

Jay G. Roy, 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 ~ December 13, 2012**  
**7 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**
- 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. Receive and file Code and Land Development Regulation Review Report as part of the NPDES Permitting Requirements**
  - b. Consider lien reduction from \$13,350 to \$6,350 as requested by Cory Edwards of Keller Williams, on behalf of Fannie Mae Bank, owner of property located at 930 Briarwood Drive**
  - b. Consider request to accept tower and equipment from SBA Communications Corporation**
  - c. Approve Resolution R2012-08 calling for the Municipal Election and approving the Agreement between the Town of Haverhill and the Supervisor of Elections**
  - d. Approve Resolution R2012-09 Resolution calling for the Run Off Election if needed**
  - e. Review and ratify Administrator's Policy and Procedure Memo regarding Ethics Training**
  - f. Announce January 8, 2013 Workshop date**
- 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 ~ December 13, 2012  
Official Minutes**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, December 13, 2012 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 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 with the exception of Vice Mayor Woods.

**APPROVAL OF AGENDA**

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

**APPROVAL OF THE CONSENT AGENDA**

None.

**PROCLAMATIONS AND PRESENTATION**

None.

**COMMENTS FROM THE PUBLIC**

None.

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

It was reported that there had been several attempted burglaries on Pineway Drive. One house had been broken into and the detectives were able to retrieve DNA which may lead to an arrest. The neighborhood was now vigilant in looking out for and notifying police of any suspicious activity.

There had been several auto accidents and domestic disturbances reported.

**SECOND READINGS AND PUBLIC HEARINGS**

None.

**FIRST READINGS AND REGULAR AGENDA**

**Receive and file Code and Land Development Regulation Review Report as part of the NPDES Permitting Requirements.**

The Town Administrator offered Staff's Report. This report had been prepared in response to the National Pollutant Discharge Elimination System (NPDES) issued by the Department of Environmental Protection; each municipality must conduct an inter-departmental review of the permittees' local codes and land development regulations to determine where changes could be made to storm water impact.

**A motion was then made by Council Member Uptegraph, seconded by Council Member Lawrence and unanimously passed (4-0) to receive and file the Code and Land Development Regulation Review Report dated November 16, 2012 as completed by Chris Barry of Jon Schmidt and Associates, Inc.**

**Consider lien reduction from \$13,350 to \$6,350 as requested by Cory Edwards of Keller Williams, on behalf of Fannie Mae Bank, owner of property located at 930 Briarwood Drive**

Joseph Roche, Director of Public Services provided Staff's report. He explained that the vacant lot had not been mowed and that liens were placed on the property.

Cory Edwards of Keller Williams addressed the Town Council. He explained that the property was owned by the bank and there was a contract on the property. He requested the lien of \$13,350 be reduced to \$2,000.

It was the recommendation of Joseph Roche that the lien be reduced to \$6,350.00, and that the request was supported by a letter from Mr. Edwards asking for a reduction to that amount.

**A motion was then made by Council Member Gordon, seconded by Council Member Uptegraph and unanimously passed to approve a lien reduction to \$6,350 as requested by Corey Edwards of Keller Williams, on behalf of Fannie Mae bank, owner of property located at 930 Briarwood Drive.**

**Consider request to accept tower and equipment from SBA Communications Corporation**

The Town Administrator presented Staff's Report. She had been contacted by Richard Taylor of SBA. The tower, originally owned by Tower Co., had been assigned to SBA. Mr. Taylor informed the Town Administrator that the tower site had been marked for termination review. As such, they were inquiring if the Town would be interested in acquiring the tower and building on the site offering the Town a potential opportunity to lease space on the tower. The tower would be given to the Town at no cost.

Discussion followed as to the extent of the liability if the Town were to own the tower as well as the value of the tower. The Town would need to consider its liability vs. the value of the tower. The depreciation of the tower was unknown as well. It was estimated the cost to remove the tower to be \$18,000 - \$30,000.

It was agreed that Town Administrator would research the offer further including if other tower companies were in the market to manage and/or lease the tower on behalf of the Town.

A report from the Town Administrator would be forthcoming.

**Approve Resolution R2012-08 calling for the Municipal Election and approving the Agreement between the Town of Haverhill and the Supervisor of Elections**

The title was read by Attorney Foster.

