

Jay G. Foy, Mayor
James 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 ~ October 25, 2012
7:00 p.m.

- I. CALL TO ORDER
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF THE CONSENT AGENDA
 - a. Approval of the minutes for the September 27, 2012 Public Budget Hearing and Regular Meeting; approval of minutes for the October 11, 2012 Regular Meeting
- VI. PROCLAMATIONS AND PRESENTATION
- VII. COMMENTS FROM THE PUBLIC
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE
- IX. SECOND READINGS AND PUBLIC HEARINGS

None.
- X. FIRST READINGS AND REGULAR AGENDA
 - a. Consider lien reduction from \$12,450 to \$1,200 as requested by Bernadine Jones of Prodigy Capital on behalf of Registered Agent for S & U Investment, LLC, owner of property located at 1211 Haverhill Road.
- IX. REPORTS

Town Attorney
Mayor
Consultants
Town Administrator
Committee/Delegate Report
Treasurer's Report (included in packet)
- X. UNFINISHED BUSINESS
- XI. NEW BUSINESS
- XII. 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 ~ October 25, 2012

7:00 p.m.

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, October 25, 2012 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 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 present.

APPROVAL OF AGENDA

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

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes for the September 27, 2012 Public Budget Hearing and Regular Meeting; approval of minutes for the October 11, 2012 Regular 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 PRESENTATION

None.

COMMENTS FROM THE PUBLIC

None.

SECOND READINGS AND PUBLIC HEARINGS

None.

FIRST READINGS AND REGULAR AGENDA

Consider lien reduction from \$12,450 to \$1,200 as requested by Bernadine Jones of Prodigy Capital on behalf of Registered Agent for S & U Investment, LLC, owner of property located at 1211 Haverhill Road.

The Town Administrator offered Staff's Report. Although this matter had come before Council at their previous meeting, Bernadine Jones of Prodigy Capital requested Council reconsideration of the request.

Joseph Roche, Director of Public Services gave Council a background of the property's history before Code Enforcement and the Special Magistrate. The property came into compliance on May 31, 2012, but prior to that a lien had been running on the property at \$100.00 per day for 114 days.

Bernadine Jones, representing Prodigy Capital, acting on behalf of the authorized agent for the property addressed the Town Council. She noted that the property cost approximately \$110,000 and they had put in close to \$35,000 worth of repairs. They would like to complete the project but because of the liens, they were unable to obtain a permit.

Discussion followed.

A motion was made by Vice Mayor Woods and seconded by Council Member Uptegraph to settle somewhere in the middle and authorize a lien reduction from \$12,450 to \$6,825.

Mayor Foy understood the methodology used by Vice Mayor Woods but expressed his concern over penalizing persons who have brought property in the Town, brought the property into compliance and rehabilitated the property for the betterment of the Town.

Council Member Gordon noted that there had been three figures on the table from the previous meeting, including Vice mayor Woods most recent motion. The average of the three Council suggestions (\$5,000., \$2,500., and \$6,825.) would be \$4,775.00

Council Member Gordon moved to amend the motion to allow for a lien reduction from \$12,500 to \$4,775.00. The motion to amend was seconded by Council Member Uptegraph. Mayor Foy called for the vote to amend the motion. The vote to amend the motion passed 3-2 with Vice Mayor Woods and Council Member Beavers voting against the motion to amend.

Mayor Foy then called for the vote on the motion to authorize a lien reduction from \$12,450. to \$4,775. for the property located at 1211 Haverhill Road as requested by Bernadine Jones of Prodigy Capital on behalf of the registered agent for S&U Investment, owner of record for 1211 Haverhill Road. The motion passed 3-2 with Vice Mayor Woods and Council Member Beavers voting against the motion.

REPORTS

Town Attorney

Attorney Foster reported on a conversation that he had with Attorney Peter Broberg of Palm Beach on behalf of Misfits Animal Rescue (Sandra Vannech). Attorney Broberg was clarifying the Town's position on his client's request to house her foster animals at the property located at the corner of Concord and Belvedere Road.

Attorney Foster explained to Attorney Broberg that the property in question was located in the R-1 residential district in which the only permitted use was that of a single family residence. He recommended his client first establish a single family residency and then house the dogs instead of trying to make the property conform to a single family residency secondary to a kennel for sheltered dogs.

Mayor

Mayor Foy announced that the Town, for a second year in a row, had been recognized by the Palm Beach County Literary Coalition, for having read to the most students by the most officials during the October 4, 2012 "Read for the Record" event. He pointed to the basket of books the Town received from the Coalition.

Mayor Foy reported that through NPDES, the Town may not be required to adopt a fertilizer ordinance. The Town Planner had drafted an opinion regarding the NPDES program that was reviewed at Code and Ordinance. Construction at Sunset Isles was well underway. He and other Staff members had participated in a golf tournament over the prior weekend benefitting the APWA Scholarship Fund.

Consultants

None.

Town Administrator

None.

Committee/Delegate Report

Vice Mayor Woods reported on the Halloween Event scheduled for Tuesday, October 30, from 6:00 - 8:30 p.m.

Council Member Beavers offered that Harry Porter, a resident of Briarwood would be volunteering at the Halloween Event. He reported on the League of Cities General membership meeting and the discussions that took place regarding public records; increase in impact fees; candidates campaigning; Delray Beach's false unemployment claims; identity theft; the Town's recognition by the Literacy Coalition.

He suggested that the Town consider giving the books received from the Literacy Coalition as prizes during the Halloween Event. It was the general consensus of Council that the schools and daycares would be a better recipient of the books and the books should be distributed equally to each location.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

None.

NEW BUSINESS

As a follow up to Council Member Beaver's earlier comments, the Town Administrator reminded all Council Members that as elected officials, their personal information was available to the public should a request be made. If they fall under the exemptions allowed by law, they would need to notify her office in writing that they were exempt from public disclosure.

PALM BEACH COUNTY SHERIFF'S OFFICE

The Palm Beach County Sheriff's office reported on the statistics for Haverhill for the period October 11 through October 24, 2012. There had been 4 vehicle crashes during that time frame, one with injuries.

It was reported that there had been an increase in accidents at the intersection of Belvedere and Haverhill Roads. Specifics were not available as to the cause of the accidents but it was agreed that the Town Administrator would look into the matter to determine if there were a common denominator for the crashes. It was suggested the speed limit along Haverhill Road be reduced to 30 mph.

NEW BUSINESS (cont.)

The Town Administrator reported that Rick Volpe, of Wynn and Sons was working with the Town Engineer and would be making a proposal to Council at the November workshop for the resurfacing of the roads in the Briarwood subdivision.

ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 7:40 p.m.

Approved: November 15, 2012



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor