

TOWN OF HAVERHILL
Regular Town Council Meeting
July 9, 2009
Town Hall – 4585 Charlotte Street
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular meeting of the Town Council was held on Thursday, July 9, 2009 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were James E. Woods, Mayor; Jay G. Foy, Vice Mayor; Jerry Beavers, Council Member; Henry Lynch, Council Member; and Mark Uptegraph, Council Member. Also present were Lance Fuchs, Town Attorney; Janice C. Rutan, Town Administrator; Jeffrey Renault, Town Engineer and Joseph Roche, Code Enforcement Officer.

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, substitutions or deletions to be made, the agenda stood as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of minutes June 11, 2009 meeting

Approval of the minutes of the June 25, 2009 meeting

Noting a clarification to the June 25, 2009 minutes, a motion was made by Council Member Lynch, seconded by Council Member Beavers and unanimously passed (5-0) to approve the minutes of the June 11, 2009 and June 25, 2009 minutes as amended.

PRESENTATIONS AND PROCLAMATIONS

None.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT

Deputy Blackman was present. He reported there had been burglaries in Town to 2 apartments on Haverhill Road and a residence on Woodland. In addition, there had been several traffic stops in Town. Because Permit Deputies have been hired for the Orleans Court neighborhood, crime has been cut down in that area.

Code Officer Roche would look into the incident at Woodland Road.

REGULAR AGENDA and FIRST READINGS

Act on proposed Club Road sidewalk plan

Town Engineer Jeff Renault gave Staff's report. There had been an informational meeting held on Tuesday, July 7, 2009 at which time the proposed sidewalk plans were presented to the residents of Club Road. Two residents had shown up for the meeting. The proposed sidewalk was along the south side of the road. On the south side of Club Road, at the western boundary, the four foot sidewalk would be located approximately five feet from the pavement. A "D" curb would need to be installed to buffer pedestrians from the public.

Kathy Turner, 5318 Club Road. Ms. Turner addressed the Town Council explaining that she had not shown up for the informational meeting as when she went to leave her home on Tuesday evening, she saw the signs calling for the regular Town Council meeting on Thursday evening. Thinking the meetings were one in the same, she went back home. Her property, the third property from the western boundary on the south side of the street would be affected by the proposed sidewalk. The proposed sidewalk would be located in her front yard and she objected to losing that much of her yard. She noted that only two properties would be affected if the sidewalk were located on the north side of the road. Ms. Turner questioned whether a sidewalk was needed. Although she understood that the Town's right of way went through her front yard, she reported that she had been maintaining the Town's ROW by having trees removed at her own expense, etc. She voiced her opposition to the sidewalk being placed in her front yard.

Discussion followed and Mr. Renault reminded that Council that the sidewalk was moved to the south side because of the expense involved in having to remove trees from the north side of the road as well as power poles and electrical boxes. Further, he had wanted to maintain as much of a swale as possible for drainage reasons.

Council Member Lynch presented an aerial of the proposed sidewalk and highlighted the location of sprinklers, hedges, etc. Mrs. Turner reviewed the aerial and pointed out specifics to her property.

Vice Mayor Foy commented that he would prefer the sidewalk on the north side of the street for continuity and as part of the pedestrian plan, as the plan was an integral part of keeping the Town residential.

The Town Engineer agreed to draw the sidewalk on the north side of Club Road to where it meets Tall Pines Road and would have the crosswalk located west of Tall Pines. The sidewalk then would continue on the south side of the street to Haverhill Road. Council Member Uptegraph reminded all that the purpose of the sidewalk was for the safety of the children. He was in agreement with the cross over at Tall Pines but requested the stop signs be reinstalled at that location.

Mr. Renault would provide quotes based on unit pricing using the Contractor's open annual contract.

The Town Council requested the Town Engineer once again look at placing the sidewalk on the north side of the street. He agreed to have a plan available within the next couple of weeks.

Consider Briarwood Drainage Capital Improvement Plan

Town Engineer Renault reported that he had investigated the sinkholes located at the Briarwood subdivision. It appears as though the contractor for Sunset Isles did not obtain a sufficient seal around the pipes and there was now settlement around the pipes. The pipes and structure would need to be sealed.

Mr. Renault reported that the Town would need to hire an outside Contractor to look at the problem. He agreed to request Wynn and Sons provide the Town with a quote for the repairs concurrent with the planned Briarwood Drainage Improvement project. The Town Administrator reported that there was still a bond for the infrastructure at Sunset Isles and she would contact the bank. The Town Engineer would put a letter together for the Town explaining the problems and the Town Attorney would put the bond company on notice.

The Town had received a quote from Wynn and Sons for the Briarwood Drainage Improvement project (curb installation and replacement of driveway aprons) in the amount of \$35,000. The quote was based on an open contract between Wynn and Sons and the City of West Palm Beach.

A motion was then made by Vice Mayor Foy, seconded by Council Member Beavers and unanimously passed (5-0) to move forward with the proposed curb and gutter improvements in Briarwood by awarding the contract to Wynn and Sons in the

amount of \$35,000 and to request Wynn and Sons consider fixing the pipes and sinkholes for an additional incremental amount.

Update on E.A.R. based Comprehensive Plan Amendments

It was reported that the deadline for appeal to the DCA's Notice of Intent for the Town's E.A.R. based Comprehensive Plan amendments had expired. The Town had not received any complaints or objections to its E.A.R. based Comprehensive Plan Amendments. As such the Town can now move forward with transmittal of the small scale amendments and schedule the public hearings for the large scale amendments.

Comprehensive Plan Amendment re: Northern Annexation Area

Although the large scale comprehensive plan amendment would need to wait for public hearing, the land usage for the recently annexed 18 acres north of the Town's present boundaries still needed to be determined. **A motion was made by Council Member Beavers to designate all lots in the northern annexation area low density residential with an R-1 single family residential zoning designation. The motion was seconded by Council Member Uptegraph and passed 4-0. (Council Member Lynch was away from the dais).**

SECOND READINGS AND PUBLIC HEARINGS

None

REPORTS

Town Attorney

None.

Mayor

Mayor Woods reported on a meeting earlier in the evening with Jordan Shapiro of Unison Site Acquisition. Mr. Jordon met with the Mayor and the Town Administrator and offered to purchase the leases for the cell towers on the Town's property. He would be forwarding information to the Town; however, to date no municipalities have taken them up on their offer.

Attorney Fuchs commented that this type of purchase may not be permitted under the current agreement.

Mayor Woods reported that Pastor Reyes of the Verbo Church had sent a letter requesting a meeting with the Mayor to discuss the status of the property on Haverhill Road. The Town Administrator would be arranging the meeting once a working number could be located.

Consultants

None.

Administrator's Report

None.

Committee/Delegate Report

Vice Mayor Foy reported that the next meeting of the **Code and Ordinance Committee** was scheduled for July 21, 2009.

Vice Mayor Foy reported that he and Traffic Engineer John Kim had met with Basher Khan of the Palm Beach County Traffic Division regarding the proposed intersection improvements at Belvedere Road. He commented that Mr. Khan was receptive to the health and safety issues raised by the Town. A follow up meeting with the **Belvedere Road Study Committee** and representatives from the Traffic Engineering and Roadway Construction would be scheduled.

Vice Mayor Foy updated the Council on the Grove Street drainage improvement project.

Council Member Beavers reported that he had been working with Linda Smith of **Palm Beach County's EOC** in an attempt to get a copy of the county wide mutual aid agreement. He was also looking to link to the County's pandemic flu webinar and websites.

He had received a fax from the County citing the logistics for picking up hurricane supplies. The locations were Okeehetee Park and Seminole Palms Park.

Council Member Beavers reported that the **Palm Beach County League of Cities** with the Supervisor of Elections had appointed an ad hoc committee to review the cost allocation proposal of Susan Bucher. The committee had met with one of the suggestions coming from the meeting being that there would be a uniform election day countywide.

The Town Council considered having an election every four years in an effort to save costs. Attorney Fuchs noted that the Charter would need to be amended to change the terms and the date of election. It was agreed to postpone any action on a possible Charter Amendment or referral to the **Charter Review Committee** until the **Palm Beach County Ad Hoc** committee meets and makes recommendation to the municipalities.

Vice Mayor Foy reported on the recent publication of numerical standards by the Department of Environmental Protection.

Treasurer's Report
(included in packet)

UNFINISHED BUSINESS

None.

NEW BUSINESS

In response to Council Member Beavers, the Town Administrator reported that the Town had settled few liens on property resulting from Code Enforcement action. Income from Code Enforcement liens was not a budgeted item.

Vice Mayor Foy disclosed that he had been hired to do the drainage calculations for the Joy of Living Church, located outside of the Town's boundaries.

Council Member Lynch inquired in to the status of the red light camera program. He reported of an instance where a ticket was issued because the person going through the red light did not have a seat belt on. The Town Administrator would look into it.

ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:35 p.m.

Approved: August 13, 2009
Date


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
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July 9, 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 June 11, 2009 meeting**
 - b. Approval of the minutes of the June 25, 2009 meeting**
- VI. PRESENTATIONS AND PROCLAMATIONS**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT**
- IX. REGULAR AGENDA and FIRST READINGS**
 - a. Act on proposed Club Road sidewalk plan**
 - b. Consider Briarwood Drainage Capital Improvement Plan**
 - c. Update on E.A.R. based Comprehensive Plan Amendments**
 - d. Comprehensive Plan Amendment re: Northern Annexation Area**
- 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