

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 OF HAVERHILL**  
Regular Town Council Meeting  
Thursday, August 28, 2014  
Town Hall – 4585 Charlotte Street  
**AGENDA**

- I. CALL TO ORDER
- II. INVOCATION AND PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. COMMENTS FROM THE PUBLIC
- V. APPROVAL OF AGENDA
- VI. APPROVAL OF THE CONSENT AGENDA
  - a. Approval of the minutes of the August 7, 2014 Workshop and the August 14, 2014 Regular Meeting
- VII. PRESENTATIONS AND PROCLAMATIONS
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT
- IX. SECOND READINGS AND PUBLIC HEARINGS

RESOLUTION 2014-07: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, LEVYING A NON-AD VALOREM SPECIAL ASSESSMENT FOR RESIDENTIAL PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF HAVERHILL AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, TO FUND SOLID WASTE COLLECTION AND DISPOSAL AND RELATED CHARGES WITHIN THE TOWN, COLLECTING SUCH PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS; APPROVING, CONFIRMING, AND ADOPTING THE NON-AD VALOREM ASSESSMENT ROLL, INCORPORATED HEREIN AS EXHIBIT "B"; PROVIDING THAT SUCH ASSESSMENTS SHALL CONSTITUTE LEGAL, VALID, AND BINDING FIRST LIENS UPON PROPERTY AGAINST WHICH ASSESSMENTS ARE MADE UNTIL PAID; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- X. FIRST READINGS AND REGULAR AGENDA
  - a. Consider request for lien reduction at 4653 Grove Street
  - b. Discuss FEMA Flood Maps
  - c. Consider budget proposed for FY 2014/2015
- XI. REPORTS
  - Town Attorney
  - Mayor
  - Consultants
  - Administrator's Report
  - Committee/Delegate Report
  - Treasurer's Report (included in packet)

**XII. UNFINISHED BUSINESS**

**XIII. NEW BUSINESS**

**XIV. 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, CMC, 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 ~ August 28, 2014  
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, August 28, 2014 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; James Woods, Vice Mayor; Jerry Beavers, Council Member, Lawrence Gordon, Council Member and Mark Uptegraph, Council Member. Also present were Town Attorney John Foster; Town Administrator Janice Rutan and Director of Public Services, Joseph Roche.

**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.

**COMMENTS FROM THE PUBLIC**

**Loveda Anderson, 620 Ontario Road.** Ms. Anderson addressed Council about her neighbors that she believed were living in a trailer on their property. In addition, she complained that they had unregistered vehicles on their property.

Joseph Roche, Director of Public Services explained to Ms. Anderson that there were certain protocols involved with Code Enforcement and he was following all regarding this property.

She stated she did not want to see her property value deteriorate because of her neighbors.

**APPROVAL OF AGENDA**

**With no additions, deletions or substitutions, a motion was made by Council Member Beavers, seconded by Vice Mayor Woods and unanimously passed (5-0) to approve the agenda as presented.**

**APPROVAL OF THE CONSENT AGENDA**

**Approval of the minutes for the August 7, 2014 workshop and the August 14, 2014 regular meeting.**

**A motion was made by Council Member Uptegraph, seconded by Vice Mayor Woods, and unanimously passed (5-0) to approve the consent agenda as presented.**

**PROCLAMATIONS AND PRESENTATION**

**None.**

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

Officer Christopher Siew was present on behalf of the Palm Beach County Sheriff's office. He reported on burglaries that took place in Park Hill Estates and another on Belvedere Road.

Council commented that the PBSO detail was doing a good job for the Town.

When asked about the internet claim that a “Purge” would be taking place on September 1, 2014 in Palm Beach County, Officer Siew commented that although they believe it to be a hoax, the Sheriff’s office was adding additional patrols and all units had been put on notice that there may be issues that evening because of the publicity.

It was explained that the supposed “Purge” was based on a movie with the same name. It centered on a lawless Town and the crime spree that resulted because of there being no enforcement. The internet was posting that the City of West Palm Beach would not be enforcing laws and that all crime would be legal in the city on September 1, 2014 from midnight to 6:00 a.m.

Officer Siew suggested that all should stay home that evening to err on the side of caution.

A brief discussion regarding abandoned properties within the Town followed.

**Loveda Anderson** commented that she had received a phone call from someone representing themselves at the VA asking for her social security number, etc. She was concerned that they were committing fraud.

## **SECOND READINGS AND PUBLIC HEARINGS**

**RESOLUTION 2014-07: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, LEVYING A NON-AD VALOREM SPECIAL ASSESSMENT FOR RESIDENTIAL PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF HAVERHILL AS MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO, TO FUND SOLID WASTE COLLECTION AND DISPOSAL AND RELATED CHARGES WITHIN THE TOWN, COLLECTING SUCH PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS,; APPROVING, CONFIRMING, AND ADOPTING THE NON-AD VALOREM ASSESSMENT ROLL, INCORPORATED HEREIN AS EXHIBIT “B”; PROVIDING THAT SUCH ASSESSMENTS SHALL CONSTITUTE LEGAL, VALID, AND BINDING FIRST LIENS UPON PROPERTY AGAINST WHICH ASSESSMENTS ARE MADE UNTIL PAID; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

The title was read by Attorney Foster.

Mayor Foy explained that the Resolution was to cover the costs of the solid waste and recycling services offered.

**A motion was made by Vice Mayor Woods and seconded by Council Member Gordon to approve Resolution 2014-07.**

Mayor Foy opened the floor to public comment.

**Ray Caranci, 819 Mimosa Court** addressed the Town Council. He expressed his disappointment with the present contractor (SWS) reporting on several problems they have experienced. Mr. Caranci went on to say that the trucks often leak and had a strong odor. In addition they leave debris behind and he was concerned that they were comingling recyclables with trash.

He then went on to complain about the increase in the rates. He explained that he was afraid that they will no longer be able to afford to live in their home due to all of the increases from all of the agencies, not just Haverhill.

Mayor Foy explained that the Town needed to pass on the increase to the residents. One of the reasons for the increase was due to the large lots in Haverhill and the excess amount of vegetation resulting from the larger lots in Haverhill. In response to Mr. Caranci's complaints about the contractor, he explained that the Town has had several conversations with SWS and many of the issues have been addressed.

**Scott Hayes, 819 Mimosa Court.** Mr. Hayes concurred with Mr. Caranci with regard to the service and the increase in rates.

**With no further comments, the vote was called and passed unanimously 5-0.**

#### **FIRST READINGS AND REGULAR AGENDA**

##### **Consider request for lien reduction at 4653 Grove Street**

Council considered the letters received from DM Enterprise of the Palm Beaches and their Attorney requesting a lien reduction for the property they purchased at 4653 Grove Street. It was explained that they had purchased the property at a tax sale. They were offering to settle the Town's lien in the amount of \$2,625 in exchange for the Town's release of the lien. Mr. Eulises Ibarra was present representing DM Enterprise of the Palm Beaches.

Attorney Foster explained that this would be paid in return for the release of the lien on the property located within the Town of Haverhill, however, the outstanding liens would continue on all the other properties owned by the former owner.

The offer of \$2,625 would make the Town whole and would cover the actual expenses the Town had incurred while mitigating this property.

Attorney Foster explained that the Town had filed a claim for the total amount of the lien with the Clerk of Court in an attempt to be to be paid from the proceeds of the sale. There were other lienholders before the Town.

With that said, Attorney Foster stated that it would be staff's recommendation to accept the offer from DM Enterprises in the amount of \$2,625 to partially release the lien and place the funds in escrow. Should the Clerk of Courts be able to recover the full amount of the lien in favor of the Town, the Town could then return the funds to DM Enterprise of the Palm Beaches.

**A motion was then made by Vice Mayor Woods, seconded by Council Member Uptegraph and unanimously (5-0) passed to accept Staff's recommendation and accept the amount of \$2,625 in return for a partial release of lien for the property located at 4653 Grove Street.**

##### **Discuss FEMA Flood Maps**

Mayor Foy reported that the revised preliminary flood maps had been delivered and that they did not reflect the 10' DEMs as promised. He would be attending a meeting on September 8, 2014 with AECOM and FEMA representatives at which time he will address the discrepancies. He also noted that the Palm Beach group will be looking for amendments to the preliminary maps and will most probably appeal.

##### **Consider budget proposed for FY 2014/2015**

The Town Administrator presented the proposed budget to Council for its consideration in setting the millage rate. The budget was presented using a 4.0000 millage rate; a 4.2500 millage rate and

a 4.5000 millage rate. She explained using the COLA to set the millage did not differ much from the 4.0000 rate.

She also included \$200,000 for the Park Land and Cyprus Lane drainage project. She cautioned Council that it was the total amount being budgeted for all drainage issues.

Mayor Foy suggested the amount set aside for FEMA FIRM should be reduced to \$5,000 explaining that if the Town were to appeal the maps, it would not begin until the next fiscal year.

Vice Mayor Woods stated that the Town has done a good job and has managed to keep the millage at 4.0000 for several years. However, the drainage issues must be addressed and the millage should be increased to allow for those improvements.

**Loveda Anderson, 620 Ontario Place** concurred that the Town does a good job.

Council Member Gordon agreed with Vice Mayor Woods but it would be his preference not to increase the millage rate and have it remain at 4.0000.

**Ray Caranci, 819 Mimosa Court** commented that increased services should come with increased taxes. He asked for Council to consider not only their own tax increase, but the increases from all the County services that the residents have to pay on their tax bill. He noted that taxes had already increased due to the property appraiser's increase in property values.

## **REPORTS**

### **Town Attorney**

None.

### **Mayor**

The Mayor reminded all that the Mayor's Literacy Luncheon would be held on September 17, 2014. Vice Mayor Woods and Council Member Uptegraph would be joining the Mayor at the luncheon.

### **Consultants**

None.

### **Administrator's Report**

The Town Administrator reported that the Town Hall would be closing the next day at 3:00 p.m. to allow employees a jump on the holiday weekend.

She had been in contact with ATS and they were moving forward with removing the red light camera equipment.

The Town Administrator was looking for direction in negotiating the terms of a lease for the tower in the ball field should Verizon's interest come to fruition. She had been in contact with Jason Sawyer and he was hoping the Council would suggest a rental amount that he could present to Verizon.

Attorney Foster explained that the Town had been offered \$18,000 per year and that when considering the terms of the lease, the Town needs to be sure that all lessees are being treated equally in both the annual rent payment and in length of the terms. He added that Wall Street was reporting very high values for cell towers.

The Town Administrator agreed to poll other municipalities that have cell leases with Verizon to determine amount and length of lease.

**Committee/Delegate Report**

Vice Mayor Woods reported that the Special Events Committee had begun to meet to plan for the annual Halloween Event on October 31, 2014.

Council Member Beavers reported that the topic of Ebola was discussed at the Emergency Management meeting.

Council Member Beavers reported that the following items had been discussed at the Palm Beach County League of Cities meeting:

- Susan Haney had been elected 2<sup>nd</sup> Vice President of the League
- Code Enforcement liens
- 10 media relationship tips
- Technology and its move to the cloud
- Inspection Services and Plan Review
- Guest Speaker Bill Strickland and his book “ How to Make the Impossible Possible”
- The C-51 Reservoir Project
- Treasure Coast Regional Planning Council
- Mandatory 4 hour ethics an sunshine law training for elected officials
- The Code of Ethics to be signed by all Town employees and officials

**Treasurer’s Report**

Included in packet.

**UNFINISHED BUSINESS**

None.

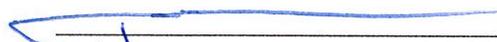
**NEW BUSINESS**

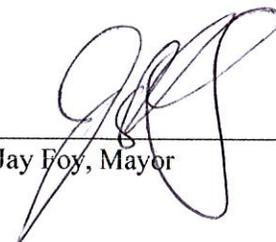
None.

**ADJOURNMENT**

With no further business to come before the Town Council, the meeting adjourned at 8:30 p.m.

Approved: September 25, 2014

  
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Janice C. Rutan, Town Administrator

  
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Jay Foy, Mayor