

**TOWN OF HAVERHILL**  
**Regular Town Council Meeting**  
**April 8, 2010**  
**Town Hall – 4585 Charlotte Street**  
**OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, March 25, 2010 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Vice Mayor; Jerry Beavers, Council Member; Mark Uptegraph, 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**

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

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Vice Mayor Foy 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 Mayor Woods.

**APPROVAL OF AGENDA**

Vice Mayor Foy requested the agenda be amended to add the first reading of Ordinance No. 396, an Ordinance of the Town of Haverhill amending Section 18-59 (yards to be kept free from filth and debris) of the Zoning Ordinances of the Town.

**A motion was then made by Council Member Uptegraph, seconded by Council Member Beavers and unanimously passed (4-0) to accept the agenda as amended.**

**APPROVAL OF THE CONSENT AGENDA**

- a. Approval of the March 25, 2010 regular meeting minutes

**A motion was then made by Council Member Uptegraph, seconded by Council Member Lynch and unanimously passed (4-0) to approve the minutes of the March 25, 2010 regular Town Council meeting.**

**PRESENTATIONS**

None

**COMMENTS FROM THE PUBLIC**

None

**COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT**

Deputy Sergeant Campbell was present representing the Palm Beach County Sheriff's Department. No specific crimes were reported for the previous two weeks. He did note that stops on Belvedere Road had resulted in criminal arrests proving that the detail within the Town was working well. The Town Council thanked the Sheriff's office for their efforts.

**SECOND READINGS AND PUBLIC HEARINGS**

None

**FIRST READINGS AND REGULAR AGENDA:**

**FIRST READING OF ORDINANCE NO. 388 AND ORDINANCE OF THE TOWN OF HAVERHILL AMENDING ORDINANCE NO. 380 – DANGEROUS INTERSECTION SAFETY ACT**

The Title was read by Attorney Foster.

**A motion was made by Council Member Lynch, seconded by Council Member Beavers and unanimously passed (4-0) to approve Ordinance No. 388 on first reading.**

Council Member Lynch expressed concern that oncoming traffic would be blinded by flashing camera lights resulting from the red light camera runners as the cameras were still capturing right turn on red violations.

**FIRST READING OF ORDINANCE NO. 389 AMENDING CHAPTER 54 – SUBDIVISIONS; REQUIRING TOWN COUNCIL APPROVAL OF ALL MINOR SUBDIVISIONS AND REQUIRING THE PLAT TO BE FILED WITH THE PALM BEACH COUNTY CLERK WITHIN ONE WEEK OF APPROVAL**

The title was read by Attorney John Foster.

It was noted that the proposed Ordinance required all liens against a property be satisfied prior to the acceptance of an application for a land use change within the Town.

Discussion followed as to Health requirements governing the installation of well and/or septic.

**A motion was then made by Council Member Beavers, seconded by Council Member Lynch and passed unanimously (4-0) to approve Ordinance No. 389 on first reading.**

**FIRST READING OF ORDINANCE NO. 390; AMENDING SECTION 58 OF THE CODE OF ORDINANCES ELIMINATING THE ZONING COMMISSION AND HAVING THE TOWN COUNCIL ASSUME THOSE RESPONSIBILITIES.**

The Title was read by Attorney Foster.

**A motion was made by Council Member Lynch, seconded by Council Member Uptegraph and unanimously passed (4-0) to approve Ordinance No. 390 on first reading.**

**FIRST READING OF ORDINANCE NO. 391 AMENDING THE TOWN GARAGE SALE ORDINANCE BY INSERTING A PROVISION THAT A GARAGE SALE PERMIT WILL NOT BE ISSUED ON WEEKENDS WHEN THE TOWN IS HOLDING A COMMUNITY GARAGE SALE EVENT**

The Title was read by Attorney Foster. Mr. Foster noted for the record that the Town would be limited to three sales per year.

**A motion was made by Council Member Lynch, seconded by Council Member Uptegraph and unanimously passed (4-0) to approve Ordinance No. 391 on first reading.**

**FIRST READING OF ORDINANCE NO. 392 AMENDING SECTION 2-46 DELETING REFERENCE TO CODE ENFORCEMENT BOARD**

The Title was read by Attorney Foster.

Attorney Foster brought to the Council's attention the proposed language in the proposed Ordinance, i.e. "the Town **may** condition the processing of any application or petition upon the satisfaction of any outstanding code violations or fines."

After discussion, it was agreed that the word may be changed to "shall", making the requirement more legally binding, although Council Member Lynch would have preferred "may" as it would provide the Administrator with the discretion to make that decision.

Attorney Foster reminded all that the property owner would have a remedy through application to the Town Council.

**A motion was made by Council Member Lynch, seconded by Council Member Uptegraph and unanimously passed (4-0) to approve Ordinance No. 392 on first reading, noting the amendment of the word "may" to shall".**

**CONSIDER REQUEST FROM GOLDEN GREEN LEAF, INC. FOR ADDITIONAL 6 MONTH EXTENSION OF SPECIAL PERMIT TO PLACE TEMPORARY STORAGE UNITS ON THE REAR PROPERTY LOCATED AT 1069 NO. MILITARY TRAIL**

A letter had been received from Ioannou Yiannakis requesting Town Council consideration to extend the temporary permit granted for the placement of storage units. He explained that construction at the plaza was ongoing.

**A motion was made by Council Member Lynch, seconded by Council Member Uptegraph and unanimously passed (4-0) to approve a six month extension to place temporary trailers on the rear of the lot located at 1069 North Military Trail to Golden Green Leaf, Inc., expiring October 8, 2010 or upon the completion of construction of the entire complex, whichever first occurs.**

Vice Mayor Foy noted for the record that Senate Bill 360 permits an automatic two year extension for an approved project with an expiration date of September 1, 2008 through January 1, 2012. It was noted that there were specific provisions to the SB360 legislation.

No Council action was taken as SB360 affected only two projects (Haverhill Self Storage and Planet Kids) within the Town and the proper letters from the applicants had been received and filed.

**CHANGE REGULAR MEETING FROM MAY 13, 2010 TO MAY 6, 2010.**

**In light of scheduling conflicts, a motion was made by Council Member Beavers and seconded by Council Member Uptegraph and unanimously passed (4-0) to reschedule the May 13, 2010 Town Council Meeting to May 6, 2010.**

**REPORTS**

**Town Attorney**

**Belvedere Road:**

The Town had received information from Alan Ennis, Palm Beach County Traffic Engineer, relative to recent traffic counts on Belvedere Road. Without having an opportunity to review the information for comparisons with prior traffic studies, the Belvedere Road committee would defer to John Kim, the Town's traffic engineer.

It was agreed to schedule a Belvedere Road Committee meeting.

**Mayor**

Not present.

**Consultants**

None.

**Administrator's Report**

The Town Administrator reported that she had solicited bids for the renovation of the front office and all bids received exceeded authorized threshold. Discussion followed. It was agreed the Town Administrator would meet with Joseph Iagrossi and review the specifications and request revised proposals.

Jeff Renault, Town Engineer would report to the Town Council at the May workshop on the status of the Club Road sidewalk project and the Briarwood drainage improvements.

**Committee and Delegate Reports**

Vice Mayor Foy reported that the HMGP Grove Street Project had been put on hold due to a federal funding freeze. The projects had been approved and let out to bid and were awaiting release of the funds from FEMA.

It was agreed that the Town Administrator would send a letter to Congressman Hastings on behalf of the Town Council requesting his support of releasing the federal funds so the projects would be funded.

**Special Events**

The Town Administrator reported that there would be a meeting of the Special Events Committee on April 13, 2010 in preparation of the Neighborhood Garage Sale scheduled for April 24, 2010.

Vice Mayor Foy reported that he would be attending the Palm Beach County District III luncheon meeting the following week in Atlantis.

Council Member Beavers reported there would be a meeting of the Emergency Management on April 20, 2010.

**Treasurer's Report**

(included in packet)

**UNFINISHED BUSINESS**

The Town Administrator reported that the Town had received notification that it had not been awarded the State of Florida Energy Grant. However, the Town had been awarded the County Energy grant in the amount of \$53,000 which would be used to retrofit the Town Hall to be more energy efficient. There would be a kick off meeting to establish the Palm Beach County Grant work plan on April 22, 2010 although the Board of County Commissioners would not take formal action on the grant award until their meeting of May 4, 2010.

Joseph Roche, Code Enforcement Officer addressed the Town Council inquiring as to their intent toward the construction of the Club Road sidewalks. He had heard rumor that the Council was reconsidering the need for the sidewalk. Discussion followed. Council Member Lynch commented that he had been on the record against the placement of the sidewalk, wanting it to be on the north side of Club Road. It was noted by the Town Council that the project had been approved and funded and would proceed in accordance with the previous vote of the Town Council.

**NEW BUSINESS**

None.

**ADJOURNMENT**

With no further business to come before the Town Council, the meeting adjourned at 8:00 p.m.

Approved: May 6, 2010  
Date

Janice C. Rutan, Town Administrator

James E. Woods, Mayor