

# TOWN OF PALM BEACH

Information for Town Council Meeting on: January 10, 2023

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To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Wayne Bergman, Director of Planning, Zoning & Building

Re: 346 Seabreeze Avenue – Multiple Strikes & Stop Work Order

Date: January 3, 2023

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## **FYI - This Memo is provided as Information to the Town Council**

As you know, the Town has a “Three Strike Rule” for construction parking and construction site management. The regulations and process are found in the Town’s “Department of Public Works, Engineering Division, Standards Applicable to Public Rights-of-Way and Easements Within the Town of Palm Beach” (commonly called the Right-of Way-Manual), dated May 1994, as revised through November 8, 2022. Chapter XII, Miscellaneous Provisions, contains the details of the Three Strike rules. The regulations spell out the process in which contractors can secure parking permits, the fees for various violations, and the process that must occur once a contractor receives Three Strikes – three different sets of tickets for construction violations. The applicable pages of the Right of Way Manual are attached.

346 Seabreeze Avenue recently reached the level of possibly seven (7) Strikes for construction-related violations. The prime contractor is Woolems, Inc. Please refer to the attached letter dated December 21, 2022 for the details of the first Three Strikes. The Pending Stop Work Order Notice (attached) was sent to the contractor, based upon the initial Three Strikes.

More recently, four violations occurred during this Holiday season, but were not received or recorded by PZB until January 3, 2023 – a right of way violation on December 20, 2022; expired construction parking passes on December 22, 2022; construction hours violation on December 23, 2022; and construction parking without proper permits violations on December 27, 2022.

The regulations allow a time frame for the violator to appeal the ticket(s). In this case, since the third violation was issued by Police, the appeal (request for the dismissal of the violation) was filed with the Chief of Police Nicholas Caristo. The regulations required Chief Caristo to hear / review the appeal (if filed) and render a ruling. Chief Caristo found in favor of the Town, and therefore upheld the Third Strike. This decision occurred on December 28, 2022. The Planning, Zoning & Building Department issued a STOP WORK ORDER for the construction project on December 28, 2022.

The contractor owes the Town \$750.00 in fees, plus any unpaid fines, at this time.

This is the second time that Woolems, Inc. has been before you with Three Strike projects. Copies of all violations are attached.

The Town Council's process for this matter is contained within the Public Works "Right of Way Manual", as follows:

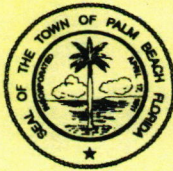
*"When the Town Council receives a written request to lift a stop work order the Town Council shall have the power to admonish the contractor; take such action as deemed necessary to effect the stop work order on a permanent basis by nullifying the existing building permit; cause the contractor and/or property owner to enter into a binding agreement to memorialize the understandings between the Town and the contractor and/or property owner relative to all conditions placed upon the lifting of the stop work order, if applicable; establish penalties for future right-of-way violations the amount for which shall be in the sole discretion of the Town Council; collect the fine as outlined below, plus payment of any outstanding right-of-way fines and accumulated interest, as referenced herein below and to prohibit the issuance of any additional right-of way permits for the duration of the work in question.*

*The fine for a third (3<sup>rd</sup>) strike shall be \$500; the fine and penalty for a fourth (4<sup>th</sup>) strike shall be a fine of \$2,500 and a mandatory thirty (30) day shutdown of the construction project; the fine and penalty for a fifth strike shall be a fine of \$5,000 and a mandatory thirty (30) day shutdown of the construction project, plus payment of any outstanding right of-way fines and accumulated interest unless the Town Council chooses to invoke the use of a binding agreement memorializing a penalty structure to be paid to the Town for all future right-of-way violations in excess of three (3) to be paid in accordance with the terms and conditions of the binding agreement between the Town and the contractor and/or property owner. All fines and penalties shall be paid in full prior to issuance of a Certificate of Occupancy for the construction associated with the activity that generated the fines, penalties, and interest."*

Any motion to resolve this matter should include "waiving the third strike" and "granting the ability for the contractor to apply for future right of way permits".

Attachments: Copies of the Violations  
Copy of Warning Notice  
Copy of the Pending Stop Work Order Notice  
Copy of the Appeal Decision

Cc: Paul Brazil, Director of Public Works  
Police Chief Nicholas Caristo  
Debby Moody



PW- 6387

PUBLIC WORKS DEPARTMENT  
(561) 838-5440

## R.O.W. VIOLATION NOTICE

NAME: Woolams DATE: 4/8/22JOB ADDRESS: 3410 S. ~~Stoke~~ Sea breeze

- ☐ Working in right-of-way without permit \$ 150 X \_\_\_\_\_ = \_\_\_\_\_
- ☐ Failure to have permit on job \$ 150 X \_\_\_\_\_ = \_\_\_\_\_
- ☒ Construction parking without permit\* strike \$ 150 X 1 = \$150  
1<sup>st</sup> = \$150 2<sup>nd</sup> = \$250 and thereafter = \$500
- ☐ Inadequate Maintenance of Traffic \$ 150 X \_\_\_\_\_ = \_\_\_\_\_
- ☐ Right-of-way littered by site dirt or debris \$ 150 X \_\_\_\_\_ = \_\_\_\_\_
- ☐ Failure to maintain safe sidewalk \$ 150 X \_\_\_\_\_ = \_\_\_\_\_
- ☐ Failure to carry-out permit terms/conditions \$ 150 X \_\_\_\_\_ = \_\_\_\_\_
- ☐ Storage of materials in right-of-way \$ 150 X \_\_\_\_\_ = \_\_\_\_\_
- ☐ Use of right-of-way as work area \$ 150 X \_\_\_\_\_ = \_\_\_\_\_
- ☐ Damage to infrastructure in right-of-way \$ 150 X \_\_\_\_\_ = \_\_\_\_\_
- ☐ Dewatering without a permit \$ 150 X \_\_\_\_\_ = \_\_\_\_\_
- ☐ Illegal discharges to Town sewers\*\* \$ 500 X \_\_\_\_\_ = \_\_\_\_\_
- ☐ Other \_\_\_\_\_ \$ \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_
- ☐ 2nd and added days of violation, double fine \$ \_\_\_\_\_ X \_\_\_\_\_ = \_\_\_\_\_

SMC TRUCK Plate IQ3 3NE TOTAL FINE: \$150

Total fine to be paid within 10 working days to: Town of Palm Beach, Finance Dept., PO Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S. County Road, Palm Beach, FL 33480. Please attach a copy of this violation with payment, check must reference violation number. No further permits will be issued until fine is paid. Should you wish to contest this violation call the Public Works Office at 561-838-5440.

\* Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

\*\* Fine plus clean-up cost.

\*\*\* Includes but not limited to:

Dumpster in Right of Way - \$100 per incident.

Right of Way restoration - \$30 per day until restored.

ISSUER: Chat Rivers

white/violator

yellow/PW

pink/issuer



PW- 6491

**PUBLIC WORKS DEPARTMENT**  
(561) 838-5440**R.O.W. VIOLATION NOTICE**NAME: Oster Pools DATE: 10/5/22JOB ADDRESS: 346 S. S. 25 Ave

- |   |                                  |
|---|----------------------------------|
| <input type="checkbox"/> Working in right-of-way without permit   | \$ 150 X _____ = _____           |
| <input type="checkbox"/> Failure to have permit on job  | \$ 150 X _____ = _____           |
| <input type="checkbox"/> Construction parking without permit*<br>1 <sup>st</sup> = \$150 2 <sup>nd</sup> = \$250 and thereafter = \$500 | \$ 150 X _____ = _____           |
| <input checked="" type="checkbox"/> Inadequate Maintenance of Traffic   | \$ 150 X <u>1</u> = <u>\$150</u> |
| <input type="checkbox"/> Right-of-way littered by site dirt or debris   | \$ 150 X _____ = _____           |
| <input checked="" type="checkbox"/> Failure to maintain safe sidewalk   | \$ 150 X <u>1</u> = <u>\$150</u> |
| <input checked="" type="checkbox"/> Failure to carry-out permit terms/conditions<br><u>Construction parking</u>                         | \$ 150 X <u>2</u> = <u>\$300</u> |
| <input type="checkbox"/> Storage of materials in right-of-way   | \$ 150 X _____ = _____           |
| <input type="checkbox"/> Use of right-of-way as work area   | \$ 150 X _____ = _____           |
| <input type="checkbox"/> Damage to infrastructure in right-of-way   | \$ 150 X _____ = _____           |
| <input type="checkbox"/> Dewatering without a permit  | \$ 150 X _____ = _____           |
| <input type="checkbox"/> Illegal discharges to Town sewers**  | \$ 500 X _____ = _____           |
| <input type="checkbox"/> Other <u>stake*</u>  | \$ _____ X _____ = _____         |
| <input type="checkbox"/> 2nd and added days of violation, double fine   | \$ _____ X _____ = _____         |

TOTAL FINE: \$600

Total fine to be paid within 10 working days to: Town of Palm Beach, Finance Dept., PO Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S. County Road, Palm Beach, FL 33480. Please attach a copy of this violation with payment, check must reference violation number. No further permits will be issued until fine is paid. Should you wish to contest this violation call the Public Works Office at 561-838-5440.

\* Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

\*\* Fine plus clean-up cost.

\*\*\* Includes but not limited to:

Dumpster in Right of Way - \$100 per incident.

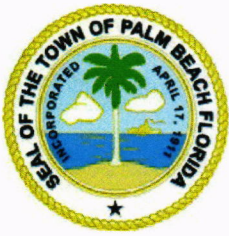
Right of Way restoration - \$30 per day until restored.

ISSUER: Chat Purves

white/violator

yellow/PW

pink/issuer



# TOWN OF PALM BEACH

Planning, Zoning & Building Department

November 8, 2022

Via email & mail: [adial@woolemsinc.com](mailto:adial@woolemsinc.com);  
[kyle@robertspooldesign.com](mailto:kyle@robertspooldesign.com); [darryl@robertspooldesign.com](mailto:darryl@robertspooldesign.com)

Woolems, Inc.  
% James Woolems  
2301 Centrepark West Dr, Suite 150  
West Palm Beach, FL 33405

Re: **Warning Notice** Construction Parking & Construction Site Management Citations –  
346 Seabreeze Ave, B-21-92436

On October 5, 2022, you received a citation for violations of the “3-Strike Rule”, which regulates the number of construction-related vehicles that can be parked on Town streets and construction site management. These regulations are contained in the Town of Palm Beach Standards Applicable to Public Rights-Of-Way And Easements Within The Town Of Palm Beach and information regarding these regulations is attached to all construction permits issued to a job site.

If three citations are received, the Chief of Police or the Director of Public Works may notify the Planning, Zoning & Building Department of these violations, and request that a “**Stop Work**” order be issued as allowed by Section 18-204 of Town Code (referred to as the “3-strike” rule).

Your project has received **two citations, constituting two strikes**:

Strike 2 October 5, 2022 (PW-6491 – Inadequate Maintenance of Traffic, Failure to maintain safe sidewalk, Failure to carry-out permit terms/conditions-construction parking)

Strike 1 April 8, 2022 (PW-6387 – Construction parking without a permit)

**Also, per Town Resolution No. 001-2022, because you have received two strikes, fines in the amount of \$250.00 are being imposed and is payable immediately to the Town of Palm Beach. This fine is in addition to all right-of-way fines referenced above. See attached Invoice # 81212.**

This is to notify you that if you receive another citation, under the Town’s rules a “Stop Work” order will be issued by this Department and additional fines shall be imposed. Please note that if a “Stop Work” order is issued by the Building Official, no work may be performed at the site under any permits issued by the Town of Palm Beach, until the Town Council determines if and under what conditions the work may proceed.

Your cooperation in observing the construction regulations of the Town will assist in ensuring that your job proceeds without disruption.

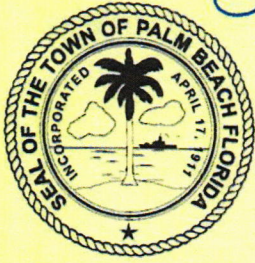
Sincerely,

Post Office Box 2029 \* 360 South County Road \* Palm Beach, FL 33480 \* (561) 838-5431

*Wayne Bergman*

Wayne Berman  
Director, Planning, Zoning & Building Department

cc: Richard S & Margot S Stephenson, 346 Seabreeze Ave, Palm Beach, FL 33480  
Kirk Blouin, Town Manager  
H. Paul Brazil, Public Works Director  
Nicholas Caristo, Police Chief  
Benjamin Alma, Support Services Manager



CE 22-295

PD-01471

POLICE DEPARTMENT  
(561) 838-5454

# R.O.W. VIOLATION NOTICE

NAME: WOOLEMS INC DATE: 12-20-2022JOB ADDRESS: 346 SEABREEZE AVE Palm Beach FL

- |   |                                   |
|---|-----------------------------------|
| <input checked="" type="checkbox"/> Working in right-of-way without permit  | \$ 150 X <u>1</u> = <u>150.00</u> |
| <input type="checkbox"/> Failure to have permit on job  | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Construction parking without permit*<br>1 <sup>st</sup> = \$150 2 <sup>nd</sup> = \$250 and thereafter = \$500 | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Inadequate Maintenance of Traffic  | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Right-of-way littered by site dirt or debris   | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Failure to maintain safe sidewalk  | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Failure to carry-out permit terms/conditions   | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Storage of materials in right-of-wy  | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Use of right-of-way as work area   | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Damage to infrastructure in right-of-way   | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Dewatering without a permit  | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Illegal discharges to Town sewers**  | \$ 500 X _____ = _____            |
| <input type="checkbox"/> Other _____  | \$ _____ X _____ = _____          |
| <input type="checkbox"/> 2nd and added days of violation, double fine   | \$ _____ X _____ = _____          |

TOTAL FINE: 150.00

Total fine to be paid within 10 working days to: Town of Palm Beach, **Finance Dept.**, P.O. Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S. County Road, Palm Beach, FL 33480. Please attach a copy of this violation with payment, check must reference violation number. No further permits will be issued until fine is paid. Should you wish to contest this violation call the Police Department at 561-838-5454.

\*Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

\*\*Fine plus clean-up cost.

\*\*\*Includes but not limited to:

Dumpster in Right of Way \$100 per incident.

Right of Way restoration - \$30 per day until restored.

ISSUER: J. Felix / 9080

white/violator

yellow/PW

pink/issuer



Smc Using Residential pass  
Woolens expired pass.

PW-

6996

**PUBLIC WORKS DEPARTMENT**  
(561) 838-5440

**R.O.W. VIOLATION NOTICE**

NAME: Woolens DATE: 12-22-22

JOB ADDRESS: 346 Seabreeze

- |  |                                |
|--|--------------------------------|
| <input type="checkbox"/> Working in right-of-way without permit  | \$ 150 X _____ = _____         |
| <input type="checkbox"/> Failure to have permit on job   | \$ 150 X _____ = _____         |
| <input checked="" type="checkbox"/> Construction parking without permit*<br>1 <sup>st</sup> = \$150 2 <sup>nd</sup> = \$250 and thereafter = \$500 | \$ 150 X <u>2</u> = <u>200</u> |
| <input type="checkbox"/> Inadequate Maintenance of Traffic   | \$ 150 X _____ = _____         |
| <input type="checkbox"/> Right-of-way littered by site dirt or debris  | \$ 150 X _____ = _____         |
| <input type="checkbox"/> Failure to maintain safe sidewalk   | \$ 150 X _____ = _____         |
| <input type="checkbox"/> Failure to carry-out permit terms/conditions  | \$ 150 X _____ = _____         |
| <input type="checkbox"/> Storage of materials in right-of-way  | \$ 150 X _____ = _____         |
| <input type="checkbox"/> Use of right-of-way as work area  | \$ 150 X _____ = _____         |
| <input type="checkbox"/> Damage to infrastructure in right-of-way  | \$ 150 X _____ = _____         |
| <input type="checkbox"/> Dewatering without a permit   | \$ 150 X _____ = _____         |
| <input type="checkbox"/> Illegal discharges to Town sewers**   | \$ 500 X _____ = _____         |
| <input type="checkbox"/> Other _____   | \$ _____ X _____ = _____       |
| <input type="checkbox"/> 2nd and added days of violation, double fine  | \$ _____ X _____ = _____       |

Parking passes expired

TOTAL FINE: 200

Total fine to be paid within 10 working days to: Town of Palm Beach, Finance Dept., PO Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S. County Road, Palm Beach, FL 33480. Please attach a copy of this violation with payment, check must reference violation number. No further permits will be issued until fine is paid. Should you wish to contest this violation call the Public Works Office at 561-838-5440.

\* Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

\*\* Fine plus clean-up cost.

\*\*\* Includes but not limited to:

Dumpster in Right of Way - \$100 per incident.

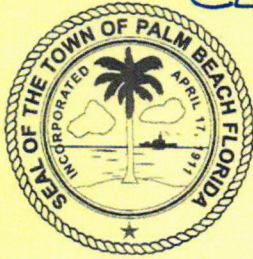
Right of Way restoration - \$30 per day until restored.

ISSUER: R. B.

white/violator

yellow/PW

pink/issuer



CE 22-2312

PD- 00628

**POLICE DEPARTMENT**  
(561) 838-5454**R.O.W. VIOLATION NOTICE**NAME: WoolamsDATE: Dec 23, 2022JOB ADDRESS: 340 Seabreeze

- |   |  |
|---|--|
| <input type="checkbox"/> Working in right-of-way without permit   | \$ 150 X _____ = _____                   |
| <input type="checkbox"/> Failure to have permit on job  | \$ 150 X _____ = _____                   |
| <input type="checkbox"/> Construction parking without permit*<br>1 <sup>st</sup> = \$150 2 <sup>nd</sup> = \$250 and thereafter = \$500 | \$ 150 X _____ = _____                   |
| <input type="checkbox"/> Inadequate Maintenance of Traffic  | \$ 150 X _____ = _____                   |
| <input type="checkbox"/> Right-of-way littered by site dirt or debris   | \$ 150 X _____ = _____                   |
| <input type="checkbox"/> Failure to maintain safe sidewalk  | \$ 150 X _____ = _____                   |
| <input type="checkbox"/> Failure to carry-out permit terms/conditions   | \$ 150 X _____ = _____                   |
| <input type="checkbox"/> Storage of materials in right-of-wy  | \$ 150 X _____ = _____                   |
| <input type="checkbox"/> Use of right-of-way as work area   | \$ 150 X _____ = _____                   |
| <input type="checkbox"/> Damage to infrastructure in right-of-way   | \$ 150 X _____ = _____                   |
| <input type="checkbox"/> Dewatering without a permit  | \$ 150 X _____ = _____                   |
| <input type="checkbox"/> Illegal discharges to Town sewers**  | \$ 500 X _____ = _____                   |
| <input checked="" type="checkbox"/> Other <u>Construction Hours</u><br><u>24-2021 / 4-2022</u>  | \$ <u>250</u> X <u>1</u> = <u>250.00</u> |
| <input type="checkbox"/> 2nd and added days of violation, double fine   | \$ _____ X _____ = _____                 |

working during an observed town  
holiday. Christmas eve

**TOTAL FINE:** 250.00

Total fine to be paid within 10 working days to: Town of Palm Beach, **Finance Dept.**, P.O. Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S. County Road, Palm Beach, FL 33480. Please attach a copy of this violation with payment, check must reference violation number. No further permits will be issued until fine is paid. Should you wish to contest this violation call the Police Department at 561-838-5454.

\*Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

\*\*Fine plus clean-up cost.

\*\*\*Includes but not limited to:

Dumpster in Right of Way \$100 per incident.

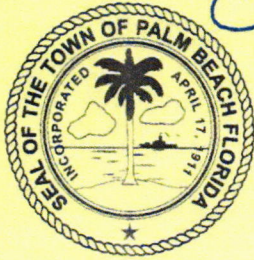
Right of Way restoration - \$30 per day until restored.

ISSUER: A. OLIVARES 02722022-357-064

white/violator

yellow/PW

pink/issuer



CE 22-2335 PD-01472

POLICE DEPARTMENT  
(561) 838-5454

## R.O.W. VIOLATION NOTICE

NAME: Woolens Inc. DATE: 12/27/2022

JOB ADDRESS: 346 Seabreeze Ave Palm Beach FL

- |  |                                   |
|--|-----------------------------------|
| <input type="checkbox"/> Working in right-of-way without permit  | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Failure to have permit on job   | \$ 150 X _____ = _____            |
| <input checked="" type="checkbox"/> Construction parking without permit*<br>1 <sup>st</sup> = \$150 2 <sup>nd</sup> = \$250 and thereafter = \$500 | \$ 150 X <u>3</u> = <u>450.00</u> |
| <input type="checkbox"/> Inadequate Maintenance of Traffic   | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Right-of-way littered by site dirt or debris  | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Failure to maintain safe sidewalk   | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Failure to carry-out permit terms/conditions  | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Storage of materials in right-of-wy   | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Use of right-of-way as work area  | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Damage to infrastructure in right-of-way  | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Dewatering without a permit   | \$ 150 X _____ = _____            |
| <input type="checkbox"/> Illegal discharges to Town sewers**   | \$ 500 X _____ = _____            |
| <input type="checkbox"/> Other _____   | \$ _____ X _____ = _____          |
| <input type="checkbox"/> 2nd and added days of violation, double fine  | \$ _____ X _____ = _____          |

FL-DSH151-3215241-JXEL38  
TV

TOTAL FINE: 450

Total fine to be paid within 10 working days to: Town of Palm Beach, **Finance Dept.**, P.O. Box 2029, Palm Beach, FL 33480, may also be paid in person at 360 S. County Road, Palm Beach, FL 33480. Please attach a copy of this violation with payment, check must reference violation number. No further permits will be issued until fine is paid. Should you wish to contest this violation call the Police Department at 561-838-5454.

\*Parking violations are per vehicle per day. Parking placard must be displayed in vehicle.

\*\*Fine plus clean-up cost.

\*\*\*Includes but not limited to:

Dumpster in Right of Way \$100 per incident.

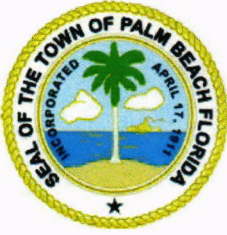
Right of Way restoration - \$30 per day until restored.

ISSUER: J. Felix / 9080 CIV # 2066-361083

white/violator

yellow/PW

pink/issuer



## TOWN OF PALM BEACH

Planning, Zoning & Building Department

December 21, 2022

Via email & mail: [adial@woolemsinc.com](mailto:adial@woolemsinc.com); [kyle@robertspooldesign.com](mailto:kyle@robertspooldesign.com);  
[darryl@robertspooldesign.com](mailto:darryl@robertspooldesign.com)

Woolems, Inc.  
% James Woolems  
2301 Centrepark West Dr, Suite 150  
West Palm Beach, FL 33405

Re: **STOP WORK ORDER PENDING** - 3-Strike Rule Citations – 346 Seabreeze Ave, B-21-92436

As you know, the Town of Palm Beach Standards Applicable To Public Rights-Of-Way And Easements Within The Town Of Palm Beach regulates the number of construction-related vehicles that can be parked on Town streets in conjunction with building project sites within the Town. Attached to all construction permits issued to a job is information regarding these regulations.

This letter is to serve as notice that on **THREE** separate occasions you have received citations:  
Strike 3 December 20, 2022 (PD-01471 – Working in right-of-way without permit)  
Strike 2 October 5, 2022 (PW-6491 – Inadequate Maintenance of Traffic, Failure to maintain safe sidewalk, Failure to carry-out permit terms/conditions-construction parking)  
Strike 1 April 8, 2022 (PW-6387 – Construction parking without a permit)

Therefore, under the Town's rules (referred to as the "3-strike" rule), the Director of Public Works and Police Chief have notified the Planning, Zoning & Building Department of these violations, and requested that a "**Stop Work**" order be issued as allowed by Section 18-204 of Town Code.

Per Town Resolution No 001-2022, because you have received these strikes, a fine in the amount of \$500.00 is being imposed and is also payable immediate to the Town of Palm Beach. This fine is in addition to all right-of-way fines referenced above. Invoice #81824 is attached.

**An appeal to the Chief of Police needs to be submitted in writing within 7 days of the issuance of your strike. If an appeal is denied or is not filed in a timely fashion, a "Stop Work" order will be issued by the Building Official effective the end of the working day December 27, 2022. After that date, no work may be performed at the site under any permits issued by the Town of Palm Beach.**

All requests to lift a **“Stop Work”** order would need to be decided by the Town Council. The next Town Council meeting date is Tuesday, January 10, 2023. In order for this item to be considered at that meeting, you would need to submit a written request to me no later than **Wednesday, January 4, 2023, prior to 5:00 PM.**

Truly yours,

*Wayne Bergman*

Wayne Bergman  
Director, Planning, Zoning & Building Department

cc: Richard S & Margot S Stephenson, 346 Seabreeze Ave, Palm Beach, FL 33480  
K. Blouin, Town Manager  
H. Paul Brazil, Public Works Director  
Nicholas Caristo, Police Chief  
Benjamin Alma, Parking and Code Enforcement Manager

## Wayne Bergman

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**From:** Amadou Dial <adial@woolemsinc.com>  
**Sent:** Tuesday, December 27, 2022 8:47 PM  
**To:** Nicholas Caristo  
**Cc:** Wayne Bergman; Debby Moody; Amadou Dial  
**Subject:** 346 Seabreeze Avenue - B-21-92436 - APPEAL  
**Attachments:** 346 Seabreeze Ave STOP WORK ORDER.pdf  
  
**Importance:** High

\*\*\*\*\*Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.\*\*\*\*\*

Dear Chief Caristo,

I am writing this email to appeal for the above captioned Citation. Woolems is the General Contractor under this permit, however this latest Citation and 3<sup>rd</sup> strike was caused by a subcontractor (Art Deco Plaster) directly hired by the property Owner and they scheduled a delivery of stucco material without advanced notice to us.

As a GC, we recognize and accept the responsibility of making sure everyone and anyone who work on the property comply with the Town Regulations, regardless if they work for us or not. However it is fair to recognize it is always challenging to control trades who are not under our command.

Woolems contractual scope of work consists of a pool and partial interior renovation of 1<sup>st</sup> floor common areas. We are about a month from completing our work. The pool plumbing inspections have passed and now ready to proceed with the finishes.

The interior is 90% complete and should be finalized within 2 weeks of time.

Based on that we plead to immediately pay all the fines yet for your office to waive the 3<sup>rd</sup> strike to allow us to finish up. In our ends will add extra resources to ensure no more violation occurs throughout the remaining of the project (30 days maximum).

Thank you in advance for your time and consideration of this matter.

Amadou Dial

### **Amadou Dial** | Project Executive

2301 Centrepark West Drive #150 | West Palm Beach, FL 33409

**Office:** 561.835.0401 | **Facsimile:** 561.835.0403 | **Cellular:** 561.891.1116

**adial@woolemsinc.com** | **www.woolems.com**

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**Amadou Dial** | Project Executive

2301 Centrepark West Drive #150 | West Palm Beach, FL 33409

Office: 561.835.0401 | Facsimile: 561.835.0403 | Cellular: 561.891.1116

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# TOWN OF PALM BEACH POLICE DEPARTMENT

DEDICATED TO EXCELLENCE



December 28, 2022

Woolems, Inc.  
Mr. Amadou Dial, Project Executive  
2301 Centrepark West Drive #150,  
West Palm Beach, FL 33409

Re: Code Violation – 346 Seabreeze Avenue, Palm Beach, FL 33480

Dear Mr. Dial,

I am in receipt of your appeal request.

