

**TOWN OF HAVERHILL
REGULAR TOWN COUNCIL
THURSDAY, SEPTEMBER 23, 2010
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held immediately following the close of the public budget hearing at the Town Hall, 4585 Charlotte Street, Haverhill.

CALL TO ORDER

Mayor Woods called the meeting to order at 7:11 p.m.

APPROVAL OF AGENDA

The Town Administrator requested the approval of the September 9, 2010 minutes be removed from the agenda. **A motion was then made by Council Member Uptegraph, seconded by Council Member Lynch, and unanimously passed (4-0) to approve the agenda as amended.**

APPROVAL OF THE CONSENT AGENDA

Approval of the August 26, 2010 and approval of the September 9, 2010 regular meeting minutes

A motion was made Council Member Lynch, seconded by Council Member Uptegraph and unanimously passed (4-0) to approve the Consent Agenda as amended.

PRESENTATIONS

None.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT

Deputy Sergeant Victor Blackman of the Palm Beach County Sheriff's reported that there had three reported burglaries in the Town. Two were to residences at Trailway Road and Richmond Mews and a car burglary at Park Hill. The Council requested additional information on the residential burglaries.

In response to concerns raised, Officer Blackman noted that banks had become very aggressive against trespassing on foreclosed or non occupied buildings. The Town Council expressed appreciation to the PBSO.

REPORTS

Town Attorney

Attorney Foster reported that he had been in contact with Geoff Sluggett concerning the status of the Agreement between the Town and ATS. The Town extended forbearance of the termination agreement would be expiring. Mr. Sluggett, on behalf of ATS was still pursuing negotiation to secure an agreement with the County managing the Red Light Camera program in the Town of Haverhill.

Attorney Foster commented that at a meeting held earlier in the week with County Engineer George Webb, a discussion took place in which there was some interest in the County taking over the program within the Town.

The Attorney was requesting Town Council authorization to present a termination agreement to ATS with a caveat that would afford ATS a specific time frame to try to move forward in securing an agreement with the County, however, if an agreement could not be reached within that time frame, then the contract between the Town and ATS would automatically terminate. It was the general consensus of Council to authorize Attorney Foster to move forward with an agreement with ATS on behalf of the Town. Mr. Foster reminded all that the Town had received correspondence from County permitting putting the Town on notice that if the Town did not formally authorize ATS to sign permits on their behalf, or sign the permit themselves, the red light camera equipment installed would be removed by the County at the Town's expense. The Town was to respond by October 1, 2010.

Attorney Foster next reported on the meeting held between himself, John Kim, Traffic Engineer and George Webb, County Engineer and other County Staff to discuss the justification of the intersection improvements on Belvedere Road, Military Trail to west of Haverhill Road. In addition, the Town questioned the County's cost to benefit analysis that supported the through lane.

It was noted that the cost of land acquisition along Belvedere Road that would be needed to accomplish the proposed plans would make it difficult to justify the cost benefit of the project. The Town expressed doubts that the cost to benefit schedule would work out.

Attorney Foster had expressed to County staff that the Town would accept the westbound right turn lane onto Haverhill Road but was in objection to the creation of a through lane at Military Trail to west of Haverhill Road. Mr. Webb offered to give consideration to creating a through lane east of Military Trail continuing west on Belvedere to Concord. It was explained that a minimum of 1200 feet would be needed for the through lane and the taper into Belvedere.

At the close of the meeting it was agreed that the County would look at the Town's projections and cost benefit analysis and would provide the Town with their justification for the proposed through lane to Concord.

Mr. Webb had also offered the possibility of including the construction of the intersection improvements for the right hand turn lane at Haverhill in the update to the County's five year road plan, but would move any proposed intersection improvements to Belvedere Road at Military Trail five years out.

Attorney Foster had once again pointed out that since 2002, there had been a 32% reduction in traffic volume along Belvedere Road and as such, improvements to move traffic may not be warranted. In addition, the additional lanes would undermine the Town's desire to maintain safe streets within its jurisdiction.

The Town will need to wait to hear back from the County. In the meantime, the update to the County's five year road plan would be before the County Commissioners for first reading October 5, 2010. Final Hearing would be held October 19, 2010.

Attorney Foster explained the Conflict Resolution process was still in effect. He reported on the meetings Haverhill staff had with the Commissioners and on the September 15, 2010 Commission meeting. For the most part, the Commissioners were sympathetic to the Town's concerns; however, County Commissioner Marcus questioned whether the Town would need to repay the money it had received for the CRALLS designation. The Town had received funding

for the CRALLS designation for the construction of the lift station and not for construction of road improvements.

In closing, Mr. Foster reiterated that a through lane is not an intersection improvement and the Town would need to consider the implications of the additional lane through to Concord. The next step in the process would be to object to the inclusion of the improvements in the five year road plan and to continue with the Conflict Resolution process which would be mediation.

Mayor

Mayor Woods reported that the Dodge Dakota pick up truck being used by Joseph Roche was in poor condition and necessary repairs could prove to be cost prohibitive given the age and mileage of the truck. As such the Town Administrator was looking to replace the truck and was requesting a line item transfer in the amount of \$18,000 for the purchase of a new truck.

The Town Administrator added that the State energy grant, which is still pending, had originally included the purchase of two hybrid vehicles. The terms of the grant had changed, and the State would only cover the cost difference between a regular vehicle and a hybrid vehicle. Research resulted in an average price of \$42,000 for a hybrid vehicle and the same model gas vehicle to be in the range of \$30,000-\$35,000.

Discussion followed. The hybrid could not be purchased until the grant agreement was signed; the cost of a hybrid would need to be justified, i.e. number of miles driven, etc. In the meantime, staff was researching 4 cylinder pick up trucks.

A motion was then made by Council Member Uptegraph, seconded by Council Member Lynch and unanimously passed (4-0) to authorize the Town Administrator and Mayor to purchase a new vehicle and to authorize the transfer of funds in that amount of up to \$35,000 from line item 001-541-4100-6302 to 001-4100-529-6400.

Consultants

None.

Administrator's Report

None.

Committee and Delegate Reports

Council Member Beavers reported that he had held an Emergency Management Committee meeting.

He had attended the League of Cities Meeting and the School District was requesting support in the continuation of the collection of .25 mils for the benefits of the schools.

He reported on some of the new requirements resulting from the health care reform that included the issuance of 1099's not only for income, but for expenditures.

Mayor Woods reported that there would be a meeting of the Special Events Committee on Monday, September 27, 2010 to begin planning for the October 29, 2010 Halloween Event. The next event would be the November Neighborhood Yard Sale.

Treasurer's Report

(included in packet)

UNFINISHED BUSINESS

None.

NEW BUSINESS

Mayor Woods addressed the Town Council regarding protocol and the roll of Council. He reminded all that through the revision to the Charter, the day to day operations of the Town were vested in the Town Administrator. The Administrator was now responsible in making decisions and in the assignment of duties and responsibilities. Although Haverhill was a small community, the Council would need to stay within their bounds and follow the processes and procedures in place, specifically by running all inquiries and requests through the office of the Town Administrator.

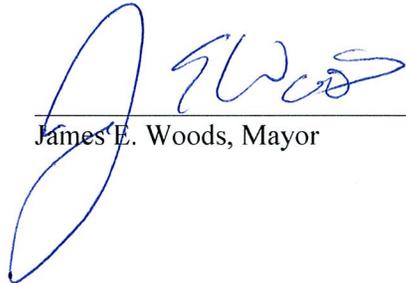
ADJOURNMENT:

With no further business to come before the Town Council, the meeting adjourned at 8:10 p.m.

Approved: October 14, 2010



Janice C. Rutan, Town Administrator



James E. Woods, Mayor