMENT OF \$7,500.00 IS MADE AND PLACED IN ESCROW BY MARCH 28, 2012. HE FURTHER MOTIONED THAT SHOULD THE TOTAL PAYMENT OF \$23,250.00 NOT BE RECEIVED BY MARCH 28, 2012, THE BOARD RECOMMENDS THAT TOWN COUNCIL PROCEED WITH FORECLOSURE AT ITS NEXT SCHEDULED MEETING ON APRIL 10, 2012.

SECONDED BY MR. OCHSTEIN

MOTION PASSED WITH MR. FRIED IN OPPOSED

IX. Board Comments: (4:34:27 p.m.)

Mr. Hoffman reminded the Board that the next meeting is April 19, 2012. He thanked the Board.

X. Adjournment: (4:34:57 p.m.)

The meeting was adjourned without benefit of a motion.