

TOWN OF HAVERHILL
Regular Town Council Meeting
October 08, 2009
Town Hall – 4585 Charlotte Street

Pursuant to the foregoing notice, the regular meeting of the Town Council was held on Thursday, October 08, 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; and Mark Uptegraph, Council Member. Also present were John Fenn Foster, Town Attorney; Janice C. Rutan, Town Administrator; 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 Town Administrator called the roll. All members were present with the exception of Council Member Lynch.

APPROVAL OF AGENDA

Mayor Woods asked if there were any additions, deletions and/or substitutions to the Agenda before the Council. Vice Mayor Foy asked if there were more Minutes than what was listed on the Agenda. Noting that the September 10, 2009 Minutes had been omitted from the Agenda, Ms. Rutan asked that the Agenda be amended to include them.

APPROVAL OF THE CONSENT AGENDA

- a. Approval of the September 10, 2009 Public Budget Hearing and Regular Meeting for FY 2009/2010 were added to the Agenda.
- b. Approval of the September 24, 2009 Public Budget Hearing and Regular meeting minutes.

Noting the change as requested, a motion was made by Vice Mayor Foy, seconded by Council Member Uptegraph and unanimously passed (4-0) to approve the consent agenda as amended.

COMMENTS FROM THE PUBLIC

Ms. Kathy Turner of 5318 Club Road, Haverhill, FL commented that the Town's website should be kept current so that Haverhill citizens could be aware of Council action. She inquired about the Club Road Sidewalk Project asking for an update on the status of the project. She had canvassed the Club Road residents and presented a petition signed by the residents against the installation of a sidewalk on Club Road.

A discussion ensued with Ms. Turner asking how the Town Council could move forward with a project that did not have the support of the residents that live along Club Road. Mayor Woods explained that there was an informational meeting held and notification sent to the residents. He clarified that the Council had approved the project for the safety of the children of the neighborhood who walked along Club Road to the bus stop at the end of Club Road.

Ms. Turner had commented that she had come before the Town Council in September and she was told at that time the sidewalk would be placed on the north side of Club Road. The Town Administrator clarified that Ms. Turner had come before Council on July 9th at which time the Council agreed to **look into** placing the sidewalk on the north side of the road. At subsequent meetings, the Town Engineer presented alternate plans for the placement of the sidewalk with the final vote to place the sidewalk on the south side of the road having taken place on August 23, 2009. Ms. Rutan noted that the minutes of those meetings had been approved and were available on the website, and offered to forward copies of same to Ms. Turner. Ms. Turner stated that she did not read the minutes and asked what, if anything, the Club Road residents could do to reverse the Council's decision to install the sidewalk. Mayor Woods explained that the Council had taken a lot of things into consideration during the decision making process and that the Council believed a sidewalk was needed to insure the safety of the children. The discussion continued as to the particulars of the installation. Ms. Turner submitted a copy of the petition to the Town Administrator for the record.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

The deputy apologized for the fact that no one from the Sheriff's Office had attended the prior two (2) Council Meetings. He reported on the permit calls from September 24 through October 6, 2009. The report consisted of a couple of domestic disturbances which lead to an arrest. There had been a home invasion on Grove Street on September 30, 2009 at 5:00 AM; he indicated that it was drug related. No arrest had been made and the suspect was still at large.

REGULAR AGENDA and FIRST READINGS

REQUEST OF FLORIDA TROPIC, LTD. FOR A THIRD SIX - MONTH EXTENSION TO THE SPECIAL EXCEPTION AND SITE PLAN APPROVALS GRANTED FOR A SELF STORAGE FACILITY LOCATED ON HAVERHILL ROAD.

The Town Administrator offered Staff's report. Robert Basehart, on behalf of Florida Tropic, LTD., had addressed the Town Council at the October 6, 2009 workshop explaining the request was being made due to the present economic conditions.

The Council considered Florida Tropic, Ltd.'s request for a third six month extension of the Special Exception and Site Plan approvals granted for a self storage facility located on Haverhill Road.

Vice Mayor Foy motioned to grant the six (6) month extension to Florida Tropic, Ltd.; Councilman Uptegraph seconded and the motion was approved by a unanimous (4-0) vote.

REQUEST FOR SIX MONTH EXTENSION TO THE VARIATION GRANTED TO GOLDEN GREEN LEAF, INC TO TEMPORARILY PLACE TWO AIR CONDITIONED STORAGE UNITS ON THE LOT BEHIND THE BUSINESS LOCATED AT 1069 NORTH MILITARY TRAIL

The Town Administrator offered Staff's report. A letter had been received from Ioannou Yiannakis, President of Golden Green Leaf, Inc. requesting the extension for the storage units until the construction of the project at the 1069 Military Trail location was complete.

The Council considered the request for an extension of the variation granted to Golden Green Leaf, Inc. to temporarily place two air conditioned storage units on the lot behind the business at 1069 N. Military Trail.

Councilman Uptegraph motioned to grant a six (6) month extension to Golden Green-Leaf, Inc. to temporarily place two air conditioned storage units on the lot behind the business at 1069 N. Military Trail. Vice Mayor Foy seconded and the motion was approved by a unanimous (4-0) vote.

INTERLOCAL AGREEMENT WITH THE SOLID WASTE AUTHORITY FOR THE DELIVERY OF MUNICIPAL SOLID WASTE TO DESIGNATED FACILITIES AND FOR A MUNICIPAL REVENUE SHARING RECYCLING PROGRAM

The Council considered the Interlocal Agreement with the Solid Waste Authority for the Delivery of Municipal Solid Waste to Designated Facilities and for a Municipal Revenue Sharing Recycling Program

Mayor Woods stated that the current agreement would be extended from 2013 to 2014 and that there was a chance for the Town to share in some undetermined revenues. Based on the information presented at the October 6, 2009, the Town could realize up to \$82.00 per month based on the current market.

A discussion ensued as to Section 12 of the agreement; acceptable loads. It was ultimately decided that Section 12 should be deleted. Attorney Foster asked that the automatic renewal clause be removed.

Councilman Uptegraph motioned to approve the Interlocal Agreement with the Solid Waste Authority with the proviso that Section 12. Unacceptable Loads and the automatic renewal provision of Section 15. Term be removed from the Agreement. Councilman Beavers seconded. The motion was approved by a unanimous (4-0) vote.

REPORTS

Mayor

The Mayor reported that Staff had met with Cypress Church representatives to remind them again that their property zoning was low density residential and that a Church is a non permitted use. He announced that the Church would be sending representative to the November 3, 2009 Council Workshop to plead their case. Mayor Woods indicated that they would have two (2) significant hurdles to overcome; the rezoning and special exception of the Church.

Committee/Delegate Report

Vice Mayor Foy announced that Attorney Foster had forwarded the amendments to the proposed landscaping code although he had not had the time to review. Vice Mayor Foy confirmed all Council Members were in receipt of the Landscaping corrections.

Vice Mayor Foy requested that the Town Administrator, Janice Rutan, add to the next Workshop the impaired water qualities discussion.

Councilman Beavers reported that he had attended September 30, 2009 Impact Fee Advisory Board Meeting. He had brought in an article on H1N1 that addressed potential workman's compensation claims that could arise if a comprehensive pandemic flu plan was not implemented.

Mayor Woods reported on the Special Events meeting; he stated that the Halloween Dinner & Movie plans were going smoothly. He also announced that the next event may

not be a Dinner & Movie. The Special Events Committee had discussed the possibility of having a community garage sale at the Town Hall.

Vice Mayor Foy announced that he would be bringing information to the 11/3/09 workshop explaining the recent changes to the water quality standards and how they may cost the Town money. He reminded the Council that he serves on the PBC appointed Water Resources Task Force and could give a brief update on that at the same time, if the Council so wished.

UNFINISHED BUSINESS

The Town Administrator, Janice Rutan, announced that MPO would be holding a public Hearing on the adoption of the 2035 Plan on Thursday, October 15, 2009 at the Palm Beach County Commission Chambers. The Belvedere Road Committee would be meeting on Tuesday, October 13, 2009 at 11:00 AM prior to the Code & Ordinance Committee Meeting to strategize the Town's options as it relates to the 2035 plan. A conversation ensued regarding the County's proposed plans for Belvedere Road i.e., intersection improvements.

Joseph Roche Director of Public Works reported that the resurfacing of the Town Hall parking lot would be done by Wednesday, October 14, 2009.

NEW BUSINESS

None.

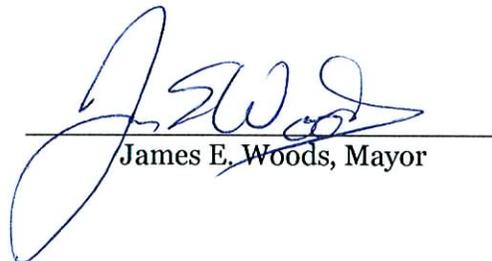
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 7:55 p.m.

Approved: 10/22/09
Date



Janice C. Rutan, 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



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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 the September 24, 2009 Public Budget Hearing and Regular meeting minutes Sept. 10, 2009**
- 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. **Consider request of Florida Tropic, Ltd. for a third six month extension of the Special Exception and Site Plan approvals granted for a self storage facility located on Haverhill Road.**
 - b. **Request for six month extension of the variation granted to Golden Green Leaf, Inc. to temporarily place two air conditioned storage units on the lot behind the business at 1069 No. Military Trail.**
 - c. **Interlocal Agreement with the Solid Waste Authority for the Delivery of Municipal Solid Waste to Designated Facilities and for a Municipal Revenue Sharing Recycling Program**
- 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