

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 27, 2014
7:00 p.m.

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes for the January 17, 2014 Special Town Council meeting and February 4, 2014 workshop
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. SECOND READINGS AND PUBLIC HEARINGS**
 - a. **RESOLUTION 2014-02:** A Resolution of the Town of Haverhill approving the Application for Special Exception as filed by Xiomora L. Carmona and Juan F. Carmona, owners of that property located at 1070 Palmetto Road, Haverhill, Florida as described in the Warranty Deed recorded in the Public Records of Palm Beach County Florida, at Official Records Book 23095, Page Number 1665 (PCN 22-42-43-26-00-000-5162) to allow for an Accessory Dwelling Unit in a Residential Zoning District (R-1) as per Section 58, Division 11 of the Town of Haverhill Code of Ordinances).
 - b. Update of Town wide Benchmark network and Review of Mayor's response to FEMA re: proposed FIRM
- X. FIRST READINGS AND REGULAR AGENDA**
- XI. REPORTS**
 - Town Attorney
 - Mayor
 - 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 27, 2014**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, February 27, 2014 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 Uptegraph, Council Member. Also present were Town Attorney John Foster, Town Administrator Janice Rutan and Director of Public Services Joseph Roche.

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.

COMMENTS FROM THE PUBLIC

James Bogart, 4965 Club Road East. Mr. Bogart addressed the Town Council concerning the condition of Club Road East, a private road. He expressed his concern over the liability of someone getting hurt due to the condition of the road. He explained that the road has several deep and dangerous potholes.

He had made several efforts over the years to raise money from the homeowners and the Baptist Church to repair the road to no avail. The Church sponsors a food bank each Thursday that brings in excessive traffic, and although he tries to be tolerant and compassionate, he is afraid of the liability and the additional road damage.

Although he understands that the Town cannot assist financially in the road repairs, he was seeking any ideas or suggestions the Council may have in how to remedy the situation.

Council noted that when developers interested in purchasing the Baptist Church come before Council, they put them on notice that the repair of the road should be taken into consideration.

APPROVAL OF AGENDA

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

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes for the January 17, 2014 Special Town Council meeting and February 4, 2014 Workshop.

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

PROCLAMATIONS AND PRESENTATIONS

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Palm Beach County Sheriff's department reported on statistics for the previous two week period. There had been a burglary of a car in the Haverhill Park. Also there was a reported theft of a vehicle on Palmetto Drive, committed by a former tenant.

Council expressed their appreciation to the Sherriff's Office.

SECOND READINGS AND PUBLIC HEARINGS

RESOLUTION 2014-02: A Resolution of the Town of Haverhill approving the Application for Special Exception as filed by Xiomora L. Carmona and Juan F. Carmona, owners of that property located at 1070 Palmetto Road, Haverhill, Florida as described in the Warranty Deed recorded in the Public Records of Palm Beach County Florida, at Official Records Book 23095, Page Number 1665 (PCN 22-42-43-26-00-000-5162) to allow for an Accessory Dwelling Unit in a Residential Zoning District (R-1) as per Section 58, Division 11 of the Town of Haverhill Code of Ordinances).

The title was read by Attorney Foster.

The applicant, Juan Carmona addressed Council. He explained the building for the accessory dwelling unit already existed when they purchased the property. They are requesting the special exception so they can allow his uncle to live there as he is ill and needs to be near family for support.

Chuck Stoddard, 1098 Palmetto Road Mr. Stoddard addressed Council. He stated he had no problem with a relative living there but was against the unit becoming a rental unit.

Mr. Stoddard gave a brief history of the property explaining that the building was originally constructed for a hobby shop.

He then expressed his concern about a kitchen installation. He presented Council with information on electric hot plates he believed would be better than a full kitchen.

Xiomora Carmona, applicant, next addressed the Town Council. She confirmed that the property would remain a single family residence and took exception to the remarks made by her neighbor, Mr Stoddard.

Mr Soddard attempted a rebuttal.

In response to Vice Mayor Woods' inquiry, the Town Administrator, Rutan, explained that the applicants enter into an agreement with the Town to ensure the kitchen facilities are removed when the use as an ADU ceases. In addition, the Town conducts annual inspections of the premises as part of the approval process.

A motion was made by Vice Mayor Woods, seconded by Council Member Uptegraph and unanimously approved (5-0 to approve the adoption of Resolution 2014-02 with conditions of approval.

Update of Town wide Benchmark network and Review of Mayor's response to FEMA re: proposed FIRM

Mayor Foy presented Town Council with a copy of the letter he would be sending to FEMA on behalf of the Town. He explained he would be attaching the finished floor elevations as technical data for inclusion in and revision to the flood maps for the Town of Haverhill.

He gave a brief update on the delay regarding the Biggert-Waters Act.

FIRST READINGS AND REGULAR AGENDA

None

REPORTS

Town Attorney

None

Mayor

Mayor Foy reported hearing roosters during his morning walks. A discussion followed regarding roosters and peacocks and the need for a Code Ordinance Committee meeting.

Town Administrator

The Town Administrator Rutan reported that she had been in contact with Ethel Williams of FPL regarding the early renewal of the Town's franchise agreement with FPL and if there would be a financial benefit to the Town. Ms Williams would be preparing a cost analysis for the Town's consideration.

DR Horton had been in contact with her office regarding their interest in the Emerald Cove property.

The Town Administrator reported that in accordance with the agreement between the Town of Haverhill and Grau and Associates to perform auditing services, the agreement, which will expire at the completion of the September 30th 2013 audit, can be extended upon mutual agreement of the parties. It was Council consensus to ask Grau and Associates for their interest in presenting the Council for a proposal for auditing services for the ensuing three years.

Mayor Foy reported that there was a street light out at the corner of Belvedere Road and Cheryl Road.

Discussion followed and it was agreed that the Director of Public Services would contact FPL to discuss the installation of additional street lights.

The Director of Public Works, Joseph Roche, reported that his department had sodded the west side of Concord Road.

Mr. Roche also reported that the dry retention area at Sunset Isles was acting more like a detention area. In the best interest of the Town, the Town Engineer recommended the installation of stone bedding at the base of the retention area which remedied the problem. A brief discussion followed concerning the noise attenuation at the DR Horton subdivision. Also it was noted that access to the Church property should be direct from Haverhill Road, not Club Road east.

Committee/Delegate Report

Vice Mayor Woods reported on the upcoming Town picnic, March 8th, 2014. He reminded all there would be food, games, a classic car show and the steam engines and tractors.

Council Member Beavers offered that his out of town guests have volunteered to work at the picnic.

He then reported on his attendance at the Palm Beach County League of Cities Board Meeting.

Carmine Priore has been appointed by the League to serve on the Commission on Ethics. Latch Key Kids and their relationship to the continuing education and school drop out statistics were

discussed. Council Member Beavers also suggested the Town consider a bumper sticker campaign supporting family and education.

The presentations included revenue received due to the Sports Commission.

**Treasurer's Report
Included in packet.**

UNFINISHED BUSINESS

Vice Mayor Woods once again brought up his concern over the speeding on Belvedere Road. He requested Town Council support to increase the permit deputies to enforce traffic. Council supported Vice Mayor Woods. Joseph Roche, Director of Public Services would speak to the Sergeant in charge of traffic to include enforcement.

Council inquired as to the status of the manufactured home being stored on the Vanneck property at 4753 Belvedere Road.

Mr. Roche responded it was a matter scheduled for the Special Magistrate.

NEW BUSINESS

The Town Administrator discussed filling the position of the Deputy Town Clerk, vacated due to the resignation of Jessica Green. It was her intention to hire an Administrative Assistant instead of a Deputy Town Clerk. Council agreed, but cautioned about working with temporary agencies for a long term replacement. Discussion followed. Council supported the Town Administrator in her decision to hire an Administrative Assistant/Clerk to fill the open position.

Council Member Uptegraph expressed his concern over Council's recent approval for a special exception as filed by the Kingdom Hall of Jehovah's Witnesses. He wished he had strongly suggested they relocate their project from the Verbo Church property to the Baptist Church property.

ADJOURNMENT

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

Approved: 3/27/2014

Janice C. Rutan, Town Administrator

Jay G. Foy, Mayor

