

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 OF HAVERHILL
PUBLIC HEARING
MILLAGE RATE/
BUDGET FOR FY 2011/2012
Thursday, September 22, 2011
7:00 p.m.
Town Hall – 4585 Charlotte Street**

- I. Call to Order
- II. Invocation and Pledge of Allegiance
- III. Roll Call
- IV. Approval of Agenda
- V. Adopt Millage Rate for FY 2011/2012
 - a. RESOLUTION 2011-08: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, LEVYING A TAX OF 4.0000 MILLS UPON THE TAXABLE NON-EXEMPT PROPERTY WITHIN THE TOWN OF HAVERHILL FOR THE 2011/2012 FISCAL YEAR RESULTING IN A 14.49 PERCENT DECREASE OVER THE ROLLED BACK RATE OF 4.6777 MILLS.
- VI. Adopt Budget for FY 2011/2012
 - a. RESOLUTION 2011-09: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, ADOPTING THE 2011/2012 BUDGET OF THE TOWN OF HAVERHILL.
- VII. Comments from the Public
- VIII. Adjournment

TOWN COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ September 22, 2011
Immediately following close of Public Budget Hearing
AGENDA

- I. CALL TO ORDER**
- II. APPROVAL OF AGENDA**
- III. APPROVAL OF THE CONSENT AGENDA**
 - a. Approve Minutes of the September 8, 2011 Regular Meeting**
- IV. PROCLAMATIONS AND PRESENTATIONS**
- V. COMMENTS FROM THE PUBLIC**
- VI. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- VII. SECOND READINGS AND PUBLIC HEARINGS**
 - a. ORDINANCE NO. 400**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING SECTION 58-8 BY DELETING REFERENCE TO "CHURCH" IN THE DEFINITIONS AND SUBSTITUTING IN ITS PLACE "PLACE OF WORSHIP"; AMENDING SECTIONS 58-184 AND 58-199 TO ALLOW PLACES OF WORSHIP AS A SPECIAL EXCEPTION IN THE R-2 AND R-3 RESIDENTIAL ZONING DISTRICTS OF THE TOWN, AND BY CREATING A NEW DIVISION 13 IN ARTICLE IX, SUPPLEMENTAL DISTRICT REGULATIONS, BY SETTING FORTH THE REGULATIONS FOR PLACES OF WORSHIP INCLUDING THE MAXIMUM LOT COVERAGE, FRONTAGE REQUIREMENTS, PARKING REGULATIONS, CLASSIFICATION FOR PURPOSES OF BUFFER, SEASONAL USE RESTRICTIONS AND OTHER SUCH REGULATIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION, AND AN EFFECTIVE DATE.
 - b. ORDINANCE NO. 401**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 22, OFFENSES, OF THE CODE OF ORDINANCES FOR THE TOWN OF HAVERHILL BY REPEALING SECTION 22-2, DISCHARGE OF FIREARMS PROHIBITED; EXEMPTION; AND ANY OTHER PROVISION OF THE TOWN CODE REGULATING OR ATTEMPTING TO REGULATE THE PURCHASE, SALE, TRANSFER, TAXATION, MANUFACTURE, OWNERSHIP, POSSESSION, STORAGE, AND TRANSPORTATION OF FIREARMS OR AMMUNITION; PROVIDING A CONFLICTS CLAUSE, AUTHORITY TO CODIFY; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE
 - c. ORDINANCE NO. 402**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, DESIGNATING AN OFFICIAL SEAL OF THE TOWN OF HAVERHILL PURSUANT TO SECTION 165.043, FLORIDA STATUTES, AND PROHIBITING THE MANUFACTURE, USE, DISPLAY, OR OTHER EMPLOYMENT OF ANY FACSIMILE OR REPRODUCTION OF THE TOWN SEAL EXCEPT BY THE TOWN

OFFICIALS, AGENTS OR EMPLOYEES IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES OR CONTRACTUAL RESPONSIBILITIES, WITHOUT THE EXPRESS APPROVAL OF THE TOWN COUNCIL; PROVIDING A CONFLICTS CLAUSE, AUTHORITY TO CODIFY; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE

d. ORDINANCE NO. 404

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 30, SOLID WASTE, BY AMENDING SECTION 30-1, DEFINITIONS, AND SECTIONS 30-41, 30-61 AND 30-86 REGARDING THE PROVISION THAT MULTIFAMILY RESIDENTIAL STRUCTURES IN EXCESS OF FOUR (4) UNITS WILL BE REQUIRED TO ARRANGE FOR THEIR OWN SOLID WASTE COLLECTION AND DISPOSAL; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

VIII. FIRST READINGS AND REGULAR AGENDA

IX. REPORTS

Town Attorney

Mayor

Consultants

Assistant Town Administrator/Town Clerk

Committee/Delegate Report

Treasurer's Report (included in packet)

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

XII. 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
PUBLIC HEARING
MILLAGE RATE/ BUDGET FOR FY 2011/2012
Thursday, September 22, 2011
Town Hall – 4585 Charlotte Street
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the first of two Public Budget Hearings for the FY 2011/2012 was held Thursday, September 22, 2011 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 C. Uptegraph, Council Member. Also present were Town Attorney John Foster, and Town Administrator, Janice C. Rutan.

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 were present.

Approval of Agenda

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

ADOPT 2011/2012 MILLAGE: RESOLUTION 2011-08:

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
HAVERHILL, PALM BEACH COUNTY, FLORIDA, LEVYING A TAX
OF 4.0000 MILLS UPON THE TAXABLE NON-EXEMPT PROPERTY
WITHIN THE TOWN OF HAVERHILL FOR THE 2011/2012 FISCAL
YEAR RESULTING IN A 14.49 PERCENT DECREASE OVER THE
ROLLED BACK RATE OF 4.6777 MILLS.**

The title was read by Attorney Foster.

A motion was made by Council Member Gordon, seconded by Council Member Lawrence and unanimously passed to pass Resolution 2011-08 as presented.

Mayor Foy opened the floor for public comment. There being none, he addressed the Council noting that in fiscal year 2010/2011, the Town collected approximately \$282,000 in ad valorem taxes and paid for solid waste and recycling services through the budget. This year the Town will be collecting approximately \$235,000 in ad valorem proceeds, however, solid waste and recycling services will be paid directly through the non ad valorem assessment, noting that in effect the Town was collecting additional ad valorem proceeds with a reduced millage.

Vice Mayor Woods disagreed adding he thought the reduction of the millage to 4.0000 was a mistake and now it was too late to increase the millage.

Council Member Uptegraph agreed that the funding would be very close and the Council could not raise the millage at this point in time.

Council Member Gordon reminded all that funding all of the projects could not have been accomplished even with the higher millage.

Council Member Beavers stated that the millage should have been set in the middle.

Mayor Foy reminded all that in the private sector there is suffering and government needs to buckle down. He applauded the fiscal responsibility of the Town over the years but did not believe that taxes should have been increased,

Vice Mayor Woods commented that the Council would need to adopt a millage rate this evening.

The vote was called and passed unanimously (5-0).

The Town Administrator reminded the Council they could always vote to transfer funds from reserves if necessary.

**ADOPT 2011/2012 BUDGET: RESOLUTION 2011-09:
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
HAVERHILL, PALM BEACH COUNTY, FLORIDA, ADOPTING THE
2011/2012 BUDGET OF THE TOWN OF HAVERHILL.**

The title was read by Attorney Foster.

Mayor Foy opened the floor to public comment.

A motion was then made by Council Member Beavers, seconded by Council Member Gordon and unanimously passed (5-0) to adopt Resolution 2011-09 as presented.

Comments from the Public (items not on agenda)

Nina Lynch, Pineway Drive, Haverhill. Ms. Lynch inquired as to whether the Town's revenues and expenditures were up or down from the prior year. The Town Administrator replied that both were down if the grant revenue and expenditures were excluded.

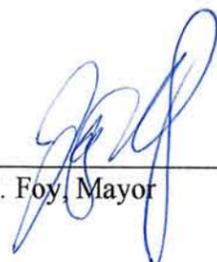
Adjournment

There being no further items to come before the Town Council, the Public Budget Hearing adjourned at 7:15 p.m.

Approved: October 13, 2011



Janice C. Rutan, Town Administrator



Jay F. Foy, Mayor

**TOWN OF HAVERHILL
REGULAR TOWN COUNCIL
THURSDAY, SEPTEMBER 22, 2011
(IMMEDIATELY FOLLOWING CLOSE OF PUBLIC BUDGET HEARING)
OFFICIAL MINUTES**

CALL TO ORDER

Mayor Foy called the meeting to order at 7:15 p.m., immediately following the close of the Public Budget Hearing.

