



City of Margate

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Meeting Minutes Regular City Commission Meeting

Mayor Tommy Ruzzano

Vice Mayor Arlene R. Schwartz

Commissioners:

Antonio V. Arserio, Anthony N. Caggiano, Joanne Simone

City Manager Cale Curtis

City Attorney Weiss Serota Helfman Cole & Bierman

City Clerk Jennifer M. Johnson

Wednesday, March 20, 2024

7:00 PM

Commission Chambers and Zoom.us

Webinar ID: 833 6331 7958

<https://us02web.zoom.us/j/83363317958>

CALL TO ORDER

Present: 5 - Commissioner Anthony N. Caggiano, Commissioner Joanne Simone, Commissioner Antonio V. Arserio, Vice Mayor Arlene R. Schwartz and Mayor Tommy Ruzzano

ROLL CALL

MOMENT OF SILENCE - INVOCATION

PLEDGE OF ALLEGIANCE

1) PRESENTATION(S)

ATHLETES OF THE MONTH

- B.** [ID 2024-063](#) BASEBALL: EMMITT GARBARINO, 10 YEARS OLD (CITY OF MARGATE BASEBALL)

This Item was heard before Item 1) A. ID2024-061.

- A.** [ID 2024-061](#) MARGATE 50 YEAR RESIDENCY AWARD - KEVIN WARD

EMPLOYEE RECOGNITION FOR YEARS OF SERVICE

- C.** [ID 2024-064](#) KEITH TOBEY, PARKS MAINTENANCE SUPERVISOR - PARKS AND RECREATION - 30 YEARS

CHAD A. RYEN, POLICE SERGEANT - POLICE DEPARTMENT - 20 YEARS

MARISSA A. OTERO, CRIME ANALYST - POLICE DEPARTMENT - 15 YEARS

JOSEPH W. SEWARD, UTILITY TECHNICIAN - ENVIRONMENTAL AND

ENGINEERING SERVICES - 10 YEARS

OMAINE DENNIS, HUMAN RESOURCES GENERALIST - HUMAN RESOURCES - 5 YEARS

LAURA JIMENEZ, POLICE OFFICER - POLICE DEPARTMENT - 5 YEARS

LUKE O'LAUGHLIN, SERVICE WORKER I - ENVIRONMENTAL AND ENGINEERING SERVICES - 5 YEARS

2) PUBLIC DISCUSSION

MAYOR TOMMY RUZZANO explained the protocol for this Item.

JULIE JONES thanked Parks And Recreation Director Jones and his department for the Spring Clean up and Garage Sale event.

3) COMMISSION COMMENTS

COMMISSIONER ANTHONY N. CAGGIANO thanked in-person attendees at this evening's City Commission meeting.

COMMISSIONER JOANNE SIMONE thanked all the Margate employees for their wonderful years of service and dedication to the City. She informed that Broward County Library was giving away free solar eclipse glasses to their card holders/members in preparation for the solar eclipse on April 8th.

COMMISSIONER ANTONIO V. ARSERIO informed that in April 2024, the Police Department was organizing a teddy bear drive and snuggle buddy for a child in need which he was hosting with the support of his fellow City Commissioners and provided instructions on the same.

VICE MAYOR ARLENE R. SCHWARTZ commented that there was a full attendance at this evening's City Commission meeting.

MAYOR RUZZANO informed that there would be a forthcoming Workshop to address the addition of the three men on a fire rescue truck. He asked the City Commission if they wanted to add anything to that Workshop.

COMMISSIONER CAGGIANO highlighted the Springtime Egg Hunt event.

Discussion ensued.

MAYOR RUZZANO received a telephone call from Margate Elementary pertaining to their annual graduation party for 5th graders at the Calypso Cove Aquatic Facility. He asked City Manager Curtis if they could add this Item to the Agenda for the next City Commission meeting to see if Margate could waive the fee and referenced that there could be some construction taking place at that facility.

CITY MANAGER CALE CURTIS said that he would have to talk with Parks and Recreation Director Jones to see how construction was staged at that facility.

Discussion ensued on the Calypso Cove Aquatic Facility.

COMMISSIONER ARSERIO confirmed that he was also contacted by a resident and if there was support, he had no problem waiving the fee but had concerns if the facility would be available.

CITY MANAGER CURTIS advised that the City Commission could give him CONSENSUS tonight if they want to waive those fees and he could report back at the next City Commission meeting whether the Calypso Cove Aquatic Facility would be a usable facility. He said that this would just be a private event for Margate Elementary.

Discussion ensued on the Calypso Cove Aquatic Facility.

CONSENSUS was given by the City Commission to waive the fees for Margate Elementary for the use of the Calypso Cove Aquatic Facility if it was available.

4) CITY MANAGER'S REPORT

There was no City Manager's Report.

5) CONSENT AGENDA

Items listed under Consent Agenda are viewed to be routine and the recommendation will be enacted by one motion in the form listed below. If discussion is desired by the Commission, the item(s) will be removed from the Consent Agenda and will be considered separately.

- A. [ID 2024-070](#) MOTION - APPROVAL OF CITY COMMISSION MINUTES: FEBRUARY 7, 2024 REGULAR CITY COMMISSION MEETING, FEBRUARY 21, 2024 REGULAR CITY COMMISSION MEETING AND MARCH 6, 2024 REGULAR CITY COMMISSION MEETING

APPROVED

- B. [ID 2024-084](#) A RESOLUTION OF THE CITY OF MARGATE, FLORIDA AUTHORIZING THE APPROVAL OF THE CHANGE ORDER TO RESOLUTION NO. 23-094 FOR THE CORAL GATE TANK REHABILITATION PROJECT TO INCLUDE AN ADDITIONAL SCOPE OF WORK AND AN ADDITIONAL AMOUNT OF \$145,000.00.

APPROVED

- C. [ID 2024-082](#) A RESOLUTION OF THE CITY OF MARGATE, AUTHORIZING THE ADDITION OF FOUR (4) SEASONAL PART TIME LIFEGUARD POSITIONS TO THE PARKS AND RECREATION DEPARTMENT; PROVIDING FOR AN EFFECTIVE DATE, THE NEW POSITIONS WILL BE INCLUDED IN AN UPCOMING CITY BUDGET AMENDMENT

APPROVED

- D. [ID 2024-060](#) ADDITION OF THE POSITION OF MAINTENANCE WORKER I TO THE PUBLIC WORKS DEPARTMENT

APPROVED

Approval of the Consent Agenda

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Caggiano, to approve the Consent Agenda. The motion carried by the following vote:

Yes: 5 - Commissioner Caggiano, Commissioner Simone, Commissioner Arserio, Vice Mayor Schwartz and Mayor Ruzzano

6) RESOLUTION(S)

B. [ID 2023-422](#) APPROVING APPOINTMENT(S) OF:

TO THE FIVE MEMBER MARGATE PLANNING AND ZONING BOARD FOR A TERM COMMENCING MARCH 20, 2024 - MARCH 19, 2025.

This Item was heard before Item 6) A. ID 2023-423.

COMMISSIONER ARSERIO explained that there were not many applicants and there were also some last minute withdrawals.

A motion to table for a time certain was made by Commissioner Arserio.

VICE MAYOR SCHWARTZ informed that it would be difficult to make a determination as some of the applicants' resumes were not attached.

MAYOR RUZZANO said that he did not mind but asked the City Commission what the next steps were.

Discussion ensued

Commissioner Arserio WITHHELD his motion.

COMMISSIONER ARSERIO wanted to hear from the applicants.

Discussion ensued.

TONY SPAVENTO, 3194 W. BUENA VISTA DRIVE, explained his reason for applying.

ELSA J. SANCHEZ, 6930 NW 15TH STREET, explained that she applied to both boards.

VICE MAYOR SCHWARTZ questioned if Ms. Sanchez had been arrested in Margate as

she did not answer the question on the application.

Discussion ensued.

SHEKINAH AWOFADEJU MAJOR, 5511 LAKESIDE DR APT 103, explained that she was currently on the board and hoped to continue for a second year.

Discussion ensued.

EUGENE ECCLI, 3150 HOLIDAY SPRINGS BOULEVARD, 8-108, said that he was new to the community where he hoped to be of service.

Discussion ensued.

A motion to table was made by Commissioner Arserio, seconded by Commissioner Caggiano, to a time certain or April 17th, 2024.

Discussion ensued.

The motion approved by the following vote:

Yes: 3 - Commissioner Caggiano, Commissioner Arserio and Vice Mayor Schwartz

No: 2 - Commissioner Simone and Mayor Ruzzano

A motion to reconsider to table was made by Commissioner Caggiano, seconded by Vice Mayor Schwartz, which was carried by the following vote:

Yes: 5 - Commissioner Caggiano, Commissioner Simone, Commissioner Arserio, Vice Mayor Schwartz and Mayor Ruzzano

Commissioner Arserio pulled his motion.

CITY ATTORNEY DAVID N. TOLCES said that the motion to table was no longer on the table and explained the instructions where the City Commission could appoint some applicants tonight and said that the full Resolution would need to come back on the April 17th, 2024 City Commission meeting to nominate other individuals.

Discussion ensued.

A motion was made by Commissioner Caggiano, seconded by Commissioner Arserio, to appoint Antonio Spavento to the Planning and Zoning Board.

A motion was made by Commissioner Simone, seconded by Vice Mayor Schwartz, to appoint Eugene Eccli to the Planning and Zoning Board.

A motion was made by Commissioner Arserio, seconded by Vice Mayor Schwartz, to appoint Shekinah Awofadeju Major to the Planning and Zoning Board.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Caggiano, to appoint Mohamed M. Sulaman to the Planning and Zoning Board.

A motion was made by Mayor Ruzzano, seconded by Vice Mayor Schwartz, to appoint Elsa Sanchez to the Planning and Zoning Board.

The motion approved as a slate by the following vote:

Yes: 5 - Commissioner Caggiano, Commissioner Simone, Commissioner Arserio, Vice Mayor Schwartz and Mayor Ruzzano

A. [ID 2023-423](#) APPROVING APPOINTMENT(S) OF:

TO THE FIVE MEMBER MARGATE BOARD OF ADJUSTMENT FOR A TERM COMMENCING MARCH 20, 2024 - MARCH 19, 2025.

A motion was made by Commissioner Caggiano, seconded by Vice Mayor Schwartz, to appoint Erin Enwright to the Board of Adjustment.

A motion was made by Commissioner Simone, seconded by Vice Mayor Schwartz, to appoint Joao Brandao, to the Board of Adjustment.

Commissioner Arserio stated that he would withhold naming his nominee until April 17th, 2024, City Commission Meeting.

A motion was made by Vice Mayor Schwartz, seconded by Commissioner Simone, to appoint Barbara Farias to the Board of Adjustment.

Mayor Ruzzano stated he would withhold naming his nominee until April 17th, 2024, City Commission Meeting.

The motion approved by slate by the following vote:

Yes: 5 - Commissioner Simone, Commissioner Arserio, Vice Mayor Schwartz, Mayor Ruzzano and Commissioner Caggiano

7) DISCUSSION AND POSSIBLE ACTION

A. [ID 2024-080](#) DISCUSSION AND POSSIBLE ACTION - POLICE CHIEF

CHIEF OF POLICE (CoP), JOSEPH GALASKA began by offering his sincere apologies to anyone he may have offended by his previous text messages and then read a statement pertaining to the report. He explained that he did not receive the necessary assistance he required to successfully implement the changes he wanted to make and needed the City's support and cooperation to move forward. He said that the incident had outlined a lot more dysfunction that they even realized was there. He was committed and willing to continue to try to make the positive changes since he had been in his current position.

COMMISSIONER SIMONE said that this situation was difficult to discuss publicly, read a detailed statement and raised a number of questions pertaining to CoP Galaska. She was concerned about the reputation of the City if CoP Galaska remained and suggested that there would be a lot of anger and retaliation on different levels. She believed that this could cause resentment which may cause safety issues and liability to the City, residences and businesses and said that it was a fractured unit. She stated that the Police Department needed accountability and discipline from a leader they could trust to protect them. She said that she could not and would not support Mr. Galaska to stay as she held the title and position of CoP in a high esteem and standard. She respected and supported the members' of the Broward County Police Benevolent Association's (PBA) recommendation of an immediate resignation as the damage was irreparable and that the City needed new leadership. She read the City's employment guide and other literature on bias policing and provided copies to her colleagues on the dais. She asked her colleagues to peruse the segments that she had highlighted which she believed were of importance to this discussion. She also provided copies of the City's employment guide with areas which included ethical standards and professional conduct, respect for workplace for technology use and security and the last page was an acknowledgement to the employee guide.

Discussion ensued.

VICE MAYOR SCHWARTZ read a statement pertaining to CoP Galaska. She discussed a proposal with CoP Galaska where aside from the disciplinary action pertaining to the inappropriate text messages, she suggested that the City Commission give six months to bring meaningful change to his department with their support to weed out the problems that he inherited and inspire confidence among the men and women of his department that stood on their accomplishments and not their friendships. She met with PBA President Rodney Skirvin who indicated that her proposal was possible and invited him to speak at this City Commission meeting. She highlighted that she had never received a union endorsement. She indicated that if in six months, it was not achieved, she would vote for an external candidate and she would never vote to be promoted within as it was not a systemic change.

COMMISSIONER CAGGIANO believed that they should:

- Suspend CoP Galaska for a month without pay;
- Require an in-person diversity and harassment training, department-wide;
- Required a letter of discipline in his jacket; and
- Agrees with Vice Mayor Schwartz's six months.

Discussion ensued on the terminology "change" pertaining to Vice Mayor Schwartz's recommendation.

COMMISSIONER ARSERIO said that this was not personal and indicated whatever the future held, he would continue to work with CoP Galaska in a professional manner. He

referenced the previous CoP where that incident dated back to 10 years and the current investigation was only two and said that they had to be consistent. He continued to discuss this incident and outlined his concerns. He asked City Clerk Johnson to display the text messages on the screen.

VICE MAYOR SCHWARTZ apologized to the person who was sitting in the audience who had to see it again.

Discussion ensued on the text messages.

COMMISSIONER ARSERIO advised that there was a criminal complaint with the Florida Department of Law Enforcement (FDLE) and the State Attorney and he had a strong feeling that they would be returning again which would probably be worse. He informed that another complaint was received today and that it was best for the City for CoP Galaska to resign. He could not see how the City could move forward when the majority of the Police Department did not have confidence in CoP Galaska and recommended the following:

- His contract should be terminated;
- No cause;
- 10 weeks; and
- "Thank you for your service."

He said that he would respect the wish of the City Commission and try to work in a professional manner.

PBA PRESIDENT RODNEY SKIRVIN said that they had contracts with the Officers, Sergeants and Lieutenants who he represented. He would not say anything disparaging about CoP Galaska and his conversations were pleasant and productive. He indicated that he was not going to speak at this meeting until he was made aware that it was being represented that this was a Union ploy to seek higher wages and better benefits.

MAYOR RUZZANO discussed a conversation he had with PBA President Skirvin alleging that he said that CoP Galaska could not get them what they want pertaining to negotiating a contract to get the Police Department more money and be in the top one third of Broward County (BC).

PBA PRESIDENT SKIRVIN denied saying that in that context in reference to Mayor Ruzzano's comments.

MAYOR RUZZANO questioned PBA President Skirvin that at the next union negotiation, they were going to offer something to the City and if they did not take it, they would go straight to impasse.

PBA PRESIDENT SKIRVIN said that they would go to two meetings before going to impasse.

Discussion ensued.

PBA PRESIDENT SKIRVIN repeated that he had no intentions to attend this City Commission meeting until his conversation with Mayor Ruzzano was misrepresented online. He informed that the union did not get involved with the vote of no confidence until after the independent investigation was complete.

Discussion ensued.

PBA PRESIDENT SKIRVIN said that the findings were astonishingly bad in reflection to CoP Galaska's actions and said that the PBA did not get involved with or provide attorneys for their members where those types of complaints fell under federal purview. He advised that it was post-investigation that he received numerous calls begging him to be a voice for them as they were in fear of retribution and that multiple females in this department felt oppressed and afraid to come to work. He said that the females had to work twice as hard and would receive menial tasks that should be going to junior members of staff. He stated that it was incredibly rare for a command staff selected by the Chief to vote "no confidence" against their boss. He informed that the Officers, the Sergeants, Lieutenants and the majors of the Police Department (PD) voted no confidence and that it was not a union ploy and that there was something wrong in the City. He met with Mr. Galaska as an Intern CoP and that they knew and agreed that the PD was broken and at the end of the day, it might be a losing cause for him to fix. He believed that he did not fix this and made it worse. He informed that was the first time he saw the texts on the screen and indicated that if it was any Officer who made similar comments about the CoP or Supervisor, they would not be here and that he would have to fight for their job back.

Discussion ensued between PBA Skirvin, Mayor Ruzzano and Commissioner Caggiano.

COMMISSIONER CAGGIANO commented that he did not believe that this incident was okay but his proposal for discipline for CoP Galaska was the middle ground. He said that although something had to be done, he did not believe that CoP Galaska should be fired.

PBA PRESIDENT SKIRVIN continued to discuss this incident and said that he would be happy to sit down with any City member of staff to fix the problem within the Police Department.

VICE MAYOR SCHWARTZ explained that there was a systemic problem within the Police Department and that she would rather see a 30 year career end on a better note than what was happening tonight.

PBA PRESIDENT SKIRVIN referenced the six months but said that he had spoken to some of the people that were affected, the actions, the culture and that their preference was for CoP Galaska to be terminated tonight. He advised that he was not here to humiliate anyone and was trying to be professional. He did not believe CoP Galaska would change the culture of the Police Department in six months and thereafter, it would be a stronger conversation he would not be able to fix at that time.

VICE MAYOR SCHWARTZ said that if nothing changes, she would not vote to retain.

COMMISSIONER CAGGIANO concurred.

COMMISSIONER ARSERIO questioned what they believed would change as they had a third party investigator who was present.

PBA PRESIDENT SKIRVIN explained why he believed that there would be an exodus from the Police Department and forewarned that more complaints were coming.

Discussion ensued between Mayor Ruzzano and PBA President Skirvin.

COMMISSIONER ARSERIO repeated and questioned what they believed would change

in six months' time, especially if they anticipated more complaints and referenced social media comments.

Discussion ensued.

A motion was made by Commissioner Arserio, seconded by Commissioner Simone, to terminate Chief of Police Galaska immediately but not with cause and give him his 10 weeks.

MAYOR RUZZANO referenced Commissioner Simone's statement and ethics and questioned her about the former Chief of Police's investigative report.

COMMISSIONER SIMONE said that she did not read the report and would not read something that contained a bunch of explosive sexual acts.

Discussion ensued.

MAYOR RUZZANO said that everyone agreed that their system was broken, that there was a hostile work environment that carried over from the last CoP and that as a City Commissioner, he had spoken to City Manager Curtis about some of these problems. He suggested that the testing needed to be revamped and that the anti-fraternization would need to come into play.

Discussion ensued.

CITY ATTORNEY TOLCES explained that in 2023, the Florida legislature passed a statute which provided the CoP with an opportunity to speak following receipt of a notice of his termination. He recommended that the motion included a provision that the termination be effective of 11:59pm on April 3rd, 2024 and during that time, the CoP Galaska would be on leave with pay.

Discussion ensued.

A motion to amend was made by Commissioner Arserio, seconded by Commissioner Simone, that Chief of Police Galaska should terminate, effective of 11:59pm on April 3rd, 2024 and during that time, he would be on leave with pay.

COMMISSIONER SIMONE stated that this Item had nothing to do with former CoP Shaw's investigation. She said that CoP Galaska should have apologized to the City Commission individually.

Discussion ensued.

RICHARD ZUCCHINI, 380 LAKEWOOD CIRCLE E, #B referenced the previous CoP, criticized the handling of this Item and spoke in support of CoP Galaska.

GRANT R. O'DONNELL, 3011 HOLIDAY SPRINGS BOULEVARD, #205 criticized City Manager Curtis for his handling of this matter.

DONNA L. FELLOWS, 6108 NW 9TH COURT, discussed Police Sergeant Horne and spoke in support of CoP Galaska.

COMMISSIONER CAGGIANO made comments on CoP Galaska, the text messages and the Police Department.

TRACY VAN WINKLE, 1020 SW 61ST AVENUE, said that her previous reference to checking the employees had nothing to do with the Police Department but she referred to the Department of Environmental and Engineering Services (DEES). She read a statement from her Granddaughter in support of CoP Galaska.

ROBERT J. CANGELOSI, 6620 SW 16 CT, NORTH LAUDERDALE, read an extract and supported CoP Galaska.

JULIE JONES referenced a Public Records Request (PRR) and read a report on domestic violence pertaining to Police Sergeant Horne.

COMMISSIONER CAGGIANO reminded the audience that this Item pertained to CoP Galaska. He recommended a policy where matters were dealt within 72 hours and that it did not escalate.

Discussion ensued pertaining to text messages, policies and Code of Ethics.

RICH ALIANIELLO, 7631 NW 23RD STREET, said that it was not a good day in Margate but hoped that CoP Galaska did not lose his job.

MS. SANCHEZ highlighted CoP Galaska's assistance in her community but said that she was concerned for the law enforcement staff within that department.

