

TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ July 28, 2011
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, July 28, 2011 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; James E. Woods, Vice Mayor; Jerry Beavers, Council Member; Lawrence Gordon, Council Member and Mark C. Uptegraph, Council Member. Also present were Town Attorney John Foster, and Town Administrator, Janice C. Rutan.

CALL TO ORDER

Mayor Foy called the meeting to order at 7:05 p.m. immediately following the close of the budget workshop.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy offered the Invocation and led the Pledge of Allegiance.

ROLL CALL

The Town Administrator recorded all members were present.

APPROVAL OF AGENDA

There being no additions, deletions or substitutions, the agenda stood as presented.

APPROVAL OF THE CONSENT AGENDA

Approve Minutes of the July 7, 2011 Workshop and the July 14, 2011 Regular Meeting

A motion was made by Vice Mayor Woods, seconded by Council Member Beavers and unanimously passed to approve the Consent Agenda as presented.

COMMENTS FROM THE PUBLIC

Henry Lynch, 1042 Pineway Drive, Haverhill. Henry Lynch addressed the Town Council and inquired if anything had been done relative to his suggestion that a pedestrian stop light be installed at the Haverhill Park entrance to allow for a safe crossing of Belvedere Road by pedestrians. He reported that there had been a recent death resulting from a person trying to cross the road at that location. The event occurred in the early hours of the morning when traffic should have been light. He reported on his first hand knowledge and experience of the difficulty in trying to safely cross Belvedere Road to or from the Park.

Mayor Foy noted that there would be a Belvedere Road Committee meeting on August 4, 2011 and he would bring the matter up for consideration and discussion at that time.

Town Administrator Rutan reported that she had asked John Kim, Traffic Engineer to look into the matter when Mr. Lynch first suggested it back in March of 2011 and was told that there was certain criteria (numbers of pedestrians per hour) that needed to be met and the Town was unable to meet that. She would follow up again with Mr. Kim.

All were in agreement that the lack of a sidewalk on the south side of Belvedere Road from Caroline Road to the Park and lack of a pedestrian crosswalk between Caroline Road and Haverhill Road made for a dangerous situation when trying to cross Belvedere Road at the Park.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

D/S Miller reported that for the period June 23, 2011 to July 27, 2011, there had been one pedestrian homicide; 3 residential burglaries between July 9 -10, 2011 at Trailaway Lane, 5126 Belvedere Road and 5495 Club Road; there had been three domestic calls and three calls for graffiti. A missing person report was filed for the resident at 5119 Haverhill Court. There had also been one vehicle robbery and one drug arrest.

Council expressed their appreciation to the Palm Beach County Sheriff's office for their assistance in helping to keep the Town safe.

PUBLIC HEARING

VARIANCE REQUEST OF EULAYSES PERRY, WHOSE PROPERTY IS LOCATED AT 787 BRIARWOOD DRIVE, HAVERHILL, FLORIDA, ALSO KNOWN AS LOT 21, BRIARWOOD SOUTH: A VARIANCE TO ALLOW FOR A 7 FOOT SIDE SET BACK AND A 26 FOOT FRONT SET BACK TO CONSTRUCT A 53' X 19' SCREEN ENCLOSURE AROUND THE EXISTING POOL DECK.

John Foster and Chris Barry (Town Planner) presented Staff's report. Mr. Barry recommended approval with the condition that the applicant replace the landscape buffer between his property and the adjoining neighbor. The applicant had no objection to the condition of approval.

Mayor Foy commented that he was not in favor of granting variances, however, the applicant, Mr. Perry was able to show hardship and as such, granting a variance in this instance would be typical of past actions by Council.

A motion was then made by Council Member Gordon, seconded by Vice Mayor Woods and unanimously passed (5-0) to grant the variance request of Eulayses Perry to allow for a 7 foot side setback and a 26 foot front setback to construct a 53' x 19' screen enclosure around the existing pool deck.

FIRST READINGS AND REGULAR AGENDA

Vote to Designate Jerry Beavers the voting delegate to represent the Town of Haverhill at the 85th Annual Florida League of Cities Conference August 11-13, 2011
A motion was made by Vice Mayor Woods, seconded by Council Member Uptegraph and unanimously passed to designate Jerry Beavers the voting delegate to represent the Town of Haverhill at the 85th Annual Florida League of Cities Conference August 11-13, 2011.

Approve request for an additional two year extension for the Special Exception granted under Resolution R2009-06 as filed by Manny Serria of Planet Kids VII (f/k/a Residences of Haverhill, LLC to expire on May 14, 2014.

Attorney Foster presented Staff's Report. **A motion was made by Vice Mayor Woods, seconded by Council Member Uptegraph and unanimously passed to extend the Special Exception approval through Resolution #R2009-05 until May 14, 2014 based on the provisions of HB7207.**

REPORTS

Town Attorney

Attorney Foster reported that he would be presenting Council with proposed Ordinances to be considered at the August 4, 2011 Code and Ordinance Committee that would be dealing with HB45 and its relation to the Town's Chapter 22 dealing with discharge of firearms. The Belvedere Road Committee would be meeting at the close of the Code and Ordinance Committee meeting at which time he would be discussing the County's non response to the Mayor's letter of May 2, 2011.

Mayor

Mayor Foy concurred with Attorney Foster noting that in addition to the gun law, the Code and Ordinance Committee would be discussing places of worship and the mandated fertilizer ordinance.

Consultants

None.

Town Administrator

The Town Administrator reported on correspondence she had been copied on written by Mayor Muio of West Palm Beach to the Palm Beach County Board of County Commissioners objecting to the recommendation by the Director of the Department of Airports to sunset the Citizen's Committee on Airport Noise (CCAN). Mayor Foy gave a brief history of the Committee and noted that the FAA no longer uses the noise monitoring data. No action was taken.

The Town Administrator reported on correspondence she had received from Anna Yeskey informing her that the Intergovernmental Issues Forum would be placed on hiatus. The Intergovernmental Comprehensive Plan Review Committee (IPARC) which was made up of planning directors was still needed to satisfy State mandates. She would be working with Ms. Yeskey to determine if the Town of Haverhill should have representation on that committee.

Committee/Delegate Report

Council Member Beavers reported that he had attended the Florida League of Cities meeting and was able to reconnect with Chuck Tear who used to be with the Palm Beach County Emergency

Operations Center. Mr. Tear was now affiliated with GRD Solutions, a company that provides disaster management services among other governmental services. Representative Mark Pafford was also working at GRD Solutions.

He had learned that some of Palm Beach County's municipalities were being forced to hire additional staff to monitor the requirements of the Inspector General ordinance and mandates.

Council Member Beavers suggested the Town Administrator contact the Town's insurance provider to be sure the Town has ample coverage for the increase in the amounts allowed through Sovereign Immunity.

Council Member Beavers announced he would be serving on the Palm Beach County League of Cities Transportation Committee with Chair Dave Harden of Delray Beach and would be serving on the Education Committee chaired by Martha Webster of Royal Palm Beach.

Treasurer's Report

(Included in packet)

UNFINISHED BUSINESS

None.

NEW BUSINESS

Joseph Roche, Director of Public Services reported that the Grove Street Drainage project had been completed and the easements had been re-sodded.

He noted that the wall belonging to the school department on Trailway was being discolored because of the sprinklers. As part of the Interlocal Agreement between the School District and the Town of Haverhill, the Town is responsible for the maintenance of the wall. Mr. Roche informed Council that he has made arrangements with the School District to have the sprinklers removed. The property owner whose property the fence abuts was in favor of removing the sprinklers.

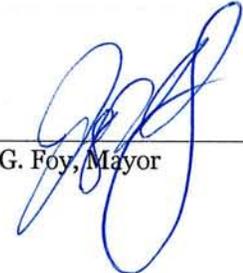
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 7:46 p.m.

Approved: August 11, 2011



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor