

**TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ May 12, 2011
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, May 12, 2011 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 Lance Fuchs; 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 were present with the exception of Vice Mayor Woods.

APPROVAL OF AGENDA

There being no additions, deletions or substitutions, the agenda stood as presented.

APPROVAL OF THE CONSENT AGENDA

Approve Minutes of the April 14, 2011 Regular Meeting, the April 28, 2011 Regular Meeting and the May 3, 2011 Workshop

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

PROCLAMATIONS AND PRESENTATIONS

None.

COMMENTS FROM THE PUBLIC

None at this time.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

(Deferred to later in the evening).

SECOND READINGS AND PUBLIC HEARINGS

None.

FIRST READINGS AND REGULAR AGENDA

Approve Master Sign Plan for Trail Realty as presented for the existing shops located at 1069 – 1097 No. Military Trail

The Master Sign Plan as prepared by SignCraft on behalf of Trail Realty was reviewed by Town Council. The Town Administrator reported that the plan was exclusive of the new building being constructed at 1099 No. Military Trail and the applicant would apply for a separate sign approval for the new building under separate cover.

Council Member Gordon expressed his support for local businesses within the Town.

A motion was then made by Council Member Gordon, seconded by Council Member Beavers and unanimously passed (4-0) to approve the Master Sign Plan as presented with the realization that the applicant will need to come back before Council for approval for the new building presently under construction.

COMMENTS FROM THE PUBLIC

Jeanel Yates: Board of Directors, Parkview Place HOA: Ms. Yates introduced herself to the Town Council and reported that it was intent of the Parkview Place HOA to have someone from the Board of Directors in attendance at future Town Council meetings.

Consider request for Code Enforcement lien reduction for the property located at 536 Tall Pines Road

The Town Administrator presented Staff's report. The property located at 536 Tall Pines had been brought back into compliance since the foreclosure. The applicant, Tim Rohrick of Code Violation Services, Inc. acting on behalf of the bank was requesting the Town reduce the present lien from \$412,640. to \$17,640. This represented actual costs the Town had incurred during the time the property was in violation.

Council Member Gordon volunteered to work with Staff or to serve as the Town's liaison in negotiating terms of settlement for lien reduction requests. He felt that the Town needed to recoup as much money as possible to ensure that the Town did not lose money.

Discussion followed. Town Administrator Rutan explained that Staff did not negotiate the liens. The property owner/agent was told how much money was due and owing on the property. It was the property owner, in most cases a bank or a bank's agent that would make an offer for settlement. She noted that the amount accepted had traditionally equaled an amount that would make the Town whole for costs incurred by the Town.

Discussion continued with concern over whether a Council Member could get involved in any aspect of Code Enforcement as the Council would be the final review of Code Enforcement appeals and/or whether that involvement would usurp the authority of the Town Administrator.

Selesia Smith Gordon, Berkeley Mews, Haverhill: Ms. Gordon addressed the Town Council and expressed her objection to the Town accepting an amount less than what was actually owed on the property. She felt the practice was unfair to taxpayers and questioned why the Town would place a lien on the property if it intended to only recoup cost. Negotiations should be entered into so the Town could gain a profit.

Discussion ensued. Council Member Gordon supported the need to negotiate so that the Town should benefit from the owner/agents need to turn the property over. Council Member Gordon supported his position by offering several options. Mayor Foy expressed his concern that the banks would walk away from the property if the costs were too high.

A motion was then made by Council Member Uptegraph, seconded by Council Member Beavers and unanimously passed (4-0) to table the matter allowing for the Attorney to render a legal opinion in response to Council Member Gordon's suggestion the he be allowed to negotiate lien settlements on behalf of the Town.

Jeanel Yates, New Parkview Place, Haverhill: Asked the Town Council what their intent would be. She concurred with earlier comments made by Ms. Gordon.

Council Member Uptegraph responded that the lien process did push the bank to clean up the property and maintain the property so the property could be brought into compliance.

Discussion followed regarding negotiation procedures.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Deputy Sergeant Victor Blackman was present representing Palm Beach County Sheriff's office. He reported that there had been one motor vehicle robbery at the 7-11 and one residential burglary at 4773 Richmond Mews. There had been a suspicious vehicle at Cyprus Lane and Park Lane.

Council expressed their appreciation to the PBSO for the permit detail.

Selesia Gordon-Smith, Berkeley Mews, Haverhill: Ms. Gordon inquired why the officers would walk into the middle of Belvedere Road to pull vehicles off the road.

REPORTS

Town Attorney

Attorney Fuchs referred to the May 11, 2011 memo to the Town Council regarding Non Ad Valorem Assessments. He gave a brief background of the program to date and suggested Council set a special meeting to address setting the assessment.

Discussion followed. Mayor Foy expressed his desire to offset the solid waste assessment by a reduction to the ad valorem assessment.

Council Member Gordon suggested the Town look into the purchase of universal trash receptacles for residents.

Selesia Gordon-Smith, Berkeley Mews, Haverhill: Ms. Gordon supported the purchase of uniform trash receptacles.

It was agreed to schedule a noon workshop to discuss the non ad valorem assessment process.

Mayor

Update appointments to Boards and Committees Consultants

Mayor Foy provided a revised Boards and Committee roster explaining that the updates changed committee member former Deputy Town Clerk Janice Massie to Deputy Town Clerk Jessica Shepherd and appointed Mayor Foy to serve as the liaison with the Palm Beach County Issues Forum. Council accepted the changes by general consensus.

Regular Comments:

Mayor Foy suggested the Town Council consider passing a Proclamation in honor of former Building Official Joseph Iagrossi recognizing his 30 years of service to the Town. Council Member Gordon suggested that in light of the circumstances, a six month cooling off period be initiated and after that time Mr. Iagrossi be invited to a Council meeting to receive the recognition personally. Council agreed.

Mayor Foy reminded all of the Ethics Training scheduled for June 7, 2011 at 11:30 a.m. at the Town Hall. He suggested Council have questions prepared ahead of time.

Town Administrator

None.

Committee/Delegate Report

Mayor Foy reported on the meeting of the NPDES Steering Committee and the need for the Town to adopt Standard Operating procedures. He noted his objection to the phraseology and the possibility that his serving on the Committee could prove to be a conflict.

Council Member Beavers had attended the District II and III luncheon in Atlantis. He commented that the newly formed Office of Inspector General has unlimited powers. He noted that Richard Ratcliff had been appointed Executive Director of the Palm Beach County League of Cities. The League was looking for two municipalities to sit in on the Inspector General Budget hearings.

Council Member Beavers had attended a training session at the FP&L Command Center. He requested an Emergency Management meeting be scheduled.

The Village of Wellington had gone over budget in the construction of its 9-11 Memorial and managed to save substantially by going to a 4 day work week. The Economic Council had reported that Palm Beach County was the largest employer in the County.

Treasurer's Report

(Included in packet)

UNFINISHED BUSINESS

The Town Administrator reported that she had been in contact with DR Horton and they were still interested in the purchase of the Sunset Isles property on Belvedere Road but would be waiting until after the start of their new fiscal year (October 1) before considering the purchase.

NEW BUSINESS

None.

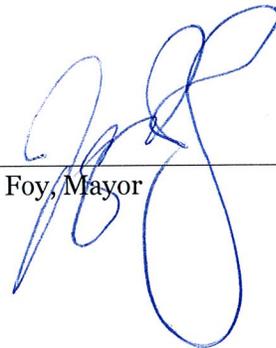
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:15 p.m.

Approved: June 9, 2011
Date



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor