

TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ April 14, 2011
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, April 14, 2011 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; James E. Woods, Vice Mayor; Jerry Beavers, Council Member; AND Lawrence Gordon, Council Member. Also present were Town Attorney John Foster; Code Enforcement Officer, Joseph Roche; and Town Administrator, Janice C. Rutan.

CALL TO ORDER

Mayor Foy called the meeting to order at 7:02 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 were present with the exception of Council Member Uptegraph.

APPROVAL OF AGENDA

A motion was made by Vice Mayor Woods and seconded by Council Member Gordon to amend the agenda to include authorization to have the Mayor sign the Non Ad Valorem Tax Assessment Interlocal Agreements between the Town of Haverhill and the Tax Appraiser, Tax Collector and Solid Waste Authority. The motion passed unanimously (4-0).

APPROVAL OF THE CONSENT AGENDA

Approve Minutes of the March 24, 2011 Regular Meeting

A motion was made by Vice Mayor Woods, seconded by Council Member Beavers and unanimously passed (4-0) to approve the Consent Agenda as presented.

PRESENTATIONS AND PROCLAMATIONS

None.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Deputy Sergeant Miller presented the crime statistics for the previous two week period. In addition to the business and residence checks and routine traffic stops, there had been two reports of vandalism and one hit and run accident. There were three burglaries to residences located at 530 Tall Pines; 838 Briarwood and 1128 Park Lane. A vehicle had been broken into at 821 Palo Verde. In addition, there had been reports of theft, graffiti, assaults and child abuse cases.

Discussion followed concerning the bicycle accident that had resulted in a fatality on Belvedere Road and Caroline Avenue. The Town Council requested a copy of the accident report; however, it was being handled by Highway Patrol because it was being classified as a homicide. As such, the report was not readily available.

David Johns, District Chief for Palm Beach County Fire Rescue was present on behalf of Chief Michael Arriga who has been recently appointed to oversee the 14 stations in Battalion 3. Chief Arriga hails from Pahokee and South Bay. Palm Beach County Fire Rescue would be on call to attend meetings in an effort to be more responsive to the Town of Haverhill.

SECOND READINGS AND PUBLIC HEARINGS

None.

FIRST READINGS AND REGULAR AGENDA

Award contract for installation of security cameras and approve budget amendment regarding same

It was explained that Staff had obtained three quotes for the installation of security cameras, DVR monitoring and monitors. The lowest bidder was ADT; however at the time of their quote, the number of cameras had not been increased and the 8 channel DVR had not been upgraded to a 16 channel DVD. Staff was not impressed with ADT's equipment quality or their presentation.

The two remaining bidders visited the Town Hall and made their recommendations for a system. Staff had since amended the proposal concerning the number of cameras and DVR channels, etc. Because both bidders had given itemized equipment listing Staff was able amend the figures so each of the quotes were similar in equipment.

References were called for each bidder and questions concerning the company, quality of equipment, customer service and professionalism were asked of each reference for each company and each company received glowing remarks.

Tropical Computer presently services the Town's IT needs and as such already had a vested interest in the Town. The Town of Haverhill had not had a previous relationship with Protection Plus, but found them to be very professional and liked the fact that they were a single source provider of security equipment.

The following proposals were received:

ADT	Approximately \$3,544.00
Tropical Computer	Approximately \$6,300.00
Protection Plus	Approximately \$6,500.00

If the purchase of the security system was approved, a budget amendment would be required.

Discussion followed. Since there were amendments made to each of the bid proposals such as number of cameras and number of monitors, Staff agreed to prepare the same specs for each vendor and ask them to resubmit their proposals.

A motion was made, seconded and unanimously passed (4-0) to table the matter until June allowing Staff to obtain revised quotes from the prospective bidders.

Approve Interlocal Agreement between Town of Haverhill and Northern Palm Beach County Improvement District re: NPDES Third Term Permit and authorize Mayor to execute on behalf of the Town of Haverhill

Mayor Foy disclosed that there was a possible conflict of interest regarding the vote on the renewal of the NPDES Third Term Permit as he was a member of the Palm Beach County NPDES Steering Committee and as such recused himself from voting on the matter. **A motion was then made by Council Member Beavers, seconded by Council Member Gordon and passed to approve the Interlocal Agreement between Town of Haverhill and Northern Palm Beach County Improvement District re: NPDES Third Term Permit and authorize Mayor to execute on behalf of the Town of Haverhill. The motion passed 3-0, with Mayor Foy abstaining from the vote.**

Attorney Foster confirmed that although the Mayor abstained from the vote, he could sign the Agreement on behalf of the Town.

Approve and authorize the Mayor to sign the Non Ad Valorem Tax Assessment Interlocal Agreements between the Town of Haverhill and the Tax Appraiser, Tax Collector and Solid Waste Authority

Attorney Foster gave Staff's report. **A motion was made by Vice Mayor Woods, seconded by Council Member Beavers and unanimously passed (4-0) to approve and authorize the Mayor to sign the Non Ad Valorem Tax Assessment Interlocal Agreements between the Town of Haverhill and the Tax Appraiser, Tax Collector and Solid Waste Authority.**

REPORTS

Town Attorney

Report on meeting re: Non Ad Valorem Tax Assessment

Attorney Foster reported on the meeting held earlier in the day that he and the Town Administrator attended concerning the non ad valorem assessment process. He reported on the other municipalities present at the meeting hosted by the Palm Beach County Appraiser's office, including the Town of Ocean Ridge and the City of West Palm Beach who were both embarking on a nuisance abatement program through the non ad valorem assessment process. The Town would obtain a copy of the Ordinances allowing for the nuisance abatement programs.

He commented that the Property Appraiser's office instructed the municipalities to get the required paperwork done early as time was of the essence.

Consultants

None.

Town Administrator

The Town Administrator reported that Janice Massie's last day as Deputy Town Clerk for the Town of Haverhill would be April 15, 2011 and that Jessica Shepherd would be joining the Town as Deputy Town Clerk effective May 2nd, 2011. The Town Administrator reported on the sensitive issue of the Building Department and some of the personnel problems facing that department. She gave a brief update. Attorney Foster commented that he would be considering a recommendation to put the Town's insurer on notice due to potential liability. He confirmed that the Town Administrator has the authority over the Building Official in light of the recent Charter change.

The Mayor offered the Town Administrator his support and assistance.

Mayor

Mayor Foy addressed the Council in matters relating to ethics and the reporting requirements of the recently appointed Inspector General. He disagreed with the opinion that two members of Council can be present at any meeting as long as they did not discuss the subject matter with each other. He noted that based on someone else's comment, an opinion can be solidified thereby losing the concept of an impartial effect.

It would be his recommendation that all Council members err on the side of caution and

- Declare all meetings attended
- Continue to make a disclosure on all matters before Council for consideration so there would be no potential conflict of interest
- When sitting on another Board or Committee, it should be clear that the member would not be representing the Town of Haverhill, but was present as a member of the appointed Board or Committee
- Should consideration obtaining Town Council approval prior to a Council Member accepting the appointment to another Board or Committee
- Provide Council and Staff with a listing of all Boards and Committees presently serving on

Discussion followed concerning the approval of committee appointments. Vice Mayor Woods was of the opinion that the acceptance of an appointment to another Board or Committee would be a voluntary acceptance and as such the Council should not be involved.

Council Member Gordon commented that all members should strive to meet the spirit of the law, and if there was any doubt; pass. Reference was made to the comment of Jamie Titcomb, Executive Director of the Palm Beach County League of Cities when he said – if you are not doing anything wrong, you are not doing anything wrong.

It was agreed that this matter would be revisited after the Ethics Ordinance was adopted.

Committee/Delegate Report

Mayor Woods reported on the annual picnic held April 9, 2011. He noted the success of the event adding that the car show, tractors and vendors drew the crowd as well. He suggested the event move to March next year for cooler weather.

The APWA golf tournament was a success.

Vice Mayor Woods noted the next event would be the Halloween event in October.

Council Member Beavers would be attending the emergency exercise at the at the EOC campus. There would be a senior official's workshop held on June 7, 2011. He reported that the Palm Beach County District II and III luncheon held in Atlantis was dominated by conversations concerning the Ethics Ordinance and the Inspector General.

Mayor Foy announced a new product "Phoslock" which was being used to absorb phosphorous from the waterways.

Attorney Foster reported on the recently held Code and Ordinance Committee meeting. He noted he would be forthcoming with Ordinances adopting supplemental regulations for the Pain Clinics as well as large animal regulations.

Mayor Foy updated all on the Belvedere Road Committee and the recent traffic studies. He expressed concern over the vested trips benefitting the airport expansion projects which resulted from the old Golfview property. The Attorney would draft a letter to the County Engineer commenting on the reduction of traffic along Belvedere Road. Although Council's belief that the need for a sidewalk along the south side of Belvedere Road was a priority, reference to same would not be included in the letter proposed for the County Engineer.

Treasurer's Report

Included in packet

UNFINISHED BUSINESS

None.

NEW BUSINESS

Council member Beaver expressed his support for pending legislation concerning legal advertising.

ADJOURNMENT

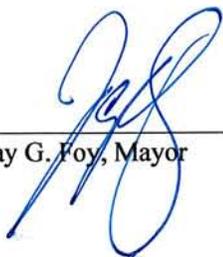
With no further business to come before the Town Council, the meeting adjourned at 8:10 p.m.

Approved:

May 12, 2011
May 12, 2011



Janice O. Rutan, Town Administrator



Jay G. Foy, Mayor