**A motion was made by Council Member Uptegraph, seconded by Council Member Lawrence and unanimously passed (4-0) to approve Resolution R2012-08 as follows:**

**A RESOLUTION ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, DESIGNATING THE DATE, TIME AND PLACE FOR FILING FOR THE OFFICES FOR THE POSITION OF TOWN COUNCIL SEATS 3, 4,**

**AND 5 PRIOR TO THE MUNICIPAL ELECTION TO BE HELD TUESDAY, MARCH 12, 2013; SETTING THE DATES AND TIMES TO QUALIFY FOR PUBLIC OFFICE; SETTING THE FILING FEES; APPOINTING AN ELECTION CANVASSING BOARD FOR PRECINCT NUMBERS 2046, 7136, AND 7140; AUTHORIZING THE TOWN ADMINISTRATOR TO NOTIFY THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS OF HER, OR HER DESIGNEE'S APPOINTMENT TO SERVE AS A MEMBER OF THE MUNICIPAL CANVASSING BOARD AND TO HANDLE AND CANVASS ALL TOWN ABSENTEE BALLOTS AND TO AUTHORIZE THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS TO CONDUCT ALL LOGIC AND ACCURACY TESTS FOR THE MUNICIPAL ELECTION TO BE HELD MARCH 12, 2013.**

**Approve Resolution R2012-09 Resolution calling for the Run Off Election if needed**

The title was read by Attorney Foster.

**A motion was made by Council Member Uptegraph, seconded by Council Member Lawrence and unanimously passed (4-0) to approve Resolution R2012-08 as follows:**

**A RESOLUTION ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, DESIGNATING THE DATE, TIME AND PLACE FOR THE MUNICIPAL RUN OFF ELECTION (IF NEEDED) FOR THE OFFICE OF TOWN COUNCIL, SEATS 3, 4, AND 5 TO BE HELD ON TUESDAY, MARCH 26, 2013.**

**Review and ratify Administrator's Policy and Procedure Memo regarding Ethics Training**

The Town Administrator offered Staff's report. The Commission on Ethics had requested all municipalities adopt a policy concerning ethics training for elected officials, staff and town Council appointment Boards and Committees.

The policy as presented to Council by the Town Administrator was reviewed by the Town Council. **A motion was made by Mark Uptegraph, seconded by Lawrence Gordon and unanimously passed to accept and ratify the Policy and Procedure memo regarding Ethics Training.**

**Announce January 8, 2013 Workshop date**

Because the first Tuesday of the month fell on New Year's Day, it was announced that the monthly workshop would be held on Tuesday, January 8, 2013.

## **REPORTS**

### **Town Attorney**

Attorney Foster reported that Lance Fuchs would be in attendance at the January 10, 2013 meeting.

### **Mayor**

Mayor Foy reported that the Town was successful in its efforts to have the Belvedere Road/Military Trail intersection improvements removed from the County's five-year road program. The right hand turn lane at Military and Haverhill Roads was moving forward though.

He reported on the success of the mayor's lunch that had been held December 11th.

**Consultants**

None.

**Town Administrator**

The Town Administrator reported that notices had been sent to the Town residents reminding them to be aware of their surroundings during the holiday season when crime is known to increase.

Briarwood repaving was underway and almost completed. It was estimated the resurfacing will last a minimum of 15 years.

A brief discussion on the Haverhill Baptist Church use ensued. Mayor Foy requested a Code and Ordinance Committee meeting be scheduled.

The Town Administrator distributed forms to Council Members that they would need to complete and file with her office if they qualified for an exemption from public disclosure.

**Committee/Delegate Report**

Council Member Beavers reported on the Palm Beach County legislative delegation meeting held the prior day. Representative Pafford spoke on pension plans, slot machines and business tax receipts. Other discussions included sober houses and homeowner's insurance.

**Treasurer's Report**

Included in packet.

**UNFINISHED BUSINESS**

Mayor Foy announced that the Town of Haverhill, along with the City of Atlantis and SWS, would be sponsoring the January 23, 2013 Palm Beach County League of Cities Meeting at Atlantis Country Club.

He also reported on the golf tournament held at the Tri Cities Bar b q in Pahokee on December 5, 2012.

**NEW BUSINESS**

Council Member Gordon relayed his wife's request that the Town put up holiday decorations for the 2013 holiday season.

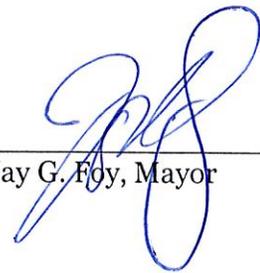
Council Member Beavers reported that the Mayor of Palm Beach owns the West Palm Beach restaurant ER Bradley's and that each business day begins with reciting the Pledge of Allegiance.

**ADJOURNMENT**

With no further business to come before the Town Council, the meeting was adjourned at 8:00 p.m.

Approved: January 10, 2013

  
Janice C. Rutan, Town Administrator

  
Jay G. Foy, Mayor