APPROVAL OF AGENDA

The Town Administrator requested the approval of minutes be removed from the agenda. A motion was then made by Vice Mayor Woods, seconded by Council Member Lawrence and unanimously passed (5-0) to approve the agenda as amended.

APPROVAL OF THE CONSENT AGENDA

~~Approval of the September 8, 2011 regular meeting minutes~~

PRESENTATIONS

None.

COMMENTS FROM THE PUBLIC

Richard Coughlin, 4945 Club Road, Haverhill. Mr. Coughlin addressed the Town Council concerning the disrepair of Club Road east. Mr. Coughlin stated he can no longer afford to maintain the road due to the overuse of the road by the Baptist Church during the Thursday morning food bank.

He complained that the Thursday morning event has gotten out of control and he has caught people in his yard and using his driveway. He also stated that vehicles have been stolen and homes broken into. Although the road was a private road shared by the Church and the residences, it was not being maintained and was close to impassable.

Discussion followed.

Public Services Director Joseph Roche reported that the use on Thursdays was a Church function state licensed by the Feed the Families Fund of Florida. He also noted that he had been in contact with the Pastor of the Church and the trash situation would be addressed.

In addition, Mr. Roche has been in contact with the Palm Beach County Sheriff's office to discuss the regulations and policing the property.

It was agreed that Mr. Roche would meet with the Building Official, PBSO and the property owner and further look into the allowable uses of the property.

Mr. Roche would report back to Council.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPARTMENT

The Palm Beach County Sheriff's Department reported on a suicide that occurred on Park Hill Road. There had also been a report of a vandalism. Joseph Roche, Director of Public Services had changed the permit detail to provide additional protection for the Town.

SECOND READINGS AND PUBLIC HEARINGS

ORDINANCE NO. 400

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, BY AMENDING SECTION 58-8 BY DELETING REFERENCE TO "CHURCH" IN THE DEFINITIONS AND SUBSTITUTING IN ITS PLACE "PLACE OF WORSHIP"; AMENDING SECTIONS 58-184 AND 58-199 TO ALLOW PLACES OF WORSHIP AS A SPECIAL EXCEPTION IN THE R-2 AND R-3 RESIDENTIAL ZONING DISTRICTS OF THE TOWN, AND BY CREATING A NEW DIVISION 13 IN ARTICLE IX, SUPPLEMENTAL DISTRICT REGULATIONS, BY SETTING FORTH THE REGULATIONS FOR PLACES OF WORSHIP INCLUDING THE MAXIMUM LOT COVERAGE, FRONTAGE REQUIREMENTS, PARKING REGULATIONS, CLASSIFICATION FOR PURPOSES OF BUFFER, SEASONAL USE RESTRICTIONS AND OTHER SUCH REGULATIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY AND CODIFICATION, AND AN EFFECTIVE DATE.

The title was read by Attorney Foster.

There being no public comment or Council discussion, a motion was made by Vice Mayor Woods, seconded by Councilman Uptegraph and unanimously passed (5-0) to approve Ordinance No. 400 at second reading.

ORDINANCE NO. 401

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 22, OFFENSES, OF THE CODE OF ORDINANCES FOR THE TOWN OF HAVERHILL BY REPEALING SECTION 22-2, DISCHARGE OF FIREARMS PROHIBITED; EXEMPTION; AND ANY OTHER PROVISION OF THE TOWN CODE REGULATING OR ATTEMPTING TO REGULATE THE PURCHASE, SALE, TRANSFER, TAXATION, MANUFACTURE, OWNERSHIP, POSSESSION, STORAGE, AND TRANSPORTATION OF FIREARMS OR AMMUNITION; PROVIDING A CONFLICTS CLAUSE, AUTHORITY TO CODIFY; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE

The title was read by Attorney Foster. A brief explanation was given.

There being no public comment or Council discussion, a motion was made by Vice Mayor Woods, seconded by Councilman Uptegraph and unanimously passed (5-0) to approve Ordinance No. 401 at second reading.

ORDINANCE NO. 402

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, DESIGNATING AN OFFICIAL SEAL OF THE TOWN OF HAVERHILL PURSUANT TO SECTION 165.043, FLORIDA STATUTES, AND PROHIBITING THE MANUFACTURE, USE, DISPLAY, OR OTHER EMPLOYMENT OF ANY FACSIMILE OR REPRODUCTION OF THE TOWN SEAL EXCEPT BY THE TOWN OFFICIALS, AGENTS OR EMPLOYEES IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES OR CONTRACTUAL RESPONSIBILITIES, WITHOUT THE EXPRESS APPROVAL OF THE TOWN COUNCIL; PROVIDING A CONFLICTS CLAUSE, AUTHORITY TO CODIFY; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE

The title was read by Attorney Foster. A brief explanation of the Ordinance was given.

There being no public comment or Council discussion, a motion was made by Vice Mayor Woods, seconded by Councilman Beavers and unanimously passed (5-0) to approve Ordinance No. 402 at second reading.

ORDINANCE NO. 404

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 30, SOLID WASTE, BY AMENDING SECTION 30-1, DEFINITIONS, AND SECTIONS 30-41, 30-61 AND 30-86 REGARDING THE PROVISION THAT MULTIFAMILY RESIDENTIAL STRUCTURES IN EXCESS OF FOUR (4) UNITS WILL BE REQUIRED TO ARRANGE FOR THEIR OWN SOLID WASTE COLLECTION AND DISPOSAL; 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 then made by Vice Mayor Woods, seconded by Council Member Uptegraph and unanimously passed (5-0) to adopt Ordinance No. 404 at second reading.

FIRST READINGS AND REGULAR AGENDA

REPORTS

Town Attorney

None.

Consultants

None.

Administrator's Report

The Town Administrator reported that she and the Director of Public Services had met with representatives of Southern Waste Systems to discuss the implementation of the non ad valorem assessment program and the properties affected by same. Letters had been written to those property owners informing them that they would need to make direct *arrangements with SWS for pick up.*

Staff had also been in contact with representatives from the prospective purchasers of Sunset Isles.

Committee and Delegate Reports

Mayor Foy reported that the recent changes to the NPDES permit program will require that the Town pass an Ordinance regulating fertilizers by May 2013. In addition, the Code and Ordinance Committee will need to consider an amendment to the Landscaping Ordinance regarding the removal of trees. The Town Administrator will call around for a sampling of other jurisdictions regulations.

Discussion followed concerning the County's proposed improvements to Belvedere Road. The Town Administrator would again request a copy of the map showing the walking routes for students at Hope Centennial Elementary School.

Mayor Foy reported that he had been in contact with Mary O'Connor, Executive Director of the Boys and Girls Club. She updated the Mayor on the proposed opening of the Club

on Drexel and Haverhill Roads and was hoping to attend the October 6, 2011 workshop. She and the Mayor and discussed the need for a sidewalk on the south side of Belvedere Road from the Boys and Girls Club to the Haverhill Park.

Council Member Beavers reported he was on the waiting list to attend the Emergency Management Damage Assessment meeting scheduled for September 26, 2011.

Vice Mayor Woods reported that the Special Events Committee would be meeting on September 27, 2011 to continue planning the Halloween Event scheduled for October 28, 2011. The Neighborhood Yard Sale was being planned for November 19, 2011 at 7:00 a.m. in the ballfield.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Council Member Uptegraph informed Joseph Roche, Director of Public Works that Southern Waste Systems had done damage to the Town's easement when picking up vegetation on Ivory Lane with their clam shell truck. Mr. Roche would follow up with SWS.

NEW BUSINESS

Council Member Gordon informed Council that he had visited the subdivision on Clemons Road that was constructed by John Reichard, the prospective buyer of the Sunset Isles property. He was quite impressed with the quality of the homes and the landscaping. He met with some of the homeowners. He was very encouraged and would like to see a similar type project at Sunset Isles move forward.

Council Member Beavers reported that he and Town Administrator Rutan had attended the Palm Beach County Literacy Luncheon on September 14, 2011 and volunteered themselves and the Mayor to be part of the Countywide "Read for the Record" initiative and read "Llama, Llama Red Pajama" to the area preschools on October 6, 2011.

Council Member Beavers reported that he and Town Administrator Rutan had attended the 9-11 Remembrance and Patriot Memorial Event sponsored by the Village of Wellington on September 11, 2011. He noted it was a very moving event.

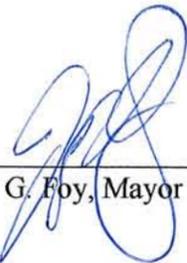
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:10 p.m.

Approved: October 13, 2011



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor