

TOWN OF HAVERHILL
Regular Town Council Meeting
March 26, 2009
Town Hall
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular meeting of the Town Council was held on Thursday, March 26, 2009 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were James E. Woods, Mayor; Jay G. Foy, Vice Mayor; Jerry E. Beavers, Council Member, Henry Lynch, Council Member and Mark C. Uptegraph, Council Member. Town Attorney John Fenn Foster, Code Enforcement Officer Joseph Roche and Town Clerk Janice C. Rutan were also present.

CALL TO ORDER

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Woods offered the Invocation and led the Pledge of Allegiance

ROLL CALL

The Clerk called the roll. All members were present.

APPROVAL OF AGENDA

There being no additions, deletions or substitutions, the agenda would stand as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of minutes March 12, 2009 meeting

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

PRESENTATIONS AND PROCLAMATIONS

None.

COMMENTS FROM THE PUBLIC

Joseph and Janice Webb, 827 Briarwood Drive: Mr. Webb addressed the Town Council on the vacant property located at 817 Briarwood Drive. The front yard had been mowed by the Town since abandonment, however, the rear yard was so overgrown that varmint have been running and the pool, which had been covered with plastic and mesh, has caved in. A vine has overtaken the patio and screen and the condition was proving to be a hazard to the health and safety of neighbors and neighboring property. In addition there was a dead tree in the front yard that would need to be removed prior to hurricane season.

Photographs of the property were presented to the Town Council for review.

Code Enforcement Officer Roche addressed the Town Council and Mr. and Mrs. Webb. He explained that the property was in foreclosure and that liens were running with the property. Mr. Roche noted that he had been maintaining the front yard.

Attorney Foster reported that under the Florida Statutes, Chapter 162, the Code Enforcement Officer could access the property if the property posed an immediate threat to the health, safety and welfare of the neighboring properties. The Town could remedy the property and charge those fees back to the property owner.

Council Member Lynch suggested alternating mowing the front and rear yards.

Attorney Foster and Code Officer Roche would meet to discuss the best way to mitigate the property.

Discussion followed. Code Enforcement Officer expressed concern that there were other properties in Town that may be posing the same threat. Council agreed that action needed to be taken to protect the residents.

Abby Ross was present representing **State Senator Dave Aronberg**. Ms. Ross extended best wishes from the Senator and handed out the Senator's most recent newsletter for Council review. Mayor Woods commented that it had been quite some time since the Senator himself had attended a Town Council meeting. Ms. Ross agreed to pass the Council's sentiment onto the Senator.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT

Arthur Bober, ID No. 8292 was present representing the Palm Beach County Sheriff's office. Officer Bober reported that as part of the detail with the Town of Haverhill, the property at 817 Briarwood was being watched by the PBSO in an effort to deter it from becoming a shelter for the homeless or vandals.

Crime statistics for the Town included three incidents including an attempted burglary to a residence. The location at 4565 Grove Street was called in by the Code Enforcement Officer and not the resident. Nothing had been taken, but there was minor damage to the security bars. The second incident at 5068 Ponderosa concerned a computer that had been purchased on E-Bay that not have been delivered but was being reported stolen. A victim at the 7-11 store on Military Trail had a necklace stolen after her attempt to help the suspects by purchasing gas for them.

The officer put the public on notice to avoid those type persons, especially at transient locations such as the 7-11.

The Council expressed appreciation to the PBSO for their hard work and dedication.

REGULAR AGENDA

Designate voting delegate and alternative(s) to vote at any Palm Beach County League of Cities general membership meeting.

By general consensus, Council appointed Council Member Beavers to serve as the voting delegate for the Palm Beach County League of Cities with remaining Council Members and the Town Administrator to serve as alternate members to vote at any meeting of the general membership of the Palm Beach County League of Cities.

Request for variation filed by Golden Green Leaf, Inc. to temporarily place two air conditioned storage units on the lot behind the business at 1069 No. Military Trail.

Ioannou Yiannakis was present representing Golden-Green Leaf, Inc. He was requesting Council permission to temporarily place two containers on the property behind his shop at 1069 Military Trail. One of the containers would be used to refrigerate his produce while the refrigerator room was being constructed on the back of the property. The second container would be used for storage during construction.

It was explained that FP&L would need to remove two poles from the back of the building and once done, he would either move the trailers to the rear of the building, or commence construction on the walk in cooler. He anticipated the maximum amount of time the trailers would be on the property would be 4-6 months.

Mayor Woods commented that if the Town Council were to grant the variation, it would be for a maximum of six months. Mr. Yiannakis agreed stating it was not convenient for him to have the trailers on the property.

construction within two weeks and the placement of the lift station would be at the northwest corner of the property. The entire project should be completed with the next two months.

He also reported that he and the Town Administrator had met with James Huston of Emerald Cove. Mr. Huston was inquiring into the possibility of changing the units to rental units with a higher density instead of owner occupied units approved for the property. Mayor Woods had explained to Mr. Huston that although he would be one vote of five, he would not be in favor of the change of use and commented that the history of the Town Council discouraged rental properties within the Town.

Mayor Woods had spoken with Ed Kanyuch, a resident on the south side of Grove Street that had expressed an interest in annexing into the Town of Haverhill. Mr. Kanyuch had received support from some of the neighbors. With Council permission, Mayor Woods would call a meeting of the residents of Grove Street to explore future annexation. Most probably, the matter would need to go to referendum.

Mayor Woods noted that the current contract with Waste Management would be expiring at the end of the fiscal year. The Town Administrator was preparing the bid specifications however, he was seeking consensus of the term of the contract. He was recommending an the initial term of three years with the option of either five additional one year renewals or two additional two year renewals.

It was the general consensus of the Town Council to invite proposals for a three year contract with two additional two year renewals.

Consultants

None.

Administrator's Report

The Town Administrator reported that the Town Planner had forwarded the responses to the ORC report and asked for Town Council approval. The Town Council would move forward with the adoption hearing on the 23rd of April. Comments on the responses from Council should be received by the first meeting in April.

It was announced that Betty Sites would once again be leaving the employ of the Town due to her relocation to Homosassa to take care of her elderly Aunt. Marie Couture would be staying on as a part time temporary employee through the fiscal year at which time staffing needs would be evaluated.

Committee/Delegate Report

Vice Mayor Foy announced a meeting of the Code and Ordinance Committee had been scheduled for April 15th. Landscaping and sign issues would be addressed.

There had been a meeting of the NPDES and the annual report would be going out at the end of the month. A training meeting had been held a letter would be sent to the DEP concerning the monitoring guidelines. The Water Resource Task Force did meet to discuss the C-51 reservoir in addition to the L-8 reservoir that would be utility funded. The Task Force would most probably vote in favor of the project.

Vice Mayor Foy would be making a presentation looking at raising water levels in the drought season and lowering them in the wet season.

Council Member Beavers reported on having met with Patty Ware, the Mayor Pro Tem from Palm Springs who would be interested in working with the Town to implement a talent show at one of the Town's functions. The Council agreed to put Mr. Beavers in charge of that effort.

Council Member Beavers announced the Bill Nelson would be at West Palm Beach city hall on April 8, 2009 to discuss stimulus funding.

Council Member Beavers had attended a NIMS web cast and noted that the Town was NIMS compliant due to its relationship with the PBC police and Fire Rescue. The Town Administrator reminded Mr. Beavers that the Town had sponsored a NIMS certification course and had adopted a Resolution institutionalizing the NIMS program.

Council Member Beavers reported on the proposed inland port project and the transportation of solid waste via rail.

He reported that the Property Appraiser would be willing to come to the Town Hall to accept Homestead Applications as an outreach type program for the residents.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

In response to Council Member Uptegraph, the Town Administrator agreed to contact the Town Engineer for an update on the Club Road sidewalk project.

NEW BUSINESS

None.

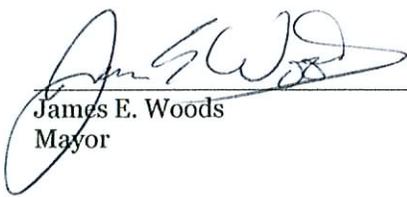
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 7:47 p.m.

Approved:

April 9, 2009
April 9, 2009


Janice C. Rutan, CMC
Town Administrator


James E. Woods
Mayor

James E. Woods, Mayor
Jay G. Foy, Vice Mayor
Jerry E. Beavers, Council Member
Henry "Butch" Lynch, Council Member
Mark C. Uptegraph, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



TOWN OF HAVERHILL
Regular Town Council Meeting
March 26, 2009
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 March 12, 2009 meeting**
- VI. PRESENTATIONS AND PROCLAMATIONS**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT**
- IX. REGULAR AGENDA**
 - a. Designate voting delegate and alternative(s) to vote at any Palm Beach County League of Cities general membership meeting.**
 - b. Request for variation filed by Golden Green Leaf, Inc. to temporarily place two air conditioned storage units on the lot behind the business at 1069 No. Military Trail.**
- X. SECOND READINGS AND PUBLIC HEARINGS**
- 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