



Town of Surfside
Special Town Commission Meeting
MINUTES
March 25, 2024
5:00 PM
Commission Chambers

1. Opening

1.A Call to Order

Mayor Burkett called the meeting to order at 5:03 p.m.

1.B Roll Call of Members

Town Clerk McCready called the roll with the following members present.

Present: Mayor Charles W. Burkett, Vice Mayor Tina Paul, Commissioner Ruben Coto, Commissioner Nelly Velasquez, and Commissioner Gerardo Vildostegui.

Also Present: Town Attorney Lilian Arango, Town Attorney Tony Recio, and Town Manager Hector Gomez.

1.C Pledge of Allegiance

Chief Marciante led the pledge of allegiance.

2. Mayor, Commission and Staff Communication

2.A Town Attorney Resignation Discussion - Hector Gomez, Town Manager

Per Town Charter, the Town Commission is to appoint a Town Attorney.

Commission discussion is recommended to determine next steps.

Refer to **Attachment A** - Weiss Serota - Town Attorney Resignation

Mayor Burkett introduced the item.

Town Attorney Arango thanked the Town of Surfside for the opportunity to serve them for many years.

Mayor Burkett opened the floor for public comment.

The following individuals from the public spoke:

Jeff Rose shared his gratitude towards the Town Attorney and their service throughout the years.

Jared Brunnabend shared how he had heard about the resignation letter from the Town Attorney to which raised his concerns regarding the reasoning of the resignation. He asked the Town Attorney to elaborate if possible. He further spoke about the process of retaining a new Town Attorney.

Mayor Burkett stated that in the interest of transparency, he would also like to know why the Town Attorney is resigning and asked that Mr. Brunnabend ask his question to the Town Attorney.

Mr. Brunnabend asked the Town Attorney to provide more color as to why Weiss Serota has resigned.

Town Attorney Arango advised Mr. Brunnabend that the reasoning was in their resignation letter.

Mr. Brunnabend asked for extra time to finish his thoughts.

A motion was made by Commissioner Vildostegui to provide Mr. Brunnabend additional time to speak. The motion died for lack of a second.

Commissioner Velasquez asked Town Attorney Arango what led her to resign, as they have only had one meeting of this Commission and how by one meeting, they will believe that the commission wanted to change directions at the moment. She stated that she is as confused as the residents are and that they never put out any communication, not a single phone or text message to give anyone the impression that this commission would not like to work with Weiss Serota. She stated that the residents deserve an answer.

Town Attorney Arango stated that since Commissioner Velasquez brought it up, she is not sure as to why she is so surprised. She stated that there have been things said about their integrity and their legal capacity which were said by Commissioner Velasquez but that she will take the high road and will not engage out of respect to her office.

Shlomo Danzinger shared how this Commission is focusing on destruction rather than building. Mr. Danzinger proceeded to thank the Town Attorneys for their service. He further stated that it will be very hard to find a firm with their specialties and experience. Kasriel Gewirtz asked the Commission for their opinion on comments he has heard related to former Mayor Danzinger using police powers over residents and he heard that someone on the Commission used their powers to get someone arrested without any reasons.

Mayor Burkett asked him where he heard that, and he stated that he heard it from his parents. Mayor Burkett further asked to explain exactly what he heard, and he stated that he was not going to get into details.

Ellen Abramson shared her beliefs that the new Commission is moving forward. She further spoke about the Town Attorney's resignation.

Eliana Salzhauer shared how her experience working with the Town Attorney was upsetting.

Joanna Katz shared how she was disappointed with the Commission's actions during today's meeting.

Mayor Burkett expressed how it is a judgement call by the Commission who gets extra time during public comment. He proceeded to call Mr. Jared Brunnabend to finish his public comment.

Jared Brunnabend approached the podium and finished his public comment. He asked the Commission for extra time.

The commission via consensus agreed to give Mr. Brunnabend extra time.

Mayor Burkett shared his thoughts on the changes the new Commission wish to make to the Town.

Commissioner Velasquez clarified the reasoning behind the Town Attorney's resignation was not made by the Commission, but rather by the Town Attorney.

Chana Danzinger shared how it saddens her seeing the Town Attorney leave the Town.

Mayor Burkett closed public comment.

Town Attorney Arango thanked the Mayor for clarifying Commissioner Velasquez's question.

Commissioner Coto expressed how the Town Attorney's resignation was a surprise for him. He stated he respectfully accepted the Town Attorney's resignation.

Vice Mayor Paul voiced how one specific public comment raised concerns for her and asked resident Kasriel Gewirtz to give details on his public comment.

Mayor Burkett spoke about his feelings regarding Kasriel Gewirtz public comment and his relationship to former Vice Mayor Jeff Rose.

Vice Mayor Paul expressed how the resignation of the Town Attorney was a surprise and how the new Commission, as far as she knew, had no intentions of cancelling their services. She stated she respectfully accepted the Town Attorney's resignation.

Commissioner Vildostegui shared how he was not sure of the public comment from resident Kasriel Gewirtz and how he took matters like the ones mentioned seriously. Commissioner Vildostegui clarified he had not spoken since he was elected with the Town Attorney and how their resignation was a surprise to him.

Mayor Burkett expressed how he was not sure if there was going to be another round of conversation regarding his matter.

Commissioner Vildostegui shared he wanted to discuss his general opinion regarding the matter, but he wanted to make comments regarding the opinion of the residents and the Commission and later on share his general thoughts.

Commissioner Velasquez communicated how she was surprised by the Town Attorney's resignation. She stated she respectfully accepted the Town Attorney's resignation.

Mayor Burkett shared how he was not surprised by the decision of the Town Attorney. He expressed he was disappointed in the Town Attorney's services.

Town Attorney Arango clarified she disagrees with Mayor Burkett's comments and how she believed the firm did a great job for the Town.

Mayor Burkett told Town Attorney Arango how their actions during the past two years spoke louder than the words that were just shared.

Vice Mayor Paul shared how during her last term in office she enjoyed working with the Town Attorney, however, the Town Attorney's actions during the last Commission term changed her mind.

Commissioner Velasquez expressed how she disagreed with many actions of the Town Attorney during the last administration. She shared her thoughts of how she believes the Town Attorney no longer wants to work for the Town due to the situations that occurred the last two years. She said how the Town Attorney needs to have the best interest of the Town in mind.

A motion was made by Vice Mayor Paul to accept the Town Attorney's resignation, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote.

The Mayor asked the Commission if there was further business to discuss on this item.

A motion was made by Commissioner Vildostegui to further discuss this item, seconded by Commissioner Velasquez. The motion carried with a 5-0 vote

Mayor Burkett opened the floor to public comments.

The following individuals from the public spoke:

Eliana Salhauzer expressed how the Town needs change to have an in-house attorney.

Jared Brunnabend shared how he disagrees with Mr. Blumstein being appointed as the Town Attorney. He also shared how Mr. Blumstein was campaigning for the current Commission.

Marianne Meischeid shared her experience with a former Town Attorney. She expressed to the Commission to consider Mr. Blumstein as the Town Attorney. Chana Danzinger shared how the Commission was not allowing Town Attorney Arango to finish her reasonings of resigning. She also thanked Commissioner Vildostegui for standing up to walkability in the Town and the Tennis Center.

Mayor Burkett closed public comment.

Vice Mayor Paul clarified Mr. Blumstein was not campaigning for her, but for his brother.

Commissioner Coto shared he would like to have an in-house Town Attorney. He specified Mr. Blumstein did not campaign for him.

Commissioner Vildostegui shared that Mr. Blumstein did not campaign for him.

Commissioner Velasquez explained Mr. Blumstein did not campaign for her and how the Town needs an in-house attorney.

Mayor Burkett clarified he did not have any poll workers. He spoke regarding accusations made about Mr. Blumstein being the Mayor's poll watcher during elections. Mayor Burkett continued to speak on Mr. Blumstein's good integrity. He shared how the Commission cares about transparency and integrity.

A conversation between the Mayor and Town residents was conducted.

Former Mayor Mitchell Kinzer shared how during the 22 years he was serving in the Commission, the in-house attorney the Town had did not give issues. He expressed to the Commission how the Town needs an attorney who cares for the residents.

Mayor Burkett closed the public comment.

Vice Mayor Paul shared her personal opinion working with former Town Attorneys during her past terms. She expressed how she agreed to have an in-house Town Attorney.

Commissioner Vildostegui communicated how municipal attorneys are in a position of great power. He shared how at times City Attorneys have the interest of the Commission in mind instead of the residents, which is an issue. He expressed how other cities embrace the idea of having a resident as a City Attorney as this allows the attorney to have the interest of the city in mind. He proceeded to ask how the Commission can elect a candidate who will have the Town's well -being in mind and who is willing to say 'no' to the Town Commission when needed. He said how he is curious to hear comments regarding if the Town should have an in-house attorney or not.

Commissioner Coto shared how he believes it is ideal to have an in-house Town Attorney.

Vice Mayor Paul expressed how, from her own experience, having an in-house Town Attorney guarantees to receive a better service. She communicated how she would like to have town workers who are not afraid to say 'no' to the Commission if needed.

Commissioner Velasquez stated she agreed with her colleagues. She elaborated on

how religious exemption is wrong to give to developers. She spoke regarding how building three stories houses when the Town Charter only allows two stories should not be done. She elaborated on other issues of the Town she is not in agreement with. She told the Commission how the Town should have an attorney that has the best interest of the residents. She expressed how she would prefer an in-house attorney who is a resident.

Mayor Burkett shared his thoughts on actions done by developers in the Town and how the Town Attorneys allowed wrong decisions during the prior Commission's term. He shared how this new Commission has ideas that will beautify the Town. He proceeded to say how the Town needs an attorney the Commission can trust.

Commissioner Vildostegui stated the Commission has to make the decision to have an in-house Attorney or hire a law firm, he asked the Commission if a job posting should be done or if the decision of selecting an attorney has to be done during today's meeting or at a later meeting.

Vice Mayor Paul recommended to appoint an interim attorney. She recommended to appoint Mr. Blumstein as interim Town Attorney as she believes he is someone who looks after the Town.

Commissioner Velasquez agreed with Vice Mayor Paul's statement.

Commissioner Vildostegui agreed with the idea of having an interim Town Attorney. He asked the Commission what the timeline and process of hiring a permanent Town Attorney would be.

Vice Mayor Paul proceeded to explain what having an interim Town Attorney means. She explained how the interim attorney would have a six-month evaluation period.

Commissioner Coto agreed that a six-month trial with the interim attorney would be best.

Town Manager Gomez asked the Commission for terms and conditions for the interim Town Attorney.

Mr. Blumstein addressed the Commission and informed them he is willing to step into the roll as interim Town Attorney and clarified he did not serve in the campaigns for any of the current Commissioners, but only his brother's. He addressed the conflicts he has by representing resident Joshua Epstein's case, which he agreed to dismiss if appointed as Town Attorney.

Commissioner Vildostegui asked Mr. Blumstein if he had any real state investments in the Town other than his private home.

Mr. Blumstein stated he owns a property on Collins Avenue with his brother and mother. He proceeded to list the other properties he owns in the Town.

Commissioner Vildostegui asked Mr. Blumstein if he knew of any conflicts this might bring and what the procedure would be if conflicts were present.

Mr. Blumstein proceeded to explain if there were any conflicts, he would excuse himself from any legal opinions.

A motion was made by Commissioner Vildostegui to appoint Mr. Blumstein as interim Town Attorney and for the Commission to review the appointment no later than 6 months after it begins, seconded by Commissioner Coto.

Vice Mayor Paul stated ~~how there is a record how~~ the Town gives employment preferences to residents and members of the military, ~~which~~ and Mr. Blumstein meets those categories.

Town Manager Gomez asked if the appointment is effective immediately.

Commissioner Vildostegui amended his motion to make the appointment effective immediately.

Vice Mayor Paul mentioned how the resignation letter from the Town Attorney stated a transition of 30 days. She shared how the Commission will not be needing the 30 days if the appointment of Mr. Blumstein is effective immediately.

Town Manager Gomez stated that if the appointment is effective immediately, Mr. Blumstein needs to go through a regular Town employment process. He suggested if wanting to start immediately, Mr. Blumstein should be under contractual services to allow time for the employment process to be finalized. He asked the Commission for guidance regarding the contractual services.

The Commission had a discussion regarding who should conduct the contractual services with Mr. Blumstein.

Eliana Salhauzer shared her positive experience with Mr. Blumstein.

Louisa Agresti shared how thankful she is to the new Commission and how grateful she is a resident will be the Town Attorney.

Jeff Rose shared how he thought it was not appropriate for the commission to question a 12-year-old boy, Kasriel Gewirtz, during public comment without the presence of his parents. Mr. Rose asked if the decision of appointing Mr. Blumstein was discussed with the Town Manager in prior conversations before today at his home.

Mayor Burkett clarified to Mr. Rose how the Town Manager and himself had a conversation today before the meeting at the Mayor's home.

Ellen Abramson shared how she is in favor of Mr. Blumstein stepping in as interim Town Attorney.

Vice Mayor Paul addressed Mr. Rose regarding the young boy's public comment from earlier.

Jared Brunnabend shared his concerns regarding the Commission's transparency due to the Mayor conducting Town Business at his home and not at Town Hall.

Mayor Burkett addressed Mr. Brunnabend and stated the Town Manager can speak to the elected officials regarding Town business anytime and anywhere.

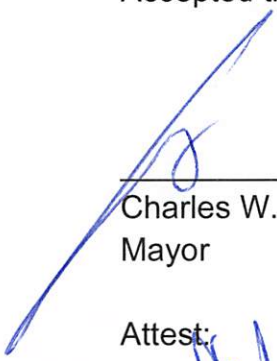
A motion was made by Commissioner Vildostegui to appoint Mark Blumstein as interim Town Attorney and for the Commission to review the appointment no later than 6 months after it begins, seconded by Commissioner Coto. The motion carried with a 5-0 vote.

[Weiss Serota - Town Attorney Resignation](#)

3. Adjournment

There being no further business to discuss before the Commission, a motion was made by Commissioner Velasquez to adjourn the meeting at 6:47 p.m., seconded by Commissioner Vildostegui. The motion carried with a 5-0 vote.

Accepted this 9th day of April, 2024.



Charles W. Burkett,
Mayor

Attest:



Sandra N. McCreedy, MMC
Town Clerk