

Mayor Joseph S. Kroll                      Council President James E. Woods  
Council Vice President Jay G. Foy                      Council Member Jerry E. Beavers  
Council Member Henry "Butch" Lynch                      Council Member Mark C. Uptegraph  
Assistant Town Administrator / Town Clerk Janice C. Rutan  
Town Attorney John Foster



**TOWN OF HAVERHILL**  
**Regular Town Council Meeting**  
**February 14, 2008**  
**7:00 p.m.**  
**Town Hall – 4585 Charlotte Street**  
**AGENDA**

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF THE CONSENT AGENDA**
  - a. Approval of minutes January 24, 2008 meeting
- VI. PRESENTATIONS AND PROCLAMATIONS**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT**
- IX. REGULAR AGENDA:**
  - a. Consider amendment to employee manual/personnel policy
    - i. Non Discrimination Policy
    - ii. Pay Days
    - iii. Work Schedules
    - iv. Hiring of Relatives
- X. SECOND READINGS AND PUBLIC HEARINGS (continued from January 10, 2008)**
  - a. Act on Request for Special Exception and Site Plan Approval filed with the Town Clerk by Florida Tropic, Ltd., for property located at 559 Haverhill Road, Haverhill, Florida.
- XI. REPORTS**
  - Town Attorney
  - Mayor
  - Consultants
  - Assistant Town Administrator/Town Clerk
  - 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

**TOWN OF HAVERHILL**  
**Regular Town Council Meeting**  
**February 14, 2008**  
**7:00 p.m.**  
**Town Hall – 4585 Charlotte Street**  
**OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, February 14, 2008 at the Town Hall, 4585 Charlotte Street, Haverhill, FL. Those present were: Joseph S. Kroll, Mayor; James E. Woods, Council President; Jay G. Foy, Council Vice President; Jerry E. Beavers, Council Member; Henry Lynch, Council Member; Mark C. Uptegraph, Council Member; Lance Fuchs, Town Attorney; Janice C. Rutan, Town Clerk.

**CALL TO ORDER**

Council President Woods called the meeting to order at 7:00 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Mr. Woods offered the Invocation and led the Pledge of Allegiance.

**ROLL CALL**

All members of the Council were present.

**APPROVAL OF AGENDA**

The Clerk reported that minutes were not yet available for review by the Town Council. **A motion was made by Council Vice President Foy, seconded by Council Member Lynch and unanimously passed (5-0) to approve the Agenda as amended by the removal of the Consent Agenda.**

**APPROVAL OF THE CONSENT AGENDA**

- a. — Approval of minutes January 24, 2008 meeting (not available)**

**PRESENTATIONS AND PROCLAMATIONS:**

Council President Woods introduced Kevin Downs, a member of Boy Scout Troop 197 who was working on obtaining his Community Citizenship Badge.

**COMMENTS FROM THE PUBLIC**

None.

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

Not yet present.

**REGULAR AGENDA:**

**Consider amendment to employee manual/personnel policy**

**Non Discrimination Policy**

Staff's report was reviewed. Explanation was given that at present, the non-discriminatory policy was in conflict throughout the Personnel Policy. As such, Staff was recommending that the Town adopt a uniform policy that would conform to all applicable federal, state and county law.

**A motion was then made by Council Vice President Foy and seconded by Council Member Lynch to amend the “Equal Employment Opportunity” section, “Anti Harassment Policy” and the Application for employment to contain the following statement as recommended by the Palm Beach County Human Rights Council:**

Mr. Woods read the full amendment into the record. “It is the policy and practice of the Town of Haverhill to treat all employees with dignity and respect and to provide equal employment to all persons with regard to race, color, religion, sex, pregnancy, national origin, citizenship, age, disability, marital status, familial status, or sexual orientation, military status or any other category protected by law”.

Discussion followed.

**The vote was then called and passed unanimously (5-0).**

**Pay Days**

It was explained that the present payroll schedule was bi-weekly. The employee manual as written stated that the employees were paid on a weekly basis. Staff recommended that Council consider specifying the pay period to be bi-weekly, or state that pay periods were set at the discretion of the Mayor/Town Clerk.

Council Vice President Foy confirmed that bi-weekly pay periods were spread out over 26 weeks.

**A motion was then made by Council member Foy, seconded by Council Member Lynch and unanimously passed (5-0) to amend the Personnel Policy to state that employees would be paid on a bi-weekly basis.**

**Work Schedules**

The employee manual as written stated that Town Hall office hours were 8:00 a.m. to 5:00 p.m. Monday through Friday. The Town Hall opens to the Public 9:00 a.m. – 5:00 p.m. It was explained that Public Works shifts can begin as early as 7:00 a.m.. Staff would recommend either removing the statement in its entirety as the rest of the section explained in detail the “established work schedule” expected of employees. Council President Foy stated that the residents should expect the Town Hall to be open certain and specific hours.

Discussion followed.

**A motion was then made by Council Vice President Foy and seconded by Council Member Uptegraph to approve the proposed amendment as recommended by Staff, 8:30 a.m. to 5:00 p.m.**

**The Mayor concurred with Council Vice President Foy and agreed that office hours should be set, and that the mayor should retain the right to set work schedules.**

**Mr. Foy agreed to the changes, as did Council Member Uptegraph, who seconded the motion. The motion passed unanimously.**

## **Hiring of Relatives**

Staff had requested Town Council consideration in amending the prohibition against hiring relatives of persons currently employed by the Town of Haverhill. The first recommendation called for the provision to not apply in cases where the employment of a relative had been ratified by the Town Council. Discussion at the February 5, 2008 Town Council workshop resulted in Town Council preference in setting a time limit to the employment of a relative.

Based on the general consensus of the Town Council at the February 5, 2008 Workshop, Staff has proposed the policy to be amended as follows:

**Relatives of persons currently employed by the Town of Haverhill may be hired for no more than six months.**

Council Vice President Woods read the proposed amendment in its entirety.

**A motion was made by Council Member Lynch and seconded by Council Vice President Foy to make the change to the personnel policy with regard to hiring employees as presented by Staff.**

The proposed language changes were reviewed by the Town Council in detail. Council Vice President Foy pointed out inconsistencies in the wording. Although he understood the intent of the amendment was to limit the hiring of relatives of employees for no more than six months, he expressed concern that the proposed wording could be construed to mean something else. Attorney Fuchs recommended a language change that would clarify the intent of the amendment. He also suggested replacing "currently employed" with "to be employed."

**Council Vice President Foy amended the motion to pass the amendment with the authorization that legal would put the proposed language in the correct phraseology. Mr. Fuchs confirmed that the Council would pass the intent of the amendment but allow the attorneys to construct legal language that would ensure the intent.**

Council Member Lynch confirmed that as an elected official, he would not be considered an employee of the Town and as such a member of his family could be hired as an employee.

**Council Member Lynch agreed to the amended motion.**

**With no further discussion, the motion passed unanimously (5-0).**

**SECOND READINGS AND PUBLIC HEARINGS (continued from January 10, 2008)**

**Act on Request for Special Exception and Site Plan Approval filed with the Town Clerk by Florida Tropic, Ltd., for property located at 559 Haverhill Road, Haverhill, Florida.**

Because Staff had not had ample time to review the revised Site Plan, the matter of the Special Exception and Site Plan approval filed by Florida Tropic, Ltd. would be tabled.

Noting that the matter of tabling Council action would be done with the consent of the applicant, a motion was made by Council Member Lynch and seconded by Council Vice President Foy to table action on the request for Special Exception and Site Plan Approval filed with the Town Clerk by Florida Tropic, Ltd., for property located at 559 Haverhill Road, Haverhill, Florida.

**Doranne Koopman Fitzpatrick, 5047 Haverhill Court.** Ms. Fitzpatrick addressed the Town Council. She complained that as a resident of the Trailer Park, she had not been notified of any change of use and is unaware if she will be required to move or relocate. She explained that she owned her trailer, but leased the land. Council President Woods asked that she leave her contact information with the Town Clerk and the Clerk would be sure to transmit the information to the applicant so that her concerns would be addressed.

**The motion was voted and passed unanimously (5-0).**

## **REPORTS**

### **Town Attorney**

Attorney Fuchs commented that the revisions to the Interlocal Agreement between the Town of Haverhill and the Palm Beach County School District had been submitted to the School Board for inclusion in the agreement.

### **Mayor**

Mayor Kroll reported on the successful meeting held between himself, the Council President, Town Attorney and the Palm Beach County School Board. He was pleased with the amicable working relationship between the Town and the School District.

### **Consultants**

None.

### **Assistant Town Administrator/Town Clerk**

#### **Committee/Delegate Report**

Council Vice President Foy reported that the Code and Ordinance Committee had met and the Town Attorney would be returning to Committee with a revision to the fence height ordinance.

Council Vice President Foy reported that the recently enacted parking permit program was progressing successfully.

Council President Woods reported on a meeting held earlier in the week with Ivywood residents. The Town had been approached by some of the residents expressing an interest in being annexed into the Town of Haverhill. With the exception of two properties that were located on the north and south corners of Ivywood Road and Haverhill Road, the majority of the Ivywood Road properties were in favor of coming into the Town and were looking forward to a voluntary annexation. Staff was preparing a petition to be signed by the property owners. There could also be a possibility of entering into an Interlocal Agreement with Palm Beach County in lieu of a referendum. Further discussion resulted in the future of the road and the possibility of obtaining funds to repair the road. With the disappearance of MSTU funding, it was unlikely that County funding would be available.

The Clerk did report that she had spoken with Mr. Basehart, the agent for Haverhill Safe & Secure Storage, and he would be willing to meet with the property owners to discuss including Ivywood Road in the bid for the resurfacing of the road at the same time the driveway at the Safe & Secure Storage facility would be paved. It was noted that any agreement concerning the paving would be between the private property owners.

Council President Woods reminded all that the Annexation on Referendum would be on the March 11, 2008 ballot.

The Special Events Committee had met. The Annual Picnic was scheduled for March 15, 2008 11:00 a.m. -4:00 p.m. The next meeting of the Special Events committee was scheduled for February 15, 2008 at noon.

**Treasurer's Report  
(included in packet)**

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

In response to Council Member Beavers concern, it was reported that the Town had received correspondence from the Airport that the Nextel tower did not require a beacon per FAA standards.

The Town had been approached by the additional carriers on the AT&T tower concerning additional ground space use. Alternative sites other than that over the drain fields were discussed.

The Mayor reported that the applicants would be attending the March 4, 2008 Workshop.

Council Vice President Foy noted that he would be willing to support placement of the generators on the towns property over the drain fields if the applicant would be willing to replace the drain fields with a lift station.

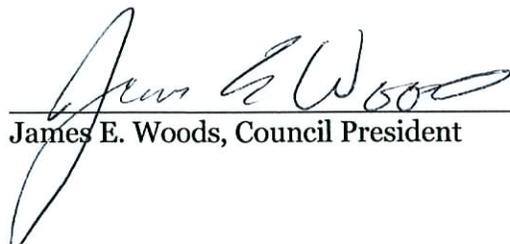
Discussion followed.

**ADJOURNMENT:**

**With no further business to come before the Town Council, the meeting was adjourned at 7:44 p.m.**

Approved: March 13, 2008

  
Janice C. Rutan, Town Clerk

  
James E. Woods, Council President