

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  
TOWN COUNCIL REGULAR MEETING  
Thursday, December 10, 2020  
7:00 p.m.  
AGENDA (Amended)**

- 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 November 19, 2020 Regular Meeting
- VII. PROCLAMATIONS AND PRESENTATION
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE
- IX. REGULAR AGENDA AND FIRST READINGS
  - a. Act on request of Stacy Herig, property owner of 5118 Club Road to allow for a five-foot chain link fence along the front yard frontage.
  - b. Consider partnership donation re: Palm Beach County Digital Inclusion Project
  - c. Approve letter to FDEP re: NPDES Program
  - d. Appoint Charter Committee Members; set scope of review and term of appointment
  - e. Legislative Priorities/Request for House Appropriation
  - f. Accept and receive annual financial report from the Infrastructure Surtax Citizen Oversight Committee
- X. SECOND READINGS AND PUBLIC HEARINGS
  - a. ORDINANCE NO. 494: AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, DECLARING ZONING IN PROGRESS AND IMPOSING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF NEW APPLICATIONS FOR THE ESTABLISHMENT OF MEDICAL MARIJUANA TREATMENT FACILITIES, INCLUDING DISPENSING FACILITIES, UNTIL JUNE 25, 2021; PROVIDING FOR SEVERABILITY, PROVIDING FOR SCRIVENERS ERRORS; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- XI. REPORTS
  - Town Attorney
  - Mayor
  - Town Administrator
  - 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, Town Administrator at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370

**TOWN OF HAVERHILL  
TOWN COUNCIL REGULAR MEETING  
Thursday, December 10, 2020  
7:00 p.m.  
OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held on Thursday, December 10, 2020 at the Town Hall, 4585 Charlotte Street, Haverhill, Florida. Those present were Jay G. Foy, Mayor; Lawrence Gordon, Vice Mayor; Mark C. Uptegraph, Council Member; Dennis Withington, Council Member and Ray Caranci, Council Member. Also present were John Foster, Town Attorney and Janice C. Rutan, Town Administrator.

Teleconferencing was available for those persons wanting to participate in the meeting remotely.

**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 in the Pledge of Allegiance.

**ROLL CALL**

The Town Administrator called the roll. All members were present.

**COMMENTS FROM THE PUBLIC**

None.

**APPROVAL OF AGENDA**

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

**APPROVAL OF THE CONSENT AGENDA**

~~Approval of the minutes of the November 19, 2020 Regular Meeting~~

**PROCLAMATIONS AND PRESENTATION**

None.

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

Not Present.

**REGULAR AGENDA AND FIRST READINGS**

**Act on request of Stacy Herig, property owner of 5118 Club Road to allow for a five-foot chain link fence along the front yard frontage.**

A letter from the applicant had been presented to the Town Council. The Town Administrator offered Staff's report, adding that Staff was in favor of the variation.

Stacy Herig, property owner was present and explained she wanted the hedge to remain the same height around the perimeter of the property for uniformity. She would be replacing an existing fence. Ms. Herig added that she fosters dogs and needs to have secure fencing for their protection.

**A motion was then made by Vice Mayor Gordon, seconded by Council Member Withington, and unanimously passed (5-0) to grant the variance to allow for a five-foot chain link fence in the front yard setback as requested by the property owner.**

**Consider partnership donation re: Palm Beach County Digital Inclusion Project**

The Town Council discussed the presentation that had been made at the Town Council workshop on December 1, 2020 by Adam Miller of the Palm Beach County School District and James Gavrilos of the Education Foundation of Palm Beach County.

After explaining the Digital Divide Project to the Town Council, they had asked for financial assistance to ensure that the one-time investment of the project was leveraged to provide a long-term solution for access to in-home broadband internet for all students.

The Town Council expressed their concern that they had not received the specifics to the project and how it would affect the Town. Specifically, where the poles would be located and how poles or towers, they were planning to install within the town.

It was agreed the Town Council would wait to commit until some of their questions could be answered. Still outstanding was the location, the number, whether the poles would allow other carriers and if Comcast were the carrier?

No action was taken.

**Approve letter to FDEP re: NPDES Program**

Mayor Foy presented the draft letter written to the Secretary of the Florida Department of Environmental Protection addressing the town's concerns regarding unfunded costs resulting from the change of scope of the NPDES annual audit. He commented the letter had been reviewed by Staff and the Town Attorney. He was asking for Town Council consensus in sending the letter as written.

It was agreed Council would review and send any comments to the Town Administrator within the next week. If no comments were received, the letter would be sent as written.

**Appoint Charter Committee Members; set scope of review and term of appointment**

The Town Administrator reminded Council that they were to consider appointees to the Charter Review Committee. They had agreed the Committee would be made up of two Town Council Members and 3 residents. Teresa Johnson, (5446 Club Road) who was present at the November Council meeting had agreed to serve.

Council agreed to schedule an informational meeting of the Committee immediately proceeding the regular Council meeting on January 14, 2021 at 6:00 p.m. Suggested member names would be submitted to the Town Administrator to be invited to the informational meeting. Council would then make the formal appointments at the regular meeting following the Committee meeting.

**Legislative Priorities/Request for House Appropriation**

The Town Administrator reported she had been in touch with Representative Wilhite's office to discuss projects that could be funded through appropriation. Although there is money available, there would not be enough to undergo the study for the town wide transition from septic to sewer. Council expressed support of the request to fund purchase of traffic calming/street signage along Belvedere Road. These measures would be made to slow the traffic, thus taking into consideration the health, safety, and welfare of the public travelling along Belvedere Road.

**Accept and receive annual financial report from the Infrastructure Surtax Citizen Oversight Committee**

The Town Administrator presented the annual financial report of the Infrastructure Surtax Committee. The report had been approved at the December 8, 2021 meeting of the Committee and it was recommended at that meeting to forward same to the Town Council.

**A motion was then made Council member Withington, seconded by Vice Mayor Gordon, and unanimously passed (5-0) to receive and file the annual report of the Infrastructure Sales Tax Committee for the fiscal year ending September 30, 2020.**

**SECOND READINGS AND PUBLIC HEARINGS**

**ORDINANCE NO. 494: AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, DECLARING ZONING IN PROGRESS AND IMPOSING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF NEW APPLICATIONS FOR THE ESTABLISHMENT OF MEDICAL MARIJUANA TREATMENT FACILITIES, INCLUDING DISPENSING FACILITIES, UNTIL JUNE 25, 2021; PROVIDING FOR SEVERABILITY, PROVIDING FOR SCRIVENERS ERRORS; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

The title was read by Attorney Foster. With no public comment and no discussion, a motion was made by Vice Mayor Gordon and seconded by Council Member Caranci to approve Ordinance No. 494 on second reading. The motion passed 4-1 with Council member Uptegraph voting against the motion.

**REPORTS**

**Town Attorney**

None.

**Mayor**

The Town Administrator had prepared a spreadsheet breaking down the votes cast for each elector and each question that had been placed on the November ballot. To determine how the voters of Haverhill felt about certain issues, the Mayor broke out the results of the Constitutional Questions that had appeared on the ballot, the results were as follows:

Question 1: Citizen Requirement to Vote	Precinct	2146	78%	Passed
		7136	81%	Passed
		7140	73%	Passed
Question 2: Minimum Wage	Precinct	2146	66%	Passed
		7136	58%	Passed
		7140	74%	Passed
Question 3: All voters vote in Primary	Precinct	2146	63%	Passed
		7136	64%	Passed
		7140	61%	Passed
Question 4: Voter Approval of Constitution Amendments requiring 2 elections	Precinct	2146	51%	Passed
		7136	52%	Passed
		7140	44%	Passed
Question 5: Limit on Homestead Exemptions	Precinct	2146	77%	Passed
		7136	74%	Passed
		7140	86%	Passed

Question 6: Veteran Ad Valorem Discount	Precinct	2146	93%	Passed
		7136	94%	Passed
		7140	91%	Passed

Discussion next turned to the availability of the vaccination against COVID 19. The FDA Advisory Committee had just voted to allow the vaccination to be distributed.

Council Member Caranci shared the sad news that Henry Sullivan, a resident of Woodland Avenue had passed away due to complications from COVID.

**Town Administrator**

The Town Administrator asked for suggestions to be included in the newsletter she was preparing to be sent out. Discussion followed as to the importance in expressing the Town Council's concern over the COVID 19 pandemic, their support of wearing masks, social distancing and getting vaccinated.

**Committee/Delegate Report**

Vice Mayor Gordon reported on his appointment by the Palm Beach County League of Cities to serve on the Criminal Justice Committee.

He reported that the Palm Beach County Caucus of Black Elected Officials would be putting out a Public Service Announcement reminding people of the importance of wearing masks and to inform the public about the importance of vaccinations. Vice Mayor Gordon gave a brief history on why people of color mistrust immunizations, citing a history of their uninformed involvement in medical trials.

**UNFINISHED BUSINESS**

None.


**NEW BUSINESS**

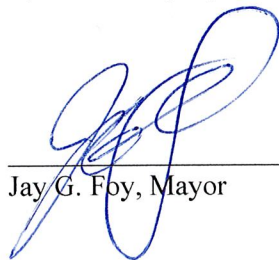
None.

**ADJOURNMENT**

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

Approved: January 14, 2021

  
 \_\_\_\_\_  
 Janice C. Rutan, Town Administrator

  
 \_\_\_\_\_  
 Jay G. Foy, Mayor

