

**TOWN COUNCIL REGULAR MEETING**  
**Town Hall Council Chambers**  
**Thursday ~ June 9, 2011**  
**OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, May 26, 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; Lawrence Gordon, Council Member and Mark C. Uptegraph, Council Member. Also present were Town Attorney Lance Fuchs, Director of Public Services, Joseph Roche; 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.

**APPROVAL OF AGENDA**

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

**APPROVAL OF THE CONSENT AGENDA**

**Approve Minutes of the May 12, 2011 and May 26, 2011 Regular Meetings and the May 24, 2011 Special Meeting**

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

**PROCLAMATIONS AND PRESENTATIONS**

**Representative Mark Pafford**

Representative Mark Pafford addressed the Town Council. He reported on the previous legislative session and the bills that were passed that would have an impact on local governments. He explained where he stood on many of the bills, specifically growth management, gun control and pensions. He spoke in detail about the Medical reforms and the effect it would have not only to the public sector but also to the private sector. Mayor Foy spoke briefly on the Numeric Nutrient Criteria legislation. A brief question and answer period followed.

**COMMENTS FROM THE PUBLIC**

None.

**COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**

Deputy Sergeant Martino was present. He noted that there had been no violent crimes or burglaries reported. There were mostly routine residential and business checks performed. Because of the increase of the extra patrols by both the District I and District III officers on duty, the Town has remained free of crime while the areas surrounding the Town were experiencing an increase in crime.

Deputy Martino reminded all of the "bump and rob" scam going on and reported that there had been an incident on Orleans Court. He cautioned all to be aware and if hit from behind by another vehicle to not to stop and/or get out of the vehicle as that when the victim could be overtaken and the car hijacked. He suggested that if hit from the rear, call 911 and drive to a well lit crowded location.

Council expressed their appreciation to the Palm Beach County Sheriff's office for their presence and support.

## **SECOND READINGS AND PUBLIC HEARINGS**

None.

## **FIRST READINGS AND REGULAR AGENDA**

None.

## **REPORTS**

### **Town Attorney**

None.

### **Mayor**

Mayor Foy addressed the Town Council on the recent presentation made to Council, Staff and Consultants by the office of the Attorney General. He noted that the office of the Attorney General oversaw only financial matters and not Sunshine violations with misdemeanor punitive power. The Inspector General's office had only advisory powers. The Commission on Ethics had even less punitive power and as such nothing was being achieved through their oversight. Vice Mayor Woods commented that this is what the voters voted for and their realm of oversight and authority work in progress.

It was noted that morality cannot be legislated.

The Town Administrator reported that the bid specifications for the Town Hall Retrofit Project had been forwarded to the Office of the Inspector General for their review and input.

Council Member Beavers brought up a situation in Lake Park that may result in the Town having to return grant funding. Discussion on the ethics reform continued.

### **Consultants**

None.

### **Town Administrator**

The Town Administrator presented Council with a list of properties that would be most impacted by the implementation of the Non Ad Valorem Assessment. A six-unit property on Belvedere Road that had been receiving curbside service would no longer be entitled to that service and would need to contract individually for containerized service. Other properties that have several units would be still entitled to receive curbside because one or two of the units was considered residential. She expressed concern that the program may still have inequities that would need to be reviewed and looked at on a case by case basis if and when the program was implemented.

Town Administrator Rutan requested Town Council consideration in calling for a special workshop to be held prior to the regular meeting scheduled for June 23, 2011. She explained the workshop may be needed to allow for the property owners of 4968 Cyprus Lane to present their proposed site plan for the property to the Council prior to appearing before the June 29, 2011 Special Magistrate Hearing. The Town Administrator explained that the Magistrate ordered the property owners to file their applications for a Land Use Amendment, Zoning change and Special Exception for a church prior to the June 29, 2011 hearing. The applicants would like Council to review the proposed plans prior to actual submittal in the event Council did not support their plans.

Although excusing themselves from any involvement in the Code Enforcement proceedings, Council authorized the Town Administrator to call for a Special Workshop on June 23, 2011 at 6:30 p.m. if needed.

Director of Public Services Joseph Roche addressed the Town Council. He had been requested to look into the cost of uniform trash receptacles for the Town. Neither Solid Waste Authority nor Southern Waste Systems supply the containers. He found a private vendor who would charge \$114.00 per container for a total cost of approximately \$66,006. This cost was exclusive of the Town logo being placed on the unit.

Council agreed the cost was prohibitive.

**Committee/Delegate Report**

Council Member Beavers announced he would be attending an Emergency Management meeting on June 15, 2011. He had attended the June 8, 2011 District II and District III Palm Beach County League of Cities meeting in Atlantis and the topic of discussion focused on ethics. As a Palm Beach County League Board Member, he chaired the meeting.

Lantana had extended an invitation to the Town to attend their July 2, 2011 90<sup>th</sup> Anniversary Celebration. He also noted that Wellington would be holding a 10 year anniversary of the 9-11 events on September 11, 2011 and the Town Council had been invited to attend.

Council Member Beavers had attended the annual hurricane conference at Palm Beach Atlantic and one of the exercises involved addressed the core values of the participants. Council Member Beavers used his Country as his most important core value and when it was his group's time to present, they sang the National Anthem resulting in a very moving moment for those in attendance.

**Treasurer's Report**

Included in packet. The Town Administrator announced that she would be providing a current financial statement that would include reclassifications of expenditures and approved budget amendments.

She announced the field work for the FY 2010 Audit has been completed.

Funding for the Inspector General's office would be based on each municipality's FY 2009 contract costs.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

Council Member Gordon asked those in the audience to introduce themselves. Ulysses Perry had just purchased 787 Briarwood Drive. Gary Arnold of 5324 Toronto was also present. He commented that all knew him as the "UPS Deliveryman". Council welcomed the residents to the meeting.

**ADJOURNMENT**

With no further business to come before Council, the meeting adjourned at 8:05 p.m.

Approved: June 23, 2011  
Date

  
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Janice C. Rutan, Town Administrator

  
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Jay G. Foy, Mayor