

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



**Town Council
Workshop
Town Hall Council Chambers
4585 Charlotte Street
Haverhill
Tuesday, May 6, 2014
NOON**

AGENDA

- I. Call to Order
- II. Presentations/Proclamations
- III. Council, Attorney and Staff Reports
 - a. Proposed Ordinance No. 422 – Discussion
 - b. Receive letter from Manny Serria re: Request for Extension for Development Order for Planet Kids
 - c. Receive letter from Julian Bryan on behalf of DR Horton (Emerald Cove) requesting variation from side setback requirements
- V. Old Business
- VI. 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 OF HAVERHILL
Town Council Workshop
May 6, 2014
Town Hall – 4585 Charlotte Street**

OFFICIAL MINUTES

Pursuant to the foregoing notice, a Haverhill Town Council Workshop was held on Tuesday, May 6, 2014 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay Foy, Mayor, Jerry Beavers, Council Member, Lawrence Gordon, Council Member and Mark Uptegraph, Council Member. Also present were John Foster, Town Attorney, Josh Nichols, Town Planner, Jeff Renault, Town Engineer, Janice C. Rutan, Town Administrator, Devon Espin, Administrative Assistant, Joseph Roche, Director of Public Services and Peggy Lawrence, Resident.

I. CALL TO ORDER

Mayor Foy called the Workshop to order at **12:15 p.m.**

II. PRESENTATIONS/PROCLAMATIONS

None

III. COUNCIL, ATTORNEY AND STAFF REPORTS

a. Proposed Ordinance No. 422- Discussion

Attorney Foster presented Ordinance 422 for council consideration explaining it had been revised, Councils suggestions are as follows:

Section 10-7: definitions were segregated.

Section 10-16: Code enforcement provisions were corrected.

Second reading was scheduled for May 8, 2014, at the Council Meeting.

b. Received letter from Manny Serria re: Request for Extension for Development Order for Planet Kids.

The Town Administrator, Janice C. Rutan, presented Staff's report. She explains that the petitioner, Manny Serria was entitled to additional extensions for the development order granted to Planet Kids through the adoption of Resolution 2009-05 and 2009-06.

Mr. Serria was requesting a six (6) month extension.

c. Received letter from Julian Bryan on behalf of DR Horton (Emerald Cove) requesting variation from side setback requirements.

Mayor Foy disclosed that he had been contacted by DR Horton to give a due diligence proposal for a project in Jupiter. If awarded the project, he would have to abstain from any discussion on action regarding the DR Horton, Emerald Cove project in town.

Discussion followed regarding the request for a variation for the Emerald Cove site plan.

Mayor Foy expressed concern reminding all that the Council had removed reference to Chapter 58 from the variation procedure under Chapter 54 to avoid this situation. He would prefer to allow a variation through the site plan approval process and not through a request as it allowed for too much flexibility.

The matter would be considered at the next Code and Ordinance Committee meeting.

d. Review proposal from Wynn & Sons for Woodland Avenue drainage project.
Town Engineer, Jeff Renault offered staff's report.

He had reviewed the proposal from Wynn & Sons and would recommend approval with the removal of the contingency for a total of \$80,433.

The matter would be acted upon at the Council Meeting on May 8, 2014.

Engineer Renault added that he would recommend a piggy back contract for a project of this size, moreover, he would suggest going out for an REP for larger projects.

He commented that the Town has always been satisfied with the quality of work of Wynn & Sons.

e. Letter from Briarwood HOA requesting waiver of building permit fees.

The Town Administrator offered Staff's report. She had recorded a request from Joe Alonso, on behalf of the Briarwood HOA to waive the building permit fees for the instillation of a neighborhood fence along Belvedere Road.

Discussion followed with Council members. Council Members Gordon and Beavers abstaining, as they live in the Briarwood subdivision.

Attorney Foster suggests the Town Administrator contact the Building Official to determine if there is a provision in the building code that allows fees to be silent to the matter.

IV. OLD BUSINESS

Solid Waste Fees

The Town Administrator reported that the day after the Town extended its contract with Southern Waste Systems (SWS) for the ensuing two (2) years at an increase of \$5.00 per unit, per month, she received information from an industry competitor that the Town was being overcharged.