JILL R. CERCHIONE, 6188 SEMINOLE TER, did not condone the CoP Galaska's texts but said that he would need time to fix this and that his interaction with the community needed to be taken into consideration.

STACY L. ANGIER, 1913 NW 79 TER spoke in support of CoP Galaska. She said that no one was perfect but needed support. He said that training was required.

LAUREN BERACHA, 6950 NW 14TH PLACE discussed the vote of no confidence and said that you should trust no one.

NICOLE COLLINS discussed the text messages but said that she stood with CoP Galaska and that he required training. She highlighted the City employees that she alleged were part of the problem.

COMMISSIONER ARSERIO responded to Ms. Collins.

JULI VAN DER MEULEN, 2913 NW 68 LN. agreed with everyone's comments about the text messages. She continued to discuss how improvements could be implemented and thanked CoP Galaska for his service.

JOHN H. DONOHOO, 735 NW 73 TER, PARADISE GARDENS IV, said that this issue was about a system that was broken which they should focus on repairing together.

POLICE SERGEANT, ANTHONY SCLAFANI, addressed the alleged false public assertions being made by Mayor Ruzzano regarding CoP Galaska and presented a detailed rebuttal which he believed were grounded in facts and supported evidence.

CITY ATTORNEY TOLCES requested the City Commission not to make comment or respond to Police Sergeant Sclafani in light of the pending litigation.

POLICE LIEUTENANT, LORI MARRERO, read a statement against CoP Galaska and squashed mistruths on social media and referenced Mayor Ruzzano. She highlighted that the text messages were as recent as September 2023 and not two years ago. She referred to previous complaints made against Mr. Galaska when he was a Captain who she alleged was being investigated by Internal Affairs when he was appointed as Intern CoP. She said that there was support that CoP Galaska was not fit to lead this agency and that they did not have any confidence in his ability hence the vote of no confidence.

JONATHAN A. KRALJIC, 7357 FLORES WAY, read a statement pertaining to this issue.

POLICE SERGEANT, SCOT P. SAWYER, questioned what would change in six months when there were three majors who would potentially follow commands as well as other members of staff within his department.

MAYOR RUZZANO responded to Police Sergeant Sawyer's question.

VICE MAYOR SCHWARTZ responded to Police Sergeant Sawyer's question. She explained that she felt conflicted and that it was a very difficult decision to make. She said that if you see something, say something.

Discussion ensued.

POLICE SERGEANT, PHILLIP J. HORNE, said that CoP Galaska was not a bad person but that no one knew the facts as they were his friends. He read extracts from an email from a colleague.

Discussion ensued.

POLICE SERGEANT, BETTINA C. BRAVO-BROWN, liked CoP Galaska as a person but said that there were many different ways to lead and read a statement on the same.

Meeting went into Recess.

Meeting Reconvened.

POLICE SERGEANT, MARY R. CRABTREE, discussed CoP Galaska's behavior, conduct and lack of leadership. She believed that an external person would be able to fix the problems within the Police Department. She finished Police Sergeant Sclafani's statement.

FORMER MARGATE POLICE OFFICER, SAM PHANOR (via Zoom) said that he was proud of the Police Officers speaking their mind. He alleged that his career was ended due to CoP Galaska which he regretted.

JOHN DINICOLA (via Zoom), 731 N SHORE DR DEERFIELD BEACH, said that unfortunately, the City had gone nationwide and that they were trying to equate a 30-year

career with an entire department and that they had nowhere to go. He believed that the right thing would be to let the CoP Galaska go.

EDWARD A. DECRISTOFARO (via Zoom), 7805 WEST ATLANTIC BOULEVARD, apologized for not attending in person. He indicated that this whole situation stemmed back for years even before former CoP Dana Watson. He believed that CoP Galaska had been an exemplary Police Officer, Captain and CoP. He would recommend a year for CoP Galaska to fix the problem.

ANDREA GRUNFELDER (via Zoom), 5100 SW 11 ST agreed with Commissioner Arserio and did not believe that CoP Galaska would be able to make any changes. She stood with Police Lieutenant Marrero and the rest of the Margate Police Officers who work so hard to protect the public. She believed that Mayor Ruzzano should reclude himself from voting on this issue due to his personal relationship with the CoP Galaska.

MAYOR RUZZANO stated that he lived two houses down from CoP Galaska and said that he had only visited his house approximately once and never dined or hung out with him or his wife. He said that there was no relationship.

COMMISSIONER SIMONE clarified that during the former CoP Shaw's investigation, she did read the reports but not the three volumes post-investigation that Vice Mayor Schwartz referred to. She confirmed that she did her homework during the investigation to what she would usually do.

A motion was made by Commissioner Simone, in the investigative report, the investigator stated that if the City Commissioner expanded the scope of the investigation, that she would confirm the veracity of a statement that the Chief of Police Galaska made to a Sergeant texting "he had to promote her." - She wanted an investigation to be expanded on that.

A motion was made by Commissioner Simone - the investigator also recommended an additional investigation be conducted due to the potential gender bias within the department - she would like to go with an additional investigation on that.

COMMISSIONER ARSERIO questioned that in the point of order, should the City Commission vote on the motion first since they were completely separate. He agreed with Commissioner Simone and would second her motions in due course. He suggested that the investigator should be invited to speak.

MAYOR RUZZANO was in favor of Vice Mayor Schwartz's original suggestion and if they were going to do that, the City Commission, the union, the Police Officers, CoP Galaska and the staff work collaboratively. He indicated that this was a never ending battle and that they were trying to come to a reasonable answer.

COMMISSIONER SIMONE questioned that if Mayor Ruzzano did not want another investigation, how would it be corrected if it was not addressed,.

Discussion ensued including whether to pursue another investigation.

VICE MAYOR SCHWARTZ questioned PBA President Skirvin whether they would agree to bring all the issues as well as some possible solutions to the City Manager or failing that, to the City Commission.

PBA PRESIDENT SKIRVIN said that he worked very well with City Manager Curtis but would be more than happy as the complaints went to him to address and/or the City Commission. He confirmed that there were more complaints that he was aware. He suggested that the investigator should have one-to-ones with the potential complainants.

Discussion ensued.

VICE MAYOR SCHWARTZ wanted assurances from the City Manager Curtis that each and every pending and future grievance was fairly investigated and that they knew that things were going on so she did not have to hear about those problems thereafter. She also questioned CoP Galaska what he could do in six months.

CITY MANAGER CURTIS replied yes.

CoP GALASKA responded to Vice Mayor Schwartz and said that he would try but could not promise that six months would fix anything.

Discussion ensued over the probation period and a Deputy Chief.

COMMISSIONER SIMONE questioned City Manager Curtis if CoP Galaska had made suggestions for the Police Department.

CITY MANAGER CURTIS said that they can discuss that. He questioned what the changes were and questioned whether it was an addition of a fourth major or addition of a Deputy Chief of Police which were not his decisions as they went before the City Commission. He discussed that with CoP Galaska and indicated that there were timing, discussions and financial implications which he could not just grant and give. He informed that CoP Galaska was considering making a demotion and the discussion on the timing of that.

Discussion ensued including a Deputy Chief, hiring an external CoP, collaborating with the PBA and the consideration of a demoted position within the Police Department.

The original motion to provide Chief of Police Galaska with a notice of termination which would be effective on 11:59pm on April 3rd, 2024 and he would be on leave with pay until that time in order to allow him the opportunity to provide a response pursuant to Section 166.0494 Florida Statutes failed due to the following vote:

Yes: 2 - Commissioner Simone and Commissioner Arserio

No: 3 - Commissioner Caggiano, Vice Mayor Schwartz and Mayor Ruzzano

COMMISSIONER ARSERIO questioned the City Commission whether they wanted to

look at other issues within the Police Department.

COMMISSIONER CAGGIANO referenced seven months as he would make the motion that CoP Galaska was suspended for one month without pay and then when he returned, he had six months.

MAYOR RUZZANO suggested doing the investigation after seven months. He said that they should find someone new to investigate the case and that the City Commission interview them.

Discussion ensued.

COMMISSIONER ARSERIO had no problem with a different external investigator. He agreed that CoP Galaska should be suspended but was here and given the opportunity to make the changes. He would like to see a drastic temporary pay reduction for CoP Galaska but he was here in the office.

CoP GALASKA explained that past practice for the employees who were suspended, was that for the first two days, they did not get paid and recommended that they could deduct the rest of it from his annual time away for the month.

CITY ATTORNEY TOLCES said that the City had a contract with CoP Galaska so if they were going to adjust the pay, then they would need to amend the contract to reflect the changes or that CoP Galaska could use leave time as he proposed.

Discussion ensued on the contract, suspension and a temporary reduction in salary.

COMMISSIONER ARSERIO suggested CoP Galaska could have one month of no pay and a 25% reduction in salary until the six months had expired.

VICE MAYOR SCHWARTZ questioned City Attorney Tolces whether they could ask a member of staff to work for a month without pay.

CITY ATTORNEY TOLCES indicated that an adjustment to his salary would have to be commenced from a certain date as he did not think that they could have someone work for the City and not receive a salary.

COMMISSIONER ARSERIO suggested that CoP Galaska would still attend work and would receive a 75% reduction for one month and then a 25% reduction for the remaining five months until the City Commission review it again.

COMMISSIONER CAGGIANO questioned the City's process when a Police Officer's salary was suspended for a month due to an incident at a Margate school.

CoP GALASKA explained that the Police Officer was unpaid for two days usually from the PBA contract which would be served as a suspension as unpaid and the rest of the time they would deduct from your annual leave or accumulated time paid where you would lose the money.

CITY ATTORNEY TOLCES introduced his law partner, CAROLINE G.SAIZ.

WEISS SEROTA HELFMAN COLE & BIERMAN, CAROLINE G.SAIZ explained that if you were serving a suspension, this could be utilized as time unpaid or it could be deducted from your leave bank but you would still report to work. She said that

ultimately, when you separate from employment, the employee would not be paid for that amount. She discussed the adjustment in the salary and how it may work similarly or with the leave. She also referenced that CoP Galaska's employment agreement would have to renegotiated but was unsure if they conducted the evaluations.

Discussion ensued on evaluations and salary reductions.

COMMISSIONER ARSERIO suggested that if everything was straight, CoP Galaska would receive everything back but if not, he indicated that he could be terminated.

COMMISSIONER CAGGIANO concurred with Commissioner Arserio's recommendation.

CITY ATTORNEY TOLCES referenced Mayor Ruzzano's comments to in-person training.

Discussion ensued including a department-wide in-person diversity training, making changes to in-house training, gaining respect, the role of the Civil Service's Board and promotional lists.

A motion was made by Commissioner Arserio, seconded by Commissioner Caggiano, to make Chief of Police Galaska receive a 75% reduction in pay for the first month, a 25% reduction in pay for the remaining five months of the probationary period and then an evaluation at the end of the six months period. Also to direct the City Attorney's Office to draft that amendment to the employment agreement and authorize Mayor Ruzzano and City Manager Curtis to sign.

COMMISSIONER CAGGIANO questioned CoP Galaska whether he would accept that.

CoP GALASKA confirmed yes.

MR. DINICOLA questioned the motion and questioned if the City Commission was going to suspend CoP Galaska.

CITY ATTORNEY TOLCES repeated the current motion.

MR. DINICOLA commented on the motion and said that the City was putting themselves in a no-win situation and questioned what would happen when more information was disclosed.

COMMISSIONER ARSERIO responded to Mr. Dinicola's comments.

Discussion ensued including re-evaluating the situation if it was beyond repair.

CITY ATTORNEY TOLCES indicated that if there was further speculation that was not in the form of a complaint, he questioned whose responsibility was it legally to bring it to the City Commission. He advised that City Manager Curtis was not necessarily the gatekeeper for complaints against the CoP.

Discussion ensued on the procedure of lodging complaints within the Police Department and the Civil Service involvement.

MARGATE RESIDENT, RAJIV SAMLAL suggested contracting the Police Department to the BSO.

This carried by the following vote:

Yes: 4 - Commissioner Caggiano, Commissioner Arserio, Vice Mayor Schwartz and Mayor Ruzzano

No: 1 - Commissioner Simone

COMMISSIONER CAGGIANO repeated his recommendation of a department-wide in-person harassment and diversity training.

COMMISSIONER ARSERIO said that they needed to get to the root of all of the issues and concerns and believed that they should conduct an additional third-party investigator to the Police Department who would revert back when they were aware of the issues and come up with solutions. He said that he would like to hear from the current investigator.

RC LAW GROUP INVESTIGATOR, RIA CHATTERGOON introduced herself and said that she was happy to entertain any questions. She advised that she prepared one report regarding the limited scope of the text messages and said that when she interviewed Police Officers during the investigation, there were some issues that concerned her hence the second correspondence addressing those problems where she suggested and recommended a continued investigation on the same. She informed that there were some issues that she wanted to explore but did not due to the scope she was set. She advised that CoP Galaska did admit sending the text messages. She was concerned about the tone of the text messages and that they were sent. She found it alarming that CoP Galaska did not want to promote Lieutenant Marrero and that he would demote her if he could. She informed that today was the first that she heard that there was a vote of no confidence for CoP Galaska as she had no communications with the PBA. She advised that were issues within the Police Department that needed to be investigated and from a legal perspective, they needed to be reviewed. She said that part of her job was not only to ascertain whether the text messages existed but also to determine what liability, if any, there would be for the City and in order to give an opinion on that, a further investigation was needed.

COMMISSIONER ARSERIO questioned what additional things needed to be looked into and whether there were other bad actors that the City needed to look at.

RC LAW GROUP INVESTIGATOR CHATTERGOON referenced Sergeant Blanton regarding the promotional plan which had already been discussed and said that there was a discussion concerning promotion within the canine unit. She said that she could not comment on the bad actors as the scope of her investigation was the complaint regarding CoP Galaska. She found that upon investigating the various Police Officers, the City had some other issues going on in the department that were discussed by residents and staff.

VICE MAYOR SCHWARTZ referenced a stand alone comment that she read and indicated that she did not see what had been asked before that to have elicited the same and if they were to see some, show them all. She said that in fairness, she would have

liked to have seen Police Sergeant Horne's comments.

Discussion ensued on the text messages

COMMISSIONER SIMONE recommended keeping Ms. Chattergoon and suggested that starting with somebody brand new was going to open everything up again and take even longer but she should be given free reign to do a complete investigation, ask the questions and seek the answers that she wants to see.

RC LAW GROUP INVESTIGATOR CHATTERGOON said that today was the first time she had met the City Commission which she did purposely as she wanted it to be a neutral investigation. She did not have anything against CoP Galaska and met him for the first time in the interview. She continued to discuss this case, provided advice and highlighted her unique experience in handling the same. She forewarned that based upon her investigation, that there was a deep-seated fear of retaliation in the department.

Discussion ensued including future investigations and potential retaliations.

MAYOR RUZZANO said that they should have something where the City could implement a policy which may include a Special City Commission meeting to discuss the same and go by the complaints they had received.

Discussion ensued.

A motion was made by Commissioner Simone, seconded by Commissioner Caggiano, that the City retain the services of RC Law Group, Ria Chattergoon, to investigate what she believed needed to be investigated in regard to this case.

MAYOR RUZZANO did not mind a further investigation and said that when he found out that it was the City Attorney's firm who knew RC Law Group Investigator Chattergoon, it was a bad start. He said he wanted the investigation to be fair.

Discussion ensued about finding a new investigator.

RC LAW GROUP INVESTIGATOR CHATTERGOON said that she conducted a neutral third-party investigation based on facts as she ascertained them and then analyzed against the law which was her specialty. She repeated that she had been an employment lawyer for 18 years and was very good at what she did and was hired because of her qualifications. She informed that she had never met City Attorneys, Tolces or Saiz before. She explained that two of the men that she interviewed in addition to the women specifically stated to her that they believed the CoP Galaska had a bias against female Police Officers which she put in her report. She presented the facts. She advised that every interviewee said that this investigation would go nowhere due to Mayor Ruzzano being friends with CoP Galaska. She did not believe that it was fair to put that comment in the report as she did not want to make disparaging remarks and that it had nothing to do with the scope of the investigation.

Discussion ensued.

COMMISSIONER CAGGIANO explained why he was in support of a further investigation.

He did not have a problem with continuing with the current investigator or employing a new one and would only have a problem if they did not continue the investigation.

COMMISSIONER ARSERIO said that his gut feeling was to continue the investigations with Ms. Chattergoon and based on those findings, bring in a Human Resources (HR) Consultant to advise them on how to address the issues so that they could set the CoP Galaska up for success. He repeated that the original motion did not go his way but he would work with whoever to try and make everything work within the Police Department.

VICE MAYOR SCHWARTZ questioned that if they were bringing in an HR Consultant, what were they doing with their HR Director.

Discussion ensued.

A motion to amend made by Commissioner Arserio, seconded by Commissioner Caggiano, that once the investigation is concluded, that they hire a third party consultant to make recommendations on policies, procedures and other things that they were not experts in.

CITY ATTORNEY TOLCES referred to the motion and said not to prohibit Commissioner Arserio from doing that and recommended that he await the outcome of the investigation before proceeding further.

COMMISSIONER CAGGIANO referenced the Civil Service Board and HR said that they need to expand their training and do oral exams.

VICE MAYOR SCHWARTZ interpreted that Commissioner Caggiano suggested revisiting the purpose of the Civil Service Board.

COMMISSIONER SIMONE questioned how the people on the prevailing side were sticking with their original vote and not bringing this up for a new vote and that there was a definite problem with CoP Galaska and with females. She indicated that the interviewees said that this was not going to be solved by workshops and referenced that it was CoP's personality which was made clear by the investigator and found it baffling that the City Commission could still allow CoP Galaska to stay.

COMMISSIONER ARSERIO concurred with Commissioner Simone and believed that there were still ongoing issues and clearly, they did not have the support for that and he had to go with the cards he was dealt with.

MR. ALIANIELLO had doubts on continuing with a further investigation and wanted this matter to be resolved tonight with the information they had.

MS. FELLOWS said that CoP Galaska was not against women as he hired 40% more since he held that position.

MS. VAN WINKLE questioned what they were looking for in this investigation and referenced text messages.

COMMISSIONER ARSERIO responded to Ms. Van Winkle's comments.

MAYOR RUZZANO concurred with the residents' comments and explained why he was not in favor of another investigation. He stated that he did not recommend or support a further investigation.

VICE MAYOR SCHWARTZ sought opinion of a further investigation from City Attorney Tolces.

CITY ATTORNEY TOLCES explained from a liability perspective, if it was brought to light that there was any potential or existing issue and gave examples such as a cracked sidewalk or a faulty vehicle, the City did have a legal obligation to look to find what the issues were and if there was anything to come from that. He explained that the issue was before the supplementary report that Ms. Chattergoon provided and an additional complaint regarding CoP Galaska so that to the extent of that was going to be investigated, then it was under the City Commission's purview. He advised that other issues that may arise with respect to any other Officers, such as policy violations, he said that it was typically handled through internal affairs and neither himself nor City Manager Curtis would play a role in that.

Discussion ensued on the responsibility of the City Commission's role and pursuing a further investigation.

The motion as amended carried by the following vote:

- Yes:** 4 - Commissioner Caggiano, Commissioner Simone, Commissioner Arserio and Vice Mayor Schwartz
- No:** 1 - Mayor Ruzzano

COMMISSIONER ARSERIO summed up and explained that was what made their country great as it gave them the opportunity to speak their minds whether they all agree or not and that he respected everyone's opinion. He said that he did not agree with tonight's decision but he respected it and he would do what he could to make sure that they could move forward. He explained that it was not a personal attack against CoP Galaska and said that he was a nice guy. He said that although the conversation got a little heated, there was not an attack on any City Commissioner and they were just speaking in passion as they all cared about the City. He thanked those who agreed or disagreed with him and for those who attended the City Commission meeting.

Discussion ensued.

MAYOR RUZZANO said that when this was over, no one was going to win but it was about doing the best for their City. He said that the Commission and the residents loved the Police Department and that they support them. They just needed a better policy in place and to make it transparent. He explained that although they may have disagreed on things, they were all here to guarantee the best for their City, the residents and their staff. He hoped that in six months' time, they were in a better position but forewarned that it would get worse if they were still in receipt of text messages. He requested City Manager Curtis to arrange a meeting to discuss policy.

COMMISSIONER CAGGIANO said that he spoke constantly about how Margate was a

City that ran to the Police and not from the Police. He would be damned if he had the Police running from the Police and that they would have to work together.

CITY MANAGER CURTIS suggested discussing policy at a future City Workshop.

ADJOURNMENT

There being no further business, the meeting adjourned at 12:37am.

Respectfully submitted,

Transcribed by Salene E. Edwards

Jennifer M. Johnson, City Clerk

Date: _____

PLEASE NOTE:

If a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, the person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the transcript.

[Appendix A – Zoning – Section 3.3] Any representation made before any City Board, any Administrative Board, or the City Commission in the application for a variance, special exception, conditional use or request for any other permit shall be deemed a condition of the granting of the permit. Should any representation be false or should said representation not be continued as represented, same shall be deemed a violation of the permit and a violation of this section.

Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's office at (954) 972-6454 with their request at least two business days prior to the meeting date.

One or more members of the City of Margate advisory boards may be in attendance and may participate at the meeting.

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