

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

February 11, 2021

13400 Griffin Road

Present:

Mayor Steve Breitkreuz	Andrew Berns, Town Administrator
Vice Mayor Bob Hartmann	Russell Muñiz, Assistant Town Administrator/Town Clerk
Council Member Jim Allbritton	Martin D. Sherwood, Town Financial Administrator
Council Member Gary Jablonski	Keith Poliakoff, Town Attorney
Council Member David Kuczenski	

Regular Meeting of the Town Council of Southwest Ranches was held virtually via the ZOOM Meeting Platform. The meeting, having been properly noticed, was called to order by Mayor McKay at 7:05 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

Quasi-Judicial Hearings

3. Waiver of Plat No. WP-26-20

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-26-20 TO SUBDIVIDE 4.78 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.0 AND 2.78 ACRES; GENERALLY LOCATED ON THE WEST SIDE OF HOLATEE TRAIL APPROXIMATELY 2,000 FEET SOUTH OF PALOMINO DRIVE; LEGALLY DESCRIBED AS THE NORTH HALF OF TRACT 8 LESS THE EAST 20 FEET, EVERGLADE SUGAR AND LAND CO. SUBDIVISION OF SECTION 34, TOWNSHIP 50 SOUTH, RANGE 40 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 152 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; SAID LANDS LYING AND BEING IN BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Town Attorney Poliakoff went over the rules of the Quasi-Judicial procedure. Assistant Town Administrator/Town Clerk Muñiz administered an oath swearing in anyone who wishes to speak on the item and then read the item into the record. Town Attorney Poliakoff inquired if the petitioner or their agent was in attendance, to which Assistant Town Administrator/Town Clerk Muñiz advised there was. The petitioner confirmed she was sworn in and she read the staff report and agreed with the conditions contained within the staff report. Assistant Town Planner Katims read the staff report into the record. Council Member Kuczenski asked if the driveway will be a private road and Assistant Town Planner Katims advised it is strictly a driveway. Town Attorney Poliakoff clarified that each property has their own access and then asked the petitioner's agent if she had any comments, which she did not. Town Attorney Poliakoff inquired if the Town Council has had any ex-parte communications with the public concerning the matter. Council Member's Jablonski, Kuczenski, Allbritton, Vice Mayor Hartmann and Mayor Breitkreuz all received emails regarding the item and the residents were against the item. The item was then opened to the public for comment. Public comment was closed and Town Attorney Poliakoff inquired if Assistant Town Planner Katims or the petitioner had any comments, to which they did not. The item was

then turned over to the Town Council for deliberation. Mayor Breitkreuz agreed with the public regarding their comments, however the Town Council must follow the law and the item before them does comply. Council Member Allbritton and Vice Mayor Hartmann wanted to clarify the 2.5-acre rule for the public. Assistant Town Planner Katims explained the rule for the public. Mayor Breitkreuz opened the floor for public comment again since residents were having trouble connecting to the meeting. Robin Ditzian, Carolyn Ditzian, Jim Laskey, Patricia Wareham and Dwight Benjamin spoke. The public comment section was closed. Mayor Breitkreuz spoke on one of the public comments regarding water runoff from the development to the older property, because the berm had not been in place yet. This is concerning to him because it floods the lower properties. Assistant Town Planner Katims state the berm must be in place before the house is issued a certificate of occupancy. Town Administrator Berns suggested to the Town Council if they want, they can request the berm be constructed sooner rather than later. Town Attorney Poliakoff stated they could make constructing the berm a condition of approval.

The following motion was made by Vice Mayor Hartmann, seconded by Council Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

MOTION: TO APPROVE THE RESOLUTION WITH THE FOLLOWING CONDITIONS; PETITIONER TO CONSTRUCT A BERM BY JUNE 1ST, 2021 PRIOR TO HOMES BEING BUILT TO MITIGATE ANY WATER RUNOFF OR IMPACT TO EXISTING PROPERTIES.

4. Waiver of Plat No. WP-27-20

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-27-20 TO SUBDIVIDE 4.42 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.0 AND 2.42 ACRES; GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE MUSTANG AND APPALOOSA TRAILS INTERSECTION LEGALLY DESCRIBED AS THE SOUTH HALF OF TRACT 37, LESS THE SOUTH 40 FEET AND LESS THE EAST 20 FEET THEREOF, SECTION 2, TOWNSHIP 51 SOUTH, RANGE 40 EAST OF THE EVERGLADES SUGAR AND LAND CO. SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 39 OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, SAID LANDS LYING AND BEING SITUATE IN BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski, seconded by Council Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

MOTION: TO TABLE RESOLUTION TO THE FEBRUARY 25, 2021 TOWN COUNCIL MEETING.

5. Waiver of Plat WP-28-20

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING WAIVER OF PLAT APPLICATION NO. WP-28-20 TO SUBDIVIDE 4.0 NET ACRES OF PROPERTY INTO TWO LOTS OF 2.0 ACRES EACH; GENERALLY LOCATED SOUTH OF STIRLING ROAD ON THE WEST SIDE OF STALLION WAY AND GENERALLY DESCRIBED AS LOT 2 AND A PORTION OF LOT 3 OF LANDMARK AT STERLING RANCHES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 170, PAGE 14 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO PROPERLY EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Town Attorney Poliakoff went over the rules of the Quasi-Judicial procedure. Assistant Town Administrator/Town Clerk Muñiz administered an oath swearing in anyone who wishes to speak on the item and then read the item into the record. Town Attorney Poliakoff inquired if the petitioner or their agent was in attendance, to which Assistant Town Administrator/Town Clerk Muñiz advised there was. The petitioner confirmed she was sworn in and she read the staff report and agreed with the conditions contained within the staff report. Assistant Town Planner Katims read the staff report into the record. Town Attorney Poliakoff asked the petitioner if she had any questions, which she did not. Town Attorney Poliakoff then asked if the Town Council had any questions. Council Member Jablonski asked Assistant Town Planner if the area can be gated to which the answer was no. Council Member Kuczenski asked if lot#3 is built out to not allow any additional construction. Assistant Town Planner Katims stated there is very little space to allow anything other than maybe a small outbuilding or an addition. Council Member Allbritton asked about the 16 feet taken from lot#3 and was it platted incorrectly? Assistant Town Planner Katims clarified the 16 feet does not play into the item the Town Council is approving. If the item is meeting all the requirements the item can be approved. Council Member Allbritton asked the petitioner why was it done with being approved? The petitioner didn't have an answer, only to say the property owner is trying to be in compliance at present. Town Attorney Poliakoff then inquired if the Town Council has had any ex-parte communications with the public concerning the matter. Council Member Kuczenski stated he had, and the resident was against the item. The item was then opened to the public. Newell Hollingsworth, Jim Laskey (who needed to be sworn in) spoke and then public comment was closed. Mayor Breitkreuz asked Assistant Town Planner Katims, how much leeway does the property have before it becomes non-conforming to which Assistant Town Planner Katims advised there is none. Council Member Jablonski asked weren't properties were supposed to be in compliance before they come in from of the Town Council and Assistant Town Planner Katims stated yes. He then clarified the property owner is trying to rectify the issue to bring it into compliance. Council Member Jablonski was not happy with the answer. He would like it to be tabled. Council Member Allbritton thinks this is should be rectified before it comes before them. Council Member Kuczenski agree with the concerns of Council Member Jablonski and Council Member Allbritton and he is deeply concerned. Mayor Breitkreuz is less than comfortable with the item and he has no problem tabling the item. Council Member Jablonski made a motion to table the item. Town Attorney Poliakoff asked for a time and date certain to be in compliance and come back to the Town Council for consideration. Council Member Jablonski would like to table it to May and suggest the owner be present. Vice Mayor Hartmann asked what

the Town Council is looking to do and Mayor Breitreuz explained they were giving the owner time to come into compliance and try to explain why this was done the way it was.

The following motion was made by Council Member Jablonski, seconded by Council Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

MOTION: TO TABLE RESOLUTION TO ALLOW PETITIONER TO COME INTO COMPLIANCE BY MAY 13, 2021 AND THE OWNER BE PRESENT AT THE MEETING.

6. Plat Note Amendment Application No. DG-24-20

A RESOLUTION AND FINAL ORDER OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FL, APPROVING PLAT NOTE AMENDMENT APPLICATION NO. DG-24-20 TO INCREASE THE NUMBER OF SINGLE FAMILY RESIDENCES AUTHORIZED ON THE FACE OF THE LANDMARK AT STERLING RANCHES PLAT IN ASSOCIATION WITH WAIVER OF PLAT APPLICATION NO. WP-28-20; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR AND TOWN ATTORNEY TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO PROPERLY EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Town Attorney Poliakoff went over the rules of the Quasi-Judicial procedure. Assistant Town Administrator/Town Clerk Muñiz administered an oath swearing in anyone who wishes to speak on the item and then read the item into the record. Town Attorney Poliakoff inquired if the petitioner or their agent was in attendance and Assistant Town Planner Katims clarified this item was a companion item to the previously tabled item. Town Attorney Poliakoff advised this item didn't need to be opened and the Town Council made a motion to table to the May meeting as well. The petitioner stated the applicant made the purchase in good faith and wanted to make sure it was in compliance. The applicant was unaware they had to ask for permission to incorporate the strip of land to bring the property into compliance. She stated she will have the applicant present at the May Town Council meeting.

The following motion was made by Vice Mayor Hartmann, seconded by Council Member Jablonski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitreuz voting Yes.

MOTION: TO TABLE RESOLUTION TO ALLOW PETITIONER TO COME INTO COMPLIANCE BY MAY 13, 2021 AND OWNER BE PRESENT AT THE MEETING.

7. Public Comment

The following members of the public addressed the Town Council: Jim Laskey.

8. Board Reports

George Morris spoke on behalf of the Drainage and Infrastructure Advisory Board. He provided a summary on the items discussed during their monthly meeting, such as a new residential project, providing drainage relief on SW 64th Street, fill removal penalties for work done without a permit

and potential asphalt work to be done on 188th Avenue. He also mentioned the upcoming workshop to held prior to the Town Council meeting at 6:00PM February 25, 2021.

Debbie Green spoke on behalf of the Schools and Education Advisory Board to inform the Town Council on the fundraising challenges this year in the wake of the pandemic. She spoke of the Flamingo Flocking Fundraiser the Board came up with and it has been a big hit with the residents.

9. Council Member Comments

Vice Mayor Hartmann thanked the Town Council for allowing him the extended time to speak at the January 28th, 2021 Town Council Meeting. He spoke of the history between himself and Mayor Breitzkreuz and mentioned he is the Council Liaison for Comprehensive Plan Advisory Board (CPAB) and Mayor Breitzkreuz is the Council Liaison for the Drainage and Infrastructure Advisory Board (DIAB). Vice Mayor Hartmann then proposed he and Mayor Breitzkreuz then swap Boards to which Mayor Breitzkreuz agreed.

Council Member Jablonski spoke about the new Mailbox in front of Town Hall and he thanked Emily Aceti for persistence in making it happen. He next spoke about the free mulch giveaway happening at the Southwest Meadows Sanctuary Park. He mentioned that Town Hall will be closed on February 15th for President's Day. Council Member Jablonski then mentioned he got flocked and thinks it's a wonderful fundraising idea. Next he thanked Council Member Allbritton for the street signs he purchased on his own and what a nifty idea it was. He then spoke about the traffic issues and it was brought to his attention when driving at night, it is so dark that drivers cannot see horses or pedestrians and maybe they should have something reflective on their saddles or clothing.