Town Ordinance allows ten days after each violation to contest the violation. You have elected to contest R.O.W. Violation # 01471. It was issued on December 20, 2022, for working in a right-of-way without a permit.

After thorough review of the Town Ordinances and the Town's Right-of Way Manual, along with the violation, the request for dismissal of the violation is denied.

With the recent changes in Town ordinances and the Town's commitment to strongly enforce construction site violations, I have an obligation to ensure consistencies in the enforcement and appeal process. You may contact the Planning, Zoning, and Building Department for any next steps in appearing before Town Council or restarting work.

Sincerely,

Nicholas Caristo  
Chief of Police

cc: Paul Brazil, Director of Public Works  
Wayne Bergman, Director of Planning, Zoning and Building



TOWN OF PALM BEACH  
Finance Department  
360 South County Road  
PO Box 2029  
Palm Beach, FL 33480  
(561) 838-5444

# INVOICE

81212

Page 1 of 1

DATE	11/08/2022
ACCOUNT	MI-000316
AMT DUE	250.00

WOOLEMS INC  
2301 CENTREPARK WEST DR  
Unit 150  
WEST PALM BEACH, FL 33405

AMOUNT PAID \_\_\_\_\_



**PAY YOUR STATEMENT ONLINE AT: [HTTPS://TOWNOFPALMBEACH.COM/EDENAR](https://TOWNOFPALMBEACH.COM/EDENAR)**

TOWN OF PALM BEACH

MAKE CHECKS PAYABLE TO TOWN OF PALM BEACH  
PLEASE DETACH AND RETURN WITH YOUR REMITTANCE

DESCRIPTION	AMOUNT
FINE 3-STRIKE RULE STRIKE 2 FINE for Strike 2, 346 Seabreeze Ave	250.00
Total Amount Due:	250.00
ACCOUNT NO. MI-000316	PAYABLE UPON RECEIPT 250.00

Please Remit to: TOWN OF PALM BEACH  
Finance Department  
360 South County Road  
PO Box 2029  
Palm Beach, FL 33480

**Pay your Statement online at: <https://TownofPalmBeach.com/EDENAR>**  
**Log in or Register as a New User and connect to your account by entering your Account No and Invoice number.**



TOWN OF PALM BEACH  
Finance Department  
360 South County Road  
PO Box 2029  
Palm Beach, FL 33480  
(561) 838-5444

# INVOICE

81824

Page 1 of 1

DATE	12/21/2022
ACCOUNT	MI-000316
AMT DUE	500.00

WOOLEMS INC  
2301 CENTREPARK WEST DR  
Unit 150  
WEST PALM BEACH, FL 33405

AMOUNT PAID \_\_\_\_\_



**PAY YOUR STATEMENT ONLINE AT: [HTTPS://TOWNOFPALMBEACH.COM/EDENAR](https://TOWNOFPALMBEACH.COM/EDENAR)**

TOWN OF PALM BEACH

MAKE CHECKS PAYABLE TO TOWN OF PALM BEACH  
PLEASE DETACH AND RETURN WITH YOUR REMITTANCE

DESCRIPTION	AMOUNT
FINE 3-STRIKE RULE STRIKE 3 Fine for Strike 3 - 346 Seabreeze Ave	500.00
Total Amount Due:	500.00
ACCOUNT NO. MI-000316	PAYABLE UPON RECEIPT 500.00

Please Remit to: TOWN OF PALM BEACH  
Finance Department  
360 South County Road  
PO Box 2029  
Palm Beach, FL 33480

**Pay your Statement online at: <https://TownofPalmBeach.com/EDENAR>**  
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