

Jay G. Foy, Mayor
James 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 ~ February 28, 2013
7:00 p.m.

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes for the February 14, 2013 Regular Meeting and the February 5, 2013 Workshop.**
- VI. PROCLAMATIONS AND PRESENTATION**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. SECOND READINGS AND PUBLIC HEARINGS**
- X. FIRST READINGS AND REGULAR AGENDA**
 - a. Award bid for concession stand repairs, town hall repairs (fascia) and gutter installation**
- XI. REPORTS**
 - Town Attorney**
 - Mayor**
 - Consultants**
 - Town Administrator**
 - Committee/Delegate Report**
 - Treasurer's Report (included in packet)**
- XII. UNFINISHED BUSINESS**
- XIII. NEW BUSINESS**
- XIV. 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 ~ February 28, 2013
7:00 p.m.

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, February 28, 2013 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; James Woods, Vice Mayor; Jerry Beavers, Council Member; Lawrence Gordon, Council Member and Mark C. Uptegraph, Council Member. Also present were Town Attorney John Fenn 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 present.

APPROVAL OF AGENDA

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

CONSENT AGENDA

Approval of the minutes for the February 14, 2013 Regular Meetings and the February 5, 2013 Workshop.

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

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PUBLIC

See below.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

The Deputy Sergeant present at the meeting commented that there had been no reported incidents for the previous 2 week period.

Director of Public Services Joseph Roche reported the armed robbery suspects from the previous PBSO report had been apprehended.

SECOND READINGS AND PUBLIC HEARINGS

None.

FIRST READINGS AND REGULAR AGENDA

Award bid for concession stand repairs, town hall repairs (fascia) and gutter installation

Staff's report was reviewed by the Council. **A motion was then made by Council Member Gordon, seconded by Council Member Uptegraph and unanimously passed to accept Staff's recommendation to award the bid to Newbold Construction in the amount of \$5,158.75 for the repair to the concession**

stand and to award the bid to Gutter Monkeys for the installation of gutters at the Concession stand, pavilion and maintenance building in the amount of \$1,040 for a total award in the amount of \$6,198.75.

The Town Administrator reported that she had checked references and they were positive for both companies.

REPORTS

Town Attorney

Attorney Foster reported that based on the outcome of the Code and Ordinance meeting held on February 25, 2013, he would be presenting three Ordinances for first reading at the next Council meeting.

He commented on an article in Florida Trend magazine that highlighted the accomplishments of former NBA Basketball player Shaquille O'Neal including his effort to open his own law firm in Florida.

Mayor

Vice Mayor Woods inquired about the recent decision by Palm Beach County Commissioners to reverse a specific condition of approval that had been placed on a land development project of which Century Village was part of. It was noted that the condition requiring that part of the development remain a golf course in perpetuity was also part of the approved site plan, recorded plat and deed language.

Mayor Foy added that the increase in density for the project was granted because of the golf course's open space. He questioned how the land use could be exceeded without going through a land use amendment. Attorney Foster noted the County would have a difficult time ahead of them and that the matter will most probably be decided by the Appellate Court.

Vice Mayor Woods expressed his concern that the County could take the same action as it relates to the Town and possibly reverse the park's use and/or widen Belvedere Road. He asked if this recent decision by the County Commission would have any bearing on the Interlocal Agreement between the Town and the County regarding the Haverhill Neighborhood Plan. Mr. Foster explained the Interlocal Agreement was a binding agreement as it was the result of a judge's order to settle litigation between the two parties.

COMMENTS FROM THE PUBLIC

Mrs. Piedra, 4792 Dorchester Mews. Mrs. Piedra notified the Town Council that her home had been broken into earlier in the day. She was in the carport of her home when her alarm was set off. The burglars had climbed the fence (from Orleans Court) into the rear of her property and she found both her widow and door ajar. The perpetrators took off when they heard the alarm.

She asked the Town Council if she would be permitted to install barb wire at the top of her fence. Council suggested she speak with the Building Official. Because the fence is on private property, the Town cannot expend public funds for private property. It was also suggested she install bougainvillea along the perimeter of her fence.

Discussion followed. It was suggested Ms Piedra speak with the Building Official, request a variation from the fence height requirement if needed and the Town would ask the permit deputies on duty to add extra patrols to the neighborhood.

Consultants

None.

Town Administrator

DR Horton would be hosting a ribbon cutting ceremony at the Sunset Isles subdivision. It was agreed that the best date for the majority of Council Members to attend would be Friday, March 8, 2013 at 11:00 a.m.

Prospective buyers of the former Planet Kids would be addressing Council at the March 5, 2013 workshop regarding a possible site plan amendment.

Committee/Delegate Report

Vice Mayor Woods announced that the Special Events Committee had met the previous week to plan for the annual picnic scheduled for March 16, 2013. He expressed his appreciation to Foster and Fuchs for their picnic donation in the amount of \$500.00.

Council had been invited to attend the Lake Clarke Shores picnic being held on March 17, 2013.

Mayor Foy reported that Palm Beach County FEMA Committee would be activated which should result in revised FEMA maps.

The NPDES training meeting had been scheduled for sometime in March.

Council member Beavers reported on the Palm Beach County League of Cities Meeting during which the following topics were discussed:

- Committee on Ethics and Drafting Committee had been appointed
- Municipal road mileage maps had been distributed
- Presentation by Joshua Long on Best management Practices

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

The Town Administrator reported that there had not been any formal applications made to the Town for a Place of Worship.

The Town Administrator reported that Staff would be meeting at 4753 Belvedere Road on Friday morning. The property had been purchased by Sandra Vannick who had come before Council months earlier to discuss boarding her dogs from Misfit Rescue at the property. Staff was meeting at the site to review her application for a land clearing permit and her request to fill in the pond. The Building Official would also be on site to advise Ms. Vannick regarding the present structure.

NEW BUSINESS

Mayor Foy explained that the Town had been contacted by Lake Worth Drainage District about their intent to clear the land on the north of the E-4 canal as per FEMA requirements. The clearing would affect existing vegetation and structures constructed on Ivywood Road properties that have encroached onto the LWDD easement. A meeting between the Town and LWDD would be scheduled.

In regard to the same matter, an article had appeared in the Florida League of Cities "CM"s about another jurisdiction that was suing a drainage district over this same issue.

ADJOURNMENT

With no further business to come before the town Council, the meeting adjourned at 7:45 p.m.

Approved: March 14, 2013



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor