

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, June 12, 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 May 6, 2014 and June 3, 2014 Workshops and May 8, 2014 Regular Meeting
- VII. PRESENTATIONS AND PROCLAMATIONS
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT
- IX. SECOND READINGS AND PUBLIC HEARINGS
- X. FIRST READINGS AND REGULAR AGENDA
 - a. Update on Non Ad Valorem Assessment Schedule
 - b. Renew Cooperation Agreement for Participation in the Urban County Program for FY 2015-2017
 - c. Release Subdivision Bond in favor of Sunset Isles in the amount of \$46,602.03 for the earthwork, paving, drainage, water and sewer
 - d. Appoint Voting Delegate for the August 14-16, 2014 Annual Florida League of Cities Conference in Hollywood, Florida
- 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 OF HAVERHILL
Regular Town Council Meeting
Thursday, June 12, 2014
Town Hall – 4585 Charlotte Street
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, June 12, 2014 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; James E. Woods, Vice Mayor and Jerry Beavers, Council Member and Council Member Lawrence Gordon. Also present were Town Attorney Lance Fuchs, 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

None.

APPROVAL OF AGENDA

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

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes of the May 6, 2014 and June 3, 2014 Workshops and May 8, 2014 Regular Meeting

A motion was made by Vice Mayor Woods, seconded by Council Member Gordon and unanimously passed (5-0) to approve the Consent Agenda as presented.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Deputy Leroy Gray was present at the meeting. It was explained that he was working the Haverhill detail and was asked to present the crime statistics for the previous two week period to the Council. For the period May 22, 2014 to June 12, 2014 there had been 3 alarms; 4 domestic calls, 1 drunk and disorderly, 1 warrant, 1 vehicle, 3 traffic stops, 1 trespass. 139 checks to businesses and residences, 84 traffic stops and several calls for service. There were 14 suspicious incidents with no case number assigned. Deputy Gray explained that misdemeanors generate a case number.

Director of Public Services, Joseph Roche expressed his appreciation to the Palm Beach County Sheriff's office and commented that it was his privilege to work so closely with them.

Sergeant John Prieschel was present at the meeting, but did not address Council.

Council expressed their appreciation to the PBSO.

PRESENTATIONS AND PROCLAMATIONS

None.

SECOND READINGS AND PUBLIC HEARINGS

None.

FIRST READINGS AND REGULAR AGENDA

Update on Non Ad Valorem Assessment Schedule

The Town Administrator presented Council with the upcoming calendar and recommendation for the adoption of the non ad valorem assessment rates for the 2014/2015 fiscal year.

She explained the two year extension entered into with Southern Waste Systems raised the per unit cost for solid waste and recycling services to \$18.48 per month.

In figuring the 2014/2015 FY assessment, she recommended Council assess each property owner \$234.00 per unit broken down as follows:

Per household cost:	\$221.76
Discount average	8.84
Administrative costs	3.40 (1% to Clerk of Court, \$650 Prop. Appraiser; SWA not yet known - actual costs plus 10%)
TOTAL PER UNIT	\$234.00

In further explanation, she noted that 619 units at an assessment of \$18.48 per unit would collect \$137,264, less the approximate average discount of \$5,490. would result in a total collection of \$131,774. (net difference between cost and collection approximately 106. per unit per year). This is exclusive of administrative fees (legal advertising, mailings, 1% of collection to Clerk of Court, actual costs plus 10% to SWA and \$650. To property appraiser).

She explained that this was the Preliminary assessment that needs to be filed with Solid Waste Authority no later than July 11, 2014 for TRIM purposes. This is the amount that would appear on the Notice to Taxpayers sent out the first week in August. Once the preliminary rate was adopted, Council could not increase but can only decrease at final hearing.

The Town Administrator offered the following calendar for the adoption of the non ad valorem assessment for TRIM purposes:

- July 10, 2014 Town Council adopt preliminary non ad valorem assessment
- Aug. 28, 2014 Public Hearing to adopt final non ad valorem assessment
- Aug 30, 2014 Adopted rate resolution and Tax Roll certification sent to SWA

She explained no action was needed at this time, however it would be her recommendation that the Town Council adopt the non ad valorem assessment rate of \$234.00 per unit < 5 units for the 2014/2015 FY at their July 10, 2014 meeting.

Renew Cooperation Agreement for Participation in the Urban County Program for FY 2015 -2017)

Town Administrator Rutan explained that the Town of Haverhill had participated in the Palm Beach County Urban County Jurisdiction and the current agreement would be expiring.

A motion was made by Vice Mayor Woods, seconded by Council Member Gordon and unanimously passed (5-0) to continue participation in the Urban County Program for FY2015 – 2017 and to authorize the Mayor and Town Administrator to execute said agreements on behalf of the Town.

Release Subdivision Bond in favor of Sunset Isles in the amount of \$46,602.03 for the earthwork, paving, drainage, water and sewer

Mayor Foy recused himself from discussions concerning DR Horton because of a contract between DR Horton and Stormwater J Engineering, of which, Mayor Foy is President. He passed the gavel to Vice Mayor Woods.

The Town Administrator presented Staff's report explaining she was reluctant to recommend release of the bond as there were still outstanding issues regarding the gate at the south end of the Sunset Isles subdivision. The installation of the gate was a requirement of Palm Beach County Water Utilities and it has been in disrepair for months. Because the bond was tied to water and sewer, the Town Administrator recommended that the bond be held until the gates have been satisfactorily repaired.

A motion was made by Council Member Uptegraph and seconded by Council Member Gordon to authorize the Town Administrator to release the bond contingent upon satisfactory repair of the gate. The motion passed 4-0 with Mayor Foy abstaining. Attorney Fuchs concurred and offered to work with the Town to ensure compliance.

Vice Mayor Woods passed the gavel to Mayor Foy.

Appoint Voting Delegate for the August 14-16, 2014 Annual Florida League of Cities Conference in Hollywood, Florida

Council Member Beavers was planning to attend the Florida League of Cities annual conference. A motion was made by Vice Mayor Woods, seconded by Council Member Gordon and unanimously passed (5-0) to appoint Jerry Beavers voting delegate for the August 14 – 16, 2014 Annual Florida League of Cities conference being held in Hollywood, Florida.

REPORTS

Town Attorney

None.

Mayor

Mayor Foy reported that he had participated in the FEMA Outreach Coordination call that explained the public notification process prior to the adoption of the proposed Flood maps. He noted the maps for Haverhill were still incorrect and encouraged the Town Council to consider appealing. He added that the Town would need to join a larger group to appeal and perhaps obtain LIDOR data, but it was evident that the Town would benefit from joining the County and others to prepare our own maps. He has familiarized himself with the Briggert-Waters Act and does not feel the maps being presented meet the criteria of the act.

Discussion followed as to the impact of the coastal area flood maps would have on the Town of Haverhill. Haverhill has not participated to date, however, Director of Public Services Joseph Roche reported that at an LMS meeting they did report that wind and wave action could affect inland drainage systems and as such all municipalities should participate in the coastal study.

Mayor Foy commented that Palm Beach County was much better off than Dade and Broward counties in that regard.

Consultants

None.

Administrator's Report

The Town Administrator reported that the audit had been completed and would be presented to the Town Council at the June 26, 2014 meeting.

She also reminded all to file their Financial Disclosures with the Supervisor of Elections by the July 1, 2014 deadline.

Committee/Delegate Report

Vice Mayor Woods suggested a meeting of the Special Events Committee be scheduled to begin planning for the Halloween event.

Council Member Beavers reported on the June 5, 2014 joint meeting between Palm Beach County Emergency Operations Center and the Towns of Haverhill, Loxahatchee Groves, Lake Clarke Shores, Cloud Lake and Glen Ridge held at the Town of Clarke Shores Town Hall. Bill Johnson and Mary Blakeney were present representing Palm Beach County. Topics of discussion included damage assessment after the storm, CERT classes, flooding and the dangers resulting from shutters not being removed in a timely manner. Adopted Ordinances governing shuttering from other municipalities were made available for review.

Council Member Beaver next reported on the Palm Beach League of Cities District II and III Meeting held the previous day in Atlantis. Items of discussion included:

- Diverting water from the C-51 canal into Broward County
- SFWMD delegating water management to counties
- Priority budgeting (proactive or reactive). Both Wellington and Lantana were budgeting for future infrastructure improvements (Director of Public Services Joseph Roche reported the pipes in Town had been lapped in 2000-2001).
- The affect the western communities' growth rate will have on all municipalities' infrastructure, roads, etc.
- Public disrespect of the American Flag
- Code Enforcement
- Police Contracts

Council Member Beavers reported that he had offered to serve on the CCAN (Citizen's Committee on Airport Noise) as a League representative.

Treasurer's Report

Included in packet

UNFINISHED BUSINESS

Discussion followed as to the permit fees for roof replacements. The Town of Haverhill bases its permit fees on the value of the job. An example was given using that method for a metal roof vs. and asphalt roof. A metal roof can cost up to two times the amount of an asphalt roof, yet, it is covering the same square footage and requires the same number of inspections.

The Town Administrator offered to contact other municipalities to determine if any use a square footage method of assessment.

Director of Public Services Roche reported the Woodland Avenue Drainage Project would begin on Monday, June 16, 2014.

Mayor Foy reported that he had walked down Belvedere Road to Haverhill Road the past few evenings and notice an officer parked facing east on the Belvedere turn lanes. He commented that his presence made a positive impact on the speed of traffic.

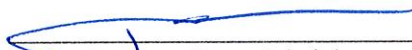
NEW BUSINESS

None.

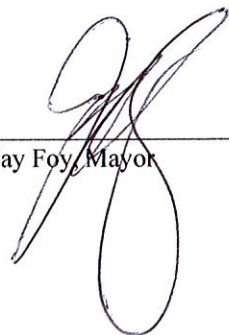
ADJOURNMENT

With no further business to come before Council, the meeting adjourned at 7:50 p.m.

Approved: July 10, 2014



Janice C. Rutan, Town Administrator



Jay Foy, Mayor

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME XXXXXXXXXX Foy-Jay G	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Haverhill Council
MAILING ADDRESS 1094 TRAILWAY LANE	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY Haverhill Palm Beach	NAME OF POLITICAL SUBDIVISION: Haverhill
DATE ON WHICH VOTE OCCURRED 6/12/14	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, _____, hereby disclose that on _____, 20 ____:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- ___ inured to the special gain or loss of my business associate, _____;
- ___ inured to the special gain or loss of my relative, _____;
- ___ inured to the special gain or loss of _____, by whom I am retained; or
- ___ inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

RELEASE OF BOND - DR HORTON IS A CLIENT

6/12/14
Date Filed

[Handwritten Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

