

Jay G. Foy, Mayor
James E. 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 COUNCIL REGULAR MEETING
Town Hall Council Chambers
Thursday ~ January 26, 2012
7:00 p.m.
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. Approve Minutes of the January 12, 2012 Regular Council Meeting and the January 3, 2012 Workshop.**
- VI. PROCLAMATIONS AND PRESENTATIONS**
- VII. COMMENTS FROM THE PUBLIC**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. PUBLIC HEARING**
- X. FIRST READINGS AND REGULAR AGENDA:**
- XI. REPORTS**
 - Town Attorney**
 - Mayor**
 - Consultants**
 - Town Administrator**
- XII. Committee/Delegate Report**
- XIII. Treasurer's Report (included in packet)**
- XIV. UNFINISHED BUSINESS**
- XV. NEW BUSINESS**
- XVI. 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, January 26, 2012
OFFICIAL MINUTES**

Pursuant to the foregoing notice, the regular meeting of the Haverhill Town Council was held on Thursday, January 26, 2012 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 7:02 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

A motion was made by Vice Mayor Woods, seconded by Council Member Uptegraph and unanimously approved (5-0) to amend the Consent Agenda to remove the approval of the January 12, 2012 Minutes.

APPROVAL OF THE CONSENT AGENDA

Approve Minutes of the ~~January 12, 2012 Regular Meeting~~ and the minutes of the January 3, 2012 Workshop.

A motion was made by Council Member Uptegraph, seconded by Vice Mayor Woods and unanimously approved (5-0) to approve the Consent Agenda as amended.

PROCLAMATIONS AND PRESENTATIONS

None.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Deputy Sergeant Samples, representing the Palm Beach County Sheriff's Department, reported on incidents occurring in Town for the period December 15, 2011 through January 11, 2012. There had been a few reports of child abuse; 2 at the Haverhill Baptist Church and one at a residence on Toronto Road. There had been burglaries at 920 North Haverhill Road, 5425 Stratford and 1063 Haverhill (St. Christopher's Church). There had been a car fire at the intersection of Haverhill and Belvedere Roads. There had been one case of sexual abuse.

For the period January 12 through January 26, 2012, there had been reports of graffiti in Town (Haverhill Road and Charlotte Street). In addition there had been reported motor vehicle accidents.

Council expressed their appreciation to the Palm Beach County Sheriff's office.

PUBLIC HEARING

None.

FIRST READINGS AND REGULAR AGENDA:

None.

REPORTS

Town Attorney

As a follow up to the January 12, 2012 discussion and Council consensus, Attorney Foster reported that he had sent a letter to Carlton Fields, legal representative for American Traffic

Solutions requesting ATS answer several questions so the Town could evaluate the legitimacy of their claim that the Town suspended the Traffic Safety Camera program. Once those questions were answered, the Town would be in a better position to make a decision as to whether to enter into mediation with ATS.

Attorney Foster also noted that he had conversation with Brad Biggs of the law firm of Corbett and White who represent Royal Palm Beach. Royal Palm Beach had also responded to the same correspondence with no reply as of yet.

Mayor

Mayor Foy reported on the Code and Ordinance Committee held earlier in the day. The Committee narrowed down the list of items outstanding and would be meeting on a regular basis to address.

He had signed the NPDES annual report on behalf of the Town.

Consultants

None.

Town Administrator

The Town Administrator reported on an application for Community Development Block Grant funds made by the Jewish Home on Luwal to be used for the purchase of vans for transportation. Because the facility was located within the Town, the Town could file an objection. Council raised no objection.

The Town Administrator reported that Trail Realty was having difficulty obtaining 6' privet hedges to install as per the approved landscape plan for the variance granted for China Chef Restaurant. Council raised no objection to installing the hedges at 4'.

Because there had not been many applicants for the residential rebate program being offered through the State Energy grant being awarded to the Town, it was agreed that the program would be opened to all commercial as well as residential units within the Town and would allow for homeowners to apply for more than one grant award. Press releases and notification to property owners within the Town would be going out. She also noted that they were having difficulty meeting the "Made in America" criteria for the recommended HVAC units.

Committee/Delegate Report

Vice Mayor Woods reported on the success of the yard Sale held on January 21, 2012. The Special Events Committee would be meeting February 2, 2012 to begin planning for the annual picnic scheduled for late March or early April.

Council Member Beavers announced that the Impact Fee Committee meeting scheduled for February 8, 2012 had been cancelled.

Mayor Foy had been contacted to serve on the committee responsible for developing nutrient criteria.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

A conversation followed concerning the filing for land use and rezoning of the Cyprus Lane property by the Shiloh Church. Mayor Foy expressed his concern that once the property was rezoned and should the applicant not proceed with the construction of a church, all permitted uses for that zone would be allowed on the property. Presently the property is zoned R-1 with single family dwellings as the only permitted use. Attorney Foster explained that Staff had met earlier in the day and he would be recommending that prior to the Town Council's consideration of the District Boundary Change (Rezoning) application the property owner shall provide acceptable surety in the form of a cash bond or escrow agreement to the Town Administrator in an amount as determined by professional cost estimates provided by the property owner for (1) the repaving of the section of Cyprus Lane including any underground improvements, (2) the installation of perimeter landscaping along the north, south, east and west property lines and (3) the installation of the 6 foot wall along the south and east property lines. The Town would be requesting the surety prior to the consideration of the District Boundary Change (Rezoning)

application since the request, if approved, would increase the density/intensity of the subject property and, in case the Place of Worship was not developed in accordance with the proposals, the Town would have an assurance that the screening/buffering and roadway improvements would be completed.

Mayor Foy expressed concern that the applicant had still not addressed the issues relating to equal compensating storage.

The first Public Hearing for the land use amendment and rezoning would be scheduled for March 8, 2012.

NEW BUSINESS:

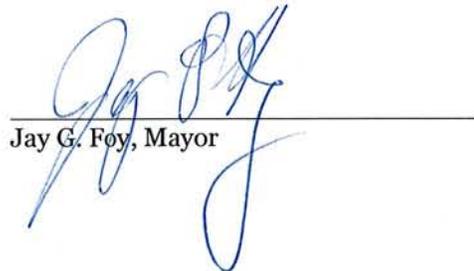
Director of Public Services, Joseph Roche updated the Council on the house fire at 4831 Richmond Mews. It was an electrical fire contained to the garage. He and the Building Official have met with the homeowners. The owners have begun the clean up process but are not living at the house at this time.

ADJOURNMENT

With no further business to come before the Town Council, the meeting was adjourned at 7:35 p.m.

Approved: February 9, 2012


Janice C. Rutan, Town Administrator


Jay G. Foy, Mayor