

Jay G. Foy, Mayor
James E. Woods, Vice Mayor
Jerry E. Beavers, Council Member
Lawrence Gordon, Council Member
Mark C. Uptegraph, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ August 25, 2011
7:00 p.m.
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. Approve Minutes of the August 2, 2011 Workshop and the August 11, 2011 Regular Meeting**
- VI. PROCLAMATIONS AND PRESENTATIONS**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. PUBLIC HEARING**
- X. FIRST READINGS AND REGULAR AGENDA:**
 - a. Ordinance No. 400 – An Ordinance of the Town of Haverhill regulating Places of Worship within the Town (First Reading)**
 - b. Ordinance No. 401 - An Ordinance of the Town of Haverhill repealing Section 22 of the Town of Haverhill Code of Ordinances – Discharge of Firearms prohibited. (First Reading)**
 - c. Ordinance No. 402 – An Ordinance of the Town of Haverhill designating an official seal of the Town and prohibiting outside uses of the Town Seal except by Town Officials, Agents or Employees in their official duties of the Town of Haverhill. (First Reading)**
 - d. Ordinance No. 403 – An Ordinance amending Section 58.420 “Landscape Ordinance” of the Town of Haverhill Code of Ordinances. (First Reading)**
 - e. Resolution 2011-07 – A Resolution of the Town Council of the Town of Haverhill extending the Moratorium on development approval of pain management clinic for an additional 6 months.**
- XI. REPORTS**
 - Town Attorney**
 - Mayor**
 - Consultants**
 - Town Administrator**
- XII. Committee/Delegate Report**
- XIII. Treasurer's Report (included in packet)**
- XIV. UNFINISHED BUSINESS**
 - A Review of 2011/2012 proposed budget**
- XV. NEW BUSINESS**
- XVI. 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, Town Administrator at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

**TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ August 25, 2011
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, August 25, 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 7:03 p.m.

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

Attorney Foster reported that the notice for first reading of the Ordinances would need to be mailed eight days prior to the first reading. As such, the first reading of Ordinance 400 – 403 would not take place until September 8, 2011. The notices would be mailed August 31, 2011.

A motion was then made by Councilmember Uptegraph and seconded by Vice Mayor Woods and unanimously passed (5-0) to approve the agenda as amended by removing items Xa, b, c, and d from the agenda and Council consideration.

APPROVAL OF THE CONSENT AGENDA

Approve Minutes of the August 2, 2011 Workshop and the August 11, 2011 Regular Meeting

A motion was made by Vice Mayor Woods, seconded by Council Member Uptegraph and unanimously passed (5-0) to approve the Consent Agenda as presented.

PROCLAMATIONS AND PRESENTATIONS

None.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Deferred to later in the meeting.

PUBLIC HEARING

None.

FIRST READINGS AND REGULAR AGENDA:

- a. ~~Ordinance No. 400 – An Ordinance of the Town of Haverhill regulating Places of Worship within the Town (First Reading)~~
- b. ~~Ordinance No. 401 – An Ordinance of the Town of Haverhill repealing Section 22 of the Town of Haverhill Code of Ordinances – Discharge of Firearms prohibited. (First Reading)~~
- c. ~~Ordinance No. 402 – An Ordinance of the Town of Haverhill designating an official seal of the Town and prohibiting outside uses of the Town Seal except by Town Officials, Agents or Employees in their official duties of the Town of Haverhill. (First Reading)~~
- d. ~~Ordinance No. 403 – An Ordinance amending Section 58.420 “Landscape Ordinance” of the Town of Haverhill Code of Ordinances. (First Reading)~~

Resolution 2011-07 – A Resolution of the Town Council of the Town of Haverhill extending the Moratorium on development approval of pain management clinic for an additional 6 months.

The title was read by Attorney Foster. Attorney Foster explained that the revisions to HB7095 would be in lace within the 6 months and the Town could then adopt an Ordinance to comply with the legislation regulating pain management clinics.

A motion was then made by Vice Mayor Woods, seconded by Council Member Beavers and unanimously passed (5-0) to approve Resolution R2011-07; A Resolution of the Town Council of the Town of Haverhill extending the Moratorium on development approval of pain management clinic for an additional 6 months.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

It was reported that during the previous two week period there had been two thefts and a burglary within the Town. The burglary was to a vehicle at 1214 Park Lane. There had also been a graffiti incident.

The officer reported that traffic officers would be monitoring speeding and other traffic infractions near school zones during the school year.

REPORTS

Town Attorney

Attorney Foster noted that he would be presenting the Town Council with an Ordinance that would amend the Town's Solid Waste Ordinance to include provisions that would address the Town's non ad valorem assessment program.

A lengthy discussion followed concerning proposed Ordinance No. 403 and the provisions for a tree removal permit. It was the general consensus of Council to postpone action on an amendment to the Landscape Ordinance that would require a tree removal permit until the Council can be sure of what requirements they were looking to enforce.

Mayor

Mayor Foy commented that he did not support maintaining the present millage rate of 4.2952% in light of the implementation of the non ad valorem assessment program.

Consultants

None.

Town Administrator

The Town Administrator reported that she would be forwarding John Kim's most recent traffic analysis for the intersections at Belvedere Road and Haverhill and Belvedere Road and Military. She also noted that she had received a call from the County Engineer's office that County Administrator Weisman would not be attending the September 7, 2011 Conflict Resolution Meeting. George Webb, the County Engineer would be acting in his stead.

Attorney Foster reported that he had heard George Webb speaking at a Palm Beach County meeting concerning the SR7 extension into Northlake Boulevard and Mr. Webb's support of the project was based on his desire to get as much traffic off residential roadways. That reasoning had always been the Council's desire for Belvedere Road.

Committee/Delegate Report

Mayor Foy suggested that the Belvedere Road Committee meet at the close of the September 6, 2011 workshop to discuss the strategy for the Conflict Resolution meeting. The Town Council would be meeting with representatives from the County to discuss Belvedere Road and the next step in the Conflict Resolution procedure. The one hour meeting was scheduled for 10:00 a.m., Wednesday, September 7, 2011.

Mayor Foy reported that the Code and Ordinance Committee had met. The NPDES Steering Committee had not met.

Vice Mayor Woods reported that the next meeting of the Special Events Committee would be called to plan for the upcoming Halloween Event.

Council Member Beavers reported that Palm Beach Atlantic University had been chosen as the venue for three Presidential events.

He had attended a meeting at the Emergency Operations Center in which the guest speaker was from Alabama, the site of the recent devastating tornado.

The Town would need to file its annual Nimscastr.

The next meeting of the League of Cities would be on September 13, 2011 at the NOVA University Campus.

He had attended a meeting of the League's Education Committee chaired by Martha Webster of Royal Palm Beach. Council Member Beavers had been appointed to serve on the League's Education and Transportation Committees.

Council Member Beavers had reported that the Town may need to change the date of its March election due to the Presidential Preference Primary. Council was aware of the possibility.

Council Member Beavers reminded all that the Town was required to post a link from its website connecting to the Inspector General's website.

While at the 85th League of Cities Conference in Orlando, he had obtained information on the Novus Agenda product that would make for a paperless agenda. He reported the link could be found on the League's website.

Governor Scott was the first Governor to be a keynote speaker at the conference since Governor Chiles.

Palm Beach County represented 10% of the attendees at the Conference.

Council Member Beavers also reported on a product provided to its customers by the Florida Municipal Insurance Trust that would provide municipalities with an emergency phone system in the event the phone system should fail.

Council Member Beavers expressed his opposition to HB45 that deregulates the discharge of firearms.

Treasurer's Report

(included in packet)

UNFINISHED BUSINESS

Review of 2011/2012 proposed budget

The Town Administrator presented a proposed budget using three millage rates of 4.0000, 4.1000 and the present rate of 4.2952.

Council reviewed briefly and agreed to schedule the matter for discussion at the Tuesday, September 6, 2011 workshop.

NEW BUSINESS

None.

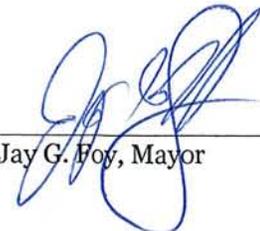
ADJOURNMENT

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

Approved: September 8, 2011



Janice C. Rutan, CMC, Town Administrator



Jay G. Foy, Mayor