

**TOWN OF HAVERHILL
TOWN COUNCIL REGULAR MEETING
Thursday, September 24, 2020
7:00 p.m.
AGENDA**

- I. CALL TO ORDER**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
 - A. Approval of the minutes of the August 13, 2020 ~~and August 27, 2020~~ Regular Town Council meetings and August 4, 2020 and September 1, 2020 Workshop minutes.**
- VII. PROCLAMATIONS AND PRESENTATION**
- VII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- VIII. REGULAR AGENDA AND FIRST READINGS**
 - a. Consider request of Sheryl Snider, property owner of 1141 Cheryl Road to remove the assessed lien against her property in the amount of \$3,500.**
 - b. Appoint members to the Infrastructure Surtax Committee**
Three of our members to the Committee are no longer residents of the Town of Haverhill
 - c. Confirm and ratify action of the Infrastructure Surtax Committee re: Payment of Emergency Repairs to the Briarwood Drainage Project**
 - d. Update on Briarwood Wall Project**
 - e. Update to personnel Policy re: Employee Floating Holiday**
- IX. SECOND READINGS AND PUBLIC HEARINGS**
- X. REPORTS**
 - Town Attorney**
 - Mayor**
 - Town Administrator**
 - Committee/Delegate Report**
 - Treasurer's Report (included in packet)**
- XI. UNFINISHED BUSINESS**
- XII. NEW BUSINESS**
- XIII. 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

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Dennis Withington, Council Member
Raymond Caranci, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



**TOWN OF HAVERHILL
FINAL PUBLIC HEARING
ADOPT MILLAGE RATE/
PROPOSED BUDGET FOR FY 2020/2021
SEPTEMBER 24, 2020
7:00 p.m.
Town Hall – 4585 Charlotte Street**

- I. Call to Order
- II. Invocation and Pledge of Allegiance
- III. Roll Call
- IV. Comments from the Public
- V. Approval of Agenda
- VI. Adopt tentative millage rate

a. Fiscal Year October 1, 2020 through September 30, 2021

Resolution R2020-09: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, LEVYING A TAX OF 4.5000 MILLS UPON THE TAXABLE NON-EXEMPT PROPERTY WITHIN THE TOWN OF HAVERHILL FOR THE 2020-2021 FISCAL YEAR RESULTING IN A 7.00 PERCENT INCREASE OVER THE ROLL BACK RATE OF 4.2057.

A Adopt tentative budget Fiscal Year October 1, 2020 through September 30, 2021

Resolution 2020-10 A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, ADOPTING THE 2020-2021 BUDGET OF THE TOWN OF HAVERHILL.

- VII. Adjournment

Jay G. Foy, Mayor
Lawrence Gordon, Vice Mayor
Mark C. Uptegraph, Council Member
Dennis Withington, Council Member
Ray Caranci, Council Member
John Fenn Foster, Town Attorney
Janice C. Rutan, Town Administrator



**FINAL BUDGET HEARING 2020/2021 FY
And Regular Town Council Meeting
September 24, 2020**

IN ACCORDANCE WITH STATE OF FLORIDA, OFFICE OF THE GOVERNOR EXECUTIVE ORDER NUMBER 20-69 (Emergency Management – COVID- 19 – Local Government Public Meetings), the Emergency Declaration issued by the Town, and FS 286.0114, and other applicable federal, state, county and Town declarations, orders, rules and regulations, the Town Hall meeting shall be modified with respect to public access and public comment. Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until 4:00 P.M. ON THURSDAY, SEPTEMBER 24, 2020. Any public comments received via e-mail, will be made part of the record of the meeting. If you prefer to appear in person to address the Town Council, access to the Town Hall by the public will be limited to no more than 10 persons in the Council Chambers including Town Council, Staff and PBO; provided, however, that those persons exhibiting signs of illness, such as coughing or sneezing will not be permitted in the Town Hall. Each person will be granted 5 minutes to speak either on an agenda item or under Public Comment. If you wish to speak on a specific agenda item, please tell the Administrator prior to your entrance into the Town Hall so she can schedule speakers accordingly. All persons will be required to bring their own mask and wear it when entering Council Chambers to address the Town Council. Those persons gathering outside the Town Hall shall maintain a separation of at least six feet from one another, and it is recommended that masks be worn as well. If you wish to listen to the Town Council Meeting via teleconferencing, dial 1-877-953-1152 and enter participant code 7404157#. Those individuals gathering outside of the Town Hall will need to dial-in to the number above as there will be no speaker outside to broadcast the meeting. Once the workshop begins, all participants will be muted, however, after Council discusses a specific workshop item, the call will be unmuted to allow for questions. Please be courteous of the other participants, speak in turns and do not talk over another speaker. Thank you for your patience and understanding during these uncertain times.

**FINAL PUBLIC HEARING
ADOPT MILLAGE RATE/
PROPOSED BUDGET FOR FY 2020/2021
SEPTEMBER 24, 2020
7:00 p.m.
Town Hall – 4585 Charlotte Street**

The Town of Haverhill's final Public Hearing for the 2020/2021 FY millage rate and budget was held at the Town Hall, 4585 Charlotte Street on Thursday, September 24, 2020. Those present were Jay Foy, Mayor; Lawrence Gordon, Vice Mayor; Dennis Withington, Council Member and Ray Caranci, Council Member. Also present were Lance Fuchs, Town Attorney; and Janice C. Rutan, Town Administrator.

The Public Hearing was being held via teleconference for persons wanting to participate.

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

All Town Council members were in attendance except for Council Member Uptegraph.

COMMENTS FROM THE PUBLIC (items not on the agenda)

None

APPROVAL OF AGENDA

There being no additions, deletions or substitutions, a motion was made by Vice Mayor Gordon, seconded by Council Member Withington, and unanimously passed (4-0) to approve the agenda as presented.

**Adopt millage rate for Fiscal Year October 1, 2020 through September 30, 2021
Resolution R2020-09: A RESOLUTION OF THE TOWN COUNCIL OF THE
TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, LEVYING A
TAX OF 4.5000 MILLS UPON THE TAXABLE NON-EXEMPT PROPERTY
WITHIN THE TOWN OF HAVERHILL FOR THE 2020-2021 FISCAL YEAR
RESULTING IN A 7.00 PERCENT INCREASE OVER THE ROLL BACK RATE
OF 4.2057.**

The title was read by Attorney Fuchs. The Town Administrator presented Staff's Report. Mayor Foy commented that although there was not an increase in the millage rate, there was an increase over the roll back rate.

Mayor Foy opened the floor to public comment. There being none, a motion was made by Vice Mayor Gordon, seconded by Council Member Caranci, and unanimously passed to approve Resolution R2020-09 setting the millage rate at 4.5000 mils for the FY 2020/2021.

**Adopt tentative budget Fiscal Year October 1, 2020 through September 30, 2021
Resolution 2020-10 A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, ADOPTING THE 2020-
2021 BUDGET OF THE TOWN OF HAVERHILL.**

The title was read by the Town Attorney. The Town Administrator offered Staff's Report. The proposed budget was comprised of 3 funds as follows:

- General Fund: \$1,230,198
- Special Revenue Fund – Infrastructure \$136,121
- Special Revenue Fund Building \$73,150

The Mayor opened the floor to public comment. There being none, a motion was made by Council Member Withington, seconded by Vice Mayor Gordon, and unanimously passed (4-0) to adopt Resolution R2020-10 adopting the 2020/2021 Budget.

Adjournment:

With no further business to be conducted, the Public Hearing adjourned at 7:10 p.m.

**TOWN OF HAVERHILL
TOWN COUNCIL REGULAR MEETING
Thursday, September 24, 2020
7:00 p.m.
OFFICIAL MINUTES**

CALL TO ORDER

The regular meeting of the Town Council was called to order immediately following the close of the Public Hearing.

COMMENTS FROM THE PUBLIC

None.

APPROVAL OF AGENDA

The Town Administrator requested the approval of the minutes for the August 27, 2020 Regular Meeting be removed from the Consent Agenda.

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

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes of the August 13, 2020 and August 27, 2020 Regular Town Council meetings and August 4, 2020 and September 1, 2020 Workshop minutes.

A motion was made by Vice Mayor Gordon, seconded by Council Member Withington, and unanimously passed (4-0) to approve the Consent Agenda as amended.

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

There were no representatives from PBSO present at the Town Council meeting, however, the Town Administrator announced that Lt. Terrance Carn would be present at the October 6, 2020 workshop along with representatives from the PBC Fire Rescue.

REGULAR AGENDA AND FIRST READINGS

Consider request of Sheryl Snider, property owner of 1141 Cheryl Road to remove the assessed lien against her property in the amount of \$3,500.

Devon Kirms, Code Inspector was present via teleconference call. She had presented Staff's report. It was Staff's recommendation that Town Council not reduce the assessed lien against Ms. Snyder in the amount of \$3,500 as Staff had determined that between three Code Officers, Attorney/Court time and expenses, the Town had expended \$3,500 in costs.

Ms. Snyder was present and addressed the Town Council. She had sent a letter asking for the fine to be reduced as she believed she had complied with the cited violations. It was explained that on June 16, 2020 an affidavit of compliance had been issued as she in fact had complied with the violations that had resulted in the lien, however, the lien had been active since February 10, 2020 and continued to accrue until compliance.

It was explained to Ms. Snyder that the matter before the Town Council was only for their consideration to reduce the lien. They were not the body to determine guilt or innocence. Ms. Snyder argued that she had simply done what she had been told to do by the former Code Officer. Again, it was explained that the case had already been heard by the Special Magistrate and the Town Council was not in the position to retry the case.

In response to her inquiry, Attorney Fuchs responded that an appeal of the decision of the Town Council would be made to the Circuit Court.

Discussion ensued and a motion was made by Vice Mayor to offer Ms. Snyder a settlement in the amount of \$2,000 to be paid within 30 days and if not paid within the 30 days, the amount due will revert to \$3,500.

It was noted that the offer made by Council was extremely generous.

The motion was seconded by Council Withington and unanimously passed (4-0).

Appoint members to the Infrastructure Surtax Committee

The Town Administrator presented Staff's report. On November 8, 2016, the voters of Palm Beach County approved a one-percent local government infrastructure surtax to be used by the County, Palm Beach County School Board and the municipalities within Palm Beach County for the financing, planning, constructing, reconstructing, renovating and improving needed infrastructure.

The Town of Haverhill had chosen to create its own Infrastructure Surtax Committee and had appointed 6 members to serve on the Committee. Three of the originally appointed 6 members have moved from Haverhill and are unable to serve on the committee. The remaining members are as follows:

- **Joseph Alonsi**
- **Salesia Smith Gordon**
- **Betty Murph**
- **Tom Burns**

Staff was requesting the Town Council appoint a minimum of 2 additional members so that the committee can continue to meet, as necessary.

Council Member Caranci had recommended Timothy Nye and Salesia Smith Gordon had suggested that Alicia Dixon be appointed.

Council agreed to make the appointments at the next meeting.

Confirm and ratify action of the Infrastructure Surtax Committee re: Payment of Emergency Repairs to the Briarwood Drainage Project

The Town Administrator presented Staff's report. She had met with the Infrastructure Committee on September 23, 2020 to discuss the possibility that the recent emergency repairs to the failed drainage system at Berkeley Mews be paid for with Infrastructure Surtax funds. It was the recommendation of the Surtax Committee to reimburse the Town of Haverhill General Fund \$50,999 and to pay for the emergency drainage repairs to the Briarwood Drainage system from the Infrastructure Surtax funds.

Discussion followed. **A motion was then made by Council Member Caranci, seconded by Vice Mayor Gordon and unanimously passed (4-0) to accept and ratify the recommendation of the Infrastructure Sales Tax Committee and charge the cost of the repairs to the Infrastructure Sales Tax fund.**

Update on Briarwood Wall Project

The Town Administrator reported that she had submitted the grant request to the Solid Waste Authority in the amount of \$29,995 for the construction of the Briarwood Wall. She explained there had been a bit of concern when she could not locate the annexation documents from when the Briarwood subdivision was annexed into the Town which showed ownership of the roads and R-O-W. It was eventually located, and the grant application was now in review.

Update to personnel Policy re: Employee Floating Holiday

The Town Administrator offered Staff's report. She explained that the Town of Haverhill's Personnel Policy calls for 12 observed holidays that full-time employees were eligible for paid holiday time off. One of those holidays was the observance of Columbus Day, traditionally held the second Monday in October.

It was her recommendation that the Town Council remove the Columbus Day from the 12 observed holidays and instead allow each employee to be granted a paid holiday of their choosing.

A motion was then made by Council Member Withington, seconded by Vice Mayor Gordon and unanimously passed (4-0) to remove the Columbus Day from the 12 observed holidays and instead allow each employee to be granted a paid holiday of their choosing through the approval of the Town Administrator.

SECOND READINGS AND PUBLIC HEARINGS

None.

REPORTS

Town Attorney

None.

Mayor

Palm Beach County Literacy Committee had delivered the toe Town Council the book to be read during the Read for the Record Event. The book chosen for this year was "Evelyn DelRey is Moving Away". They also gave each Council Member a copy of the book "The Nickel Boys" which was the book chosen for the Read Together Palm Beach County event. Council was very appreciative of the books and the cupcakes from the Coalition.

The Town Administrator reported that the event would take place entirely virtual this year. Council expressed their preference of being able to be with the students and read to them in person. The Town Administrator would get more information on the program and would report back at the next meeting.

Mayor Foy reported he had signed the annual NPDES amended report for the Town.

Committee/Delegate Report

Vice Mayor Gordon reported on his attendance at the Palm Beach County League of Cities Board of Director meetings.

Treasurer's Report

Not included.

Town Administrator

The Town Administrator reported the HEPA air filters had been installed earlier in the day.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Council Member Caranci inquired about the following:

Repaving roads: It was reported they were last repaved in 2006
Speed Humps: His neighbors inquired about installing speed bumps on Woodland Avenue

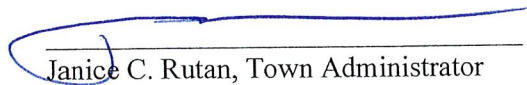
A discussion followed regarding the installation of speed humps and whether they would cause delays for emergency vehicles, etc. Council member Withington responded the delay would be minimum.

Vice Mayor Gordon reported he would be requesting Town Council support in passing a Proclamation declaring October 11-17, 2020 Mediation Week.

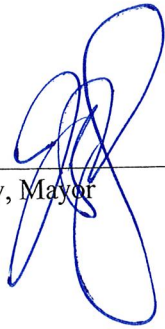
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:15 p.m.

Approved: October 22, 2020



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor