

Jay G. Foy, Mayor
James E. Woods, Vice Mayor
Jerry E. Beavers, Council Member
Lawrence Gordon, Council Member
Mark C. Uptegraph, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ December 15, 2011
7:00 p.m.
AGENDA

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF THE CONSENT AGENDA**
 - a. Approve Minutes of the November 17, 2011**
- VI. PROCLAMATIONS AND PRESENTATIONS**
 - a. Representative Mark Pafford**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. PUBLIC HEARING**
- X. FIRST READINGS AND REGULAR AGENDA:**
 - a. Consider changes to Building Department fee schedule**
 - b. Consider purchase of additional surveillance cameras**
- XI. REPORTS**
 - Town Attorney**
 - Mayor**
 - Consultants**
 - Town Administrator**
- XII. Committee/Delegate Report**
- XIII. Treasurer's Report (included in packet)**
- XIV. UNFINISHED BUSINESS**
- XV. NEW BUSINESS**
- XVI. 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 ~ December 15, 2011
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, December 15, 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, 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 Council Member Uptegraph.

APPROVAL OF AGENDA

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

APPROVAL OF THE CONSENT AGENDA

Approve Minutes of the November 17, 2011

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

PROCLAMATIONS AND PRESENTATIONS

Representative Mark Pafford addressed the Town Council. He reported that the legislative session would begin on January 10, 2012 and run through March 9, 2012. There were many items for consideration such as the recent redistricting, gambling in Palm Beach County and large budget deficits.

Council Member Beavers noted that at the Palm Beach County League District II and III luncheon held the day before, a straw poll was taken and those in attendance were in favor of bringing gambling to Palm Beach County. Concern was expressed over the potential adverse affect gambling would have on the Town of Haverhill through increased traffic, law enforcement and crime.

Mayor Foy commented that he was uncomfortable with the long term effect should gambling be approved. The short terms benefits would be construction and jobs created.

Vice Mayor Woods agreed adding his concern of it resulting in the widening of Belvedere Road.

Representative Pafford noted that there were still many unanswered questions such as who would receive the revenue and where and how it would be spent. He anticipated a lot of debate prior to the final decision.

Mayor Foy inquired as to whether there had been any talk about water quality issues at the legislative breakfast. He informed Representative Pafford of his concern that the standards being developed by the DEP and EPA will have major fiscal impacts on the Town of Haverhill.

There was a brief mention concerning the law suit against the State over the recently enacted gun legislation.

Council thanked Representative Pafford for his presentation.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

The Palm Beach County Sheriff's office reported on a house fire at 5470 Belvedere Road.

PUBLIC HEARING

None.

FIRST READINGS AND REGULAR AGENDA:

Consider changes to Building Department fee schedule

A proposed fee schedule was presented to the Town Council for consideration. Building Official Thomas Rodgers presented Staff's report. In response to mayor Foy, he stated that the proposed fees were in line and fairly consistent with other municipalities. He explained that many of the fees were based on the number of inspections required. Using a roof permit as an example, there were several required in progress inspections and as such, the fee had to cover the costs incurred by the Town to meet those requirements.

A question and answer period followed. Building Official Rodgers reported that the 2010 Building Codes would become effective March 15, 2012.

A motion was then made by Vice Mayor Woods, seconded by Council Member Gordon and unanimously passed (4-0) to adopt the revised building fees as presented (copy attached).

Consider purchase of additional surveillance cameras

The Town Administrator presented a proposal received for the installation of three additional security cameras. She explained that there had recently been a couple of incidents that warranted the additional cameras. Several weeks ago, attempts had been made to steal the aluminum bleachers and there was a blind spot in the parking lot that prevented recognition of the vehicle. In addition, she had to call the police to have a person removed from the lobby as they were becoming belligerent and although she could hear the voices she could not see who was in the lobby and as such felt a camera was needed in that location.

Discussion followed. The funds had not been budgeted and would need to be transferred from reserves.

A motion was then made by Vice Mayor Woods, seconded by Council Member Beavers and unanimously passed (4-0) to authorize a transfer of up to \$800.00 from reserves to be used for the purchase of an additional security camera from the front lobby area.

REPORTS

Town Attorney

Town Attorney Foster reported on a matter that had been brought to his attention by Director of Public Services Roche concerning officers from other jurisdictions issuing tickets within the Town of Haverhill. Attorney Foster had been in contact with Lieutenant Michael Reardon from the Palm Beach County Sheriff's office Traffic Division. Lieutenant Reardon explained that through the Palm Beach County Law Enforcement Agencies Combined Operational Assistance and Voluntary Cooperation Mutual Aid Agreements between the Sheriff's office and other jurisdictions, Traffic/DUI Saturation patrols were conducted throughout Palm Beach County on specific dates and times. Notices were posted and public service announcements were made informing the media of the planned Traffic/DUI Saturation Patrols. Lieutenant Reardon informed Attorney Foster that if the Town would want to restrict patrols within the Town, it should send its request in writing so that the Town's wishes were included in the public notices. Attorney Foster reported that traffic citations issued during these patrols would result in a fine and forfeiture credit to the Town.

Discussion followed. Public Services Director Joseph Roche expressed his concern that Belvedere Road was being singled out because of its 30 mph speed limit. He commented that during the day traffic units were in force issuing tickets and was not in favor of the added patrols. He suggested concentration be given to Haverhill Road as well.

The Town Council agreed they would welcome and appreciate the additional police presence within the Town and had no interest in opting out of the patrols.

Attorney Foster would relay the Council's message to Lieutenant Reardon and would inquire how the Town could receive notification of future patrols being conducted in the area.

Mayor

Mayor Foy reported on the tri cities bar b q and golf tournament held in Belle Glade and Pahokee.

Consultants

None.

Town Administrator

The Town Administrator reported on the request from **Trail Realty** that a temporary certificate of occupancy be issued for the China Chef Restaurant prior to the completion of the civil site as conditioned by Resolution 2010-11 authorizing the variance for the property.

After speaking with the Town Attorney, and meeting with the Town Planner, the Building Official and Town Engineer to discuss the request. approval for the issuance of a temporary certificate of occupancy would be granted upon receipt of a "tie-in" survey showing that the building, appurtenances or overhang did not encroach in the Town's right of way and that the following timetable for completion was adhered to:

- Sidewalks and rough grading would be completed by close of business on Friday, February 3, 2012
- Landscaping and final grading (to include record drawings and a letter from the Project Engineer certifying that the drainage was constructed as per the approved plans) would be completed by close of business on Friday, February 17, 2012
- Any and all remaining work and final blacktop would be completed by close of business on Friday, March 15, 2012

All final improvements as stated would need to be consistent with the plans, drawings, documents, analysis, recommendations, suggestions and conditions and final building plans as referenced in Resolution 2010-11.

Failure to meet the terms and conditions of the temporary certificate of occupancy would result in a fine being assessed against the property owner in the amount of \$150.00 per day, and could result in the revocation of the TCO. To ensure compliance and payment of the assessed fines, the Town Administrator was requesting a surety bond be filed with the Town in the amount of \$10,000.00.

The Town Administrator reported that the contract between the Town of Haverhill and **Southern Waste Systems** for the collection of solid waste and recycling would expire in September 2012. If the provision for the two year extension was to be exercised, the Town would need to enter into negotiations with Southern Waste Systems by March of 2012.

A letter had been received from **Tower Co.** informing the Town of their intent to renew the present lease for the ensuing five year term. The annual rent would be increased 15% as per the Agreement.

Committee/Delegate Report

Mayor Foy reported on his attendance at the Water Resources Task Force meeting and the new EPA requirements concerning the TMDL (Total Maximum Daily Load) requirements and the increase of the allowable parts per billion to be discharged. He also reported on the construction of a new water supply reservoir adjacent to the existing flood reservoir located at 20 mile bend. Construction was being funded from the Palm Beach County, Broward and Miami Dade Utility Companies.

The annual NPDES report was near completion. The consultant was waiting to address the new form requirements. Mayor Foy confirmed that it would not be a conflict of interest to sign the form on behalf of the Town as Mayor when he serves as the NPDES consultant for the Town of Atlantis.

Council Member Beavers reported on the District II and District III Palm Beach County League Meeting held in Atlantis the previous day. He noted that the Town of Lake Clarke Shores was having trouble enforcing vehicles under cover on private property and was seeking sample Ordinances from other municipalities.

The Lake Worth City Manager had been fired by a three to two vote at the City's Council meeting held on the previous Monday .

He had spoken to Representative Vanna concerning the impact fee website not being kept up to date; about the dangerous and confusing intersections at Southern Boulevard and both Haverhill and Military Trail; and the life safety issue should the County continue with plans to widen Belvedere Road.

Vice Mayor Woods reported on the success of the Neighborhood Yard Sale that was held on November 19, 2011.

Treasurer's Report

Included in packet

UNFINISHED BUSINESS

As a follow up to her earlier report, the Town Administrator confirmed that the present contract between the Town of Haverhill and Southern Waste Systems allowed for two 2 year extensions. **By general consensus of the Council, it was agreed that the Town Administrator would send a letter to Southern Waste Systems requesting their intention concerning the contract extension provision.**

NEW BUSINESS

None.

ADJOURNMENT:

With no further business to come before the Town Council, the meeting adjourned at 8:19 p.m.

Approved: January 12, 2012


Janice O. Rutan, Town Administrator


Jay G. Foy, Mayor