

TOWN OF HAVERHILL
Regular Town Council Meeting
March 11, 2010
Town Hall – 4585 Charlotte Street

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, March 11, 2010 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were James E. Woods, Mayor; Jay G. Foy, Vice Mayor; Jerry Beavers, Council Member; Mark Uptergraph, Council Member; and Henry Lynch, Council Member. Also present were Town Attorney John Fenn Foster, Town Administrator, Janice C. Rutan; and Code Enforcement Officer, Joseph Roche.

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.

APPROVAL OF AGENDA

It was the consensus of the Town Council to change the format of the agenda to call for the swearing in of Council Members to follow the report of the Palm Beach County Sheriff's Office.

APPROVAL OF THE CONSENT AGENDA

Approval of the February 25, 2010 Regular meeting minutes

Town Administrator Rutan indicated that the February 25, 2010 minutes had been transcribed but not yet proofed and she asked that they be removed from the Consent Agenda.

Councilman Beavers made a motion to accept the consent agenda as amended. The motion was seconded by Councilman Uptergraph and passed unanimously (5-0).

COMMENTS FROM THE PUBLIC

NONE

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

The PBSO reported on the statistics for February 27, 2010 through March 10, 2010. There had been domestic dispute occurrences as well as a fire at 1251 Palmetto and a suicide attempt at 5035 Haverhill Road.

Councilman Lynch brought up a concern about where traffic stops were being conducted by the PBSO in the proximity of Pineway Drive. Councilman Lynch stated that it would be safer for all concerned if the location being used to conduct the stops could be moved to a location further off the road so traffic accessing Pineway Drive could move freely. The officer indicated that he would pass the request on to his superiors.

SWEARING IN OF COUNCIL MEMBERS

Attorney Foster administered the Oath of Office to newly elected Councilman Woods (Seat 2) and Beavers (Seat 1). Congratulations were extended by all present to the newly sworn in members of the Council.

REORGANIZATION OF TOWN COUNCIL

a. Nominations for Mayor

The floor was opened for nominations for the position of Mayor. Councilman Lynch nominated Councilman Woods and he accepted the nomination. Councilman Woods asked if there were any other nomination; none were forth coming. **With that the nomination was voted upon and passed by a vote of (5-0).**

b. Nomination of Vice Mayor

The floor was opened for nominations for the position of Vice Mayor. Councilman Beavers nominated Councilman Foy and Councilman Foy accepted the nomination. Councilman Woods asked if there were any other nomination; none were forth coming. **With that the nomination was voted upon and passed by a vote of (5-0).**

SECOND READINGS AND PUBLIC HEARINGS

Ordinance No. 387: Ordinance of the Town of Haverhill Declaring Zoning in Progress and a Moratorium as to the filing and/or receiving of any petition for the establishment of pain management clinics as defined herein, providing that zoning in progress and the moratorium shall be in effect for a period which shall terminate on the effective date of the Town's adoption of land development regulations to regulate pain management

clinics for one year, whichever first occurs; providing for legislative findings, intent and purpose; providing for a definition of pain management clinic; providing for the boundaries subject to the moratorium; providing for severability; providing for the repeal of laws in conflict; and providing for an effective date.

The title was read by Town Attorney Foster.

Mayor Woods entertained a motion to accept the second reading of Ordinance No. 387. **Councilman Lynch motioned to accept the second reading of Ordinance No. 387; the motion was seconded by Councilman Beavers. Vice Mayor Foy went on record stating he supported the Ordinance for health system protection reasons. The motion passed by a vote of (5-0).**

FIRST READINGS AND REGULAR AGENDA

Proclamation for Water Conservation Month

The Town Administrator explained that the South Florida Water Management District had solicited the support of the municipalities in proclaiming the month of April as Water Conservation Month.

A motion was made by Council Member Uptegraph to proclaim the month of April as Water Conservation Month. The motion was seconded by Council Member Lynch and passed 4-1 with Vice Mayor Foy voting against the motion.

Update on Energy Grant Applications

The Town Administrator reported that she had learned that the Town's application for County energy grant funding had been recommended for approval and the matter would be before the Board of County Commissioners on April 20, 2010. She planned to attend the meeting on behalf of the Town.

REPORTS

Town Attorney

Town Attorney Foster reported that there was a meeting of the Code and Ordinance Committee scheduled for March 23, 2010. At that meeting, the Committee would discuss Ordinance No. 380 – Red Light Traffic Safety Program and would need to compare the Ordinance with the latest legislation as well as what the impact of the recent decision in the Adventura case would have on the Town. Other matters up for discussion would be amendments to the present Animal Control Ordinance, Pain Clinics and nuisance trash disposal.

The Town will need to be consistent with the proposed legislation.

Mayor

Mayor Woods reported that the Town was still waiting to hear back from Clearwire in response to the Town's request for a monthly rent of \$2,000 to co-locate on the ball field tower.

The Town's Special Master, William Doney, notified the Town that he would no longer be affiliated with the Law Firm of Vance, Doney and MacGibbon and would be working with Caldwell & Pacetti. It was the general consensus of the Town Council to retain the services of William Doney as Special Master but would wait to hear back from Mr. Doney as to his recommendation for a back up appointment.

Mayor Woods also reminded all that because of staffing changes and the elimination of positions in the Town Hall, Dorothy Gravelin would no longer be working for the Town of Haverhill. It was the general consensus of the Town Council that a Proclamation should be presented to Ms. Gravelin at the Annual Town Picnic recognizing her many years of dedicated service to the Town. The Town Administrator would work with the Town Attorney in drafting the Ordinance to recognize Dorothy Gravelin's tenure with the Town.

Consultants

None.

Administrator's Report

None.

Committee and Delegate Reports

Council Member Beavers requested the Town Administrator schedule a meeting of the Emergency Management Committee.

Mayor Woods reminded all that the Annual Picnic would be held March 20, 2010.

Mayor Woods noted that because of the overwhelming success of the Town's first Yard Sale held in January, the Special Events Committee had scheduled a second Yard Sale to be held on April 17, 2010.

It was confirmed that the special recognition of Dorothy Gravelin would be held at the Town Picnic, March 20, 2010 at 1:00 p.m.

Treasurer's Report

Included in packet

UNFINISHED BUSINESS

NONE

NEW BUSINESS

NONE

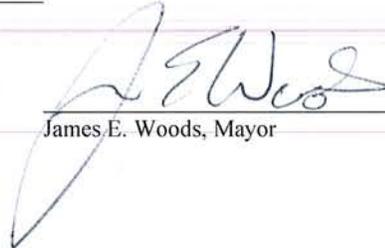
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 7:33 p.m.

Approved: March 25, 2010
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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- 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 February 25, 2010 Regular meeting minutes
- III. SWEARING IN OF COUNCIL MEMBERS
- IV. REORGANIZATION OF TOWN COUNCIL
 - a. Nominations for Mayor
 - b. Council Vote
 - c. **Accepting the Gavel**
 - d. **Nomination of Vice Mayor**
- VI. PRESENTATIONS
- VII. COMMENTS FROM THE PUBLIC
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT
- IX. SECOND READINGS AND PUBLIC HEARINGS
 - a. Ordinance No. 387: Ordinance of the Town of Haverhill Declaring Zoning in Progress and a Moratorium as to the filing and/or receiving of any petition for the establishment of pain management clinics as defined herein, providing that zoning in progress and the moratorium shall be in effect for a period which shall terminate on the effective date of the Town's adoption of land development regulations to regulate pain management clinics for one year, whichever first occurs; providing for legislative findings, intent and purpose; providing for a definition of pain management clinic; providing for the boundaries subject to the moratorium; providing for severability; providing for the repeal of laws in conflict; and providing for an effective date.
- X. FIRST READINGS AND REGULAR AGENDA
 - a. Proclamation for Water Conservation Month
 - b. Update on Energy Grant Applications
- XI. REPORTS
 - Town Attorney
 - Mayor
 - Consultants
 - Administrator's Report
 - Committee and Delegate Reports
 - 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