

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 ~ May 23, 2019
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 April 11, 2019; April 25, 2019 regular meeting
- VII. PROCLAMATIONS AND PRESENTATION**
 - a. Presentation from Representative Wilhite on the 2019 Legislative Session
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. REGULAR AGENDA AND FIRST READINGS**
 - a. Ratify support for the Royal Palm Beach High School grant application for a Neighborhood Engagement and transformation (NEAT) Grant to implement a "Books Near You" (Free Little Library) project
 - b. Consider Town Hall closure dates for 4th of July holiday
- 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 ~ May 23, 2019
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular monthly meeting of the Haverhill Town Council was held at the Town Hall, 4585 Charlotte Street, Haverhill on Thursday, May 23, 2019. Those present were Mayor Jay Foy; Vice Mayor Lawrence Gordon and Council Member Mark C. Uptegraph. Also present was John Foster, Town Attorney; Janice C. Rutan, Town Administrator and Joseph Roche, Director of Public Services.

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 followed by the Pledge of Allegiance.

ROLL CALL

The Town Administrator called the roll. All members were present with the exception of Council Member Harvin and Council Member Sohn.

COMMENTS FROM THE PUBLIC

GINA LEVESQUE, Intake and Compliance Manager, Palm Beach County Commission on Ethics: Ms. Levesque introduced herself to the Town Council and provided informational materials to the Council and those present regarding the Commission on Ethics and Code of Ethics.

A brief question and answer period ensued. Ms. Levesque explained that the Commission would prefer complaints to be in the form of a sworn statement, however, they will accept anonymous complaints if enough information is provided.

Jose Garcia, Dylan Garcia, Sue Garcia, Nicholas Signo and Yrman Signo: Boy Scout Troop 199. Mayor Foy recognized the members of Boy Scout Troop 199 who were attending the Council meeting as part of their requirement for earning a communication badge.

APPROVAL OF AGENDA

A motion was then made by Council Member Uptegraph, seconded by Vice Mayor Gordon and unanimously passed (3-0) to approve the agenda as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes of the April 11, 2019 and April 25, 2019 regular meetings.

A motion was made by Vice Mayor Gordon, seconded by Council Member Uptegraph and unanimously passed (3-0) to approve the minutes as presented.

PROCLAMATIONS AND PRESENTATION

Presentation from Representative Willhite on the 2019 Legislative Session

Representative Willhite introduced himself to Council and to those present in the audience. He commented that he had been in session for 60.5 days, one day longer than originally intended. During session a 91.1 billion dollar budget had been passed.

He highlighted the bills that passed that he was very proud of (Alzheimer's Firefighters, Corrections) and others he was not in favor of such as allowing teachers to carry guns in the classrooms.

He announced that 6 million dollars had been set aside for the environment, specifically for the red tide and blue/green algae issues.

The judicial package would keep up with the cost of living; money set aside for schools included the voucher program, the tax package included bringing back the tax-free holiday.

He noted that Florida had no sanctuary cities.

The legislation did what they could to reduce health care costs.

He addressed other issues such as the new texting while driving law that would make texting a primary offense.

Discussion followed concerning the Sadowski Trust and the money taken from the trust to offset the budget.

They had set aside 1.8 billion for the Panhandle as that area had not received any Federal funding towards cleanup from the hurricane.

Mayor Foy addressed items such as the texting and driving and the scope of the proposed legislation. He expressed his disappointment in the legislature treading on a Town's home rule by placing so many restrictions and cited the tree legislation that was recently passed. He reiterated that Tallahassee was placing too many barriers on local government.

He added his frustration that the recently enacted medical marijuana legislation does not allow a local government to regulate the sale or manufacturing; it was all or nothing.

There was discussion about ballot initiatives.

Mayor Foy commented on the State's misunderstanding of lake levels.

Representative Willhite stated he would be back in Tallahassee in September and invited the Town Council to get with him prior to the start of session to initiate any bills or legislation they would like to see passed or amended.

Discussion then turned to the ADA requirements for websites that are forcing municipalities to take their sites down, which is counter-productive to transparency. Although ADA is a Federal law, the State legislation continues to include language in its legislation requiring Towns to post certain things on their websites. The requirement is in conflict for the municipalities as by doing so would render the website non-ADA compliant.

The Council thanked Representative Willhite for attending the meeting and noted they would be in touch with matters pertaining to filing requirements and ADA requirements.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Stephanie Holst was present representing the Palm Beach County Sheriff's office. She reported on the crime statistics for the previous two-week period that included vehicle burglaries, medical calls, traffic stops, theft and a trespass.

In response a question raised, she explained that as part of the good Samaritan law, they do not press charges against a person who has overdosed, even if they find drug paraphernalia.

REGULAR AGENDA AND FIRST READINGS

Ratify support for the Royal Palm Beach High School grant application for a Neighborhood Engagement and transformation (NEAT) Grant to implement a “Books Near You” (Free Little Library) project

The Town Administrator offered Staff’s report.

A motion was then made by Vice Mayor Gordon, seconded by Council Member Uptegraph, and unanimously passed (3-0) to confirm and ratify support for the Royal Palm Beach High School grant application for a Neighborhood Engagement and transformation (NEAT) Grant to implement a “Books Near You” (Free Little Library) project and allow a little library to be installed on Town property.

Consider Town Hall closure dates for 4th of July holiday

The Town Administrator offered Staff’s report. She noted that the holiday fell on a Thursday and asked for Council consideration in closing the Town Hall the following Friday.

A motion was made by Council Member Uptegraph, seconded by Vice Mayor Gordon and unanimously passed (3-0) to close the Town Hall July 4th and 5th in celebration of the July 4th holiday.

SECOND READINGS AND PUBLIC HEARINGS

None.

REPORTS

Town Attorney

Attorney Foster announced he would be attending the Florida League of Municipal Attorneys in July. Topics to be discussed include Public Meeting Laws and recently passed legislation.

Home Rule would also be addressed and how the recent legislation usurps a municipalities ability to enforce tree trimming; vegetable gardens in front yards, etc. He questioned when these regulations that cannot be regulated cross into commercial operations, or aesthetic concerns when a property is growing rows of corn as an example.

Another concern of his was the legislation that prohibits any regulation of any type telecommunication tower installed in any Right-of-Way. The Town would not even be able to request a meeting with the applicant nor ask any questions as to placement, height, etc.

He reported on legislation regulating Financial reporting that would include budgetary percentages based on per resident; salaries and benefits; etc. It would also require the proposed budget be posted for a minimum of 45 days and the final budget to be posted for 2 years.

Discussion followed how the State’s legislation was in conflict with the ADA (federal) requirements by requiring municipalities to post on their website, despite the possibility that municipal websites not being ADA compliant.

Discussion followed concerning the legislation addressing tree removal and if a statement from an arborist recommends a tree be removed, the Town cannot regulate. Staff expressed concern that if a tree lost one branch, an arborist could recommend the entire tree be brought down.

Mayor

Mayor Foy noted he would be scanning the schematic showing the location of the Town’s streetlights.

Town Administrator

The Town Administrator reported that Council Member Sohn was sorry to have missed Representative Willhite's presentation and would reaching out to him directly to schedule a one on one. It was suggested Council Member Sohn listen to the audio of the meeting or wait for the minutes and if still wanted to meet with Representative Willhite, he disclose his reasons for the meeting.

Committee/Delegate Report

Vice Mayor Gordon reported on the Palm Beach County League of Cities annual gala that had been held the previous day. The 50th anniversary of the League was celebrated as well as milestone awards presented to league members. He noted it was a well-attended affair and pleasant afternoon.

He added that the Florida League of Cities would be held in August in Orlando.

Mayor Foy reported the Town would not be undergoing an NPDES audit this year.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

The Director of Public Services reported that he and the Town Engineer were still looking at the State requirements for parking regulations that could be enforced on Town roads.

NEW BUSINESS

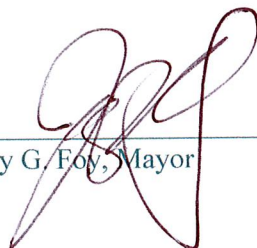
None.

ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:00 p.m.

Approved: June 27, 2019


Janice C. Rutan, Town Administrator


Jay G. Foy, Mayor



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