

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 ~ August 27, 2015**  
**7:00 p.m.**

- 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 for the August 4, 2015 workshop and the August 13, 2015 regular meetings
- VII. PROCLAMATIONS AND PRESENTATION
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE
- IX. SECOND READINGS AND PUBLIC HEARINGS
  - a. **RESOLUTION 2015-04: 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 proposals for engineering services
  - b. Approve proposal for continuing engineering services related to the Town's NPDES program
  - c. Consider Site Plan amendment for change in signage at Kingdom Hall of Jehovah Witness

- d. **Review Section 2.03. Vacancies, Town of Haverhill Charter and consider action regarding same.**
- e. **Reorganization of Town Council**
- f. **Adopt new corporate Resolutions for Bank United and TD Bank**

**XI. REPORTS**

**Town Attorney**

**Mayor**

**Town Administrator**

**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, 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 27, 2015**  
**7:00 p.m.**  
**OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, August 27, 2015 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; Jerry Beavers, Council Member; and Mark C. Uptegraph, Council Member. Also present were Town Attorney John Foster, 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 present.

**COMMENTS FROM THE PUBLIC**

None.

**APPROVAL OF AGENDA**

The Town Administrator reported that there would be no discussion regarding the site plan approval as the sign amendment was still within the Ordinance requirements and would not require Council approval. A motion was then made by Council Member Gordon, seconded by Council Member Uptegraph and unanimously passed (4-0) to approve the agenda as amended.

**APPROVAL OF THE CONSENT AGENDA**

Approval of the minutes for the August 4, 2015 workshop and the August 13, 2015 regular meeting.

A motion was made Council Member Uptegraph seconded by Council Member Gordon and unanimously passed (4-0) to approve the consent agenda as presented.

**PROCLAMATIONS AND PRESENTATION**

None.

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

Mike Simone was present representing the Palm Beach County Sheriff's office. He reported that for the most part things had been quiet other than a burglary on August 24, 2015 to a vehicle on Park Hill Drive. The suspects had been apprehended.

There had been 45 traffic stops during the prior two week period.

**SECOND READINGS AND PUBLIC HEARINGS**

**RESOLUTION 2015-04: 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 opened the public hearing. There being no one present, the public hearing was closed.

Council Member Beavers reported that the cities of Clearwater and Tallahassee had reduced their trash and recycling services from twice weekly to once per week. Mayor Foy reminded all that when the Town released the bid they asked for proposals for both once and twice weekly. It had been Council's decision to keep the twice weekly pick up partly due to the large lots in town and the amount of vegetation.

The Town Administrator reminded all that the contract would be up for re bid in October of 2016 and the matter could be considered at that time.

**A motion was then made by Council Member Uptegraph, seconded by Council member Gordon and unanimously passed (4-0) to approve Resolution R2015-04.**

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

##### **Consider proposals for engineering services**

The Town Administrator presented Staff's report. She explained that per the request of the Town Council, she had contacted four (4) individuals/firms to provide the Town with a proposal to perform engineering services for the Town on an as needed basis. She and Joseph Roche, the Director of Public Services met with James Barton (FTC), Chad Gruber, Tom McCarthy and Todd McLeod (McLeod and McCarthy & Associates, P.A.), and Rebecca Travis and David Mathews (Mathews Consulting). We received proposals from all but Mr. Gruber.

Attorney Foster explained the requirements of the CCNA as it related to engineering services and the minimum thresholds required for projects to go out for bid. The Town did not meet those thresholds therefore, these proposals were obtained through solicitation on staff's part and had not been advertised.

She introduced those in the audience. All persons and firms that had submitted proposals for consideration were present and would be available to answer any questions the Council might have.

The Town Administrator explained that all firms had experience working with municipalities in many of the same areas of concern the Town is now facing, however, McLeod and McCarthy had the most experience with smaller municipalities specific to drainage and aging infrastructure that would better serve the needs of the Town. The qualifications of the firm and what they could offer the Town was the basis for staff's recommendation that the Town Council appoint McLeod and McCarthy to serve as the Town's Engineers on an as needed basis.

**A motion was then made by Council Member Uptegraph, seconded by Council Member Beavers and unanimously passed (4-0) to nominate Lawrence Gordon to serve as Vice Mayor for the Town of Haverhill through March 2016.**

**Adopt new corporate Resolutions for Bank United and TD Bank**

**A motion was made by Council Member Uptegraph, seconded by Council Member Gordon and unanimously passed (4-0) to pass Corporate Resolutions with Bank United and TD Bank appointing Lawrence Gordon as an authorized signor on the Town's accounts (replacing James Woods) resulting in the following persons authorized to sign:**

- **Jay G. Foy**
- **Lawrence Gordon**
- **Janice C. Rutan**

**REPORTS**

**Town Attorney**

Attorney Foster fondly reflected on the memory of former Vice Mayor James Woods.

He next reported on the regulation of sober homes and that he would be presenting a proposed Ordinance for the Town Council to consider that would hold up in the court of law as it would address the regulation through reasonable accommodation.

It was confirmed a Code and Ordinance Committee meeting had been scheduled for September 10, 2015 at noon.

**Mayor**

Mayor Foy reported that the Mayors of the City of Palm Beach Gardens and the Town of Lantana had acknowledged the passing of Vice Mayor Woods during their opening comments at each of their Council meetings. He had sent each a letter of appreciation.

He spoke briefly on the failing infrastructure, not only for the Town, but Countywide, and budgeting concerns to make the required repairs.

The Mayor' Literacy Luncheon would be held September 16, 2015 at the Flagler Steakhouse at the Breakers. The Mayor and 1 guest were invited.

Council Member Beavers reported on a local gas station that carries non ethanol gas that could be used for generators.

**Town Administrator**

The Town Administrator announced that the Council had been invited to St. Christopher's 50<sup>th</sup> Anniversary on September 20, 2015. Council requested a Proclamation acknowledging the anniversary be presented for their consideration at the meeting of September 10, 2015.

**Committee/Delegate Report**

Council Member Gordon reported on his attendance at the Florida League of Cities Conference he had attended in Orlando. He had found it to be extremely informative. He had attended the meeting of the Black Caucus. He commented that attending the conference was time well spent.

Council Member Beavers inquired as to whether the Town had ever considered implementing impact fees and if so, would the money be put to the general fund. A discussion followed. He then asked if Building Permit fees were restricted to use only for the Building Department. They were not.

A discussion followed regarding the proposed sales tax and who would be most affected, the lower class or wealthy. Mayor Foy had done research reporting that the lower income spend approximately 21 percent to the wealthy's 1% of income.

Council Member Beavers reported on the League of Cities Board meeting held the previous day. There had been discussion on by laws; commission on ethics changes; the Palm Beach County Ordinance on Human Trafficking and the Palm Beach County Sheriff's presentation on care givers.

Council Member Beavers then spoke on the benefits of medical marijuana and invited the Council to visit the website "marijuana miracle".

He noted there was a vacancy on the water resources task force.

**Treasurer's Report**

Included in packet.

**UNFINISHED BUSINESS**

There was a discussion regarding the plantings in the Emerald Cove retention area.

**NEW BUSINESS**

Discussion ensued regarding dedicating the pavilion to James Woods to recognize his countless hours serving as the Chair of the Special Events Committee and all the events held under the pavilion.

Signage was discussed and Attorney Foster offered to work with the Town in that regard.

**ADJOURNMENT**

With no further business to come before the Town Council, the meeting adjourned at 8:25 p.m.

Approved: September 10, 2015

  
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Janice C. Rutan, Town Administrator

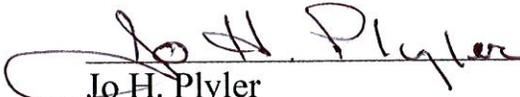
  
\_\_\_\_\_  
Jay G. Foy, Mayor

CONSTITUTION OF THE STATE OF FLORIDA  
ARTICLE II – SECTION 5

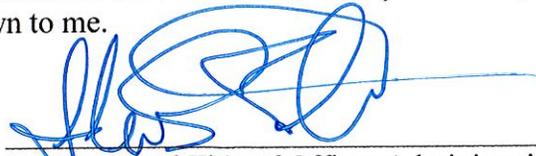


## OATH OF OFFICE

*“I, Jo H. Plyler, do solemnly swear that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the State; and that I will well and faithfully perform the duties of Town Council Member, Seat 2 on which I am now about to enter. So help me God.”*

  
\_\_\_\_\_  
Jo H. Plyler  
Town of Haverhill Council Member  
Seat 2

The above Oath was sworn to and subscribed before me this 10<sup>th</sup> day of March, 2015 by Jo H. Plyler who is personally known to me.

  
\_\_\_\_\_  
Signature and Title of Officer Administering  
John F. Foster, Town Attorney

