

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



**TOWN COUNCIL REGULAR MEETING**

**Thursday, November 18, 2021**

**6:30 p.m.**

**REVISED AGENDA**

- I. COMMENTS FROM THE PUBLIC
- II. APPROVAL OF AGENDA
- III. APPROVAL OF THE CONSENT AGENDA
  - a. Approval of the minutes for October 14, 2021, and October 28, 2021, Regular Meeting
- IV. PROCLAMATIONS AND PRESENTATION
- V. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE
- VI. COMMENTS FROM THE PALM BEACH COUNTY FIRE RESCUE
- VII. REGULAR AGENDAS
  - A. Act on request of Servando Maldonado, of Servando Maldonado Landscaping LLC, property owner of 5100 Belvedere Road, Haverhill, FL to allow for a variation of Section 58-319 (b) by installing one 5' lion statute on top of each (2) 4' high foundations.
  - B. DISCUSS ORDINANCE NO. 501: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 54, SUBDIVISIONS, PLATTING AND REQUIRED IMPROVEMENTS, BY DELETING REFERENCES TO PRIVATE ROADS AND DRIVEWAYS BEING ABLE TO SERVE AS ACCESS TO LOTS IN ANY NEW SUBDIVISION; REQUIRING ALL LOTS WITHIN A SUBDIVISION TO HAVE LEGAL ACCESS TO A LOCAL STREET DEDICATED TO THE TOWN; ALLOWING, WITH COUNCIL APPROVAL, THE SUBDIVISION OF LOTS WITHIN THE R-1 SINGLE FAMILY DISTRICT PROVIDED THE LOT WILL BE AT LEAST NINETY FEET WIDE AND MEET THE OTHER REQUIREMENTS OF THE ZONING CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.
  - C. DISCUSS ORDINANCE NO. 502: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE

TOWN CODE OF ORDINANCES BY AMENDING ARTICLE VII, PBI AIRPORT OVERLAY, OF CHAPTER 58, ZONING, BY AMENDING SEC. 58-257, SITE DEVELOPMENT STANDARDS FOR TOWNHOUSES AND ZERO LOT LINE HOMES, BUT CREATING A NEW SUBSECTION AUTHORIZING ONE-CAR GARAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES

D. CONSIDER FY 2020/2021 BUDGET AMENDMENTS AS RECOMMENDED BY STAFF (IF NECESSARY).

VIII. PUBLIC HEARINGS AND SECOND READINGS:

a. SECOND READING: ORDINANCE NO 498: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 1.03 BY CLARIFYING THE GENERAL POWERS OF THE TOWN; SECTION 2.04 BY DELETING THE REFERENCE TO REMOVAL OF ELECTED OFFICIALS BY ANY MEANS OTHER THAN BY GENERAL LAW OF THE STATE OF FLORIDA; SECTIONS 2.05 AND 2.06 TO CLARIFY THAT THE TERM OF OFFICE BEGINS AFTER RECEIPT OF THE CERTIFIED ELECTION RESULTS FROM THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS, OR ON THE DATE THE ELECTION WOULD HAVE OCCURRED IN THE EVENT THAT THE ELECTION IS UNCONTESTED; SECTION 3.05 BY SPECIFICALLY AUTHORIZING THE TOWN COUNCIL TO EMPLOY AND RETAIN PROFESSIONALS AND CONSULTANTS; SECTION 4.03 BY DETAILING THE PROCESS IF A CANDIDATE DIES, WITHDRAWS, BECOMES DISQUALIFIED, OR IS OTHERWISE REMOVED FROM THE BALLOT BETWEEN THE PERIOD BETWEEN THE SUBMISSION OF THE BALLOTS FOR PRINTING AND THE ELECTION AND DEEMING THE REMAINING CANDIDATE IN A TWO PERSON RACE THE VICTOR IF THE OTHER CANDIDATE DIES, WITHDRAWS OR IS OTHERWISE DISQUALIFIED; SECTION 4.05 TO AUTHORIZE THE COUNCIL TO ESTABLISH THE DATE OF THE GENERAL OR SPECIAL ELECTION AND ALLOWING FOR TIES IN ELECTIONS TO BE DECIDED BY THE DRAWING OF LOTS, INCLUDING DEFINING "DRAWING BY LOTS" IN SECTION 5.01(20); ADDING A NEW SECTION 4.06 TO AUTHORIZE THE TOWN COUNCIL TO PROVIDE FOR THE CONDUCT OF ELECTIONS NOTWITHSTANDING ANY OTHER PROVISION OF THE CHARTER TO THE CONTRARY; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES

b. SECOND READING: ORDINANCE NO. 503: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE

HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 2.05 BY AMENDING THE CHARTER TO CHANGE THE TERM OF OFFICE FOR COUNCILMEMBERS FROM TWO YEARS TO THREE YEARS, BEGINNING WITH THE MARCH GENERAL ELECTION TO BE HELD FOLLOWING THE APPROVAL OF THE AMENDMENT OF THE CHARTER BY THE ELECTORATE; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.

c. SECOND READING: ORDINANCE NO. 504: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 4.03 BY AMENDING THE CHARTER TO IMPOSE A ONE YEAR RESIDENCY REQUIREMENT PRIOR TO THE FIRST DAY OF QUALIFYING AND AUTHORIZING THE TOWN COUNCIL TO ESTABLISH BY ORDINANCE CRITERIA TO SHOW A CANDIDATES RESIDENCY IN THE TOWN; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.

d. SECOND READING: ORDINANCE NO. 505: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 2.03 BY AMENDING THE CHARTER TO PROVIDE THAT IF THE ELECTORS OF THE TOWN APPROVE THE EXTENSION OF THE TERM OF OFFICE FOR A COUNCILMEMBER FROM TWO YEARS TO THREE YEARS, THAT A SPECIAL ELECTION BE HELD FOR ANY VACANCY THAT OCCURS WITH EIGHTEEN MONTHS OR MORE LEFT IN THE TERM OF THE SEAT THAT IS BEING VACATED AND IF NO ONE QUALIFIES FOR THE SPECIAL ELECTION, THAT THE SEAT BE FILLED BY APPOINTMENT OF THE REMAINING MEMBERS OF THE TOWN COUNCIL; PROVIDING THAT IF A VACANCY OCCURS IN A COUNCIL SEAT WITH LESS THAN EIGHTEEN MONTHS REMAINING IN A TERM, BUT MORE THAN ONE HUNDRED SEVENTY NINE DAYS, THE REMAINING COUNCIL MEMBERS MUST MAKE A GOOD FAITH EFFORT

TO APPOINT A SUCCESSOR TO FILL THE REMAINDER OF THE TERM; AND IF LESS THAN ONE HUNDRED AND EIGHTY DAYS REMAIN IN THE TERM OF A SEAT BEING VACATED, THE REMAINING MEMBERS MAY, BUT ARE NOT REQUIRED TO APPOINT A SUCCESSOR; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES

e. **SECOND READING: ORDINANCE NO. 508: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, OF THE TOWN'S CODE OF ORDINANCES, BY AMENDING ARTICLE III, FINANCIAL MATTERS, DIVISION 2, PURCHASING, SECTION 2-66, BIDDING PROCEDURES, BY DELETING THE CURRENT REQUIREMENTS REGARDING PURCHASING AND IN ITS PLACE AND STEAD ALLOWING FOR THE TOWN TO PURCHASE PERSONAL PROPERTY, COMMODITIES, GOODS AND SERVICES MOTOR VEHICLES FOR LESS THAN \$65,000 WITHOUT UTILIZING A COMPETITIVE BIDDING PROCESS; BUT REQUIRING ALL OTHER PURCHASES IN EXCESS OF \$65,000 TO BE COMPETITIVELY BID, EXCEPT THAT A COMPETITIVE BID SHALL NOT BE REQUIRED IN A TOWN EMERGENCY, PURCHASES ALLOWED BY LAW NOT TO BE COMPETITIVELY BID, AND COOPERATIVE OR PIGGYBACK PURCHASES UTILIZING CONTRACTS OF A PUBLIC ENTITY OR NON-PROFIT ORGANIZATIONS; AND AUTHORIZING THE TOWN ADMINISTRATOR TO DRAFT RULES AND REGULATIONS FOR IMPLEMENTING THE PURCHASING POLICY FOR THE TOWN OF HAVERHILL; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.**

**IX. REPORTS**

Town Attorney

Mayor

Town Administrator

Committee/Delegate Report

Treasurer's Report (included in packet)

**X. UNFINISHED BUSINESS**

**XI. NEW BUSINESS**

**XII. 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**  
**November 18, 2021**  
**6:30 p.m.**

**Public comment will be received via e-mail ([jrutan@townofhaverhill-fl.gov](mailto:jrutan@townofhaverhill-fl.gov)) up until noon on November 18, 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 COUNCIL REGULAR MEETING**

**Thursday, November 18, 2021**

**6:30 p.m.**

### **AGENDA**

A regular meeting of the Haverhill Town Council was held at the Town Hall, 4585 Charlotte Street on Thursday, October 28, 2021. Those present were Jay Foy, Mayor, Lawrence Gordon, Vice Mayor; Dennis Withington (via teleconference) Council Member; Ray Caranci, Council Member and Theresa Johnson, Council Member. Also, present were John Foster, Town Attorney, and Janice C. Rutan, Town Administrator.

#### **CALL TO ORDER**

Mayor Foy called the meeting to order at 6:30 p.m.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Foy offered the invocation and led the Pledge of Allegiance.

#### **ROLL CALL**

The Town Administrator called the roll. All Town Council Members were present except for Council Member Withington who attended via teleconference.

#### **COMMENTS FROM THE PUBLIC**

None.

#### **APPROVAL OF AGENDA**

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

#### **APPROVAL OF THE CONSENT AGENDA**

##### **Approval of the minutes for October 14, 2021, and October 28, 2021, Regular Meeting**

A motion was made by Council Member Johnson, seconded by Council Member Withington and unanimously passed (5-0) to approve the consent agenda.

#### **PROCLAMATIONS AND PRESENTATION**

None.

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

Kayla Schnell, Community Services Liaison for the PBSO was present representing Palm Beach County Sheriff's office. She reported there had been no reports of property crime in the Town for the previous two-week period. She reminded all to lock their cars and keep valuables out of site so not to become a victim of a crime of opportunity.

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

#### **REGULAR AGENDAS**

**Act on request of Servando Maldonado, of Servando Maldonado Landscaping LLC, property owner of 5100 Belvedere Road, Haverhill, FL to allow for a variation of Section 58-319 (b) by installing one 5' lion statute on top of each (2) 4' high foundations.**

Mr. and Mrs. Maldonado were present to address the Town Council. They explained that they had poured two 4' pillars inside the gate to their driveway and were requesting permission to place a 4' lion statute atop each pillar. Staff asked them to come before Council because the height exceeded the maximum allowed by the Town's Ordinances.

Discussion followed. The pillars were not part of the fencing/gate and were more decorative than structural and the structural part of the project (pillars) had been permitted.

When asked by the Council how they intended to secure the statute to the pillar, they explained they would be reinforcing the placement with rebar.

By consensus, the Council agreed that a variance would not be necessary however, they did want the building official to review their plans to be sure any building requirement would be met.

**DISCUSS ORDINANCE NO. 501: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 54, SUBDIVISIONS, PLATTING AND REQUIRED IMPROVEMENTS, BY DELETING REFERENCES TO PRIVATE ROADS AND DRIVEWAYS BEING ABLE TO SERVE AS ACCESS TO LOTS IN ANY NEW SUBDIVISION; REQUIRING ALL LOTS WITHIN A SUBDIVISION TO HAVE LEGAL ACCESS TO A LOCAL STREET DEDICATED TO THE TOWN; ALLOWING, WITH COUNCIL APPROVAL, THE SUBDIVISION OF LOTS WITHIN THE R-1 SINGLE FAMILY DISTRICT PROVIDED THE LOT WILL BE AT LEAST NINETY FEET WIDE AND MEET THE OTHER REQUIREMENTS OF THE ZONING CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.**

The Attorney explained that he would add language to the proposed Ordinance that any lot existing prior to the adoption of Ordinance No. 501 would be considered a legal conforming lot.

It was agreed to workshop the matter on December 7, 2021 and then move the item to second reading in December.

Edward Stalf, 5263 Belvedere Road. Mr. Stalf addressed the Town Council. He asked how this Ordinance would affect his property and Trailway Lane. Council explained that this Ordinance was being adopted to regulate individual subdivisions requiring them to construct a road right of way for access to prevent the creation of "flag lots" throughout the Town. They also added that to date Mr. Stalf property had only been before Council as a Planned Unit Development and not an individual subdivision.

Discussion followed with Mr. Stalf asking about the creation of the Airport Overlay District and who decided the area to be included in that district. Attorney Foster explained that the area chosen was directly under the flight path of the Palm Beach International Airport, uses being limited by the FAA. Discussion followed.

**DISCUSS ORDINANCE NO. 502: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING ARTICLE VII, PBI AIRPORT OVERLAY, OF CHAPTER 58, ZONING, BY AMENDING SEC. 58-257, SITE DEVELOPMENT STANDARDS FOR TOWNHOUSES AND ZERO LOT LINE HOMES, BUT CREATING A NEW SUBSECTION AUTHORIZING ONE-CAR GARAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES**

Mayor Foy reported that he asked this item to be placed on the agenda for discussion purposes only. He was unaware that the units being proposed would have up to 4 bedrooms and as such he



was suggesting the number of required spaces per unit be tied to the number of bedrooms. He added an alternative would be to allow the streets to become private so that there could be perpendicular parking.

Discussion followed and it was agreed the matter would be further discussed at the December workshop.

**COMMENTS FROM THE PALM BEACH COUNTY FIRE RESCUE**

Palm Beach County Fire Rescue Battalion Chief Tracy Adams addressed the Town Council. There had been 21 calls for service of which 15 were for medical and 4 for motor vehicle accidents. The average travel time was 6 minutes and 37 seconds. She explained the average turn out time from dispatcher to the truck rolling was 90 seconds.

She proudly announced the 90 recruits had recently graduated.

Discussion followed. She was unable to determine how many of their employees had been vaccinated against the Corona Virus.

The two stations responding to Haverhill calls were Station 23 (Okeechobee and Haverhill) and Station 24 (Westgate)

She reminded all that hurricane season would end on November 30<sup>th</sup>.

**CONSIDER FY 2020/2021 BUDGET AMENDMENTS AS RECOMMENDED BY STAFF**

The Town Administrator offered Staff's report.

**Based on the recommendation of Staff, a motion was made by Council Member Caranci, seconded by Council Member Johnson and unanimously passed (5-0) to approve the following Budget Amendment for th3 FY ending 9/30/2021:**

<b>FROM:</b>	<b>001-389-0100 Appropriated Fund Balance</b>	<b>9,555.00</b>
<b>TO:</b>	<b>001-1200-512.3100 Professional Services/Computer</b>	<b>9,555.00</b>

**To cover the cost of the rebuild of the Toshiba Docuware System and other computer related expenses.**

**PUBLIC HEARINGS AND SECOND READINGS:**

**SECOND READING: ORDINANCE NO 498: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 1.03 BY CLARIFYING THE GENERAL POWERS OF THE TOWN; SECTION 2.04 BY DELETING THE REFERENCE TO REMOVAL OF ELECTED OFFICIALS BY ANY MEANS OTHER THAN BY GENERAL LAW OF THE STATE OF FLORIDA; SECTIONS 2.05 AND 2.06 TO CLARIFY THAT THE TERM OF OFFICE BEGINS AFTER RECEIPT OF THE CERTIFIED ELECTION RESULTS FROM THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS, OR ON THE DATE THE ELECTION WOULD HAVE OCCURRED IN THE EVENT THAT THE ELECTION IS UNCONTESTED; SECTION 3.05 BY SPECIFICALLY AUTHORIZING THE TOWN COUNCIL TO EMPLOY AND RETAIN PROFESSIONALS AND CONSULTANTS; SECTION 4.03 BY DETAILING THE PROCESS IF A CANDIDATE DIES,**

**WITHDRAWS, BECOMES DISQUALIFIED, OR IS OTHERWISE REMOVED FROM THE BALLOT BETWEEN THE PERIOD BETWEEN THE SUBMISSION OF THE BALLOTS FOR PRINTING AND THE ELECTION AND DEEMING THE REMAINING CANDIDATE IN A TWO PERSON RACE THE VICTOR IF THE OTHER CANDIDATE DIES, WITHDRAWS OR IS OTHERWISE DISQUALIFIED; SECTION 4.05 TO AUTHORIZE THE COUNCIL TO ESTABLISH THE DATE OF THE GENERAL OR SPECIAL ELECTION AND ALLOWING FOR TIES IN ELECTIONS TO BE DECIDED BY THE DRAWING OF LOTS, INCLUDING DEFINING "DRAWING BY LOTS" IN SECTION 5.01(20); ADDING A NEW SECTION 4.06 TO AUTHORIZE THE TOWN COUNCIL TO PROVIDE FOR THE CONDUCT OF ELECTIONS NOTWITHSTANDING ANY OTHER PROVISION OF THE CHARTER TO THE CONTRARY; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES**

The title was read by Attorney Foster. There being no public comment, a motion was made by Vice Mayor Gordon, seconded by Council Member Caranci and unanimously passed (5-0) to approve Ordinance No. 498 on second reading.

