

Mayor Joseph S. Kroll Council President James E. Woods
Council Vice President Jay G. Foy Council Member Jerry E. Beavers
Council Member Henry "Butch" Lynch Council Member Mark C. Uptegraph
Assistant Town Administrator / Town Clerk Janice C. Rutan
Town Attorney John Foster



**TOWN OF HAVERHILL
Regular Town Council Meeting
December 13, 2007**

7:00 p.m.

Town Hall – 4585 Charlotte Street

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. Approval of minutes November 8, 2007**
 - b. Award of Bid to B&B Underground Contractors in the amount of \$120,252. for the Rutherford Lane Improvement Project**
- VI. PRESENTATIONS AND PROCLAMATIONS**
 - a. Presentation and Acceptance of the Town of Haverhill's Annual Financial Report for the period ending September 30, 2006. Anthony Grau of Grau and Associates will be present.**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT**
- IX. REGULAR AGENDA:**
 - a. Act on request for a variation to the height restriction of hedge located at 4949 Belvedere Road as per Sec. 58-319 Zoning Code of Ordinances.**
 - b. Consider Interlocal Agreement between the Town of Haverhill and Solid Waste Authority combining the present agreements for Recycling and Solid Waste to one agreement with a shared expiration date of 2010.**
 - c. Reschedule January Workshop from January 1, 2008.**
- X. SECOND READINGS AND PUBLIC HEARINGS**
 - a. ORDINANCE NO. 363: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING CHAPTER 58, ZONING, BY AMENDING ARTICLE I, SECTION 58-8 BY REVISING THE DEFINITIONS FOR "BUILDING HEIGHT"; ARTICLE VI. DISTRICT REGULATIONS, DIVISION**

3 AND 4, BY AMENDING THE MINIMUM LOT SIZE, MINIMUM LOT WIDTH, MAXIMUM LOT COVERAGE, AND MINIMUM SIDE SETBACK; AND BY AMENDING SECTIONS 58-166, 58-181 AND 58-196 TO REQUIRE THAT ALL DWELLINGS NOT EXCEED TWO STORIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

b. **ORDINANCE No. 364:** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 38, TRAFFIC AND VEHICLES BY AMENDING SECTION 38-9 TO NOT ALLOW MORE THAN 2 VEHICLES TO BE ADVERTISED FOR SALE DURING ANY SIX MONTH PERIOD; CLARIFY THAT PARKING OF RECREATIONAL VEHICLES, BOATS AND TRAILERS IS NOT ALLOWED ANYWHERE ON PRIVATE PROPERTY EXCEPT UNDER CERTAIN CONDITIONS; AND AUTHORIZING THE MAYOR TO ISSUE A PERMIT TO A RESIDENT UPON PROPER APPLICATION FOR EXTENDING THE TIME OF PARKING CERTAIN VEHICLES OR OTHERWISE PERMITTING A USE NOT ALLOWED ; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

c. **ORDINANCE NO. 365:** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING CHAPTER 54, SUBDIVISIONS, PLATTING AND REQUIRED IMPROVEMENTS, BY AMENDING SECTION 54-5 TO REQUIRE A DETAILED SITE PLAN AND LANDSCAPE PLAN; AMEND SECTION 54-6 AND 54-9 TO REQUIRE THAT ALL WATER MANAGEMENT TRACTS NOT BE INCLUDED AS PART OF THE LOT; AMENDING SECTIONS 54-6 AND 54-7 TO ALLOW THE COUNCIL TO VARY THE RIGHT-OF-WAY REQUIREMENT TO NO LESS THAN 40 FEET PROVIDED THERE IS ADEQUATE UTILITY EASEMENT AREA PROVIDED; ADDING PROVISIONS REGARDING BUILDING AND ARCHITECTURAL DESIGN STANDARDS AS SET FORTH IN SECTION 54-16; ADDRESSING VARIATIONS IN SECTION 54-17 REGARDING WORKFORCE HOUSING AND ADDING MISCELLANEOUS REQUIREMENTS REGARDING TIME OF COMPLETION, INSTALLATION REQUIREMENTS AND OTHER MATTERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

