

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

Thursday, March 17, 2016, 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:(01:59:45 PM)

II. Roll Call:(01:59:57 PM)

Upon roll call, the following Board members were present: Chairman Harris S. Fried, Vice Chairman James Ballentine, Members Cynthia Van Buren, Robert G. Donnelley, Matthew Natale, Scotch Peloso and Alternate Member Jay N. Nisberg. Member Madelyn Greenberg had an unexcused absence.

Staff present: Attorney Kelly Gardner, Code Enforcement Manager Benjamin Alma, Code Enforcement Officer John Moriarty and Recording Secretary Joan Dunn.

III. Approval of the Minutes of February 18, 2016:(02:00:18 PM)

**MOTION BY MS. VAN BUREN TO APPROVE THE FEBRUARY 18, 2016
MINUTES**

SECONDED BY MR. NATALE

MOTION PASSED UNANIMOUSLY

IV. Administration of the Oath to Town Staff:(02:00:40 PM)

The Town staff were sworn in by Recording Secretary Dunn.

Code Enforcement Officer Moriarty presented the statistical information about the Code Enforcement actions for the past month.

V. Public Hearings:

A. Case # CE 16-59, 220 Arabian Rd., Richard J. Carlino

Violation of Chapter 18, Section 18-233 of the Town Palm Beach Code of Ordinances, 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

Code Enforcement Officer Moriarty presented the case and submitted photographs into the record. The Town recommended the Board find the violator in non-compliance, assess administrative costs of \$150.00 and give them until April 4, 2016 to comply.

The property owner was not present at the hearing and there was a finding of proper notice.

**MOTION BY MR. BALLENTINE TO FIND THE VIOLATOR IN NON-COMPLIANCE, ASSESS ADMINISTRATIVE COSTS IN THE AMOUNT OF \$150.00 AND GIVE THEM UNTIL APRIL 4, 2016 TO COMPLY
SECONDED BY MS. VAN BUREN
MOTION PASSED UNANMOUSLY**

B. Case # CE 16-104, 222 Worth Ave., Escada USA Retail, Inc.

Violation of Chapter 102, Section 102-5 of the Town of Palm Beach Code of Ordinances, deposit of refuse in unauthorized place for disposal

Code Enforcement Officer Moriarty presented the case and submitted photographs into the record. 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.

The business owner was not present at the hearing and there was a finding of proper notice.

**MOTION BY MR. PELOSO 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. DONNELLEY
MOTION PASSED UNANMOUSLY**

C. Case # CE 16-107, 222 Worth Ave., Escada USA Retail, Inc.

Violation of Chapter 102, Section 102-5 of the Town of Palm Beach Code of Ordinances, deposit of refuse in unauthorized place for disposal

Code Enforcement Officer Moriarty presented the case and submitted photographs into the record. 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.

The business owner was not present at the hearing and there was a finding of proper notice.

**MOTION BY MR. NISBERG 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. VAN BUREN
MOTION PASSED UNANIMOUSLY**

VI. Fine Consideration:

- A. Case # CE 15-1166, 1556 N. Ocean Blvd., Fatemeh & Niaz Nazarian
Violation of Chapter 42, Section 42-87 of the Town of Palm Beach Code of Ordinances, exterior surfaces required to be painted and in a good state of repair

Code Enforcement Officer Moriarty briefly reviewed the case. The Town recommended the Board assess a fine in the amount of \$100.00 a day commencing on March 11, 2016 and continuing until compliance is achieved.

The property owner was not present at the hearing.

**MOTION BY MR. DONNELLEY TO ASSESS A FINE IN THE AMOUNT OF \$100.00 A DAY COMMENCING ON MARCH 11, 2016 AND CONTINUING UNTIL COMPLIANCE IS ACHIEVED
SECONDED BY MR. BALLENTINE
MOTION PASSED UNANIMOUSLY**

VII. Board Comments:(02:26:05 PM)

Mr. Fried thanked the Board and staff for their service during his tenure as this was his last meeting due to term limits.

The Board gave their thanks and appreciation to Mr. Fried for his service as Chairman of the Board.

VIII. Adjournment:(02:27:30 PM)

The meeting was adjourned without benefit of a motion.