

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



**TOWN OF HAVERHILL
FIRST PUBLIC HEARING
ADOPT MILLAGE RATE/
PROPOSED BUDGET FOR FY 2020/2021
SEPTEMBER 8, 2021
5:30 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 (items not on agenda)
- V. Approval of Agenda
- VI. Adopt tentative millage rate
 - a. Fiscal Year October 1, 2021 through September 30, 2022
- VII. Adopt tentative budget
 - a. Fiscal Year October 1, 2021 through September 30, 2022
- VIII. Adjournment

**TOWN OF HAVERHILL
TOWN COUNCIL WORKSHOP
WEDNESDAY, SEPTEMBER 8, 2021
(IMMEDIATELY FOLLOWING CLOSE OF PUBLIC BUDGET HEARING
AGENDA**

- I. Proposed Ordinances
 - a. Ordinance 501: Subdivision Regulations
 - b. Ordinance 502: Authorizing 1 car garages in Airport Overlay Zone
- II. Discuss Fire Rescue MSTU
 - a. proposed Ordinance extending the Town's consent to the inclusion of the entire territory municipal boundaries into Palm Beach County's Fire Rescue Municipal Service Taxing Unit.
 - b. Discuss PBCFR Independent Taxing District
- III. Building Committee Update
- IV. Adjournment

TOWN OF HAVERHILL TOWN COUNCIL
REGULAR MEETING
WEDNESDAY, SEPTEMBER 8, 2021
6:30 P.M.
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 August 26, 2021 Regular Town Council meeting**
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. COMMENTS FROM THE PAL BEACH COUNTY FIRE RESCUE**
- X. REGULAR AGENDA AND FIRST READINGS**
 - A. ORDINANCE NO. 503: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL FLORIDA; AFFIRMING, RATIFYING AND EXTENDING THE TOWN'S CONSENT TO THE INCLUSION OF THE ENTIRE TERRITORY WITHIN THE TOWN'S MUNICIPAL BOUNDARIES INTO THE PALM BEACH COUNTY FIRE RESCUE MUNICIPAL SERVICE TAXING UNIT**
 - B. Update of American Rescue Plan Act Funding Agreement**
 - C. Update on Proposed Charter Amendments**
- 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 FIRST PUBLIC BUDGET HEARING – 5:30 P.M.
WORKSHOP (immediately following Public Hearing)
REGULAR MEETING – 6:30 p.m.
Wednesday, September 8, 2021

Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until noon on Wednesday, September 8, 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, please do not enter 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. Town Council has considered the health, safety and welfare of its residents and the public, and voted to continue to require face masks be worn during public meetings and public hearings in Town Hall and Town Council Chambers to address the Town Council. Masks will be required for those persons entering Council Chambers. Those persons gathering outside the Town Hall are encouraged to maintain a separation of at least six feet from one another. 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.

**TOWN OF HAVERHILL
Town Council Workshop
September 8, 2021
Town Hall – 4585 Charlotte Street**

OFFICIAL MINUTES

Pursuant to the foregoing notice, a combined Haverhill Town Council and Code & Ordinance Workshop was held on Wednesday, September 8, 2021, at Town Hall, 4585 Charlotte Street, Haverhill. Those present Mayor Jay Foy; Vice Mayor Lawrence Gordon; Council Member Dennis Withington; Council Member Ray Caranci; Council Member Teresa Johnson; Town Attorney John Foster and Town Administrator Janice Rutan

CALL TO ORDER

Mayor Foy called the workshop to order at 5:37 p.m.

I. PROPOSED ORDINANCES

- a. **Ordinance 501: Subdivision Regulations:** Town Attorney Foster reported that this will eliminate the ability to have the “flag shape” lots within the Town of Haverhill and it eliminates the ability to allow a driveway to serve as legal access. He stated the Town Planner, Josh Nichols was very strong on this as it was consistent with what other cities and counties are doing and what they require. Town Attorney Foster stated the recommendation from staff would be to go on and notice this for First Reading. Council Member Johnson asked if existing structure lots that look this way were grandfathered in. Attorney Foster stated that was correct, they would be a legal non-conforming lot of record and they would not be affected by this change.

Mayor Foy asked if there were a consensus on moving forward. He reminded all this was a Council Workshop for discussion purposes only and no voting could take place. It appeared all Town Council members agreed with the changes to Ordinance 501.

- b. **Ordinance 502: Authorizing 1 car garages in Airport Overlay Zone:** Town Attorney Foster stated this was a simple change to the Airport Overlay area that would allow, under the site development standards for townhouses and zero lot line homes, for one (1) car garages to be permitted. Council Member Caranci wanted clarification that this was just limited to the Airport Overlay Zone and does not affect anything else or requirements in the Town. Town Attorney Foster stated that it was not only limited to the Airport Overlay Zone but just for Townhouses and zero lot line homes as well. Mayor

Foy stated more research needed to be done on this before moving forward as there may be other changes to be done to this ordinance. **Discussion ensued.**

II. DISCUSS FIRE RESCUE MSTU

- a. Proposed Ordinance extending the Town's consent to the inclusion of the entire territory municipal boundaries into Palm Beach County's Fire Rescue Municipal Service Taxing Unit. **Note: Town Administrator Rutan reported this was on the Regular Town Council meeting agenda for tonight which followed Town Council Workshop. Mayor Foy announced this would be discussed at the Regular Town Council meeting tonight.**
- b. Discuss PBCFR Independent Taxing District. **Note: Town Administrator Rutan reported this had been withdrawn by PBCFR.**

III. BUILDING COMMITTEE UPDATE

- a. Town Administrator Rutan reported a Building Committee meeting was held and they wanted all of the municipalities to attend. They wanted all of the municipalities to buy into the proposals that all of the building officials were going to have all municipalities adopt Chapter 1 of the Florida Building Code which would require the inspection of commercial buildings west of I95 every 35 years if they were more than 3500sqft, etc. T/A Rutan stated that Town Council had agreed to opt out. T/A Rutan reported that she had called Richard Radcliff, Executive Director with the PBC League of Cities to inform him that the Town of Haverhill was opting out and she had had some push back from him. She stated the Town still chose not to attend the meeting. T/A Rutan reported that Mr. Radcliffe led her to believe the Town really needed to do something because if we did not, the county was going to do something to force us to do something. T/A Rutan stated that she and Mayor Foy had discussed it at length, and the county could not make the Town do anything anyway. T/A Rutan stated that if anything were to be addressed, it would be through Building Code or legislation. **Discussion ensued.**

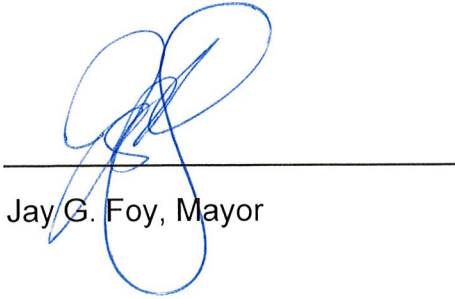
IV. ADJOURNMENT

There being no further business to be discussed, the workshop ended at 6:17 p.m.

Approved: October 14, 2021

A handwritten signature in red ink, appearing to read "Jean Wible", written over a horizontal line.

Jean Wible, Deputy Town Clerk

A handwritten signature in blue ink, appearing to read "Jay G. Foy", written over a horizontal line.

Jay G. Foy, Mayor

**TOWN OF HAVERHILL
FIRST PUBLIC HEARING
ADOPT MILLAGE RATE/
PROPOSED BUDGET FOR FY 2021/2022
SEPTEMBER 8, 2021
Town Hall – 4585 Charlotte Street**

The Town of Haverhill's first Public Hearing for the 2021/2022 FY proposed millage rate and proposed budget was held at the Town Hall, 4585 Charlotte Street on Thursday, September 8, 2021. Those present were Jay Foy, Mayor; Lawrence Gordon, Vice Mayor; Dennis Withington, Council Member; Ray Caranci, Council Member and Dr. Teresa Johnson, 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 5:30 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.

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 Johnson and unanimously passed (5-0) to approve the agenda as presented.

Adopt tentative millage rate

Fiscal Year October 1, 2021, through September 30, 2022

The Town Administrator presented Staff's report. Mayor Foy opened the floor for public hearing. There being none, **a motion was made by Council Member Johnson, seconded by Council Member Caranci, and unanimously passed (5-0) to adopt the tentative millage rate of 4.5000 mills for the 2021/2022 fiscal year.**

Adopt tentative budget

Fiscal Year October 1, 2021, through September 30, 2022

The Town Administrator presented the proposed budget. Mayor Foy opened the floor for Public Comment. There being none, **a motion was made by Vice Mayor Gordon, seconded by Council Member Withington, and unanimously passed (4-0) to adopt the tentative FY 2020/2021 budget as proposed for the Operating Fund, Infrastructure Fund and Building Fund.**

Adjournment

With no further business to come before the Public Hearing, a motion was made by Vice Mayor Gordon, seconded by Council Member Withington, and unanimously passed (5-0) to adjourn at 5:50 p.m.

**TOWN OF HAVERHILL TOWN COUNCIL
REGULAR MEETING
WEDNESDAY, SEPTEMBER 8, 2021
OFFICIAL MINUTES**

CALL TO ORDER:

Immediately following the close of the Workshop, Mayor Foy called the regular meeting of the Town Council to order at 6:35 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation and Pledge of Allegiance was offered at the start of the FY 2021/2022 Public Budget Hearing.

ROLL CALL

All members were present and in attendance.

COMMENTS FROM THE PUBLIC

None.

APPROVAL OF AGENDA

The Town Administrator requested that the agenda be amended to remove approval of the minutes and add the request for variation to allow for an 8'foot fence as filed by Joshua Daws, property owner at 757 Briarwood Drive.

A motion was then made Council Member Withington, 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 August 26, 2021, Regular Town Council meeting~~

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Kyla Schnell Community Services liaison for PBSO addressed the Town Council. She provided stats for the previous 2 weeks. There had been a report of a stolen tag at 839 Palo Verde; a break-in to an unlocked car at 4831 Richmond Mews and a report of a delayed shooting. D/S Schnell explained that a delayed shooting translates into the location of a shooting, reported after the fact when the victim is uncooperative with PBSO.

There had been 110 traffic stops. Discussion followed about the continuation of the convoy of Amazon Prime trucks driving through the Town on Belvedere Road.

The Town Council expressed their appreciation to D/S Schnell and the PBSO.

COMMENTS FROM THE PALM BEACH COUNTY FIRE RESCUE

None.

REGULAR AGENDA AND FIRST READINGS

ORDINANCE NO. 506: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL FLORIDA; AFFIRMING, RATIFYING AND EXTENDING THE TOWN'S

CONSENT TO THE INCLUSION OF THE ENTIRE TERRITORY WITHIN THE TOWN'S MUNICIPAL BOUNDARIES INTO THE PALM BEACH COUNTY FIRE RESCUE MUNICIPAL SERVICE TAXING UNIT

The Title was read by Attorney Foster. A discussion followed. **A motion was then made by Council Member Johnson, seconded by Vice Mayor Gordon and unanimously passed to approve Ordinance No. 506 on first reading.**

Update of American Rescue Plan Act Funding Agreement

The Town Administrator provided an update on the funding from the American Rescue Plan. She had been in contact with Integrity Group, ARPA Consultants, who would be making a presentation to the Town Council at their September 23, 2021, meeting.

Update on Proposed Charter Amendments

Attorney Foster offered Staff's report. He explained that after much thought, it was his recommendation that the Town Council consider adopting 4 Ordinances, each addressing the specific area of the Town Charter that would be amended. The first Ordinance, No. 498, would serve as a catch all, housekeeping Ordinance. He explained in detail the remaining Ordinances that would address residency requirements, terms and tie votes.

A final recommendation of the Charter Committee would be forthcoming.

REQUEST FOR VARIATION AS FILED BY JOSHUA DAWES TO ALLOW FOR AN 8' FENCE ON THE SOUTH, WEST AND NORTH SIDE OF 757 BRIARWOOD DRIVE.

The Town Administrator offered Staff's report. The property in question abutted the installation of the recently installed 8' Briarwood Wall. The Town Council agreed that the 8' fence should be allowed on the south and west side of the property, however, the height on the north side of the property could be intrusive to the abutting property owner and Council was not in favor.

A motion was then made by Council Member Withington, seconded by Council Member Caranci and unanimously passed (5-0) to grant the request for variation for the south and west side of the property but not on the north side of the property.

REPORTS

Town Attorney

Town Attorney Foster reported on an earlier meeting with the Town Administrator, the newly hired Code Inspector, Rico Armstrong and himself. He commented that it was a pleasure to meet Mr. Armstrong.

He noted that the biggest push back from the residents seemed to be from the recently enacted shutter Ordinance, that was adopted not for aesthetics but for the health safety and welfare of the residents and for fire safety as well. The restriction about parking on the landscaped portion of the yard also was causing resident concerns.

In closing, he cautioned Council from speaking directly with Mr. Armstrong adding that they would need to go through the Town Administrator if they had any issues relating to Code Enforcement.

Mayor

The Mayor announced that the annual "Read for the Record" luncheon would be held on September 16. He noted that it was his recommendation that the Town not to participate in Read for the Record this year due to the COVID 19 restrictions placed on the program. Council Members were in general agreement.

Town Administrator

The Town Administrator reported that the interior of the Town Hall had been painted over the Labor Day Weekend. Rod Jones, Maintenance, had overseen the project and took advantage of the time to catch up on projects such as clearing and cleaning the medians.

Committee/Delegate Report

Vice Mayor Gordon reported on the general membership meeting of the Palm Beach County League of Cities that would be taking place on September 22 in Greenacres.

The Florida League of Cities Board of Directors meeting would be taking place September 23 - 25 at the Ritz Carlton, Palm Beach.

The Vice Mayor noted he would be out of Town September 23 through October 5, 2021, visiting Puerto Rico. He commented that the island has made progress since being hit by the devastating hurricane the previous year.

Treasurer's Report

Not available.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Council member Johnson reported on a project she was affiliated with through Palm Beach County Cares that was assisting Haiti in gathering needed materials since that island had been hit by the earthquake. She was hoping to get Council support in hosting a supply drop off at the Town Hall.

The Attorney noted that there would be limited liability if the Town was not the organizer of the event and was working with Palm Beach County Cares as the sponsor.

Vice Mayor Gordon noted that he too was on the Committee, and although they were grateful in receiving the needed supplies such as food and medical necessities, they were also hoping to raise money to help in the purchase of a reverse osmosis machine that had proved to work very well in Puerto Rico. He supported the Town's involvement.

It was agreed that Council Member Johnson would work with the Town Administrator to schedule the dates and times of the event.

The Town Administrator gave an update on the purchase of the trash can receptacles.

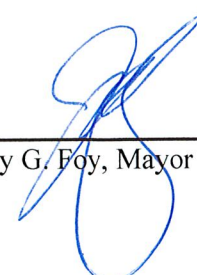
ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 7:13 p.m.

Approved: October 14, 2021



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor