

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Remar M. Harvin, Council Member
Daniel H. Sohn, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ April 11, 2019
7:00 p.m.
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 March 14, 2019 Regular Meeting
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. REGULAR AGENDA AND FIRST READINGS**
 - a. Consider speed limit reduction on Pineway Drive
 - b. Consider rate increase for non-ad valorem assessment for Solid Waste and Recycling for FY 2019/2020
 - c. First Reading of Ordinance 471: An Ordinance of the Town of Haverhill extending the Moratorium on the acceptance and processing of new applications for the establishment of medical marijuana treatment and dispensing facilities.
- X. SECOND READINGS AND PUBLIC HEARINGS**
- 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.

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TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ April 11, 2019
OFFICIAL MINUTES

The regular monthly meeting of the Haverhill Town Council was held at the Town Hall, 4585 Charlotte Street, Haverhill on Thursday, April 11, 2019. Those present were Mayor Jay Foy; Vice Mayor Lawrence Gordon; Council Member Mark C. Uptegraph; Council Member Remar Harvin (arrived at 7:30 p.m.) and Council Member Daniel H. Sohn. Also present were John F. Foster, Town Attorney; Janice C. Rutan, Town Administrator and Joseph Roche, Director of Public Services.

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 followed by the Pledge of Allegiance.

ROLL CALL

The Town Administrator called the roll. All members were present with the exception of Council Member Harvin.

COMMENTS FROM THE PUBLIC

Eugenia Jones, 1140 New Parkview Place. She was before Council because she had received a letter from her HOA regarding the Town's proposed road and sidewalk improvement project within the Parkview Place subdivision. Mayor Foy responded to Ms. Jones and gave a history of the proposal to date. He explained that the Town could not take over the road within the subdivision until the roads met the Town's roadway standards. The Town had prepared a proposed cost of construction for the project and that information was given to the HOA and they in turn were to get feedback from the residents. Attorney Foster added that there were many steps the HOA would have to complete such as notifying the property owners that they would have to pay for the improvements through a special assessment at a term to be agreed upon. Attorney Foster added that the HOA would need to provide the homeowner's with complete and accurate information and added that the Town could not move forward with anything until the HOA's Declaration of Covenants were current.

Mayor Foy added that the Town was looking at ways to assist with costs through the infrastructure sales tax, however, he reminded all that taxpayer dollars cannot be spent on private property.

A motion was made by Council Member Uptegraph, seconded by Vice Mayor Gordon and unanimously passed (4-0) to receive and file the minutes of the March 10, 2019 meeting of the Parkview Place Homeowner's Association as presented to Council this evening by Ms. Jones.

APPROVAL OF AGENDA

A motion was made by Council Member Sohn, seconded by Council Member Uptegraph and unanimously passed (4-0) to amend the agenda to remove approval of the minutes from the consent agenda and add to the regular agenda as item IX.d.

Remove the sentence “Council Member Sohn accepted the challenge” as it related to him researching ways to make non-conforming structures legal; and to add that in addition to him having enjoyed serving as a Town Council Member on his first anniversary, he appreciated the courtesy and patience shown to him by his colleagues on the dais.

A motion was then made by Council member Uptegraph, seconded by Council Member Harvin and unanimously passed (5-0) to approve the minutes of the March 14, 2019 Regular Town Council meeting as amended.

SECOND READINGS AND PUBLIC HEARINGS

None.

REPORTS

Town Attorney

None.

Mayor

Referring back to the Town’s consideration of taking over the roads in New Parkview Place, Mayor Foy and Attorney Foster discussed the opinion of the Attorney General that unless there was an agreement to be reimbursed, and/or the repairs were made to protect the health, safety and welfare of the residents, the Town would need to obtain ownership of the road prior to expending public funds.

It was agreed to invite the Village of Wellington Assistant Village Managers Jim Barnes and Tanya Quickel to the May 7, 2019 workshop to address the Town Council on matters relating to special assessments and special taxing districts.

Mayor Foy expressed his frustration with the change in reporting by the 40 co-permittees being imposed by the NPDES.

Town Administrator

The Town Administrator reported that despite downloading special programs to make pdf documents uploaded to the Town’s website ADA compliant, they were still not adequate to stop a person from filing a lawsuit because they did not result in a 100% ADA compliant document. Discussion followed with the Town Administrator expressing her concern that leaving the website up and running could result in a lawsuit and it was her recommendation that the Town leave only the home page with contact information available to the public for now.

Council Member Sohn was not in favor of taking down the website stating it looked as though the Town was not being open and transparent. The Town Administrator responded that the public records were still available to the public, however, not in a format that can be downloaded from a computer unless they were sent via e-mail. The public request would need to come through the Town Hall.

A motion was made by Council Member Uptegraph and seconded by Council Member Harvin to take the town’s full website down and limit access to the public by displaying only the home page with contact information. The vote was passed 4-1 with Council Member Sohn voting in opposition.

A motion was then made by Daniel Sohn to add verbiage to the limited website informing the public that for agendas, minutes and other public documents, the public should contact the Town Hall.

The motion failed for a lack of a second.

Mayor Foy expressed his anger that the Town would even have to take this type action as a method of protection.

The Town Administrator informed Council of a meeting of the FAA informational meeting scheduled for April 18, 2019 at 6:00 p.m. that she would attend on behalf of the Town. The purpose of the meeting was to look at the new traffic patterns for arrivals and departures.

Committee/Delegate Report

Mayor Foy reported that the main topic of discussion held at the District 2 & 3 luncheon held the previous day was the recent discovery that the files uploaded to ADA compliant websites were unable to be converted to ADA compliant documents; thus resulting in lawsuits being filed against several municipalities statewide.

Council Member Sohn reported on a program being offered through the National League of Cities that would offer the residents of Haverhill savings on their medical prescriptions. He agreed to look further into the program and report back to the Town Council.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

The Town Administrator reported that the Revenue Audit being performed by the Inspector General's office was still ongoing.

NEW BUSINESS


Council Member Harvin expressed his appreciation to the Town Council for their warm wishes and support shown to him during his absence from the Council due to a recent medical setback.

The Council, in turn, expressed their congratulations that he was back at the dais as he was truly missed and highly respected by all.

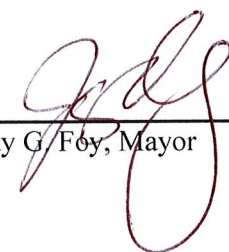
ADJOURNMENT

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

Approved: May 23, 2019



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor

