

**TOWN OF HAVERHILL  
REGULAR TOWN COUNCIL  
THURSDAY, OCTOBER 28, 2010  
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, October 28, 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; and Henry Lynch, Council Member. Also present were Town Attorney John Fenn Foster, and Town Administrator, Janice C. Rutan. Council Member Mark Uptegraph was absent

**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 recorded all members present, except Council Member Mark Uptegraph.

**APPROVAL OF AGENDA**

At the request of the Town Administrator, approval of the Minutes were removed from the Consent Agenda. Upon motion of Council Member Beavers, and seconded by Council Member Lynch, the Agenda was approved as amended. The motion passed unanimously.

**APPROVAL OF CONSENT AGENDA**

None

**PROCLAMATIONS AND PRESENTATIONS**

None

**COMMENTS FROM THE PUBLIC**

None

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

The Palm Beach County Sheriff's Department reported on matters for the period of October 14, 2010 through October 28, 2010. There had been four alarm calls; an animal complaint; one call for a domestic dispute; one hit and run; calls for information; and a call concerning a mentally ill person. Two warrants had been served.

**SECOND READINGS AND PUBLIC HEARINGS**

None

**FIRST READINGS AND REGULAR AGENDA**

**ORDINANCE NO. 399: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTING AMENDMENTS TO ITS COMPREHENSIVE PLAN TO AMEND THE CAPITAL IMPROVEMENTS ELEMENT IN ORDER TO UPDATE THE TOWN'S FIVE YEAR AND TEN YEAR SCHEDULES OF CAPITAL IMPROVEMENTS; PROVIDING FOR THE**

**TRANSMITTAL OF THIS ORDINANCE TO THE STATE LAND PLANNING AGENCY AND OTHERS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

The title was read by Attorney Foster. Attorney Foster explained that the matter would be before the Town Council sitting as the Local Planning Agency (LPA) on November 18, 2010. The Public Hearing would immediately follow the LPA meeting.

A motion was made by Vice Mayor Foy and seconded by Council Member Lynch to approve Ordinance 399 on first reading with the noted corrections and clarifications. Discussion followed.

Attorney Foster confirmed that the Town refers to "Development Orders" throughout the Code. He referred to the definition of Development Order/Development Permit as outlined in Florida Statutes 163.3164.

In response to Vice Mayor Foy, Attorney Foster noted the Town had adopted Ordinances that addressed Concurrency Management Systems and Adequate Facilities.

Vice Mayor Foy's suggested changes/corrections/clarifications to be made to the proposed Ordinance included the following:

- CIE element, page 10-1, first paragraph, third line: change "which" to "that" so the statement would read "timely manner that protects investments...."
- 10-1 Goals, Objectives and Policies. Policy 1.3 shall be amended to include "by the Town Council" so the statement would read "Committee shall be established by the Town Council for the purpose...."
- CIE Element, page 10-7, "Stormwater Management" proposed language of second paragraph shall be replaced with Design Storm: "Perimeter and finished floor stages, discharge and all SFWMD criteria for the C-51 basin."

The motion to approve Ordinance 399, as amended, passed unanimously (4-0).

**BELVEDERE ROAD CONFLICT RESOLUTIONS PROCEEDINGS**

Attorney Foster recommended a meeting of the Belvedere Road Committee be scheduled for the Committee to adopt a strategy and timetable in moving forward.

Vice Mayor Foy agreed, adding that the technical points included in the email written to the Town's Traffic Engineer, John Kim, from Motasem Al-Turk needed to be argued. He agreed there was an urgency to discuss strategy.

Mayor Woods reminded all that Representative Pafford had offered his support to the Town. Discussion followed. Mayor Woods reported that he had been traveling Belvedere Road between the hours of 2:30 p.m. and 6:00 p.m. in an effort to understand the technical findings of the County. He added that he remembered there being a gas line down Belvedere Road that could prove costly to remove. In addition, the proposed right-turn lane at Haverhill and Belvedere would require poles to be relocated. It was agreed to have the traffic engineer look at the potential obstacles facing the County.

**UPDATE ON AGREEMENT BETWEEN TOWN OF HAVERHILL AND AMERICAN TRAFFIC SOLUTIONS**

Attorney Foster reported on a conversation he had with the attorney from Royal Palm Beach and their decision not to pass an Ordinance authorizing the red light camera program. Attorney Foster had spoken with Geoffrey Sluggett, who was representing ATS in negotiating an interlocal agreement with Palm Beach County to operate the Town's program. Mr. Sluggett reported that because the County was just implementing their own program they did not want to enter into ancillary contracts at this time, rather waiting until they have finalized their own with ATS.

The Town had not collected any fines and had only issued warnings.

*It was the attorney's recommendation that the Town hold off on terminating the Agreement with ATS in an effort to negotiate a program with ATS.*

A motion was then made by Vice Mayor Foy, seconded by Council Member Lynch, and unanimously passed (4-0) to reauthorize the Mayor and Town Administrator to continue negotiations with ATS in an effort to reach resolution.

**REPORTS**

**Town Attorney**

None

**Mayor**

None

**Town Administrator**

The Town Administrator reported on attending the October 23, 2010 Annual Greenfest that was sponsored by the Town of Lantana. She attended representing the Municipal Energy Conservation Coalition, consisting of the five towns that had been awarded the State's Energy Efficiency and Conservation Grant.

**Committee/Delegate Report**

Vice Mayor Foy reported that the EPA permit had been issued and that the NPDES Steering Committee would be asking the League of Cities to participate in the effort to change the permit requirements.

Council Member Beavers reported that he had attended the October 27, 2010 League of Cities Meeting. A proposed Resolution to keep the school millage rate did not pass. He reported that candidates running for County Commission and School Board had attended the League meeting.

Mayor Woods reminded all that the Annual Halloween Event would be held Friday evening between the hours of 6:30 p.m. and 9:00 p.m.

**Treasurer's Report**

Included in packet

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

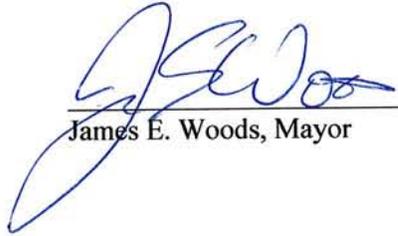
Council Member Beavers inquired if the Town received a reimbursement from paying taxes on gasoline purchased for the town vehicles.

**ADJOURNMENT**

With no further business to come before the Town Council, the meeting adjourned at 7:40 p.m.

Approved: November 18, 2010

  
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Janice C. Rutan, Town Administrator

  
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James E. Woods, Mayor