

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 27, 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 October 13, 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. Request for Variation from Section 58-319 of the Town of Haverhill Code of Ordinances: Walls, fences and shrubbery; as filed by Kevin Bucher of 1173 Cheryl Road to allow for the replacement of the existing fence at a 90 degree angle from the front of the house.**
 - b. Approve contract between Town of Haverhill and Supervisor of Elections**
 - c. Reschedule November and December Council meetings due to holidays**
- XI. REPORTS**
 - Town Attorney
 - Mayor
 - Consultants
 - Town Administrator
- XII. Committee/Delegate Report**
- XIII. Treasurer's Report (included in packet)**
- XIV. UNFINISHED BUSINESS**
 - a. Tabled from October 13, 2011: 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.**
 - b. Tabled from October 13, 2011: Request for Lien Reduction for property located at 4830 Dorchester Mews**
- 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 verbalim 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 verbalim 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 ~ October 27, 2011
7:00 p.m.
Official Minutes

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, October 27, 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 7:00 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

The Town Administrator requested the Approval of the Consent Agenda be removed from the Agenda as the minutes were not available. In addition, item 10 A (variation request for 1173 Cheryl Road) should also be removed from the agenda. Staff determined that the location of the fence would be in compliance and a variation would not be needed. **A motion was then made by Vice Mayor Woods, seconded by Council member Beavers and unanimously passed (5-0) to approve the agenda as amended.**

APPROVAL OF THE CONSENT AGENDA

~~Approve Minutes of the October 13, 2011 Regular Meeting~~

PROCLAMATIONS AND PRESENTATIONS

None.

COMMENTS FROM THE PUBLIC

None.

PUBLIC HEARING

None.

FIRST READINGS AND REGULAR AGENDA:

~~Request for Variation from Section 58-319 of the Town of Haverhill Code of Ordinances: Walls, fences and shrubbery, as filed by Kevin Bucher of 1173 Cheryl Road to allow for the replacement of the existing fence at a 90-degree angle from the front of the house.~~

Approve contract between Town of Haverhill and Supervisor of Elections

A motion was made by Vice Mayor Woods, seconded by Council Member Uptegraph and unanimously passed (5-0) to approve the Agreement for vote processing equipment use and election services by and between the Supervisor of Elections and Town of Haverhill.

Reschedule November and December Council meetings due to holidays

Because of the Thanksgiving and Christmas Holidays, a motion was made by Vice Mayor Woods, seconded by Council Member Uptegraph and unanimously passed (5-0) to cancel the regular meetings of November and December 2011 scheduled to be held on the second and fourth Thursday of each month, and to schedule the November meeting for November 17, 2011 and to schedule the December meeting for December 15, 2011.

REPORTS

Town Attorney

None.

Mayor

Mayor Foy suggested Council let the County's five year road plan that included intersection improvements for both Haverhill and Belvedere Road and Military and Belvedere Road stand as presented to the Board of County Commissioners by the County Engineer as the Town was still involved in the Conflict Resolution proceedings with Palm Beach County and could object at a later date.

He did recommend that the Town Council respond to the recent set of plans received by the Town from the County showing 65% completion of the proposed west bound right turn land at Haverhill and Belvedere Roads. He commented that the plans showed a 5' bike path and a 6' sidewalk that were not consistent with existing conditions. He also questioned the deflection of an existing pipe. Supporting the Mayor's recommendation, the Town Council agreed the Town Engineer should review the plans so that a technical letter addressing the Town's concerns could be sent to the County's roadway production department.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

It was reported that there had been a burglary earlier in the day to a residence at 757 Briarwood. On October 26, 2011 there had been a reported burglary at 5023 Club Road. In addition, there had been calls for domestic violence and alarms.

Consultants

None.

Town Administrator

The Town Administrator reported that the Bows, property owners of 621 Ontario Road, had received approval from the Property Appraiser to split the property. Mrs. Bow had taken ownership of the two lots in 1965 and 1969, respectively. The properties combined over the years, and the Bows had to make formal application, with the assistance of the Town, to split the lots.

In appreciation to the Village of Wellington for providing Building Inspection Services to the Town during its recent transition, the Town Administrator had presented Wellington with a plaque to the Building Official, Jacek Tomasiak. The Village had requested the Town of Haverhill attend a Village Council meeting to present the award to their Building Department at a public meeting. Vice Mayor Woods agreed to accompany the Town Administrator to the November 8, 2011 Wellington Village Council meeting.

DRHorton had contacted the Town Planner regarding the Sunset Isles property.

The Town of Lantana had sponsored a Greenfest on October 22, 2011. The Town Administrator had attended as part of the 5 city coalition and shared information on the State Energy Grant and the residential rebate program. Council Member Beavers and his wife had attended the event as well.

Committee/Delegate Report

Vice Mayor Woods reminded all that the annual Halloween Event would be held on Friday, October 28, 2011. Former Council Member Lynch would be driving the truck around Town reminding the residents. Richard Ratcliff, Executive Director of the Palm Beach County League of Cities would judge the costume contest. Council Member Gordon announced that he would try to stop by, although he would be in formal attire on his way to another engagement and joked that the tuxedo should not be considered his costume!

Council Member Beavers reported that he had attended a meeting of the Emergency Management Department. He suggested consideration be given to a lobbyist registration ordinance. He extended an invitation to tour the Lake Worth Lagoon on December 2, 2011. There would be a Tri Board Meeting (Palm Beach County Commissioners, League of Cities and School Board) to be held at the School Board on November 2, 2011. The County would be adopting a Wellfield Protection Ordinance. Mayor Foy commented on the ordinance. A brief discussion followed. Mayor Foy commented on the potential rising sea levels and its possible effect on Palm Beach County and the Town of Haverhill.

Council Member Beavers continued, noting that at the Palm Beach County League of Cities meeting held October 26th, the Town had received special recognition from the Literacy Coalition of Palm Beach for the Town's efforts and participation in the October 6, 2011 "Read for the Record". It was the general consensus of the Town Council to divide the basket of books among the five locations the Town had visited on October 6, 2011.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Tabled from October 13, 2011: 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.

Town Attorney John Foster reported that the Town had not received a formal application from David Mankowski for the variation and until such time, no action could be taken. **A motion was then made by Vice Mayor Woods, seconded by Council Member Uptegraph and unanimously passed (5-0) to remove the item from the agenda.**

Tabled from October 13, 2011: Request for Lien Reduction for property located at 4830 Dorchester Mews

Attorney Foster reminded Council that this matter had been continued from the October 13, 2011 Council meeting awaiting additional information from the applicant, Nautica Realty. He explained that Nautica Realty was representing the property owner, "Fannie Mae". Fannie Mae was under contract with Neighborhood Renaissance, Inc., to purchase the property. Neighborhood Renaissance uses stabilization money to purchase properties to be resold to low to moderate income buyers.

Joseph Roche, Director of Public Services reported that on June 29, 2011 a fine in the amount of \$200.00 per day was assessed by the Special Magistrate for violations existing on the property located at 4830 Dorchester Mews. The lien had accrued for 105 days. An Affidavit of compliance was issued on September 21, 2011.

The total due the Town of Haverhill including administrative costs was figured to be \$25,768.00. Nautica Realty was asking to settle the lien in the amount of \$4,768.00.

The relationship of the principals was explained in detail. Discussion followed.

A motion was then made by Council Member Gordon, seconded by Council Member Uptegraph to accept an amount of not less than \$7,152.00 to release the lien on the property. Council Member Gordon explained this amount represent 1.5 times costs actually incurred by the Town. The motion passed unanimously (5-0).

NEW BUSINESS

None.

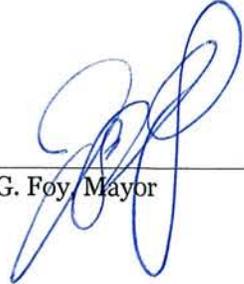
ADJOURNMENT

There being no further business to come before the Town Council, the meeting adjourned at 7:50 p.m.

Approved: November 17, 2011



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor