

Jay G. Foy, Mayor  
Lawrence Gordon, Vice Mayor  
Mark C. Uptegraph, Council Member  
Remar M. Harvin, Council Member  
Daniel H. Sohn, Council Member  
John Fenn Foster, Town Attorney  
Janice C. Rutan, Town Administrator



**TOWN COUNCIL REGULAR MEETING**  
**Town Hall Council Chambers**  
**Thursday ~ October 24, 2019**  
**7:00 p.m.**  
**AGENDA**

- I. CALL TO ORDER
- II. COMMENTS FROM THE PUBLIC
- III. APPROVAL OF AGENDA
- III. APPROVAL OF THE CONSENT AGENDA
  - a. Approve Minutes of the October 10, 2019 Regular Meeting and September 9, 2019 Workshop
- IV. PROCLAMATIONS AND PRESENTATIONS
- V. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE
- VI. SECOND READINGS AND PUBLIC HEARINGS  
None.
- VII. FIRST READINGS AND REGULAR AGENDA
  - a. Consider Request for variation to allow for the existing hedges to be maintained as is at the Property located at 1192 Pineway Drive as requested for by the property owners, Phillip and Katrina Bankert
  - b. Approve required repairs for School Crossings at Haverhill and Belvedere Roads
  - c. Consider installation of power pole at the intersection of Park and Cyprus Lanes
  - d. Consider designating replaced iPads as surplus property
  - e. First Reading of Ordinance No. 477: Vacation Rentals
  - f. First Reading of Ordinance No. 478: Chickee Huts
- VIII. REPORTS  
Town Attorney  
Mayor  
Consultants  
Town Administrator  
Committee/Delegate Report  
Treasurer's Report (included in packet)
- IX. UNFINISHED BUSINESS
- X. NEW BUSINESS
- XI. 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 ~ October 24, 2019**  
**Official Minutes**

Pursuant to the foregoing notice, the regular monthly meeting of the Haverhill Town Council was held on October 24, 2019 in Council Chambers, Town Hall, 4585 Charlotte Street. Those present were Lawrence Gordon, Vice Mayor; Mark Uptegraph, Council Member and Daniel Sohn, Council Member. Also present were John Foster, Town Attorney and Janice Rutan, Town Administrator.

**CALL TO ORDER**

Vice Mayor Gordon called the meeting to order at 7:00 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Vice Mayor Gordon offered the invocation and led in the Pledge of Allegiance.

**ROLL CALL**

All members were present with the exception of Mayor Foy and Council Member Harvin.

**COMMENTS FROM THE PUBLIC**

**Donna and Kurt Putzig, 1061 Palmetto Road.** The Putzigs complained to the Town Council that they had received a letter telling them they would need to cut back their hedge to between 4 and 6 feet.

The Town Council explained that they were reviewing the Ordinances that address hedge and fence height, however, in the meantime, the Putzigs could request a variation from the Town Council to allow for an alternative from the hedge height.

Those present also complained that the job for Code Compliance had not been posted on the Town's website and they knew of a resident that was interested in applying.

The neighbors at 5382 Toronto complained of an AirBNB being operated at that location. Attorney Foster explained that the Town cannot prohibit AirBNBs from operating under Chapter 509, however, they do need to be licensed with the Department of Business Regulation, collect and file State sales tax, collect tourist development tax, etc.

**APPROVAL OF AGENDA**

**It was requested the agenda be amended to minutes from the Consent Agenda and to remove items 7e and 7f.**

**A motion was made by Council Member Uptegraph, seconded by Council Member Sohn and unanimously passed (3-0) to approve the agenda as amended.**

**APPROVAL OF THE CONSENT AGENDA**

**Approve Minutes of the October 10, 2019 Regular Meeting and September 9, 2019 Workshop**

**PROCLAMATIONS AND PRESENTATIONS**

**None.**

## **COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**

Deputy Kayla Schnell was present to report on the Crime Stats for the period 10-11 through 10-24. There had been 21 traffic stops; 38 business and resident checks; 7 suspicious persons and 2 proactive drug arrests, one of which resulted in a felony.

Discussion followed regarding the recent burglary at 630 Tall Pines Road.

Next discussed was the excessive speeding on Belvedere Road. Deputy Schnell will reach out to the traffic unit.

Cassandra Williams, Tall Pines Road: Ms. Williams asked that a Children at Play sign be placed in front of her home due to excessive speeding on Tall Pines as well.

## **SECOND READINGS AND PUBLIC HEARINGS**

**None.**

## **FIRST READINGS AND REGULAR AGENDA**

**Consider Request for variation to allow for the existing hedges to be maintained as is at the Property located at 1192 Pineway Drive as requested for by the property owners, Phillip and Katrina Bankert**

Mr. and Mrs. Bankert had requested Town Council consideration in granting a variation to allow for the hedges on either side of their property to exceed the 6 foot hedge height. They explained the hedges were at least 16 years hem to keep their two hedges on the north and south sides of their property. They explained that the hedges are well kept and provide privacy. They provided letters from their neighbors on either side raising no objection to the height of the hedges.

**A motion was then made by Council Member Uptegraph, seconded by Council member Sohn and unanimously passed (3-0) to grant the Bankerts a variation to maintain their hedges in excess of the 6 foot height restriction.**

## **PUBLIC COMMENT:**

**Cassandra Williams, Tall Pines Road.** Ms. Williams addressed the Town Council once again asking for their assistance in securing more woman's shelters in Palm Beach County. Presently, there are only two shelters. Council Member Sohn commented that a request to add an additional shelter be a matter to go before the Board of County Commissioners.

## **Approve required repairs for School Crossings at Haverhill and Belvedere Roads**

The Town Administrator offered Staff's report. She explained that although Haverhill and Belvedere Roads were County Roads, school crosswalks were the- responsibility of the municipality that the crosswalks were located in. (AGO opinion 85-72).

There were not any school advance crossing signs for westbound Belvedere east of approaching Haverhill and the crosswalk needed repainting on the East side of the intersection.

Piggybacking on Wynn and Sons contract with the County, an estimate of \$8,512.50 was received to complete the required repairs.

**A motion was then made by Council Member Uptegraph, seconded by Council member Sohn and unanimously passed to authorize the expenditure of \$8,512.50 for the required repairs for school crossings at Haverhill and Belvedere Roads.**

**Consider installation of power pole at the intersection of Park and Cyprus Lanes**

The Town Administrator had offered Staff's report. She had received a phone call from the resident at 1262 Park Lane requesting the Town install a street light in front of her home. She had come home late one evening and almost hit a person on a bicycle as it was so dark. The Town Administrator had been in contact with FP&L and it was suggested the light be installed at the intersection of Park and Cyprus Lanes.

The cost for boring to install the light would be \$1,771.20 and the approximate monthly cost would be \$15.09. FP&L would require a 10' utility easement.

**A motion was then made by Council Member Sohn, seconded Council member Uptegraph and unanimously passed (3-0) to approve the installation of a street light on the east side of Park Lane at the intersection of Park and Cyprus Lanes.**

**Consider designating replaced iPads as surplus property**

The Town Administrator offered staff's report. The Town Council had requested the Town Administrator obtain pricing for buy back of the Town's decommissioned iPads and telephones. She had received a price from Mobile Source to buy back the iPads at \$50.00 each and the phones a price between \$25.00 - \$60.00. for each phone.

**A motion was made by Council member Sohn, seconded by Council member Uptegraph and unanimously passed to declare the iPads and phone surplus property and authorize them being sold for the prices included in the Mobile Source quote dated September 10, 2019.**

~~First Reading of Ordinance No. 477: Vacation Rentals~~

~~First Reading of Ordinance No. 478: Chickee Huts~~

**REPORTS**

**Town Attorney**

None.

**Mayor**

Vice Mayor Gordon reported on the Palm Beach County League of Cities Meeting that had been held the previous day. Specifically there being a Federal Court ruling in which the plaintiff was fined \$6,000 for a suit against ADA compliance.

Vie Mayor Gordon announced that at the close of the November League of Cities Meeting, there would be a workshop on ADA Compliance relating to municipal websites.

**Town Administrator**

The Town Administrator reported that the Audit of the Inspector General had been completed and was made public.

**Committee/Delegate Report**

None.

**Treasurer's Report**

Included in packet.

**UNFINISHED BUSINESS**

None.

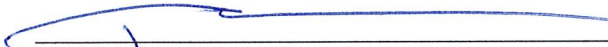
**NEW BUSINESS**

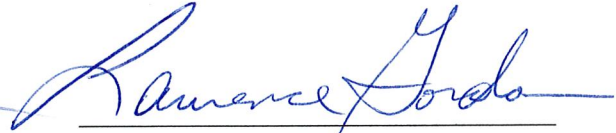
**Council Member Sohn announced his recent engagement.**

**ADJOURNMENT**

**There being no further business to come before the Town Council, the meeting adjourned at 8:30 p.m.**

Approved: January <sup>09</sup> 24, 2020

  
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Janice C. Rutan, Town Administrator

  
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Lawrence Gordon, Vice Mayor

