

**TOWN OF HAVERHILL  
REGULAR TOWN COUNCIL  
THURSDAY, SEPTEMBER 9, 2010  
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held immediately following the close of the public budget hearing at the Town Hall, 4585 Charlotte Street, Haverhill.

**CALL TO ORDER**

Mayor Woods called the meeting to order at 7:11 p.m.

**APPROVAL OF AGENDA**

Minutes of the August 26, 2010 were removed from the consent agenda. Attorney Foster requested that Item No. 8a. First Reading of Ordinance No. 399 be removed from the agenda and placed on the October 14, 2010 agenda after being discussed at the October 5, 2010 workshop.

A motion was then made by Council Member Lynch, seconded by Vice Mayor Foy and unanimously passed (4-0) to approve the agenda as amended.

**APPROVAL OF THE CONSENT AGENDA**

~~Approval of the August 26, 2010 regular meeting minutes~~

**PRESENTATIONS**

None.

**COMMENTS FROM THE PUBLIC**

Geoffrey Sluggett addressed the Town Council. He was representing ATS and reported that ATS was still trying to work with the County to negotiate an Interlocal Agreement that would authorize the County to manage to Red Light Camera Program within the Town. Attorney Foster commented that he would be reporting on this matter later in the meeting.

**COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT**

Deputy Sergeant L. Hauck of the Palm Beach County Sheriff's reported that there had been one vehicle burglary in the Town, several routine traffic stops, 6 accidents and one suicide attempt. Town Council expressed appreciation to the PBSO for all they do within the Town.

**SECOND READINGS AND PUBLIC HEARINGS:**

**ORDINANCE NO. 397: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING CODE, TO PROVIDE A DEFINITION OF PAIN MANAGEMENT CLINICS; PROVIDING THAT PAIN MANAGEMENT CLINICS SHALL BE ALLOWED AS A SPECIAL EXCEPTION ONLY IN THE C-1 LIMITED COMMERCIAL DISTRICT; PROVIDING FOR CONDITIONS ASSOCIATED WITH THE ESTABLISHMENT AND OPERATION OF PAIN MANAGEMENT CLINICS; PROVIDING A MORATORIUM ON THE ESTABLISHMENT OF NEW PAIN MANAGEMENT CLINICS WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF HAVERHILL PENDING THE ADOPTION OF ADMINISTRATIVE RULES AND REGULATIONS; PROVIDING A CONFLICTS CLAUSE, AUTHORITY TO CODIFY; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE**

The title was read by Attorney Foster.

**There being no comments from the public, a motion was made by Council Member Foy, seconded by Council Member Lynch and unanimously passed (4-0) to approve the adoption of Ordinance No. 397 on second reading.**

**ORDINANCE NO. 398: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 46, SIGN CODE, BY AMENDING ARTICLE III, STANDARDS AND REGULATIONS, DIVISION I, BY ADDING PROVISIONS REGARDING MASTER SIGN PROGRAMS AND ALTERNATE SIGN PROGRAMS; 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 Vice Mayor Foy and seconded by Council Member Lynch to approve the adoption of Ordinance No. 398 on second reading.**

Vice Mayor Foy explained the reasoning behind the voting requirements when considering an alternative sign plan. A brief discussion followed. **With no further discussion, and there being no comment from the public, the motion passed unanimously (4-0).**

#### **FIRST READINGS AND REGULAR AGENDA**

**ORDINANCE NO. 399: AN ORDINANCE OF THE TOWN OF HAVERHILL AMENDING THE CAPITAL IMPROVEMENT ELEMENT OF THE TOWN'S COMPREHENSIVE PLAN**

Chris Barry, Planner, representing the Town of Haverhill explained to the Town Council that the annual update to the Capital Improvement element of the Town's Comprehensive Plan needed to be adopted before the end of the year. Palm Beach County would be adopting their update as it pertained to water and sewer capacity on October 5, 2010.

It was agreed that the proposed Ordinance would be reviewed at the October 5, 2010 workshop and scheduled for first reading on October 14, 2010.

**Consider two year rate guarantee for annual installments for Town of Haverhill renewal policy with Wells Fargo.**

The Town Administrator reported that Wells Fargo, the Town's Insurance representative, had presented a two year rate plan renewal for the Town's insurance package, including Workman's Comp.

**A motion was then made by Vice Mayor Foy, seconded by Council Member Lynch and unanimously passed (4-0) to approve the two-year renewal package, including workman's comp, for an annual premium of \$21,597., effective October 1st 2010.**

#### **REPORTS**

##### **Town Attorney**

Attorney Foster reported that he had spoken with Geoff Sluggett earlier in the day. Mr. Sluggett, along with Greg Parks of ATS was pursuing negotiations with Palm Beach County in an effort to enter into an Interlocal Agreement for the management of the Town's Red Light Camera Program. As such, Attorney Foster recommended that the Town Council defer the termination of the agreement to allow additional time for negotiation.

**A motion was then made by Vice Mayor Foy, seconded by Council Member Lynch and unanimously passed (4-0) to extend the termination of the Agreement between the Town of Haverhill and ATS for 30 days to the 25<sup>th</sup> of October to allow for additional time to work out an Interlocal Agreement. It was hoped an Agreement would be reached within two weeks.**

**Mayor**

(Deferred to Committee Reports – Belvedere Road)

**Consultants**

None.

**Administrator's Report**

The Town Administrator requested Town Council action with regard to conflicting meeting dates due to the November Election Day and the upcoming holidays.

**A motion was then made by Vice mayor Foy, seconded by Council Member Lynch and unanimously passed (4-0) to cancel the Town Council workshop in November and reschedule to November 9, 2010 and to cancel the regular meetings on the second and fourth Thursdays in November and December and to reschedule the regular meetings for November 18, 2010 at 7:00 p.m. and December 16, 2010, respectfully.**

**Committee and Delegate Reports**

*Vice Mayor Foy, on behalf of the Belvedere Road Committee, reported that representatives from the Town had met with several County Commissioners to express the Town's objections to the inclusion of the widening of Belvedere Road through "intersection improvements" in the County's mid year update to the five year road plan. Commissioner Marcus was unable to meet with the Town and the meeting with Commissioner Aaronson was scheduled for September 14, 2010. The Board of County Commissioners would be voting on the mid year update to the five year road plan at their meeting September 15, 2010.*

Council referred to a letter that had been received from George Webb that was received as being argumentative with the Town and posturing with the County. The Town had provided Mr. Webb with enough information for him to reevaluate the need for an intersection improvement that would result in a through lane on Belvedere Road.

Staff would be holding a conference call the following day to discuss the presentation of supplemental information that would support the Town's request that the widening of Belvedere Road be removed from the County's 5 year road program and that the six-laning of Belvedere be removed from the County's 2035 plan and the map. The report would be concise and delivered to the Commissioners on Friday afternoon.

Discussion followed as to the taking of land that would be required if Belvedere Road were widened. The 7- eleven property would become non-compliant. A minimum of 12' would be taken from all affected properties along Belvedere Road. Council expressed concerns over the dangerous situation that would result from the widening of the road.

The Florida Department of Transportation was paving and making improvement to Military Trail, north/south and was unaware of any future plans by the County to widen Belvedere Road across Military Trail.

Council Member Beavers reported that he had spoken with Commissioner Vana at the District 3 League Luncheon regarding Belvedere Road and she seemed to support the Town. Council Member Beavers reported that one set of minutes from the Impact Fee Committee had finally been placed on the website.

Mayor Woods announced that the Halloween Event would be held on Friday, October 29<sup>th</sup> at the Town Hall.

**Treasurer's Report**  
(included in packet)

**UNFINISHED BUSINESS**

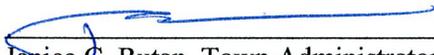
None.

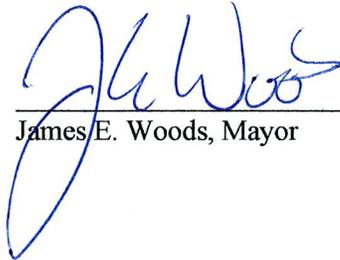
**NEW BUSINESS**

The Council responded to a resident of 4803 Berkeley Mews by explaining the intent of the Town's adoption of Ordinance No. 397 – Pain Clinics.

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

Approved: October 14, 2010

  
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Janice C. Rutan, Town Administrator

  
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James E. Woods, Mayor