X. FIRST READINGS

a. **ORDINANCE NO. 366:** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA ANNEXING WITHIN THE CORPORATE AREA OF THE TOWN OF HAVERHILL, FLORIDA, UPON ADOPTION OF SAID ORDINANCE AND APPROVAL BY REFERENDUM, A PARCEL OF LAND CONTAINING APPROXIMATELY 18.74 ACRES GENERALLY LOCATED ON THE EAST SIDE OF HAVERHILL ROAD WHICH PARCEL IS ALSO ABUTTING AND TO THE NORTHERN MUNICIPAL LIMITS OF THE TOWN, SAID PROPERTY BEING SITUATED IN PALM BEACH COUNTY, FLORIDA, IN ACCORDANCE WITH THE INVOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.0413, FLORIDA STATUTES (2007); PROVIDING FOR A REFERENDUM TO BE HELD ON MARCH 11, 2008 OF THE REGISTERED ELECTORS OF THE AREA PROPOSED TO BE ANNEXED; PROVIDING FOR REDEFINING THE BOUNDARY LINES OF THE

TOWN OF HAVERHILL TO INCLUDE THE SUBJECT PROPERTY IN THE TOWN'S OFFICIAL BOUNDARY MAP; PROVIDING FOR THE MAYOR AND CLERK, OR THEIR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THE ANNEXATION INCLUDING SUBMITTING THE BOUNDARY CHANGE TO THE DEPARTMENT OF STATE, STATE OF FLORIDA; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND EFFECTIVE DATE.

XI. REPORTS

Town Attorney

Mayor

Consultants

Assistant Town Administrator/Town Clerk

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, Assistant Town Administrator and Town Clerk, at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

TOWN OF HAVERHILL
Regular Town Council Meeting
December 13, 2007
Town Hall – 4585 Charlotte Street
OFFICIAL MINUTES

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, December 13, 2007 at the Town Hall, 4585 Charlotte Street, Haverhill. Present were Mayor Joseph S. Kroll; Council President James E. Woods, Council Vice President Jay G. Foy, Councilmember Jerry Beavers, Councilmember Henry Lynch, Town Attorney John Foster, Town Clerk Janice C. Rutan and Code Enforcement/Public Works Director Joseph S. Roche.

CALL TO ORDER:

Council President Woods called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Woods offered the Invocation and led in the Pledge of Allegiance.

ROLL CALL:

All members of the Town Council were present with the exception of Council Member Uptegraph.

APPROVAL OF AGENDA:

Per the request of the property owner, Item 9A was removed from the agenda.

Noting that the Consent Agenda included an item that would approve an expenditure that was above the authorized spending threshold, it was agreed to remove the Award of Bid from the Consent Agenda and place it as the first item of business. The agenda was ordered approved as amended.

APPROVAL OF THE CONSENT AGENDA

- a. **Approval of minutes November 8, 2007**
- b. ~~**Award of Bid to B&B Underground Contractors in the amount of \$120,252 for the Rutherford Lane Improvement Project**~~

A motion was made by Council Vice President Foy, seconded by Council Member Beavers and unanimously passed to approve the Consent Agenda as amended.

AWARD OF BID TO B&B UNDERGROUND CONTRACTORS IN THE AMOUNT OF \$120,252. FOR THE RUTHERFORD LANE IMPROVEMENT PROJECT

Town Engineer Jeffrey Renault prepared bid tabulations for Council consideration and recommended the bid be awarded to the lowest bidder.

A motion was made by Council Vice President Foy, seconded by Council Member Beavers and unanimously passed to award the bid for the Rutherford Lane Improvement project to B&B Underground Contractors in the amount of \$120,252.

Council concurred that this was a long, overdue project that needed to move forward.

PRESENTATIONS AND PROCLAMATIONS

Presentation and Acceptance of the Town of Haverhill's Annual Financial Report for the period ending September 30, 2006. Anthony Grau of Grau and Associates will be present.

Anthony Grau of Grau & Associates presented the Town Of Haverhill's Annual Financial Report for the fiscal year ending September 30, 2006. Mr. Grau gave a detailed report of findings determined by the audit.

The Town Clerk reported that due to scheduling conflicts, the audit for the FY ending September 30, 2007 would commence soon after March 1, 2008.

The Town Council expressed their appreciation to Mr. Grau. **A motion was then made by Council Vice President Foy, seconded by Council Member Lynch and unanimously passed (4-0) to receive and file the annual financial report for the Town of Haverhill for the period ending September 30, 2006.**

COMMENTS FROM THE PUBLIC

Robert Roessler, 1010 Pineway: Mr. Roessler was present to discuss proposed Ordinance 364. Council President Woods noted that he would listen to comments at this point in the meeting but would again open the floor to comments during second reading. Mr. Roessler stated that he was against the passage of the Ordinance and took exception to the inclusion of the word "anywhere" when describing where on the property trailers could be parked. He was against changing the Ordinance that allowed the parking of recreation vehicles from the original 48 hours to 4 hours. He did not want to have to request permission from the Mayor to park his recreational vehicles for more than 4 hours.

Town Attorney Foster explained the intent of the Ordinance and the exceptions contained therein.

Mark Black, 1131 Pineway Drive: Mr. Black asked for clarification of the exceptions.

Town Attorney Foster again responded in great detail. He noted that there was a provision that would allow the Mayor to extend the permitted time for up to one year.

Mr. Black expressed dismay in having to ask permission from the Mayor.

Ed Stalf, 5263 Belvedere Road: He expressed his concern that the flavor of the Town was being compromised as he enjoyed seeing recreational vehicles in yards. He noted that some of the vehicles being discussed cost quite a lot of money and people should be able to enjoy the "toys" they can afford.

Robert Valle, 1163 Palmetto Drive: Intentionally did not move into area with an HOA. He has worked many years to be able to afford luxuries and did not agree with ordinance.

Philip Bankert, Pineway Drive: Did not support ordinance. He felt the ordinance was affecting the people that support the Town, not those that drag the Town down.

Father Terrance Taylor, St. Christopher's Church. Reverend Taylor reported that during church services this past Sunday there had been a break in of a parishioner's car. He later learned during an interfaith meeting that a similar incident happened at another Church nearby. The Code Enforcement officer had informed the Pastor that a symbol painted on the FP&L transformer on the St. Christopher property was that of a gang. Father Taylor asked for assistance from the Town and the PBSO to keep his members and business secure.

Mark Black, Pineway Drive: Reported on gang activity, graffiti and gun shots behind his home on Pineway.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT

Deputy Sergeant Newborn presented the Palm Beach County Sheriff's office in reporting Town of Haverhill calls for service for the period November 8, 2007 to December 12, 2007. In response to Father Terrance Taylor, he agreed to look into why the burglary at St. Christopher's was not on the list. He did report that there had been a home burglary at 5023 Club Road and another at 1021 Cheryl Road. The incident at Club Road, the suspects had taken the sliding glass door off its tracks to gain entrance to the residences and ultimately stole \$5,000 worth of jewelry. Deputy Sergeant Newborn warned everyone to be extra precautionous especially during the holiday season.

Deputy Sergeant Newborn will contact the Captain and request police presence during Sunday services.

Reverend Taylor expressed his concern with the upcoming midnight mass event.

D/S Newborn also confirmed that the gun shots do come from the Stacy Street area. Stacy Street is located in District 3.

Council President Woods explained that the division between District 1 and District 3 runs along Belvedere Road, however, because the Town permits coverage through the PBSO, the PBSO has allowed all of Haverhill to be included in District 1. Despite the crime in nearby areas, Haverhill remains relatively safe due to the extra coverage provided through the permit system which the Town budgets over \$100,000 annually.

Discussion followed as to the graffiti that may be copy cat related and not actually done by gang members.

REGULAR AGENDA:

~~Act on request for a variation to the height restriction of hedge located at 4949 Belvedere Road as per Sec. 58-319 Zoning Code of Ordinances.~~

(Removed from agenda).

Consider Interlocal Agreement between the Town of Haverhill and Solid Waste Authority combining the present agreements for Recycling and Solid Waste to one agreement with a shared expiration date of 2010.

Council Member Lynch expressed concern and requested review of both contracts (Waste Management and Solid Waste Authority) prior to taking action on the request of the SWA.

Attorney Foster suggested Staff request Waste Management review the proposed Agreement and respond in writing that they have no objection to the terms and conditions of the Interlocal Agreement being proposed by SWA.

Mayor Kroll explained that the Town was already entered into these agreements and that the proposed changes were minor.

A brief discussion followed. Mayor Kroll noted that in all of the years, the Town has never been charged for overages.

A motion was made by Council Vice President Foy, seconded by Councilman Lynch and unanimously passed (4-0) to table this item to the meeting of January 10, 2008 for action.

It was also agreed that that matter be placed on the January Workshop agenda for further discussion and explanation.

It was agreed that Staff would obtain a letter from Waste Management.

Reschedule January Workshop from January 1, 2008. (No action taken)

SECOND READINGS AND PUBLIC HEARINGS:

ORDINANCE NO. 363: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING CHAPTER 58, ZONING, BY AMENDING ARTICLE I, SECTION 58-8 BY REVISING THE DEFINITIONS FOR "BUILDING HEIGHT"; ARTICLE VI. DISTRICT REGULATIONS, DIVISION 3 AND 4, BY AMENDING THE MINIMUM LOT SIZE, MINIMUM LOT WIDTH, MAXIMUM LOT COVERAGE, AND MINIMUM SIDE SETBACK; AND BY AMENDING SECTIONS 58-166, 58-181 AND 58-196 TO REQUIRE THAT ALL DWELLINGS NOT EXCEED TWO STORIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

The title was read by Attorney Foster. Attorney Foster offered staff's report.

A motion was made by Council Vice President Foy, seconded by Council Member Lynch and unanimously passed (4-0) to adopt Ordinance No. 363 on second reading.

ORDINANCE No. 364: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 38, TRAFFIC AND VEHICLES BY AMENDING SECTION 38-9 TO NOT ALLOW MORE THAN 2 VEHICLES TO BE ADVERTISED FOR SALE DURING ANY SIX MONTH PERIOD; CLARIFY THAT PARKING OF RECREATIONAL VEHICLES, BOATS AND TRAILERS IS NOT ALLOWED ANYWHERE ON PRIVATE PROPERTY EXCEPT UNDER CERTAIN CONDITIONS; AND AUTHORIZING THE MAYOR TO ISSUE A PERMIT TO A RESIDENT UPON PROPER APPLICATION FOR EXTENDING THE TIME OF PARKING CERTAIN VEHICLES OR OTHERWISE PERMITTING A USE NOT ALLOWED ; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The title was read by Attorney Foster.

A motion was made by Council Member Beavers, seconded by Council Member Lynch and unanimously passed (4-0) to adopt Ordinance No. 364 on second reading.

Council Vice President Foy confirmed with Attorney Foster that the reference to "public" property could be removed from the third "Whereas" paragraph as it was addressed in the original ordinance.

Council Vice President Foy explained that the proposed ordinance was less stringent than the present ordinance as the present ordinance allows for only a four hour parking limit and the proposal allows for an extension to the time frame by permit through the Mayor. As Chair to the Code and Ordinance committee he would have no objection if Council's desire were to remand the ordinance back to committee. He explained that the Code Enforcement officer had a difficult time enforcing the ordinance against those persons who violated the ordinance.

Discussion followed as to where on the property vehicles could be parked.

Robert Roessler, 1010 Pineway Drive: Would like to know what has to be done to bring the ordinance back to the 48 hour parking limit. He feels the ordinance was harassing the citizens that were trying to comply. He also did not want to have to ask permission from the Mayor to park his travel trailer for more than 4 hours. Lawn maintenance trailers should be addressed separately, not in the same ordinance as boat trailers and travel trailers.

Brian Smith, 1133 Palmetto Road: Has lived in town for 35 years. Has had a horse trailer, buggies, etc. He should be grandfathered in.

Dave McCarty, 1157 Palmetto Road: Asked for clarification of the present ordinance. He also confirmed that as long as the trailer was located behind the face of the house it would be parked legally.

Everyone loves living in Town of Haverhill. Appreciates what the Council does. What was the number of code violations vs. the number of people that were present?

Philip Banker: Was there some way to get a permit year round as he would want to be able to hook up and be ready to go. Can he get the permit for the entire year?

Council Member Woods explained that the Ordinance needed to be passed as it was less stringent than the present ordinance. Major changes to the Ordinance could not be made on second reading. He noted that the Code and Ordinance Committee would be willing to revisit this issue and suggested that they give input into the changes. If the ordinance does not pass, then the present ordinance would need to be enforced.

Discussion followed as to the permit system, and the issuance of the permit being at the discretion of the Mayor.

Council President Woods requested that those present make suggestions to the Code and Ordinance Committee so they can consider an amendment to the Ordinance.

Mark Black, Pineway Drive: Can changes to Ordinance be sent to the residents.

Discussion followed as to the enforcement and intent of the ordinance.

Council Vice President Foy concurred with Council President Woods in that the Ordinance as proposed should be passed. Council would need to remand the Ordinance back to Code & Ordinance. As Chair to the Committee, Council Vice President Foy noted he would appreciate any help and would welcome suggestions.

Mark Black, Pineway Drive: He questioned whether he could get a permit for every weekend throughout the year.

Mayor Kroll responded that he would have no objection as long as the parking of the vehicles would not cause an obstruction, etc. He agreed with the Council that the Ordinance would need to be passed this evening to allow for an exception to the four hour parking requirement.

Those present complained about the violation notices being affixed directly to the trailer or boat, etc..

Mayor Kroll suggested that Ordinance does need to be revisited.

Council President Woods would recommend that the matter go back to Code and Ordinance, however, he asked that the matter only be revisited after input from those present was received by the Code & Ordinance Committee.

Mr. Roessler asked that they be notified of any meeting either by postcard or by newsletter.

Attorney Foster again reminded those present that the ordinance needed to be adopted if there was to be a reprieve from the four hour limit by permit from the Mayor. If the ordinance did not pass, than the Code Enforcement Officer would need to enforce the ordinance that was on the books.

Council Vice President Foy expressed his confidence in the current Mayor to look at the permit program fairly.

The vote was called and passed unanimously (4-0).

The Council President directed the Code and Ordinance Committee to revisit Ordinance No. 364.

ORDINANCE NO. 365: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA AMENDING CHAPTER 54, SUBDIVISIONS, PLATTING AND REQUIRED IMPROVEMENTS, BY AMENDING SECTION 54-5 TO REQUIRE A DETAILED SITE PLAN AND LANDSCAPE PLAN; AMEND SECTION 54-6 AND 54-9 TO REQUIRE THAT ALL WATER MANAGEMENT TRACTS NOT BE INCLUDED AS PART OF THE LOT; AMENDING SECTIONS 54-6 AND 54-7 TO ALLOW THE COUNCIL TO VARY THE RIGHT-OF-WAY REQUIREMENT TO NO LESS THAN 40 FEET PROVIDED THERE IS ADEQUATE UTILITY EASEMENT AREA PROVIDED; ADDING PROVISIONS REGARDING BUILDING AND ARCHITECTURAL DESIGN STANDARDS AS SET FORTH IN SECTION 54-16; ADDRESSING VARIATIONS IN SECTION 54-17 REGARDING WORKFORCE HOUSING AND ADDING MISCELLANEOUS REQUIREMENTS REGARDING TIME OF COMPLETION, INSTALLATION REQUIREMENTS AND OTHER MATTERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

The title was read by Attorney Foster.

Attorney Foster offered Staff's report.

A motion was made by Council Vice President Foy, seconded by Council Member Lynch and unanimously passed (4-0) to pass Ordinance No. 365 on second reading.

Council Vice President Foy asked about the specific 100 foot face to face requirement. Attorney Foster responded that the requirement was included in the district regulations.

Council President Woods confirmed with the Clerk that Sunset Isles had still not paid the Site Plan revision review fee.

Discussion followed as to the effect of the Ordinance on the Sunset Isles subdivision if a site plan amendment were filed. The question had been posed to the Town Planner.

Council Vice President Foy inquired as to the allowable time extension included in the Ordinance. He would prefer to see two one-year extensions allowed.

Council President Woods preferred to see the Ordinance remain as written.

The vote was called and passed unanimously (4-0).

FIRST READINGS

ORDINANCE NO. 366: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA ANNEXING WITHIN THE CORPORATE AREA OF THE TOWN OF HAVERHILL, FLORIDA, UPON ADOPTION OF SAID ORDINANCE AND APPROVAL BY REFERENDUM, A PARCEL OF LAND CONTAINING APPROXIMATELY 18.74 ACRES GENERALLY LOCATED ON THE EAST SIDE OF HAVERHILL ROAD WHICH PARCEL IS ALSO ABUTTING AND TO THE NORTHERN MUNICIPAL LIMITS OF THE TOWN, SAID PROPERTY BEING SITUATED IN PALM BEACH COUNTY, FLORIDA, IN ACCORDANCE WITH THE INVOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.0413, FLORIDA STATUTES (2007); PROVIDING FOR A REFERENDUM TO BE HELD ON MARCH 11, 2008 OF THE REGISTERED ELECTORS OF THE AREA PROPOSED TO BE ANNEXED; PROVIDING FOR REDEFINING THE BOUNDARY LINES OF THE TOWN OF HAVERHILL TO INCLUDE THE SUBJECT PROPERTY IN THE TOWN'S OFFICIAL BOUNDARY MAP; PROVIDING FOR THE MAYOR AND CLERK, OR THEIR DESIGNEE TO DO ALL THINGS NECESSARY TO EFFECTUATE THE ANNEXATION INCLUDING SUBMITTING THE BOUNDARY CHANGE TO THE DEPARTMENT OF STATE, STATE OF FLORIDA; AND PROVIDING FOR SEVERABILITY, CONFLICTS AND EFFECTIVE DATE.

The title was read by Attorney Foster.

Attorney Foster offered Staff's report. He explained that it would be his recommendation that the public hearing on the first reading of Ordinance No. 366 be continued until January 10, 2008 as one of the apartment buildings in the proposed annexation area had not received written notification within the required ten day period. In an abundance of caution, Attorney Foster recommended that the public hearing be continued to January 10, 2008 with the second hearing to be held on January 24, 2008. Attorney Foster has prepared a revised notice to be published and mailed dependent on Council action.

A motion was made by Council Vice President Foy, seconded by Council Member Lynch and unanimously passed (4-0) to continue first reading of Ordinance No. 366 until January 10, 2008.

Council Vice President Foy commented on the passage of the ordinances.

REPORTS

Town Attorney

Attorney Foster reported that earlier in the day he had received a response from the Attorney for the Palm Beach County School Board.

Attorney Foster commented that the response was an enormous step forward in negotiations with the School Board. The School Board was willing now to construct a wall.

He would be reviewing the letter in great detail.

Council President Woods asked about the time frame due to the proposed school opening date.

Attorney Foster suggested that Council comments be forwarded to him within the next few days. The matter would be placed on the workshop on January 8, 2008 with final action to be made no later than January 24, 2008.

Council Vice President Foy commented on the need to obtain easements from adjacent property owners for the care and maintenance of the wall.

With regard to the proposal from AT&T to add new antennas to the tower, Attorney Foster updated the Town Council on the proceedings before the Council. He suggested a clause be included in the proposed lease agreement amendment to add a provision that the lease would not be terminated.

Mayor

The Mayor reminded everyone of his upcoming holiday luncheon scheduled for December 20, 2007.

Mayor Kroll reported on the successful negotiations that resulted in Nextel paying additional permit fees and the Building Official agreeing to final inspections resulting in the soon to be issued C.O.

It was confirmed that the Clerk had still not received Site Plan amendment fees from Sunset Isles.

Council Vice President Foy expressed his concern over the staffing issues presently facing the Town Clerk's office.

Consultants

None.

Assistant Town Administrator/Town Clerk

None.

Committee/Delegate Report

The Dinner and a Movie Under the Stars had been scheduled for January 11, 2008. The theme would be western with the movie Toy Story. The next meeting of the committee was scheduled for December 27, 2007.

A tentative date of March 15, 2008 has been set aside for the annual picnic.

Treasurer's Report

(included in packet)

UNFINISHED BUSINESS

None.

NEW BUSINESS

Mayor Kroll reported that he had engaged the services of a local financial consultant to replace Donna Mallory who had served in that position. After being brought up to speed, the mayor anticipated no more than ten hours per month would be spent on this task.

Mayor Kroll reported that the town was able to withdraw \$650,000 from the State Investment pool and had invested the monies in Certificate of Deposit. Signature cards were presented for signature.

Code Enforcement Officer Joseph Roche reported that there were three properties within the Town in the process of foreclosure. The properties were unkempt and overgrown. Mr. Roche was requesting permission to move forward to hire an independent contractor to mow the properties. The general consensus of the Town Council was to move forward with mowing the properties and attempt to recoup the money from the banks.

Mr. Roche reported that the properties were located at 1212 Pineway Drive, 1141 Cheryl Road and 820 Woodland Avenue.

Council Member Lynch suggested entire yards be mowed and not just the front yards.

It was reported that the Town had purchased the new truck.

A discussion followed as to the over expenditures included in the audit report for the FY ending September 30, 2006.

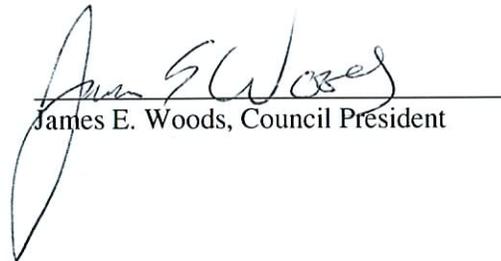
Robert Roessler, 1010 Pineway: Commented on the improvement to the Town's website.

ADJOURNMENT

With no further business to come before the Town Council, the meeting was adjourned at 8:45 p.m.

Approved: 1/24/08


Janice C. Rutan, Town Clerk


James E. Woods, Council President