The Town Administrator obtained the following information:

- Lantana bills its residents at a rate of \$18.98 per unit per month while retaining 1% of the gross billing for uncollectable accounts, less the applicable franchise fee. Netting a per unit per month cost of \$11.94 to the contractor.
- Loxahatchee Groves is charged \$15.60 per unit per month with a weekly limitation of 6 cubic yards for bulk waste and vegetation.
- Palm Springs is charged \$11.58 per unit per month.
- Atlantis is charged \$15.94 per unit per month and the contractor provides back door service.

Discussion followed. Council agreed that the Town of Haverhill had an enormous amount of vegetation to be hauled at the cost of the contractor. The contractor does not limit the homeowner to the amount of weekly vegetation picked up and hauled away.

Since this was the final two year extension allowed by the terms of the contract, the matter would be out to bid prior to the expiration of the 2 year extension, September 30, 2016.

Haverhill Park: Well Project

Mayor Foy reported that he has spoken with former Council Member Jonathan Jadu regarding Mr. Jadu's concerns over the well drilling in the Haverhill Park.

Mayor Foy explained that although unlikely, showed an event such as a sinkhole or aqua filter depletion occur because of the drilling, recourse would full to the South Florida Water Management District.

Belvedere Road

Discussion followed regarding Belvedere Road and whether the 6- laneing was included in the 2040 long range traffic plan. Mayor Foy offered to attend a meeting of the Palm Beach County Metropolitan Planning Organization (MPO) to determine if Belvedere Road is on their map as well as in their cost feasible study.

The Town Administrator would contact the Town's Traffic Engineer, John Kim, to obtain traffic counts.

FEMA Flood Maps

Mayor Foy reported that he had received notice from FEMA that it would not be using the Town's finished floor elevations (FFE'S) to revise the digital elevation model (DEM) of the maps. They would be using ground elevations. Mayor Foy commented that the town should join with other municipalities to appeal that decision. He did note that FEMA agreed to use the 10'DEMs and not the 5' DEM.

Council Member Uptegraph inquired as to noise complaints the Town may have received due to the noise in the Park because of the well project. Director of Public Services Roche explained they have only drilled one Saturday.

4753 Belvedere Road

The Town Administrator reported that the Building Permit has been issued for 4753 Belvedere Road (Vanneck Property).

Discussion followed. When learning that the Town would require an independent engineer to provide inspections and certify same, Council Member Gordon inquired if the Town was requiring the engineer to provide the Town with a certificate of insurance.

Attorney Foster commented that the law does not give the Town the authority to require that.

It was noted that the Contracting Company be required to provide the Town with liability insurance, naming the Town as an additional insured.

Palm Beach County League of Cities (PBCLOC)

Council Member Beavers announced that the Palm Beach County League of Cities asked him to serve on the Citizens Committee on Airport Noise (CCAN).

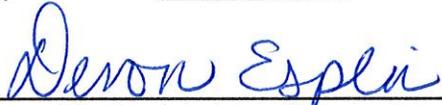
He joked that he would bring a new perspective to the Committee because as a former pilot, he actually liked the noise of airplanes.

He reported that there would be a special board meeting of the League on May 14 in Atlantis to consider the Solid Waste Authority's proposal to import trash into Palm Beach County for the waste to energy plant.

V. ADJOURNMENT

There being no further business to be discussed, the workshop ended at 1:00 p.m.

Approved: June 12, 2014



Devon Esplin, Administrative Assistant



Jay G. Foy, Mayor

SIGN IN SHEET

**TOWN OF HAVERHILL
TOWN COUNCIL WORKSHOP
May 6, 2014, Noon**

Name	E- Mail Address	Signature
Jeff Renault	renault4953@att.net	Jeff Renault
Peggy Lawrence		Peggy Lawrence
JAY FAY		Jay Fay
Sohn Fasko	yes	Sohn Fasko
Josh Nichols	jnichols@jesla.com	Josh Nichols
JOE ROCHE		Joseph Roche
Devon Esplin		Devon Esplin
JERRY BEAVERS		Jerry Beavers
MARK COSTELLO		Mark Costello
LAWRENCE GORDON		L. Gordon