

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Remar M. Harvin, Council Member
Daniel H. Sohn, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



TOWN COUNCIL REGULAR MEETING

Town Hall Council Chambers

Thursday ~ December 13, 2018

7:00 p.m.

AGENDA

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes of the October 25, 2018 regular meeting and the November 13, 2018 Workshop
- VII. PROCLAMATIONS AND PRESENTATION**
 - a. Presentation of Certificate of Completion to Daniel Sohn for completion of the 2018 Institute for Elected Officials (IEMO)
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. REGULAR AGENDA AND FIRST READINGS**
 - a. Consider request of Josh Joseph on behalf of All Associates Plus, LLC/Good Deal Realty to reduce the lien on 5382 Toronto Road
 - b. Approve Corporate Resolution with Seacoast Bank to open savings account with transfer of operating funds from Bank United and authorize Mayor, Vice Mayor and Town Administrator as authorized signers on account
 - c. Authorize purchase and installation of Town Server per proposal received from ENS, the Town's IT contractor in an amount not to exceed \$9,880.00
 - d. Resolution 2018-09: A Resolution of the Town Council of the Town of Haverhill authorizing an Agreement with the Supervisor of Elections for the Municipal Election March 12, 2019
 - e. Resolution 2018-10: A Resolution of the Town Council of the Town of Haverhill calling for a Municipal election March 12, 2019
 - f. Resolution 2018-11: A Resolution of the Town Council of the Town of Haverhill calling for a Run Off election March 26, 2019, if necessary.
- X. SECOND READINGS AND PUBLIC HEARINGS**
- 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 ~ December 13, 2018

7:00 p.m.

OFFICIAL MINUTES

The regular monthly meeting of the Haverhill Town Council was held at the Town Hall, 4585 Charlotte Street, Haverhill on Thursday, December 13, 2018. Those present were Mayor Foy; Vice Mayor Lawrence Gordon; Council Member Mark C. Uptegraph, Council Member Remar M. Harvin and Council Member Daniel H. Sohn. Also present were John F. Foster, Town Attorney; Janice C. Rutan, Town Administrator and Joseph Roche, Director of Public Services.

CALL TO ORDER

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy offered the Invocation followed by the Pledge of Allegiance.

ROLL CALL

The Town Administrator called the roll. All members were present.

APPROVAL OF AGENDA

A motion was made by Council Member Sohn, seconded by Council Member Uptegraph and unanimously passed (5-0) to approve the Agenda as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes of the October 25, 2018 regular meeting and the November 13, 2018 Workshop

A motion was made by Council Member Sohn, seconded by Council Member Uptegraph and unanimously passed (5-0) to approve the Consent Agenda as presented.

PROCLAMATIONS AND PRESENTATION

Presentation of Certificate of Completion to Daniel Sohn for completion of the 2018 Institute for Elected Officials (IEMO)

Mayor Foy presented the Certificate of Completion to Council Member Sohn. Council Member Sohn spoke of the benefits of the Florida League of Cities Institute for Elected Officials and he plans on attending all the advanced IEMO's offered by the League.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

None.

REGULAR AGENDA AND FIRST READINGS

Consider request of Josh Joseph on behalf of All Associates Plus, LLC/Good Deal Realty to reduce the lien on 5382 Toronto Road

Mr. Joseph was present to address the Town Council. Joseph Roche, Director of Public Services offered Staff's report.

Mr. Joseph responded that when he learned of the violation for installing an A/C unit without permit, he contacted someone to take care of the problem and he relied on that person. That person, in turn relied on someone else. In the meantime, the lien continued to accrue and at the time of hearing was at \$14,300.

Mr. Joseph did confirm that originally the property was being used as a short term rental Airbnb) but the property had not been rented for some time. In response to Vice Mayor Gordon's request as to what would be a fair settlement. Mr. Joseph commented that most municipalities would settle for 10%.

Discussion followed. **A motion was made by Vice Mayor Gordon and seconded by Council Member Harvin to reduce the lien to \$3,000 and to pay four times the permit fee at time of permit issuance.**

Mayor Foy felt that the cost of the A/C unit was \$2,400 and perhaps the town should consider a reduction equal to the cost of the unit. Taking the Mayor's suggestion into consideration, **Vice Mayor Gordon withdrew his motion and Council Member Harvin withdrew his second to the motion.**

The Town Attorney suggested the final lien be paid within a time certain.

A motion was then made by Vice Mayor Gordon and seconded Council Member Uptegraph to reduce the lien to \$2,400, plus the cost of the permit (x 4, the penalty imposed for work without permit) to be paid in full no later than Friday, December 21, 2018.

Discussion ensued. Mr. Joseph asked if the suggested time frame of one week could be extended. Council Member Sohn responded that although he was empathetic to Mr. Joseph's plight, he needed to honor the Town's rules.

Mayor Foy then suggested \$1,500 plus 4x the permit fee. **The motion as stated by Vice Mayor Gordon, and seconded by Council Member Uptegraph passed 4-1 with Council Member Harvin voting against the motion.**

The motion was then amended by Council Member Sohn to reduce the lien to \$2,400, plus the cost of the permit (x 4, the penalty imposed for work without permit) to be paid in full no later than the close of business January 9, 2019 with the proviso that if Mr. Joseph was unable to make payment in full to the Town of Haverhill by this deadline the entire assessment with costs due the Town of Haverhill will become due and payable and would continue to accrue as a lien against the property located at 5382 Toronto Road, until paid in full. Vice Mayor Gordon accepted the amendment to his motion and the vote was called and passed unanimously (5-0)

Approve Corporate Resolution with Seacoast Bank to open savings account with transfer of operating funds from Bank United and authorize Mayor, Vice Mayor and Town Administrator as authorized signers on account

A motion was made by Council Member Sohn, seconded by Council Member Uptegraph and unanimously passed (5-0) to approve the Corporate Resolution with Seacoast Bank to open savings account with transfer of operating funds from Bank United and authorize Mayor, Vice Mayor and Town Administrator as authorized signers on account

Authorize purchase and installation of Town Server per proposal received from ENS, the Town's IT contractor in an amount not to exceed \$9,880.00

A motion was made by Council Member Uptegraph and seconded by Vice Mayor Gordon to authorize the purchase and installation of Town Server per proposal received from ENS, the Town's IT contractor in an amount not to exceed \$9,880.00

Discussion followed and the Town Administrator explained that the proposal was based on competitive contracts the Vendor had with the State of Florida.

The vote was called and passed unanimously (5-0).

Resolution 2018-09: A Resolution of the Town Council of the Town of Haverhill authorizing an Agreement with the Supervisor of Elections for the Municipal Election March 12, 2019
A motion was made by Council Member Sohn, seconded by Vice Mayor Gordon and unanimously passed (5-0) to adopt Resolution 2018-09.

Resolution 2018-10: A Resolution of the Town Council of the Town of Haverhill calling for a Municipal election March 12, 2019

A discussion followed as to the need for a run-off election and the chance of losing an election in the run-off.

A motion was made by Council Member Uptegraph, seconded by Vice Mayor Gordon and unanimously passed (5-0) to adopt Resolution 2018-10.

Resolution 2018-11: A Resolution of the Town Council of the Town of Haverhill calling for a Run Off election March 26, 2019, if necessary.

A motion was made by Council Member Uptegraph, seconded by Council Member Sohn and unanimously passed (5-0) to adopt Resolution 2018-11.

SECOND READINGS AND PUBLIC HEARINGS

None.

REPORTS

Town Attorney

Attorney Foster reported on his research to date regarding residency requirements for qualified electors. Based on case law and Attorney General opinions, he felt that a six month residency would be sufficient to answer the question of what was the elector's intent.

Mayor

Mayor Foy reported on the Palm Beach County District 3 & 3 luncheon held the previous day. He noted the NPDES reports were due at the end of the year. Mayor Foy and Vice Mayor Gordon commented on the success of the Tri City Bar B Que held in Pahokee. Vice Mayor Gordon announced that they had received over 1,000 toys for the "Toys for Tots" collection.

Town Administrator

None.

Committee/Delegate Report

Council Member Harvin reported on the District 2 & 3 luncheon. Council Member Harvin spoke on the homeless issue and the proposed shelter site in Lake Worth. He concurred with the Palm Beach County League of Cities and their complaint that the County was not including the LOC in their process in choosing a final site.

He then noted that the Davis Bacon Act regulated the wages paid to workers when using grant funding.

He reported that Airport Traffic Control can shut down drones if they are in the airport traffic area. Council Member Harvin commented that the District 2 & 3 was a very informative meeting.

Council Member Sohn reported that addressing the Palm Beach County Legislative Delegation was encouraged by the Florida League of Cities Legislative Committee that he had served on. As such, he was requesting Town Council support in attending the Palm Beach Delegation's next meeting, to be held in Palm Beach County, on matters relating to Home Rule.

Discussion followed and Council raised no objection to Council Member Sohn attending the meeting as a member of the Florida League of Cities Legislative Delegation at no cost to the Town.

Council Member Sohn requested the Town Council support a Proclamation recognizing World Aids Day and asked if it could be placed on the January 10, 2019 agenda.

Vice Mayor Gordon announced that he had filed qualifying papers to seek re-election to the Council and expressed his desire to continue serving the Town of Haverhill and working with his colleagues at the dais, including newly elected Member Sohn. Council Member Sohn noted that since elected he has learned so much and considers the Town of Haverhill family.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Director of Public Services Joseph Roche reported that the Briarwood sidewalk repair project had been completed.

Mayor Foy commented on the need for a streetlight on Belvedere Road at New Parkview Place. Staff agreed to follow up with FP&L. He then asked if Staff would follow up on the letter written to David Ricks, County Engineer regarding the timing of the light for the northbound turn lane on Haverhill Road.

The Town Administrator reported that the Liberty Airport Industrial Park may not be accessing Belvedere Road through Drexel Road as the Town Planner had informed her that he was working with them on another project adjacent to the site and they may be using that access.

The Town Administrator had not received any news, including the Unity of Title documents on the proposed Town home project.

NEW BUSINESS

None.

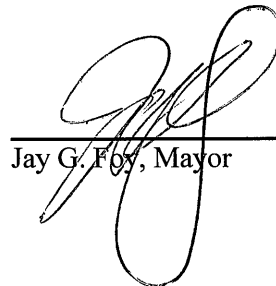
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:30 p.m.

Approved: February 14, 2019



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor