

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 28, 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
- VI. PRESENTATIONS AND PROCLAMATIONS
- VII. COMMENTS FROM THE PUBLIC
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT
- IX. REGULAR AGENDA:
 - a. Act on Interlocal Agreement between School District of Palm Beach County and the Town of Haverhill
- X. SECOND READINGS AND PUBLIC HEARINGS (continued from January 10, 2008 and February 14, 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 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, Assistant Town Administrator and Town Clerk, 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
February 28, 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 28, 2008 at the Town Hall, 4585 Charlotte Street, Haverhill, FL. Those present were: Joseph S. Kroll, Mayor; James E. Woods, Jerry E. Beavers, Council Member; Henry Lynch, Council Member; Mark C. Uptegraph, Council Member; John Foster Town Attorney; Janice C. Rutan, Town Clerk and Joseph Roche, Code Enforcement Officer.

CALL TO ORDER

Council President Woods called the meeting to order at 7:05 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Woods offered the Invocation and led in the pledge of allegiance.

ROLL CALL

The Town Clerk called the roll. All members were present with the exception of Council Vice President Foy.

APPROVAL OF AGENDA

The Agenda was ordered approved as presented.

APPROVAL OF THE CONSENT AGENDA

None.

PRESENTATIONS AND PROCLAMATIONS

None.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT

It was reported that there had been an increase in vagrants noticed by the property owner at 4500 Belvedere Road.

The Mayor asked that patrols on Durham Street be increased as the residents have been driving across the Town's recently constructed drainage area.

REGULAR AGENDA:

Act on Interlocal Agreement between School District of Palm Beach County and the Town of Haverhill

A revised copy of the Interlocal Agreement between the Town of Haverhill and the Palm Beach County School District had been distributed to Council for review.

Attorney Foster noted that there had been some setbacks in negotiations, however, they had reached a Resolution and the School Board has agreed to and accepted the Town's recommended changes.

Although Council Vice President Foy could not attend the meeting, he asked that Council consider making the following change to Page 3;second line of 2c of the proposed agreement:

Change “noted” to “shown” pertaining to the attached site plan.

The limitation of pedestrian traffic solely from Stacy Street was added back into the agreement.

Council Member Lynch requested the word “within” be eliminated as it related to the placement of the wall within the easement. Attorney Foster agreed. In addition, it was explained that the structural integrity of the wall would be maintained by the School District. It was agreed that the word “aesthetics” would be added. The Town of Haverhill would be responsible for the maintenance and irrigation of the landscaping to be planted on the outside of the wall.

Clarifications concerning wording was discussed. Covenants included in the agreement were discussed in detail, with Mr. Foster explaining that all covenants would run with the land in perpetuity.

A motion was then made by Council Member Lynch to approve the Interlocal Agreement between the Town of Haverhill and the School District of Palm Beach County as amended. The motion was seconded by Council Member Uptegraph and unanimously passed (4-0).

SECOND READINGS AND PUBLIC HEARINGS (continued from January 10, 2008 and February 14, 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.

Town Planner, Jack Horniman discussed his comments to the proposed Special Exception application and Site Plan as filed by Florida Tropic were highlighted and discussed.

Town Attorney Foster agreed with Mr. Horniman adding that he would also be adding a time limitation to the Conditions of Approval. He also noted that the applicants would need to comply with Chapter 723. He recommended that the first Building Permit be pulled by December 31, 2008, however, the applicant could be granted up to two (2) 6-month extensions due to the requirements of Chapter 723 and the Mobile Home relocation provisions. The Mayor would be authorized to grant the extensions.

Council President Woods addressed the comments made at the previous meeting by a resident of the Trailer Park who stated she had not been notified of the change of use.

Robert Basehart, agent for Florida Tropic, Ltd. Addressed the Town Council and explained that under Chapter 723, they are required to notify the residents after the change of use and they would be granted a certain time period to relocate. Because the Special Exception had still not been granted, the relocation process had not yet begun. Mr. Basehart did note that he had spoken with the resident that had come before the Town Council.

Council President Woods confirmed with the applicant that construction of the project would not be phased. Mr. Basehart noted that the building would be constructed all at once. Mayor Kroll agreed adding that this facility could not be phased during construction.

Attorney Foster noted that the phasing of the building along with the prohibition of outdoor storage would be added to the Conditions of Approvals.’

Revisions to the Site Plan as required by the various County agencies, including Palm Beach County Traffic, were discussed in detail. In response to Council Member Lynch, Mr. Basehart explained that because of the opposing turn-lanes between Safe and Secure Storage and the AAA Storage located across the Street, the project would be limited to one way traffic in and out of the facility. Discussion followed. Council expressed concern over the safety of the design. Signage would need to be strategically placed. In addition, parking that had been planned for in front of the building was required to be relocated. The Palm Beach County Sheriff's Department had recommended certain safety precautions as well.

Council Member Uptegraph inquired as to a For Sale sign that he had seen on the property. Mr. Basehart was unaware of any sign, but agreed to look into the matter.

A motion was then made by Council Member Beavers, seconded by Council Member Lynch and unanimously approved to approve the Special Exception and Site Plan as filed with the Town Clerk by Florida Tropic, Ltd. and to authorize the Town Attorney, Mayor and Council President to finalize the Conditions of Approvals to be included in the Resolution.

Mr. Woods relayed to Mr. Basehart the meeting he had with the Ivy Road residents and how they had expressed their appreciation to Florida Tropic, Ltd. for being good neighbors.

REPORTS

Town Attorney

Town Attorney Foster reported that the Code Enforcement Officer had informed him of an outstanding lien placed on a Haverhill property (5092 Club Road) by former Code Enforcement officer, Betty Booth. The property had been brought into compliance and the lien had never been released by Ms. Booth. The property owners were now trying to sell the property and learned of the lien and notified the Town. The Town needs to release the lien. **A motion was then made by Council Member Uptegraph and seconded by Council Member Beavers to authorize the Town Attorney to prepare a Release of Lien for the Larry D. and Nellie Washington property at 5092 Club Road and to authorize the Mayor to sign the Release on behalf of the Town. The motion passed unanimously (4-0).**

Attorney Foster commented on the progress of the Orlowsky property.

Mayor

None.

Consultants

Town Planner Jack Horniman reported on the progress of the E.A.R. based Comprehensive Plan amendments. He gave a brief update on the status of the School Exemption/School Siting element.

He then reported on the status of the requirement that all municipalities include a Water Supply Facilities Plan in their amendments. He had been working with Palm Beach County Water Utilities in an attempt to get this report completed.

Although the Town was aware of the requirement, Palm Beach County Water Utilities has been unable to provide this information to the municipalities. Mr. Horniman agreed to continue in his attempt to comply with the South Florida Water Management requirement. Discussion followed.

Future annexations will affect certain aspects of the Comprehensive Plan. If the Town does not complete its amendment to the Plan by the deadline, which had already been extended by 6 months, future land use amendments would need to be put on hold until the Plan amendments are adopted.

Assistant Town Administrator/Town Clerk

The Town Clerk reminded Council Members to pick up their packet of information for the March 3, 2008 Workshop. The packet contained information on the application for Special Exception as filed by St. Peter's Coptic Church for the property located across the street from the Haverhill Baptist Church.

Committee/Delegate Report

Council President Woods announced that the Annexation Informational Meeting scheduled for March 4, 2008 at 6:30 p.m. at the Town Hall. He reminded all of the Referendum on Annexation scheduled for March 11, 2008. He reported that there were 43 registered voters in the area to be annexed.

The next meeting of the Special Events Committee was scheduled for March 6, 2008. The Annual Picnic was scheduled for March 15,, 2008 11:00 a.m. – 4:00 p.m.

Treasurer's Report (included in packet)

The Town Clerk reported that the Financial Software Program had crashed and had to be rebuilt. She apologized for not having a completed financial report in the packet.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Clarification was given as to how the number of lane miles for the Town were arrived at.. The Mayor gave a full explanation, noting that Haverhill Road and Belvedere Road were not included in lane mile report as they were County Roads.

Council member Lynch reminded all that the Special Events Committee would be meeting on Saturday to do some clean up and remodeling to the Special Events Concession Stand.

ADJOURNMENT:

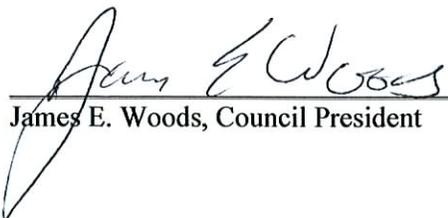
With no further business to come before the Town Council, the meeting was adjourned at 7:54 p.m.

Approved:

March 13, 2008



Janice C. Rutan, Town Clerk



James E. Woods, Council President