

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 ~ October 13, 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 September 8, 2011 and September 22, 2011 Public Budget Hearings and Regular Meetings
- VI. PROCLAMATIONS AND PRESENTATIONS
- VII. COMMENTS FROM THE PUBLIC
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE
- IX. PUBLIC HEARING
 - a. RESOLUTION 2011-10 – A Resolution of the Town Council of the Town of Haverhill to approve amendments to Subdivision Plan and approving the request for Variation as filed by John Reichard on behalf of the property owner Heartwood 1, LLC for property located at Siesta Drive, formally known as 4700 Belvedere Road, Haverhill, Florida and also known as Lots 1-16, Sunset Isles, Replat.
 - b. Request for Variation from Section 58-319 of the Town of Haverhill Code of Ordinances: Walls, fences and shrubbery; height limitation as filed by David Mankowski for property located at 1215 Haverhill Road, Haverhill, Florida.
 - c. Discuss Municipal Election date and possible reschedule from March 13, 2012 to January 31, 2012 to coincide with the Presidential Preference Primary.
 - d. Authorize expenditure of up to \$6,600 for purchase of lawnmower.
 - e. Power Point presentation on water quality issues presented by Mayor Jay Foy.
- X. FIRST READINGS AND REGULAR AGENDA:
- XI. REPORTS
Town Attorney
 - a. Belvedere Road updateMayor
Consultants
Town Administrator
- XII. Committee/Delegate Report
- XIII. Treasurer's Report (included in packet)
- XIV. UNFINISHED BUSINESS
- 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.

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**TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ October 13, 2011
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, October 13, 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, Town Engineer Jeffrey Renault, Town Planner Christopher Barry 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

Consideration of a request for lien reduction for 4830 Dorchester Mews would be added to the agenda under new business per the request of the Town Administrator. There being no further additions, deletions or substitutions, the agenda was adopted as amended.

APPROVAL OF THE CONSENT AGENDA

Approve Minutes of the September 8, 2011 and September 22, 2011 Public Budget Hearings and Regular Meetings

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

PROCLAMATIONS AND PRESENTATIONS

None.

COMMENTS FROM THE PUBLIC

Gerald Crutcher, Belvedere Road, Haverhill. Mr. Crutcher was present to speak on the proposed site plan amendment for Sunset Isles and would defer comment to that agenda item.

(Because no one was present to address the next items on the agenda, the agenda was rearranged to handle those items that did not require presentations).

DISCUSS MUNICIPAL ELECTION DATE AND POSSIBLE RESCHEDULE FROM MARCH 13, 2012 TO JANUARY 31, 2012 TO COINCIDE WITH THE PRESIDENTIAL PREFERENCE PRIMARY

The Town Administrator presented Staff's report. The Town had received a letter from the Supervisor of Elections noting that if the Town were to change its municipal election date to coincide with the Presidential Preference Primary it may cost the Town more money instead of saving the Town money as originally thought. In addition, because the Supervisor of Elections would be conducting the Presidential Preference Primary on January 29, 2012, there would be ample time for her office to recover to allow for the March 13, 2011 Municipal election.

Discussion followed.

It was the general consensus of the town Council to maintain the March Municipal election date as per the Town Charter.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

The Palm Beach County Sheriff's office reported on a robbery to a person that was reported to an officer at the corner of Haverhill and Belvedere Roads. The incident may have occurred

elsewhere. There were warrants served and several traffic and business checks. There was reported graffiti as well.

PUBLIC HEARING

RESOLUTION 2011-10 – A Resolution of the Town Council of the Town of Haverhill to approve amendments to Subdivision Plan and approving the request for Variation as filed by John Reichard on behalf of the property owner Heartwood 1, LLC for property located at Siesta Drive, formally known as 4700 Belvedere Road, Haverhill, Florida and also known as Lots 1-16, Sunset Isles, Replat.

The title was read by Attorney Foster. Attorney Foster provided Council with a history of the project. He explained that John Reichard (Mr. House), as a prospective purchaser for the property, had petitioned the Town Council for a variation from the subdivision requirements to allow for a modification to the required setbacks, to allow for detached single family dwellings and to confine the drainage to platted lots. An amendment to the originally approved site plan would be required.

Town Engineer Renault commented that the drainage system already installed would need to be repiped.

Town Planner Barry had no specific comments on the preliminary plan as a more detailed plan would be forthcoming.

John Reichard confirmed that he was interested in building single family homes.

Gerald Crutcher, Belvedere Road, Haverhill. Mr. Crutcher addressed the Town Council. He reported that Mr. Reichard had approached him to discuss the project. Sunset Isles abuts his property. Mr. Crutcher's areas of concern were the drainage, fencing and landscaping. He wanted to be sure that there would be no construction on the existing drainage easements (lots 12 & 13). He also expressed concern about the side setbacks for lots 1 & 9.

It was explained that a variation would be allowed through Council approval under the subdivision code. A variance would be granted if the applicant could prove that it was needed due to hardship.

Blaz Kavacik was present representing the present owner of the property, Heartwood Partners 1, LLC. Mr. Kavacik confirmed that the present owner did not want to be bound by any amendments unless and until the property transferred to Mr. Reichard and/or Mr. House. Should that not happen, it would be their preference that the property defaults back to the existing plat.

Mayor Foy preferred the varying front setbacks. In response to Council's desire for energy efficient units, Mr. Reichard reported that impact windows, R30 insulation and 13 – 16 SEER A/C units would be installed.

Attorney Foster summarized that the applicant was looking for an amendment to the existing site plan that would change the dwelling units from duplexes to single family units; to allow for a zero lot line, to grant a variation to allow for not less than 8' between buildings and to allow for a 23-26 foot front line setback. He explained that the site plan would not come back before Council for consideration; however, a landscape plan with landscape detail would require Council approval.

Gerald Crutcher once again expressed his concern over the proposed perimeter fencing. Although Mr. Reichard was an experienced fence builder, he would prefer a permanent wall to be constructed.

A motion was then made by Vice Mayor Woods, seconded by Council Member Uptegraph to approve Resolution R2011-10 A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, APPROVING THE AMENDED SUBDIVISION PLAN AND VARIATION OF HEARTWOOD PARTNERS 1, LLC FOR THE SUBDIVISION KNOWN AS SUNSET ISLES.

The Applicant, John Reichard, would need to provide, as an attachment to the approved Resolution, a site plan to the Town Council deleting the drainage and landscaping but showing the footprint of the buildings. The development of the Property shall be limited to the final subdivision plan including, without limitation, the site plan and landscape plan approved by the Town Council,

inclusive of the renderings showing the color, style, character and minimum size of the dwelling units. All modifications must be approved by the Town Council.

Mr. Reichard commented that the due diligence on the property would expire on October 13, 2011 with the closing to take place by the end of October.

The motion passed unanimously 5-0.

Request for Variation from Section 58-319 of the Town of Haverhill Code of Ordinances: Walls, fences and shrubbery; height limitation as filed by David Mankowski for property located at 1215 Haverhill Road, Haverhill, Florida.

The Town Administrator reported that Mr. Mankowski was stranded out of Town and would not be present. **A motion was made by Vice Mayor Woods, seconded by Council member Gordon and unanimously passed (5-0) to table the item to October 27, 2011.**

Authorize expenditure of up to \$6,600 for purchase of lawnmower.

Joseph Roche, Director of Public Services reported that a replacement lawn mower for the Public Works Department would cost approximately \$6,600. He had used \$2,000 of remaining FY2011 funds as a down payment. The Town would piggy back off an existing Palm Beach County contract.

A motion was made by Council Member Gordon, seconded by Vice Mayor Woods and unanimously passed (5-0) to authorize an expenditure of up to \$6,600 for the purchase of a lawn mower using the existing Palm Beach County contract.

Power Point presentation on water quality issues presented by Mayor Jay Foy.

Mayor Foy presented the Town Council with a Power Point Presentation outlining the requirements being imposed on local governments to protect and regulate water quality. Haverhill is already a part of the Palm Beach County NPDES but will soon need to adhere to the federal requirements through the adoption of specific ordinances and monitoring regulations. A question and answer period with discussion followed.

Council thanked the Mayor for his presentation and through general consensus authorized the Mayor to draft a letter on behalf of the Town.

FIRST READINGS AND REGULAR AGENDA:

None.

REPORTS

Town Attorney

Belvedere Road update

A brief discussion about the inclusion of Belvedere Road in the County's five year road program took place.

Mayor

The Mayor reported on the Town's participation in the "Read for the Record" initiative sponsored by the Literacy Coalition of Palm Beach County. He, Council Member Beavers and Town Administrator Rutan read "Llama, llama Red Pajama" to the pre school students at Hope Centennial Elementary School, Wynnebrooke Elementary School, Whiz Kids Day Care, Rainbow Early Learning Center and Haverhill Baptist Church.

In response to Vice Mayor Wood's inquiry, Mayor Foy responded that he had not yet heard back from Mary O'Conner, Executive Director of the Boys and Girls Club but he would invite her to attend the November Council workshop. The grand opening of the Drexel Road facility would be held on Saturday, November 5, 2011.

Consultants

None.

Town Administrator

The Town Administrator reported that she had met with the selection committee for the Residential Energy and Conservation Rebate program as part of the State Grant Program. Two firms had responded to the Request for Proposals.

Committee/Delegate Report

Vice Mayor Woods reminded all that the Halloween Event was scheduled for October 28, 2011 and volunteers were needed.

Mayor Foy and Council Member Beavers had attended the October 12, 2011 Palm Beach County League of Cities District II and District III luncheon held in Atlantis. Topics of discussion included legislative priorities, internet cafés, and municipal mission statements. Council Member Beavers commented on the Impact Fee review Committee. Mayor Foy commented on his Environmental Committee that would be considering, among other concerns, the rising sea level and its affect on infrastructure and drainage.

Treasurer's Report

Included in packet

UNFINISHED BUSINESS

None.

NEW BUSINESS

The agenda had been amended to consider the request for lien reduction as filed by Nautica Realty on behalf of the bank for the foreclosed property located at 4830 Dorchester Mews. Because the request did not contain enough information, specifically the contract for purchase/sale, referred to by the applicant but not attached, the matter was tabled to October 27, 2011.

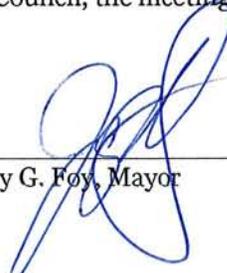
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:40 p.m.

Approved: November 17, 2011



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor