

REGULAR MEETING MINUTES OF THE TOWN COUNCIL
Southwest Ranches, Florida

Thursday 7:00 PM

January 28, 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 S. 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 Breitkreuz at 7:06 PM. Attendance was noted by roll call and was followed by the Pledge of Allegiance.

3. Waste Pro - Solid Waste Update - Rod Ley, Public Works Director

Public Works Director Ley introduced and recognized his team for their outstanding efforts. He then narrated a PowerPoint presentation updating the Town Council of the progress made between the Town and Waste Pro.

4. Public Comment

The following members of the public addressed the Town Council: Christina Brownlow, George Cailis, Jeremy Katzman and Debbie Green.

5. Board Reports

Parks, Recreation, Forestry and Natural Resources Advisory Board Chair Chris Brownlow spoke on behalf of the Board and explained the function of the Board, such as making recommendations to the Town Council regarding parks issues, amenities improvements and grant approval, what the Board is working on and when the Board meets.

George Morris, Chair of the Drainage and Infrastructure Advisory Board, spoke next. He named the newly elected board members, expressed his confidence going forward and spoke about upcoming projects.

Debbie Green, the Schools and Education Advisory Board Treasurer updated the Town Council of the projects the Board is involved in to raise funds for the Town Scholarship Fund and the need for student volunteers. After Ms. Green finished, Council Member Kuczenski pledged \$100.00 to the Town Scholarship Fund.

Jason Halberg, Chair of The Comprehensive Plan Advisory Board spoke last. He is excited by the new additions to the Board. Mr. Halberg spoke about the function of the Board and projects they will be working on. He spoke about requirements to help mitigate high density residential developments from happening within Southwest Ranches. The Board is hoping to establish criteria for all properties to set aside a certain amount of land to make room for animals, barns and

paddocks. He is very confident the Board will make progress with these issues. Mayor Breitkreuz requested the Board make the nursery/landscape ordinance a priority.

6. Council Member Comments

Council Member Jablonski thanked State Representative Robin Bartleman for her presence. He then spoke about an issue that came to light through a Code Compliance Case that was unfamiliar to him. The Florida Legislature in 2016 decided to promote State Statute 570.85, Agri-Tourism and he feels it's extremely important to the Town to know what it is. Agri-Tourism allows property owners that maintain an Agricultural Exemption can conduct business, such as a fruit stand, and hold a rock concert at the same time on their property and charge admission to the public while enjoying the aspects of their Agricultural Exemption. Town Attorney Poliakoff explained the state statute was to make sure the farms in Northern Florida would have a secondary source of income, such as weddings and special events. However, the State of Florida didn't consider the Agricultural Properties all over Florida and some property owners found a loophole in the statute and are using it in a way that was unintended, such as parties for profit. The Town would like to get together with the Town Council and its lobbyist group to discuss potentially amending the law to close the loopholes. State Representative Bartleman stated she looks forward to working with the Town on this issue. Town Attorney Poliakoff stated the Town may end up seeking a local bill next Legislative Session, so it only impacts the Town of Southwest Ranches to which State Representative Bartleman agreed. State Representative Bartleman also stated she reached out to the Florida Commissioner of Agricultural and Consumer Services Nikki Fried and made her aware of the Town's issue regarding Agri-Tourism. State Representative Bartleman then thanked the Town for bringing the issue to her attention. Council Member Jablonski asked the Town Council for a consensus of the direction they want the Town to take. Mayor Breitkreuz asked the Town Council for their input to drafting the local bill and they were all in support of it. Council Member Jablonski spoke about the Stormwater Grant that was obtained by the Public Works/Engineering Department. Next, he spoke about bringing the nursery/landscape ordinance back before the Town Council. Council Member Kuczenski is in support of resurrecting the ordinance and sending it back to the Comprehensive Plan Advisory Board for final review. Town Administrator Berns offered an option to provide the Comprehensive Plan Advisory Board the original nursery/landscape ordinance and the final nursery/landscape ordinance for review. Mayor Breitkreuz would like to just provide the Comprehensive Plan Advisory Board the final edition as the starting point and go forward from there. Lastly, Council Member Jablonski spoke about fill. He is concerned that property owners are raising their property and the water collected during storms are flooding the lower properties, which creates major flooding issues. Council Member Jablonski is asking the Drainage and Advisory Board review this issue, including code violations, and revamp the whole issue. Vice Mayor Hartmann suggested the Town poll other cities to find out how they handle the fill and drainage issue. Mayor Breitkreuz, Vice Mayor Hartmann, Council Members Allbritton and Kuczenski all agreed.

Council Member Kuczenski inquired if the Town has weekend Code Compliance Officers, which Town Administrator Berns confirmed yes. Council Member Kuczenski spoke about the nursery/landscape ordinance and returning it back to its original language to convey the intent it was meant to. Council Member Kuczenski also spoke about the dark skies ordinance and he would

like to see Code Compliance be a little more proactive in the enforcement of the ordinance. He next spoke on the speeding issue which is an important issue to the Town. He mentioned his homeowner's association spoke about speed humps on Stirling Road. Council Member Kuczenski is concerned about empty lots throughout the Town and he would like to know what kind of mechanisms are in place to notify potential buyers of properties about the 10% buildout rule. Lastly, he invited the public to tune into the Comprehensive Plan Advisory Board meeting to find out what is happening in their Town. Council Member Jablonski spoke about the dark skies ordinance. He said it usually happens to new property owners that move in and have bright landscaping lights. Code is then called in to advise the property owners to lower the temperature of their lights. He wanted to know, since the issue happens at night, what can be done? Council Member Allbritton inquired about motion detected security lights and how they can be differentiated between those and decorative lighting. The entire Town Council agreed with Council Member Kuczenski and support looking into the issue.

Council Member Allbritton congratulated all the new advisory board members and he is confident the Boards are heading in the right direction.

Vice Mayor Hartmann spoke about Debbie Green's comments regarding Country Estates HOA meetings. He stated before the pandemic the HOA Board used to meet at Grace Baptist Church, however at this time the meetings are virtual and if anyone would like to attend, please contact Debbie Green for an invite. Vice Mayor Hartmann spoke about the Town Council meeting agendas being distributed 2 weeks earlier and how he is very happy this has happened as it gives the residents extra time to review the upcoming issues. He next congratulated and thanked Public Works Director/Town Engineer Rod Ley on his new responsibilities and the update on WastePro. Vice Mayor Hartmann stated he attended his first MPO meeting and found out the Town hasn't been represented as well as it could have been. He wants to make sure the Town gets their fair share regarding grant monies and the Town's needs met. Now that he is on the Board, he will learn the ropes and advocate for the Town to the best of his ability. Vice Mayor Hartmann spoke about an illegal veterinary clinic that is being run at 5301 SW 198th Terrace. There is a 23-foot Veterinary Mobile Clinic on the property, however it is being run as an office on the property. It is not being used as a mobile clinic. It is being run five (5) days a week, 24 hours a day and it impacts the traffic flow in the neighborhood not to mention the biomedical hazards and the possible hazardous tank on the property. The property owners have an ongoing list on code violations and fines due to the residents and neighbors having complained. This operation is having substantial negative impact the resident's quality and enjoyment of their neighborhood. The Town Council offered their support and indignation about this issue. Council Member Kuczenski would like to instruct the Town Attorney to begin legal proceedings immediately. Vice Mayor Hartmann turned the floor over to Town Attorney Poliakoff for his input. Town Attorney Poliakoff stated the Town has exhausted the Code Enforcement routes and the issue is now in the court system, however due to the pandemic, there are considerable delays. The Town Council has asked for a special set hearing, which won't happen until March/April for a 15-minute meeting with the Judge, on top of that, the legal counsel for the property owner is constantly ill and keeps getting continuances from the Judge. The only legal maneuver currently at hand is an emergency injunction. The Town has called the State of Florida on this issue and they have come down to investigate on numerous occasions, but did not find any biohazards, also, according to the State

of Florida, the property owner has a license for the mobile clinic, which is all the State is requiring. Town Attorney Poliakoff also stated the zoning code allows veterinary clinics, even though the property owner doesn't have a Certificate of Use, however the Comprehensive Plan specifically prohibits veterinary clinics and since the Comprehensive Plan is stronger than the zoning code, at some point the permitted use must be removed from the zoning code. The only option is to file an Emergency Injunction to immediately shut him down, which will be filed Monday February 1, 2021 and in order to file litigation, the Town Attorney needs three (3) affirmative votes from the Town Council. Town Attorney Poliakoff also asked the Town Council for their approval to bring forward the text amendment to correct the code to remove veterinary clinics as a Permitted Use.

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

MOTION: TO FILE AN EMERGENCY INJUNCTION AGAINST THE VETERINARY CLINIC PROPERTY OWNER AT 5301 SW 198 TERRACE TO STOP WORK IMMEDIATELY AND DRAFT A TEXT AMENDMENT IN THE ZONING CODE REMOVING STATIONARY VETERINARY CLINICS AS A PERMITTED USE.

Mayor Breitreuz spoke about proposed language he would like the Comprehensive Plan Board to review. The proposed language to be reviewed states, "If a property is being considered for rezoning and it borders different types of Zoning, such as Rural Estates (RE) and Rural Ranches (RR), the property must be zoned at the lower density classification." This will preserve the Town's open space and it provides information to developers to make an informed decision prior to purchasing the land. Mayor Breitreuz would like to Comprehensive Plan Advisory Board to see if the language is viable and then it will be brought back to the Town Council for consideration. Mayor Breitreuz thanked the Town Council for their feedback and wants to make sure the Town is going forward in the right direction. Mayor Breitreuz stated how proud he is of the Town Council and the different discussions they are having in order to protect the Town for future generations. Mayor Breitreuz spoke next about the youth council and how excited he is to see that it is coming to fruition. The Town has also gotten back the results for the current Fire Study. He says it isn't perfect yet, but he and staff will work on it until it is ready to bring forward to the public for discussion. Mayor Breitreuz thanked Assistant Town Administrator/Town Clerk Muñiz for producing the agenda books a week earlier for review. He also is very proud of the \$250,000.00 Stormwater Grant that was obtained by the Town.

7. Legal Comments

Town Attorney Poliakoff advised the public he had COVID-19 and he thanked the Town Council and the Town for all their well wishes. He advised everyone to stay safe and be cautious always. He also urged the Governor that schoolteachers are essential workers and should be vaccinated. Town Attorney Poliakoff also mentioned how impressed he was by the Strategic Planning Session that was held January 9, 2021 and thanked Anna Koldys, Vice Mayor Bob Hartmann and Assistant Town Administrator/Town Clerk Muñiz for their efforts in making it happen. Town Attorney Poliakoff spoke about the Charter Review Committee and advised the Town Council that Town Administrator Berns will meet with them individually regarding the Charter and redistricting.

8. Administration Comments

Town Administrator Berns thanked the Town Council and staff for their participation at the Strategic Planning Session. He has received everyone's comments and will update the information and get it back to the Town Council. Town Administrator Berns spoke next about the \$250,000 Stormwater grant. He stated it was Assistant Town Administrator/Town Clerk Muñiz's contact that brought the opportunity to the Town and through the hard work of Public Works Director/Town Engineer Ley and Community Services Manager Aceti the Town was awarded the grant. Assistant Town Administrator/Town Clerk Muñiz gave a short summary of the timeline of the grant and recognized the exceptional work of Public Works Director/Town Engineer Ley and Community Services Manager Aceti.

Ordinance - 2nd Reading

9. 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 TO REPEAL THE RESIDENTIAL MEDIUM DENSITY LAND USE CATEGORY; AMENDING THE TEXT OF THE HOUSING ELEMENT TO REVISE RELATED POLICIES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; REQUESTING RECERTIFICATION BY THE BROWARD COUNTY PLANNING COUNCIL; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-5) {Approved on First Reading October 22, 2020}

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

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

10. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING ARTICLE 110, "CONCURRENCY REVIEW," SECTION 110-111, "PUBLIC SCHOOL CONCURRENCY" OF THE TOWN OF SOUTHWEST RANCHES UNIFIED LAND DEVELOPMENT CODE ("ULDC") TO UPDATE REQUIREMENTS FOR PUBLIC SCHOOL CONCURRENCY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading October 22, 2020}

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

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

11. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE TEXT OF THE PUBLIC SCHOOL FACILITIES AND CAPITAL IMPROVEMENT ELEMENTS OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN TO UPDATE THE LEVEL OF SERVICE STANDARD FOR PUBLIC SCHOOL FACILITIES; PROVIDING FOR TRANSMITTAL TO THE STATE

LAND PLANNING AGENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-6) {Approved on First Reading October 22, 2020}

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

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

12. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE GREENWAYS PLAN MAP AND RELATED POLICIES IN THE RECREATION AND OPEN SPACE ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-7) {Approved on First Reading October 22, 2020}

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

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

13. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, ADOPTING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS FOR FISCAL YEARS 2021-2025 PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. {Approved on First Reading November 19, 2020}

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

MOTION: TO APPROVE THE ORDINANCE ON SECOND READING.

Ordinance - 1st Reading

14. AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING THE TEN-YEAR WATER SUPPLY FACILITIES WORK PLAN ("WSFWP") AND ADOPTING IMPLEMENTING AMENDMENTS TO THE GOALS, OBJECTIVES AND POLICIES OF THE UTILITIES ELEMENT AND CAPITAL IMPROVEMENTS ELEMENT OF THE TOWN OF SOUTHWEST RANCHES COMPREHENSIVE PLAN; AUTHORIZING TRANSMITTAL OF THE TEN-YEAR WSFWP AND RELATED COMPREHENSIVE PLAN AMENDMENTS TO REVIEWING AGENCIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE. (APPLICATION NO. PA-20-3)

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

MOTION: TO APPROVE THE ORDINANCE ON FIRST READING.

Resolutions

15. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, OPPOSING ANY EFFORTS TO MODIFY THE SHERIDAN STREET AND VOLUNTEER ROAD (SW 148TH AVENUE) INTERSECTION TO INSTALL A LEFT TURN LANE FROM EASTBOUND SHERIDAN STREET ONTO NORTHBOUND 148TH AVENUE; REQUESTING THAT A COPY OF THIS RESOLUTION BE SENT TO MAYOR GELLER, AND THE BROWARD COUNTY HIGHWAY CONSTRUCTION AND ENGINEERING DIVISION; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

16. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER WITH CALVIN GIORDANO AND ASSOCIATES, INC. IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS AND ZERO CENTS (\$15,000.00) FOR CONSTRUCTION ENGINEERING INSPECTION SERVICES FOR THE HANCOCK ROAD GUARDRAIL IMPROVEMENTS; AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

17. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, APPROVING A PURCHASE ORDER IN THE AMOUNT OF TWO THOUSAND TWO HUNDRED TWENTY-THREE DOLLARS AND ZERO CENTS (\$2,223.00) TO CRIMSON TECHNOLOGY PRODUCTS FOR THE PURCHASE OF A LASER UNIT FOR THE TOWN OF SOUTHWEST RANCHES POLICE DEPARTMENT; AUTHORIZING THE USE OF FORFEITURE FUNDS FOR THIS PURCHASE; AUTHORIZING THE TOWN ADMINISTRATOR TO EXECUTE THE PURCHASE ORDER; AND PROVIDING AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.

At this point in the meeting Council Member Jablonski stated they have about 30 minutes before the Cinderella Clause takes effect, which means according to the Town Charter at 11:00 pm the Town Council must make a motion and have a unanimous vote of yes to continue the Town Council meeting past 11:00 pm.

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

MOTION: TO CONTINUE THE TOWN COUNCIL MEETING PAST THE 11:00 PM CUTOFF POINT TO COMPLETE THE REMAINING AGENDA ITEMS.

18. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO ALAN JAY FLEET SALES IN AN AMOUNT NOT TO EXCEED THIRTY-FOUR THOUSAND NINE HUNDRED AND FOUR DOLLARS AND ZERO CENTS \$34,904.00 TO PURCHASE A NEW MULTI-PURPOSE VEHICLE FOR THE TOWN; APPROVING A BUDGET AMENDMENT TO THE FISCAL YEAR 2020/2021 BUDGET FOR MACHINERY AND EQUIPMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

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

MOTION: TO APPROVE THE RESOLUTION.**Discussion****19. Annual Review of Charter Officials**

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

MOTION: TO TABLE THE DISCUSSION TO THE FEBRUARY 11, 2021 TOWN COUNCIL MEETING.

20. Approval of Minutes

- a. **August 27, 2020 Regular Meeting**
- b. **September 24, 2020 Regular Meeting**

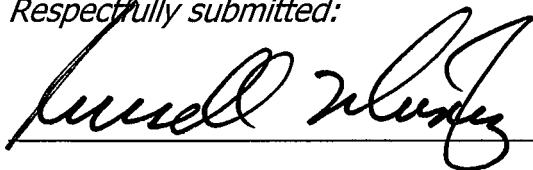
The following motion was made by Vice Mayor Hartmann, seconded by Council Member Jablonski and passed by a 5-0 roll call vote. The vote was as follows: Council Members Allbritton, Jablonski, Kuczenski, Vice Mayor Hartmann and Mayor Breitreuz voting Yes.

MOTION: TO APPROVE THE MINUTES.

21. Adjournment

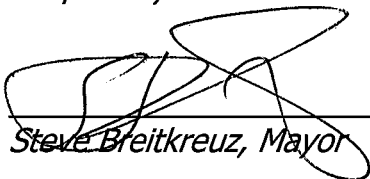
Meeting was adjourned at 10:57 p.m.

Respectfully submitted:



Russell Muñiz, Assistant Town Administrator/Town Clerk

Adopted by the Town Council on this day of March 11, 2021



Steve Breitreuz, 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.