Council Member Allbritton spoke about the signs he bought. He distributed them throughout Sunshine Ranches, Green Meadows and Rolling Oaks to see how they would take off and he started to get calls and emails requesting more signs. He ordered more signs and they had arrived, and he will reach out to the residents who requested them. He just wanted the traffic to slow down. Council Member Allbritton spoke on the new radar gun that was approved and he is excited for the traffic to get under control. He also said the Flamingos are also slowing the drivers down as they notice them. He had a report in his mailbox that outlines what the Town accomplished in 2020 and he was amazed. Council Member Allbritton thanked the Town Staff for all they do to accomplish all the tasks needed to keep the Town running.

Council Member Kuczenski spoke about the previous Quasi-Judicial Items regarding the berms. He thinks that maybe the during the earlier stages on new lot homes, berms need to be constructed so as not to affect the older homes. Next he spoke about a builder's acre, which he is not fond of and he is wondering if anywhere in the Town's Code there is a definition of an acre and if there is not, maybe look into creating a definition for that. He'd like to see the Mayor's ordinance on density of adjoining properties come before Council very soon. Council Member Kuczenski next spoke about Advisory Board Attendance and the discussion of three missed meetings would result in removal from the Board. Lastly, Council Member Kuczenski spoke about a speeding black Audi that passed him the previous night and that he reported the license plate

to Detective Jeff Hobales. Council member Kuczenski is appalled at all the late-night speeding drivers that pass thorough Southwest Ranches.

Mayor Breitzkreuz followed up on Council Member Kuczenski comments regarding the berm. He stated it is controlled by the local Drainage Districts and they will be attending the February 25th Town Council Meeting. Mayor Breitzkreuz thinks that would be a great item to speak to them about. Mayor Breitzkreuz also spoke about the Town's new mailbox and how excited he is about it. He also encouraged the residents to use the new mailbox to drop their mail, especially considering all the mail thefts happening in the Town. Mayor Breitzkreuz also mentioned the free mulch available to the residents and lastly, he advised the Town is working diligently on the new fire fee.

10. Legal Comments

Town Attorney Poliakoff spoke on the Mayor's item they drafted together concerning the change in zoning is before the Comprehensives Plan Board and as soon as it is done the item will go before the Town Council for consideration. Town Attorney Poliakoff also gave an update on the Morales case. The case was supposed to be heard by emergency injunction today by the court, however due to an illness of Mr. Morales' counsel, the court agreed to allow them to bring in additional counsel to assist with the matter and has ordered mediation prior to the March 16th hearing and has also made it clear that if the case does not get resolved at mediation the court expects the mobile clinic to be moved. Town Attorney Poliakoff thinks the Town will get resolution sooner rather than later. Next Town Attorney Poliakoff sent the Town Council an ordinance that is required by the South Florida Water Management District. This is just to give the residents a heads up the South Florida Water Management District is requiring every municipality to pass a model form ordinance in dealing with irrigation for water conservation and the environment. Since most of the Town is using wells, Town Attorney Poliakoff put some modifications in the ordinance and he hopes South Florida Water Management District approves the modification.

11. Administration Comments

Town Administrator Berns thanked everyone for addressing his issues and he had nothing else to add.

Ordinance – 2nd Reading

12. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN, PERTAINING TO THE US HIGHWAY 27 BUSINESS LAND USE CATEGORY; PROVIDING FOR TRANSMITTAL TO HE STATE LAND PLANNING AGENCY; REQUESTING RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-4){Approved on First Reading - October 8, 2020.}

The following motion was made by Vice Mayor Hartmann, seconded by Council Member Jablonski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitzkreuz voting Yes.

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

13. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") TO CREATE A NEW ZONING CLASSIFICATION ENTITLED, "US HIGHWAY 27 PLANNED BUSINESS DISTRICT" PROVIDING FOR DISTRICT REGULATIONS AND RELATED AMENDMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading – October 8, 2020}

The following motion was made by Council Member Jablonski, seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

Resolutions

14. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AUTHORIZING A PURCHASE ORDER TO AMERICAN PRIDE MECHANICAL IN THE AMOUNT OF TWENTY EIGHT THOUSAND, FOUR HUNDRED AND FORTY EIGHT DOLLARS AND ZERO CENTS (\$28,448.00) TO REPLACE FIVE AIR-CONDITIONER UNITS SERVICING THE TOWN COUNCIL CHAMBERS AND TOWN HALL ADMINISTRATIVE OFFICES; AUTHORIZING THE MAYOR, TOWN ADMINISTRATOR, AND TOWN ATTORNEY TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

The following motion was made by Council Member Jablonski, seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

MOTION: TO APPROVE THE RESOLUTION.

Discussion

- 15. Annual Review of Charter Officials – Tabled from January 28, 2021**
- a. Andrew Berns**
 - b. Russell Muñiz**
 - c. Martin Sherwood**

15a

The following motion was made by Council Member Jablonski, seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, and Mayor Breitkreuz voting Yes

MOTION: TO APPROVE A 3% SALARY INCREASE RETROACTIVE TO JANUARY 1ST 2021 FOR TOWN ADMINISTRATOR ANDREW BERNs.

15b

The following motion was made by Council Member Jablonski, seconded by Council Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, and Mayor Breitkreuz voting Yes.

MOTION: TO APPROVE A 3% SALARY INCREASE RETROACTIVE TO JANUARY 1ST 2021 FOR ASSISTANT TOWN ADMINISTRATOR/TOWN CLERK RUSSELL MUÑIZ.

15c

The following motion was made by Vice Mayor Hartmann, seconded by Council Member Kuczenski and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, and Mayor Breitkreuz voting Yes.

MOTION: TO APPROVE A 3% SALARY INCREASE RETROACTIVE TO JANUARY 1ST 2021 FOR TOWN FINANCIAL DIRECTOR MARTIN SHERWOOD.

16. Proposed FY 2021-2022 Budget Calendar

The following motion was made by Council Member Jablonski, seconded by Vice Mayor Hartmann and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

MOTION: TO ADOPT THE FY 2021-2022 BUDGET CALENDAR.

17. Approval of Minutes

- a. **October 8, 2020 Regular Meeting**
- b. **October 22, 2020 Regular Meeting**
- c. **November 19, 2020 Regular Meeting**
- d. **December 10, 2020 Regular Meeting**

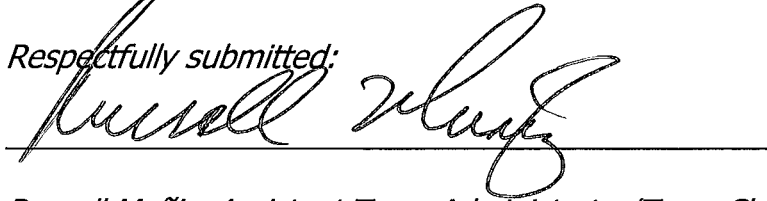
The following motion was made by Council Member Jablonski, seconded by Council Member Allbritton and passed by 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann, Mayor Breitkreuz voting Yes.

MOTION: TO APPROVE THE OCTOBER 8, 2020, OCTOBER 22, 2020, NOVEMBER 19, 2020 AND THE DECEMBER 10, 2020 REGULAR MEETING MINUTES.

18. Adjournment

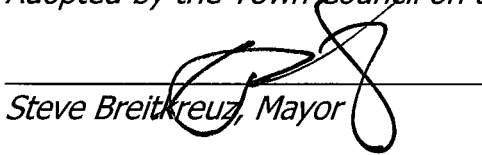
Meeting was adjourned at 9:58 p.m.

Respectfully submitted:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this 25th day of March, 2021.



Steve Breitkreuz, Mayor

PURSUANT TO FLORIDA STATUTES 286.0105, THE TOWN HEREBY ADVISES THE PUBLIC THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THIS COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT ITS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, THE AFFECTED PERSON MAY NEED TO ENSURE THAT VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED THIS NOTICE DOES NOT CONSTITUTE CONSENT BY THE TOWN FOR THE INTRODUCTION OR ADMISSION OF OTHERWISE INADMISSIBLE OR IRRELEVANT EVIDENCE, NOR DOES IT AUTHORIZE CHALLENGES OR APPEALS NOT OTHERWISE ALLOWED BY LAW.