

Jay G. Foy, Mayor
James Woods, Vice Mayor
Jerry E. Beavers, Council Member
Lawrence Gordon, Council Member
Mark C. Uptegraph, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ June 27, 2013
7:00 p.m.

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes for the June 13, 2013 regular meeting**
- VI. PROCLAMATIONS AND PRESENTATION**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. SECOND READINGS AND PUBLIC HEARINGS**
- X. FIRST READINGS AND REGULAR AGENDA**
 - a. Accept and file Annual Financial Report for the Fiscal Year ended September 30, 2012**
 - b. Discuss position of Town Planner for the Town of Haverhill**
 - c. Discussion of proposed budget for FY 2013/2014**
- XI. REPORTS**
 - Town Attorney**
 - Mayor**
 - Town Administrator**
 - Committee/Delegate Report**
 - Treasurer's Report (included in packet)**
- XII. UNFINISHED BUSINESS**
- XIII. NEW BUSINESS**
- XIV. ADJOURNMENT**

Notice: If any person decides to appeal any decision of the Town Council at this meeting, he/she will need a record of the proceedings and for this purpose; he/she needs to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105. The Town of Haverhill does not prepare nor provide such verbatim record.

In accordance with the provisions of the American with disabilities Act (ADA), this document can be made available in an alternate format (large print) upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting Janice C. Rutan, Town Administrator at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

**TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ June 27, 2013
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, June 27, 2013 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; Jerry Beavers, Council Member; Lawrence Gordon Council Member and Mark C. Uptegraph, Council Member. Also present were Town Attorney John Foster and Town Administrator Janice C. Rutan.

CALL TO ORDER

Mayor Foy called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy offered the Invocation and led the Pledge of Allegiance.

ROLL CALL

The Town Administrator recorded all members present with the exception of Vice Mayor Woods.

APPROVAL OF AGENDA

With no additions, deletions and/or substitutions, the agenda stood as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes for the June 13, 2013 Regular Council Meeting.

A motion was made by Council Member Gordon, seconded by Council Member Uptegraph and unanimously passed (4-0) to approve the consent agenda as presented.

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

It was reported that PBSO had responded to a domestic call on Park Hill Drive. A robbery to a person was reported but could not be substantiated. There had been vandalism to a property on Pineway Drive but because of the hurricane resistant glass, the vandals were unable to gain access to the home. Other than proactive work, Haverhill had remained quiet over the previous period, once again supporting the PBSO detail and their presence within the Town. It was also noted that the communication between District 1 and District 3 officers while on duty solved issues.

SECOND READINGS AND PUBLIC HEARINGS

None.

FIRST READINGS AND REGULAR AGENDA

Accept and file Annual Financial Report for the Fiscal Year ended September 30, 2012

The Town Administrator reported that the Auditors, Grau and Associates, were unable to attend the Council meeting, but because the Audit needed to be filed with the State of Florida by the June 30, 2013 deadline, it would be necessary for the Town Council to

take action this evening. She noted that Michele Blackstock of Grau and Associates would make formal presentation of the audited financial statements in July.

The Town Administrator noted for the record that the audit contained no findings or recommendations.

A motion was then made by Council Member Uptegraph, seconded by Council Member Gordon and unanimously passed (4-0) to accept and file the audited financial statements for the fiscal year ended September 30, 2012.

Discuss position of Town Planner for the Town of Haverhill

John Schmidt addressed the Town Council. He informed Council that Mr. Barry would be leaving the firm of Jon Schmidt and Associates as he had accepted a position with another firm. Chris Barry of his firm had been the main point person in serving the Town as their Town Planner. Mr. Schmidt assured the Town Council that he and other members of his staff were very familiar with the current issues within the Town and that Chris had met with everyone in the firm to bring them up to speed. Michele Duchene of his firm had been serving as the Town's landscape planner.

In response to billing questions, Mr. Schmidt noted that the classifications for billing would remain the same even if he himself would be performing the task. He was in the process of interviewing planners for the position and was certain that the Town would be satisfied with Chris's replacement.

Mayor Foy commented that Chris Barry had read and understood the Town's Codes and Ordinances and had done very good work in representing the Town. Council agreed. The Town Administrator noted that the EAR based Comprehensive Plan amendments would need to be addressed in the near future.

The Council thanked Mr. Schmidt for coming to the meeting and commented that they looked forward to continuing the professional relationship with his firm.

Discussion of proposed budget for FY 2013/2014

The Town Administrator reported that she had been informed by Palm Beach County that they would no longer be maintaining Park Lane and Cyprus Lane and that the Town would have to assume all maintenance effective immediately. The Town had annexed the road from Palm Beach County and the County had continued grading the shell rock roads.

Joseph Roche, Director of Public Services had met with Rick Volpe of Wynn and Sons and Mr. Volpe estimated the cost to grade the road would be between \$3000 and \$4000 per month. It was Mr. Volpe's recommendation that the town obtain borings on the road to determine base and stability and to ascertain whether the road was capable of holding asphalt. Presently there was \$139,000 remaining in the paving/drainage budget for Park and Cyprus Lanes.

The Town Engineer was out of Town and Staff was recommending any action be deferred until an opinion from Mr. Renault was obtained.

Mr. Roche expressed the urgency as the road would soon need to be graded. It was suggested millings be considered in lieu of paving. Even millings would need to be maintained. There was a brief discussion about using porous concrete.

Council Member Gordon commented that the Town should look to a permanent fix and not just put a band aid on the problem.

Staff would report back to Council at the July 2, 2013 workshop.

The Town Administrator gave a brief overview of the upcoming budget process and would be presenting a proposed budget to Council at their meeting July 11, 2013. She would be recommending that the Non Ad Valorem assessment for solid waste and recycling services remain at \$171.00 per unit per year.

She noted the proposed budget would include line items for a new server, continuation of the record management program including scanning services. She would present the proposal to include millage rates at 4.000; 4.250 and 4.500.

REPORTS

Town Attorney

None.

Mayor

Mayor Foy reported that the Town had been notified that the Issues Forum would be looking at the proposed FEMA maps and that he would not be in support of another entity getting involved in the situation. Palm Beach County League of Cities had appointed a technical team, the municipalities each had their professionals reviewing the maps and he felt another group reviewing the maps would not help in resolving any outstanding issues.

He reported that Tibor Bucko, the property owner at 1211 North Haverhill Road, would be requesting a variation from the Town's subdivision regulations that permits 2 lots to access one driveway. Mr. Bucko would like the variation to allow for three lots. Mayor Foy expressed concern that the Town would not be able to enforce maintenance in perpetuity unless it became a third party beneficiary to the agreement which he was not in favor of. He was looking for a way to protect the Town's interest.

Mr. Bucko was planning to attend the July 2, 2013 workshop to get feedback from the Council before he formally applied for the variation. The variation could only move forward with the Mayor's recommendation.

The Pastor from the Redentor Church had presented revised plans for the Church on Haverhill Road to the Town Administrator in "draft" form. He was hoping to come before the Town Council at the July 2, 2013 workshop for guidance prior to formal application as the owner of the property was pushing them to close on the purchase and he was afraid Council was not in support of the Church.

It was revealed that the Town Administrator had met with the applicants and their professionals on 2 prior occasions and they had also come before Council. The applicants had been invoiced for a pre application review before Staff.

It was the general consensus of the Town Council that the Pastor would be welcome to attend the workshop and address Council under public comment, but the item would not be placed on the agenda until a formal application was made with the Town.

Mayor Foy reported on the meeting held with representatives from ATS and their reference of the S.T.E.P program that would authorize the Code Enforcement Officer to become a traffic infraction officer. Attorney Foster was still waiting for an opinion from

the Attorney General confirming that this would be permitted. It was agreed that there was no incentive for the Town to move forward with the program at this point in time.

Mayor Foy reported that he would be authoring a letter to FEMA in objection to the proposed flood maps being proposed for the Town of Haverhill.

Mayor Foy reported on the NPDES meetings being held and that the Town may be scheduled for an audit. The DEP cannot review all submittals each year and the Town may be targeted.

Earlier in the day he had attended a meeting of the Palm Beach County Clerk's Association that the Town had co-hosted. The guest speaker led a very interesting forum on identity theft. He commented on some of the pointers offered to protect the consumer from identity theft.

Town Administrator

The Town Administrator reported that the Town Hall would be closing early on Wednesday, July 3, 2013 and would be closed all day July 4, 2013 in observation of the July 4, 2013 holiday and would reopen Friday, July 5th.

Discussion followed. Council Member Gordon suggested the Town Hall close on Friday allowing for a long weekend. The Town Administrator reported that she had done a survey and there were a few other Palm Beach County municipalities that would be closing for a long weekend and there were other Town's that already were closed on Fridays due to a 4 day work week.

It was agreed that the Town Hall would be closed on Friday and Staff would notify all building permit holders that there would be no inspections scheduled for that day. Notices of the closure would be posted at the Town Hall and on the website. Regular hours of operation would occur on Wednesday.

Committee/Delegate Report

Council Member Beavers reported on his attendance at the Palm Beach County League of Cities Meeting the previous day. Two members had been appointed to the Water Resources Task Force; there had been discussion regarding the "for profit" deposit boxes for clothing that were being dropped off within municipalities without permits. The County would be addressing these clothing receptacles through the adoption of an ordinance.

He reported on an opinion rendered that municipal department heads cannot sue their employer.

There was a presentation on the Port of Palm Beach and the enlargement of the Panama Canal.

He commented on the Issues Forum addressing the proposed FEMA maps at a meeting scheduled for August 29, 2013. Again, Mayor Foy expressed that he was not in favor of their involvement and would prefer representatives of the Town not attend the meeting.

Council Member Beavers reported on the beach erosion and its economic impact on the entire County. As such, he would be presenting a Resolution supporting beach nourishment to the Town Council for consideration.

Council Member Beavers reported on an Emergency Preparedness meeting held at the Town Hall with Staff. The Town's Hurricane Guide was reviewed. Council Member

Beavers then presented Council with a copy of a publication by the Elder Affairs for the State of Florida entitled "Disaster Preparedness Guide for Elders". Council Member Beavers ordered 100 for pick up at the Town Hall.

Town Administrator Rutan commented that she would inform the residents via newsletter and the website that the publication was available at the Town Hall.

Council Member Beavers noted that Mayor Kenneth Shultz had received recognition from his peers at the Palm Beach County League of Cities Meeting. He was known for mentoring others with the advice "vote for your future; not your next election".

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Mayor Foy reported that he was still trying to contact Mr. Brown of LWDD to arrange a meeting between the Town, LWDD and PBC to discuss sidewalks along Belvedere Road.

The LWDD informational meeting for those residents affected by the L-4 canal rehabilitation program was announced.

In response to Council Member Gordon, it was explained that the Cyprus Lane/Shiloh Church property had been sold and was now a homestead property. The owners do conduct prayer meetings under the freedom of assembly.


NEW BUSINESS


None.

ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:35 p.m.

Approved: July 11, 1013


Janice C. Rutan, Town Administrator


Jay G. Foy, Mayor