

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Jo Plyler, Council Member
Mark C. Uptegraph, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



TOWN OF HAVERHILL
Regular Town Council Meeting
Thursday, January 28, 2016
Town Hall – 4585 Charlotte Street
AGENDA

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes of the December 10, 2015 and January 14, 2016 Regular Meeting and January 5, 2016 workshop minutes.**
- VII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPT.**
- VIII. PRESENTATIONS AND PROCLAMATIONS**
- IX. PUBLIC HEARINGS AND SECOND READINGS**
- X. FIRST READINGS AND REGULAR AGENDA**
 - a. Swearing In of Remar Harvin to serve the remaining term of Seat 1**
 - b. Consider request for size variation from Section 58-336 Sheds for David and Hailey Sosa, 553 Ontario**
- XI. REPORTS**
 - Town Attorney**
 - Mayor**
 - Administrator's Report**
 - 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, CMC, 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
Regular Town Council Meeting
Thursday, January 28, 2016
Town Hall – 4585 Charlotte Street
OFFICIAL MINUTES

Pursuant to the foregoing notice, a regular meeting of the Haverhill Town Council was held on Thursday, January 28, 2016 at the Town Hall, 4585 Charlotte Street, Haverhill. Those present were Jay G. Foy, Mayor; Lawrence Gordon, Vice Mayor and Jo Plyler, Council Member and Mark Uptegraph, Council Member. Also present were Town Attorney Lance Fuchs, Town Administrator Janice C. Rutan and Director of Public Services, Joseph Roche.

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. Mayor Foy then led the Pledge of Allegiance.

ROLL CALL

The Town Administrator recorded all members were present.

COMMENTS FROM THE PUBLIC

None.

APPROVAL OF AGENDA

With no changes, additions or deletions, the agenda stood as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes of the December 10, 2015 and January 14, 2016 Regular Meeting and January 5, 2016 workshop minutes.

A motion was then made by Council Member Uptegraph, seconded by Council Member Plyler and unanimously passed (4-0) to approve the Consent Agenda as presented.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S DEPT.

Deputy Steven Rudowski was present to deliver the crime statistics for the Town. He reported that over the previous two month period there has been an uptick in vehicle burglaries and suggested the Town prepare a public service announcement reminding all residents to lock their doors and be aware of their surroundings. There had been 15 stolen vehicles within 3 miles of the Town as well as many vehicle break-ins, many of which occurred at the Walmart. There have been task forces assigned to combat this type of crime.

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

PRESENTATIONS AND PROCLAMATIONS

None.

PUBLIC HEARINGS AND SECOND READINGS

None.

FIRST READINGS AND REGULAR AGENDA

Swearing-in of Remar Harvin to serve the remaining term of Seat 1

Town Attorney Lance Fuchs administered the Oath of Office to Remar Harvin to fill the remaining term of Seat 1, through March 15, 2016. Mr. Harvin had several people in the audience on his behalf who congratulated him on his appointment.

Consider request for size variation from Section 58-336 Sheds for David and Hailey Sosa, 553 Ontario

The Town Administrator offered Staff's report. David and Hailey Sosa, property owners at 553 Ontario Road, had requested a permit to install a detached garage/accessory building/storage shed on their property. The proposed aluminum building, met the size requirements of an accessory building (not greater than 60% of the principal building, or 1500 sf). The square footage of the 24'x26' aluminum structure is 624 +/- . 60% of the 2300 sf principal structure would be 1380sf.

Although the applicants met the size and setback requirements for an accessory building, there was some ambiguity regarding Section 58-331(a) (7) which states the accessory building "shall incorporate design and color schemes compatible to the principal building and the town may require enhanced landscaping to accompany the accessory building.

Although the applicants plan to paint the building and house, and plan to plant landscaping, the building itself is an aluminum building and is not compatible to the design of the principal building which is cbs. As such, and to err on the side of caution, Staff wanted Council to be aware of the discrepancy and determine whether a building permit could issue for an "accessory building", or should a variation under 58-331(e) be granted for either or both of the following reasons:

Design compatibility

Size (a storage shed permitted for this lot would be 144 sf)

It would be staff's recommendation that Council grant the applicant permission to install a 624 sf detached garage/accessory building/storage shed.

After a lengthy discussion among Council, a motion was made by Vice Mayor Gordon, seconded by Council Member Uptegraph and unanimously passed (5-0) to approve the issuance of a permit to install an accessory building.

REPORTS

Town Attorney

None.

Mayor

Mayor Foy reported on the grant awarded to Palm Beach County for the LIDAR data to be used for the FEMA flood elevations. The municipalities would be involved with the process and could also use the data for other purposes as well.

He commented on the DEP impaired waterways resulting from the Lake Worth Lagoon.

Administrator's Report

The Town Administrator once again expressed her concern over the developments being approved by Palm Beach County that were in close proximity to the Town along the Belvedere Road, Southern Boulevard and Haverhill Road corridors. She was sending the letter that expressed the Town's desire that Belvedere or Haverhill Road not be widened and that the County consider that and the Haverhill Neighborhood Plan when they review these development requests.

Committee/Delegate Report

A Code and Ordinance Committee meeting needed to be scheduled.

Vice Mayor Gordon reported that he had placed his name for consideration with the Palm Beach County League of Cities for appointment to fill the unexpired term of Jerry Beavers, representing District 2 on the Board of Directors. The Board chose to appoint Patty Waller of Palm Springs.

Treasurer's Report

Included in packet

UNFINISHED BUSINESS

None.

NEW BUSINESS

Vice Mayor Gordon introduced members in the audience. Dr. Jean Enright, Port of Palm Beach Commissioner addressed the Town Council. She invited the Council to tour the Port. Vice Mayor Gordon also introduced and welcomed the Riviera Beach Town Commissioner.

Remar Harvin thanked all for coming and expressed his appreciation to be serving on the Town Council.

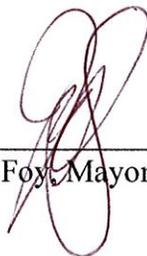
ADJOURNMENT

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

Approved: February 11, 2016



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor



OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA

County of Palm Beach

I, *Remar M. Harvin*, do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and the State of Florida; that I am duly qualified to hold office under the Constitution of the State, and that I will well and faithfully perform the duties of Council Member Seat 1 on which I am now about to enter, so help me God.

(NOTE: If you affirm, you may omit the words "so help me God."
See § 92.52, Fla. Stat.)

Signature

Sworn to and subscribed before me this 28 day of January,
2016

Lance Fuchs, Town Attorney

ACCEPTANCE

I accept the office listed in the above Oath of Office

5446 Club Circle,
Street of Post Office Box

Haverhill, FL 33415
City, State, Zip Code

Signature

Remar M. Harvin
Print name as you desire commission issued