

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



**TOWN OF HAVERHILL  
TOWN COUNCIL REGULAR MEETING  
Thursday, March 11, 2021  
7:00 p.m.  
REVISED AGENDA**

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. SWEARING IN OF COUNCIL MEMBERS:**
  - a. Seat 3: Jay G. Foy
  - b. Seat 4: Lawrence Gordon
  - c. Seat 5: Dr. Teresa Johnson
- IV. REORGANIZATION OF TOWN COUNCIL**
  - a. Elect Mayor for the ensuing year
  - b. Elect Vice Mayor for the ensuing year
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
  - a. Property owners appeal for variation from the fence height requirement of 10' on the side and rear yard setback and 6' in the front yard setback to allow for a twelve-foot fence on the east side of the front fence as applied for by Yisell Pantaleon, property owner, 5212 Bethany Lane.
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
- VII. PROCLAMATIONS AND PRESENTATION**

None.
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. REGULAR AGENDA AND FIRST READINGS**
  - a. Review updated proposed pole location of the PBC/School District Digital Inclusion project (preferred start date Friday, March 12, 2021 @ 9:00 a.m.).
  - b. Accept resignation of Dr. Teresa Johnson from the Charter Review Committee (Only 2 Council members to serve on Committee)
- X. PUBLIC READINGS AND SECOND HEARINGS**

None.
- 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

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**TOWN COUNCIL MEETING  
March 11, 2021**

**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](mailto:jrutan@townofhaverhill-fl.gov)) up until noon on March 11, 2021. 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 and exhibit signs of illness, such as coughing or sneezing, you will not be permitted into 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 meeting 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.**

**TOWN OF HAVERHILL  
TOWN COUNCIL REGULAR MEETING  
Thursday, March 11, 2021  
OFFICIAL MINUTES**

The regular meeting of the Haverhill Town Council was held on Thursday, March 11, 2021 at the Town Hall, 4585 Charlotte Street, Haverhill, FL. Those present were Jay G. Foy, Mayor, Lawrence Gordon, Vice Mayor, Dennis Withington, Council Member (via teleconference) and Ray Caranci, Council Member. Also present were John Fenn Foster, Town Attorney and Janice C. Rutan, Town Administrator.

**CALL TO ORDER**

Mayor Foy called the meeting to order at 7:05 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Foy offered the Pledge and the Invocation.

**SWEARING IN OF COUNCIL MEMBERS:**

It was announced that the Palm Beach County Supervisor of Elections had declared Teresa Johnson the winner of Seat 5 in the March 9, 2021 Election.

**A motion was made by Vice Mayor Gordon, seconded by Council Member Caranci, and unanimously passed (4-0) to accept, receive and file the Supervisor of Elections certified results for the March 9, 2021 municipal election as follows:**

<b>Choice</b>	<b>Percent</b>	<b>Votes</b>
Teresa M. Johnson	53.66	110
Mark C. Uptegraph	46.34	95

Attorney Foster then administered the Oath of Office to the following elected members for the ensuing two-year term.

**Seat 3: Jay G. Foy**  
**Seat 4: Lawrence Gordon**  
**Seat 5: Dr. Teresa Johnson**

**REORGANIZATION OF TOWN COUNCIL**

**Elect Mayor for the ensuing year**

Mayor Foy offered that he would be honored to continue to serve as Mayor for the ensuing one-year appointment. **There being no further nominations, Vice Mayor Gordon nominated Jay Foy to serve as Mayor for the upcoming year. The nomination was seconded by Council Member Caranci and passed unanimously (5-0).**

**Elect Vice Mayor for the ensuing year**

**Council Member Caranci nominated Lawrence Gordon to serve as Vice Mayor for the ensuing term. There being no further nominations, the nomination was seconded by Council Member Withington and passed unanimously (5-0).**

**ROLL CALL**

The Town Administrator called the roll. All members were present with Council Member Withington in attendance via teleconference.

## **COMMENTS FROM THE PUBLIC**

**Property owners appeal for variation from the fence height requirement of 10' on the side and rear yard setback and 6' in the front yard setback to allow for a twelve- foot fence on the east side of the front fence as applied for by Yisell Pantaleon, property owner, 5212 Bethany Lane.**

Property owner Yisell Pantaleon addressed the Town Council. She explained that she had not attended the meeting of February 25, 2021 during which time the Town Administrator presented their request for a variation to allow for a 12' fence on the front and side of their property. She was requesting reconsideration of the Town Council's denial of their request for variation. She explained her cousin lives with them and parks his semi-truck in their yard when he is there. It can be seen from the road and she would need a 12' fence to keep it screened from view.

The Town Attorney Foster explained that the Town Council has no authority to act on the request for variation as the Ordinance specifically does not allow anything taller than a 10' fence.

Mayor Foy then extended congratulations to Dr. Teresa Johnson.

**Teresa Lawrence:** Ms. Lawrence congratulated Dr. Teresa Johnson on her election to the Town Council. She spoke of Dr. Johnson's qualifications and the positive impact she will have on the Council. Ms. Lawrence was then introduced (by Vice Mayor Gordon) to the Town Council as Dr. Johnson's sister.

**Joseph Lima, 5065 Ivywood Road.** Mr. Lima reported that he had received a letter from the Code Enforcement officer about vehicles being parked on his lawn. He commented that he was under the impression that the way of life on Ivywood Road had been grandfathered in since its annexation, as most of the homes had single driveways and had always had several vehicles parked on the lawn. He would like to arrange for a meeting with the Town Council to discuss the specifics of Ivywood Road. Mayor Foy suggested the Town Administrator work with Mr. Lima to schedule a meeting before the Town Council.

He then asked if Council could assist him with an outstanding building permit issue. Again, Mayor Foy suggested Mr. Lima coordinate with the Town Administrator.

**Tracy Adams. PBCFR:** Ms. Adams reported that there had been 21 calls for the month of February. 17 were medical, 3 were vehicle calls and 1 considered an investigation. The average response time for response the month 6 minutes and 57 seconds. Their goal is a 6-minute response time goal. Most responses are from the station on Okeechobee Blvd.

Regarding parking on streets and other safety issues that had been raised by Council at a previous meeting, it was explained that the Town Administrator and Ms. Adams had been playing phone tag and had not spoken on the issue. Council expressed their appreciation to PBCFR.

## **APPROVAL OF AGENDA**

**A motion was made by Council Member Johnson, seconded by Vice Mayor Gordon, and unanimously passed (5-0) to approve the Agenda as presented.**

## **APPROVAL OF THE CONSENT AGENDA**

**None.**

## **PROCLAMATIONS AND PRESENTATION**

**None.**

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

**Not present.**

## **REGULAR AGENDA AND FIRST READINGS**

**Review updated proposed pole location of the PBC/School District Digital Inclusion project (preferred start date Friday, March 12, 2021 @ 9:00 a.m.).**

The Town Administrator offered Staff's Report. She updated the Town Council on the revised pole locations throughout the Town. Since the Town would not be permitting and/or inspecting the work, fees had been waived (professional courtesy between municipalities practiced by the Town in the past). It was explained the Town would not be permitting the installation of the poles as the authorization to install fell under recently enacted legislation.

Devon Kirms, Community Services Coordinator/Code Enforcement was present via teleconference to answer questions. The Town Administrator explained the contractor had submitted Engineered drawings that had been reviewed by the Building Official. The Building Official was satisfied with the submission. She presented the drawings to the Town Council for their review. The contractor had hoped to begin work in Town on Friday, March 26, 2021.

Ms. Kirms confirmed the wooden poles to be used for the project had been donated by FP&L. The Contractor was also available via teleconference call. She added the contractor anticipated it would take approximately one week to have the Town poles installed. It would take longer for the contractor to install the County poles within the Town.

Council raised no objection for the work to begin.

**Accept resignation of Dr. Teresa Johnson from the Charter Review Committee (Only 2 Council members to serve on Committee)**

**A motion was made by Vice Mayor Gordon, seconded by Council Member Caranci, and unanimously passed to accept Dr. Teresa Johnson's letter of resignation from the Charter Review Committee.**

It was staff's recommendation that there would be no need to appoint a replacement, as the Committee was wrapping up its recommendations to Council.

## **PUBLIC READINGS AND SECOND HEARINGS**

**None.**

## **REPORTS**

### **Town Attorney**

Attorney Foster reported on the Executive Order of the Governor as it related to fines imposed by local governments resulting from local government COVID 19 orders or restrictions. The Town should not be impacted by the Order.

He added that he would be making his annual presentation to the Town Council at their next meeting regarding Council protocol and procedures. The Attorney commented that in the past the Town Council had always been collegial, very rarely disagreeable. The Mayor reported that he had recently undergone sensitivity training, resulting in civility; he commented about the relationship between elected officials and staff.

### **Mayor**

Mayor Foy reported on the response the Town had received from DEP about the Town's annual reporting. DEP did not feel an extension was needed because there was no need for the Town to respond. He gave a brief background of the situation for the benefit of Council Member Johnson. He spoke of the excessive cost (1% of the Town's budget) to provide paperwork, time and time again.

As traditionally done in the past, Mayor Foy requested Council's support in presenting former Council Member Mark Uptegraph with a proclamation of appreciation for his 14 years of service.

He received Council consensus to move forward with the presentation of a plaque of appreciation.

#### **Town Administrator**

The Town Administrator requested the Town Council authorize the sale of former Council Member's iPad to him as surplus property in the amount of \$50.00. The request was approved by Council consensus.

The Town Administrator reported on the success of the municipal election with the partnership of Wendy Sartory Link, Supervisor of Elections. She expressed her appreciation to the SOE's office for working with the municipalities to ensure smooth elections.

She then reported on the IEMO (Institute for Elected Officials) training being offered June 3-5 at the PGA Resort and Spa.

#### **Committee/Delegate Report**

He reported on the upcoming NPDES training meeting.

Vice Mayor Gordon reported that as 2<sup>nd</sup> Vice President of the Palm Beach County League of Cities, he will be moving up to either 1<sup>st</sup> VP or the President due to the results of the recent elections.

As a member of the PBC League of Cities Scholarship Committee, he would be meeting to award 6 scholarships to students and an additional scholarship for municipal employee in the amount of \$1,000 each.

Vice Mayor Gordon had been asked to represent the PBC League of Cities by sitting on the Impact Fee Committee.

He then announced that he would be attending the Florida Black Caucus of Local Elected Officials annual conference in Orlando March 17-19, 2021. It will be following CDC guidelines.

#### **Treasurer's Report**

None.

#### **UNFINISHED BUSINESS**

None.

#### **NEW BUSINESS**

Council Member Johnson announced she would like to issue a Proclamation in recognition of March being Women's History Month at the next regularly scheduled meeting. She would like the Town to be part of the celebration.

Mayor Foy explained his position on Proclamations. He is not opposed to supporting causes; however, he does not support using staff time and Town resources to prepare and present something that has no benefit to the Town other than a feel-good effort. He added that he would most probably vote against it should it come before Council. However, if the Council wants to support, he would not object to a consensus.

Council Member Johnson commented that Proclamations in recognition or celebration would bring awareness, citing her own achievement in being the first black woman to have been elected to the Haverhill Town Council. Council Member Johnson appealed to the Town Council to have the matter placed on the next agenda for consideration.

She added that there would be additional matters to be brought forth to celebrate.

Vice Mayor Gordon supported the recognition of Women's History Month.

Clarification of the matter before the Town Council was made for the benefit of Council Member Withington.

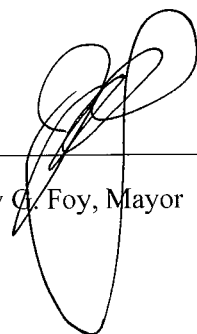
By consensus of the Town Council, the Proclamation recognizing March as Women's History month would be placed on the March 25, 2021 agenda.

**ADJOURNMENT:**

With no further business to come before the Town Council, the meeting adjourned at 8:00 p.m.

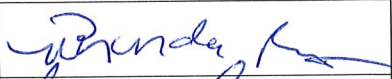

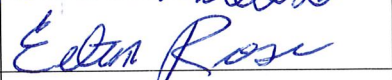


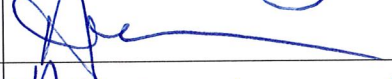
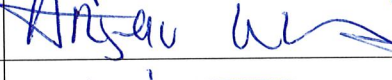







Approved: April 8, 2021

  
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Janice C. Rutan, Town Administrator

  
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Jay G. Foy, Mayor



**SIGN IN SHEET**  
**TOWN OF HAVERHILL**  
**REGULAR TOWN COUNCIL MEETING**  
**Thursday, March 11, 2021 7:00 p.m.**

Name	Address	Signature
Rhonda Rojas		
Lobina Whitehead		
Elton Ross		
Adewole Burro	5200 Kelly Dr	
Daricka Thompson		
Artiz Williams	1221 W 23 <sup>RD</sup> ST	
Angela Williams	1221 W 23 <sup>RD</sup> ST	
Monica McCoy	908 9th St. WPS	
William A. Miller, Jr		
Phillip Santalino	5212 Bethany	
Jose Palacios	5212 Bethany	
<del>Will Williams</del>		<del></del>
Kim Williams	1413 W. Mason Dr	
Joseph Lima	5065 Ivy wood Rd	
Theresa Lawrence	3617 Blue Fire Dr	