

JOHN TOMPECK  
Mayor

FRANK FENDER  
Vice Mayor

DAVID KURZMAN  
Commissioner

KAIJA MAYFIELD  
Commissioner

VINNY BARILE  
Commissioner

# TOWN OF SEWALL'S POINT



ROBERT DANIELS-ICMA-CM  
Town Manager

APRIL C. STONCIUS, MMC  
Town Clerk

TINA CIECHANOWSKI  
Chief of Police

JACK REISINGER, CBO  
Building Official/PW Director

MARIA PIERCE  
Finance/HR Director

**Regular Town Commission Meeting Minutes**  
**April 23, 2024**  
**6:00 p.m.**

## I. CALL TO ORDER

Mayor Tompeck called the meeting to order at 6:00 p.m.

### a. Pledge of Allegiance to the Flag

Mayor Tompeck lead the assembly in the Pledge of Allegiance.

### b. Roll Call

The Town Clerk called the roll with the following Commissioners present: Mayor Tompeck, Vice Mayor Fender, Commissioner Kurzman, Commissioner Mayfield, and Commissioner Barile.

## II. PROCLAMATIONS AND PRESENTATIONS

### a. Historic Preservation Month Proclamation

The Town Clerk read the proclamation into the record. Mayor Tompeck presented the proclamation to Sandra Thurlow, who thanked the Town Commission for the recognition, as it was an honor to document the history of the town for the past 35 years. She stated that the Town of Sewall's Point was a special place to live.

Douette Pryce, Chairman of the Martin County Historical Preservation Board, thanked the Commission for the recognition and stated that next year, in 2025, a Centennial Celebration was being planned, as the county will be 100 years old.

### b. National Volunteer Month Proclamation

The Town Clerk read the proclamation into the record. The Town Manager thanked the volunteers for their dedication and service to the Town and its events.

**III. PUBLIC COMMENT ON NON-AGENDA ITEMS- PLEASE SUBMIT A COMMENT CARD TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING AND LIMIT YOUR COMMENTS TO THREE MINUTES. No extensions of time are permissible. *If the thirty (30) minute time period has been exhausted, the Commission will entertain any remaining comments near the end of the meeting with the same three (3) minute per person time limitation.***

There were no public comments to be heard.

Mayor Tompeck clarified the public comment process and stated that comment cards were required to be submitted to the Town Clerk for all items. He pointed out that there was a three-minute limitation on public comments, which was the maximum amount permissible.

**IV. ADDITIONS, DELETIONS OR CHANGES TO THE AGENDA**

Vice Mayor Fender inquired as to what the protocol was for the inclusion of the financial information on the Consent Agenda, to which the Town Manager responded that the preliminary audit was being conducted currently, which delayed them. He clarified that they were placed on the Consent Agenda at the second meeting of each month.

**V. APPROVAL OF AGENDA**

There being no further discussion, Vice Mayor Fender **moved** to approve the Agenda. Commissioner Mayfield **seconded** the motion, which **passed unanimously** by roll call vote.

**VI. CONSENT AGENDA**

- a. Building Report – March**
- b. Minutes – April 9, 2024 Regular Meeting**

Vice Mayor Fender **moved** to approve the Consent Agenda. Under discussion, Commissioner Kurzman inquired as to the two new homes being built that were indicated on the Building Report. The Building Official explained that the information was placed on the report in order to show the status of the homes, as they were in-process. There being no further discussion, Commissioner Kurzman **seconded** the motion, which **passed unanimously** by roll call vote.

**VII. PUBLIC HEARING - ORDINANCE - SECOND READING**

There was nothing scheduled under this item.

**VIII. PUBLIC HEARING - ORDINANCE - FIRST READING**

There was nothing scheduled under this item.

**IX. RESOLUTIONS**

There was nothing scheduled under this item.

**X. OLD BUSINESS**

- a. Referendum Ballot Language – Town Attorney**

The Assistant Town Attorney, Susan Garrett, advised that the language was a draft of what

would be placed on the referendum ballot, which reflected the Charter Review Committee's recommendations. Vice Mayor Fender inquired as to the requirement of a town planning board, to which the Town Manager responded that there was a consensus of the committee to use the planning board on an ad hoc basis.

Commissioner Mayfield asked that in reference to the forfeiture of office regarding a commissioner not attending three meetings, who would excuse the absence. The Town Manager replied that the Commission as a whole would vote to excuse the absence.

The Assistant Town Attorney advised that the next step would be to submit the language to the Supervisor of Elections' office, in order to be placed on the ballot for the general election in November.

Commissioner Kurzman **moved** to approve the referendum ballot language. Commissioner Mayfield **seconded** the motion.

Steven Polychuck, 92 N. Sewall's Point Road, stated that he was concerned that the one-year requirement of living in the town prior to qualifying to run for commissioner was too short of a timeframe.

There being no further discussion, the motion **passed unanimously** by roll call vote.

## **XI. NEW BUSINESS**

### **a. Stormwater Management & Stormwater Utility – Town Manager**

The Town Manager stated that a policy decision was made at the last Strategic Planning Session that included stormwater management, as it impacted the environment. He explained that a study needed to be conducted indicating what the need was and the cost, as well as what funding mechanisms were available.

Mayor Tompeck requested that the existing costs for stormwater maintenance be provided, as well as future projected costs for the next five years. He also recommended including how the major improvements that were underway would affect the cost, in order to make the appropriate decision.

Commissioner Mayfield concurred with Mayor Tompeck and stated that a study would be the next appropriate step when building new infrastructure. She also requested a detailed breakdown of what items were being maintained with the cost. Commissioner Kurzman agreed that the costs should be provided, in order to determine what the budget would be for the stormwater maintenance. He pointed out that there would be a cost to maintain the stormwater system and that it was important to protect the new infrastructure.

Commissioner Barile stated that the water could not be stopped from running downhill on an incline, and was not in favor of the stormwater utility fee. He said that Martin County owned North Sewall's Point Road and should be maintaining the baffle boxes, but that the

Town was maintaining them, adding an extra cost.

Vice Mayor Fender stated that the Commission's number one priority was financial stewardship and that a budget was necessary to maintain the stormwater system. He said that there was a line item in the budget for infrastructure maintenance regarding stormwater and that it may need to be increased.

The Town Engineer, Joe Capra, stated that capital improvements were put in place to alleviate some of the flooding, and that the water was being drained in a reasonable amount of time. He advised that in order to obtain and qualify for a state grant, a stormwater utility fee should be in place that would indicate that the system was being maintained, which was required.

There being no further discussion, Commissioner Mayfield **moved** to proceed forward with conducting a study in the amount of \$1,000 or less in reference to stormwater fees and to provide the Commission with past and future projected costs. Commissioner Kurzman **seconded** the motion, which **passed** by roll call vote with Mayor Tompeck, Commissioner Mayfield, and Commissioner Kurzman voting in favor, and Vice Mayor Fender and Commissioner Barile voting against.

**b. Code Enforcement Board Member Appointment – Commissioner Barile**

Commissioner Barile stated that as a newly-elected official he had the privilege of appointing a board member to the Code Enforcement Board. He nominated Dr. Chuck Farrow, who was trustworthy and would be an asset to the C.E.B.

There being no further discussion, Vice Mayor Fender **moved** to approve the appointment of Dr. Chuck Farrow to the Code Enforcement Board. Commissioner Kurzman **seconded** the motion, which **passed unanimously** by roll call vote.

**XII. DISCUSSION**

There was nothing scheduled under this item.

**XIII. COMMISSION AND STAFF CLOSING COMMENTS**

**a. STAFF**

The Town Manager stated that there would be an Arbor Day Event held this Saturday, April 27, 2024, beginning at 8:00 a.m. at Lantana Park where 150 trees would be given away to the residents. He said that after the event there would be a TreeTalk discussion at Town Hall involving preferences for the tree canopy.

The Town Manager said that the annual Florida League of Cities conference would be held at the Diplomat Beach Resort in Hollywood on August 15<sup>th</sup> – August 17, 2024, and encouraged the Commission to attend.

The Town Manager stated that he would be out of town from May 1st – May 8, 2024, and would be available via telephone.

**b. COMMISSIONERS**

Commissioner Barile stated that he had an inquiry from a few residents in reference to forming a committee to count the sewer surveys. The Town Manager clarified that the intent of the survey was to identify which systems were failing in order to resolve the issue and provide the option of hooking up to the sewer.

Vice Mayor Fender stated that residents continued to contact him in reference to 10 Oakwood Drive that were concerned about the deviation from the spirit of the ordinance. He stated that the property was in violation of the permeability ordinance, as the driveway contained non-permeable pavers and requested an ordinance amendment. Vice Mayor Fender pointed out that the character of the Town included being designated a Tree City. Mayor Tompeck did not agree with Vice Mayor Fender regarding the property owner violating the Town’s ordinance, as they met the permeability requirement.

The Town Manager said that if directed by the Commission, he would work with the Assistant Town Attorney to amend the ordinance. He clarified that the state had a process in place to cut down trees, which entailed an arborist certifying a tree as a dangerous tree.

Commissioner Mayfield stated that the Commission devoted a lot of time crafting the tree ordinance and felt that it was sufficient. She pointed out that, overall, the Town was doing a good job with maintaining the trees. Commissioner Mayfield concurred with amending the impervious section of the ordinance, as pavers did not seem to be penetrable. She recommended that the residents and the commissioners converse with the state legislators, in order to encourage them to change the law.

**XV. ADJOURN**

There being no further business, the meeting adjourned at 7:30 p.m.

**APPROVED:**

  
\_\_\_\_\_  
Mayor John Tompeck, Presiding Officer

**ATTEST:**

  
\_\_\_\_\_  
April C. Stoncius, Town Clerk

Minutes approved at the meeting of: May 14, 2024

**From:** [Diane Corson](#)  
**To:** [John Tompeck](#); [Frank Fender](#); [Kaija Mayfield](#); [Dave Kurzman](#); [Vincent Barile](#); [Robert Daniels](#); [April Stoncius](#); [Jack Reisinger](#)  
**Subject:** mitigation on 10 Oakwood Drive  
**Date:** Friday, April 12, 2024 6:09:14 PM

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Dear Sewall's Point Commissioners, Town Manager, Building Official, and Town Clerk:

I live at 7 Oakwood Drive. I have watched the property at 10 Oakwood Drive change from a forest to an almost finished house on a daily basis. I watched as the trees were destroyed. I watched as trees with orange ribbons that were supposed to remain, were destroyed. I watched as a remaining Gumbo Limbo tree on the property was pushed over by an excavator type machine, exposing the roots; which were then covered when city officials were called. I watched as the driveway was installed to cover a large portion of the remaining front and side yards with what appear to be concrete pavers. I watched as they mixed concrete to then pour in between the concrete pavers.

I have been told that the house project and setbacks have been approved. I have been told that the owner will be required to replace all the trees that were removed, not by the number of trees, but by the diameter of trees. I have been told that the drainage issues were considered.

Now I have been told that the owners will not be required to replace the same diameter of trees. I have been told the owners will be assessed a fee of \$55,000, but they want to reduce that fee to \$22,000. I think they should be held accountable to replace the amount of trees that were removed.

I am concerned and saddened by this process. We are designated a tree city. We take pride in our beautiful trees and our beautiful neighborhoods. This construction project should be used as an example of what not to allow: to not allow the destruction of nearly 100% of the trees on a lot and to not allow the building of a house and driveway so large that the required amount of trees can not be replaced in the new landscaping.

I respectfully submit this letter explaining my thoughts, as my husband and I will not be able to attend the meeting when this is discussed. I hope you will take my feedback into future considerations of building projects and tree preservation. I appreciate your time and consideration.

Diane Corson

M: 954-605-2682

7 Oakwood Drive; Sewall's Point, FL 34996

**From:** [Town Hall](#)  
**To:** [Chrystal Gomez](#); [April Stoncius](#)  
**Subject:** FW: Your S2S "Survey"  
**Date:** Wednesday, April 17, 2024 11:24:01 AM

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**From:** Mona Leonard  
**Sent:** Wednesday, April 17, 2024 11:23:18 AM (UTC-05:00) Eastern Time (US & Canada)  
**To:** Town Hall  
**Cc:** Vincent Barile; Dave Kurzman; Frank Fender; John Tompeck; Kaija Mayfield; Robert Daniels  
**Subject:** Your S2S "Survey"

Hello TM Daniels and Commissioners,

For the record, and please read this into the minutes of the next meeting, for the record, I have never nor will ever be interested in the conversion to sewer. Those of us still capable of critical thinking know this is a taking of our property rights without consent. Shortsighted politicians and NGOs have plans for OUR money, whether it's environmentally and financially sound or not. Giving the government more control over private property doesn't turn out well for the citizens.

There has never been a study done in TSP to even give the notion that our septic tanks have caused pollution in the IRL or the SLR. Some environmentalists have offered to help the town by conducting a study, but our commission would rather make a claim about the need for centralized sewers blindly, then gaslight the residents until funding is rammed through, because, well, it seems, that's what politicians do. We are a very low priority for conversion to sewer according to Martin County Utilities and we're likely to become an even lower priority now that our rivers are healing from the Lake O discharges.

Decades ago the town's residents turned down centralized sewers that are already underground in TSP. Those are now obsolete, of course, which is a different topic about maintaining the infrastructure you're creating. Those obsolete sewers were **NEVER** used! Buying unnecessary and even harmful ways to add more revenue to your corporation means stomach-turning decisions and poor planning, at the cost of our environment and our pocketbooks. Commissioner Tompeck knows the damage centralized sewers do to our environment, having been in the business for years. How many millions of gallons of raw human sewage did you dump during storms we had affecting the Ft. Pierce utility, Commissioner Tompeck?

There are over 2000 reported sewer leaks in the State of Florida Each Year. Those are just the ones that are reported. What about the vast number of leaks that aren't big enough to detect... Yet? And how will repairs be paid for? Oh yeah, the citizenry, the citizenry. Utilities across the state dump their raw human sewage into our rivers when storms bring heavy rain. But you continue to blame the lowly septic tank, which is self-contained and environmentally sound. Your reasons are two-fold... more money and more control of the residents. Even down to the "crushing" of septic tanks when residents hook up to a sewer reeks of corruption, manipulation and pure greed.

It's always easy to spend someone else's money isn't it? It's your neighbor's money. Wasteful spending by politicians doesn't fare well on election day.

Best,  
Mona

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Keller Williams Luxury





**From:** [Frank tidikis](#)  
**To:** [Robert Daniels](#)  
**Cc:** [John Tompeck](#); [Frank Fender](#); [Dave Kurzman](#); [Kaija Mayfield](#); [Vinnie Barile](#); [Chuck Farrow M.D.](#); [HB Barrett](#); [Stephanie Nehme](#); [April Stoncius](#)  
**Subject:** Charter Ammendments  
**Date:** Thursday, April 18, 2024 3:00:39 PM  
**Attachments:** [Sewall s Point 2024 Ballot Questions DRAFT.pdf](#)

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Bob,

The recommendation of the Charter Review Committee was not to remove the planning board from the Charter but to activate the committee when the mandated review was required by the state. The Charter Review Committee felt that citizen input was essential to the town plan.

I had called this to your attention when first presented to the commission and you indicated that you would correct it.

Thank you

Frank