**SECOND READING: ORDINANCE NO. 503:**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 2.05 BY AMENDING THE CHARTER TO CHANGE THE TERM OF OFFICE FOR COUNCILMEMBERS FROM TWO YEARS TO THREE YEARS, BEGINNING WITH THE MARCH GENERAL ELECTION TO BE HELD FOLLOWING THE APPROVAL OF THE AMENDMENT OF THE CHARTER BY THE ELECTORATE; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.**

The title was read by Attorney Foster. There being no public comment, a motion was made by Council Member Johnson, seconded by Council Member Caranci and unanimously passed (5-0) to approve Ordinance No. 503 on second reading.

**SECOND READING: ORDINANCE NO. 504: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 4.03 BY AMENDING THE CHARTER TO IMPOSE A ONE YEAR RESIDENCY REQUIREMENT PRIOR TO THE FIRST DAY OF QUALIFYING AND AUTHORIZING THE TOWN COUNCIL**

**TO ESTABLISH BY ORDINANCE CRITERIA TO SHOW A CANDIDATES RESIDENCY IN THE TOWN; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES.**

The title was read by Attorney Foster. There being no public comment, a motion was made by Council Member Caranci, seconded by Vice Mayor Gordon and unanimously passed (5-0) to approve Ordinance No. 504 on second reading.

**SECOND READING: ORDINANCE NO. 505: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTED IN ACCORDANCE WITH SECTIONS 101.161 AND 166.031, FLORIDA STATUTES, CALLING FOR A REFERENDUM TO BE HELD ON MARCH 8, 2022, PROPOSING TO THE ELECTORATE OF THE TOWN THAT THE TOWN CHARTER BE AMENDED AT SECTION 2.03 BY AMENDING THE CHARTER TO PROVIDE THAT IF THE ELECTORS OF THE TOWN APPROVE THE EXTENSION OF THE TERM OF OFFICE FOR A COUNCILMEMBER FROM TWO YEARS TO THREE YEARS, THAT A SPECIAL ELECTION BE HELD FOR ANY VACANCY THAT OCCURS WITH EIGHTEEN MONTHS OR MORE LEFT IN THE TERM OF THE SEAT THAT IS BEING VACATED AND IF NO ONE QUALIFIES FOR THE SPECIAL ELECTION, THAT THE SEAT BE FILLED BY APPOINTMENT OF THE REMAINING MEMBERS OF THE TOWN COUNCIL; PROVIDING THAT IF A VACANCY OCCURS IN A COUNCIL SEAT WITH LESS THAN EIGHTEEN MONTHS REMAINING IN A TERM, BUT MORE THAN ONE HUNDRED SEVENTY NINE DAYS, THE REMAINING COUNCIL MEMBERS MUST MAKE A GOOD FAITH EFFORT TO APPOINT A SUCCESSOR TO FILL THE REMAINDER OF THE TERM; AND IF LESS THAN ONE HUNDRED AND EIGHTY DAYS REMAIN IN THE TERM OF A SEAT BEING VACATED, THE REMAINING MEMBERS MAY, BUT ARE NOT REQUIRED TO APPOINT A SUCCESSOR; PROVIDING THAT THE REMAINDER OF THE CHARTER, AS MAY BE AMENDED BY THE ELECTORATE, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR THE SUBMISSION OF THE PROPOSED BALLOT QUESTION TO THE ELECTORS OF THE TOWN; SETTING FORTH THE FORM OF THE QUESTION TO BE VOTED UPON AT SUCH ELECTION; PROVIDING AN EFFECTIVE DATE FOR THE CHARTER AMENDMENTS SHOULD THE AMENDMENTS BE APPROVED BY THE ELECTORS AT THE MARCH 8, 2022, REFERENDUM; PROVIDING A CONFLICTS CLAUSE, SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND FOR OTHER PURPOSES**

The title was read by Attorney Foster. There being no public comment, a motion was made by Vice Mayor Gordon, seconded by Council Member Caranci and unanimously passed (5-0) to approve Ordinance No. 505 on second reading.

Mayor Foy addressed the Town Council. He commented that of all the Ordinances being adopted to amend the Town's Charter, he felt that Ordinance 498 was the most important as it addressed the day-to-day operations of the Town.

**SECOND READING: ORDINANCE NO. 508: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, OF THE TOWN'S CODE OF ORDINANCES,**

**BY AMENDING ARTICLE III, FINANCIAL MATTERS, DIVISION 2, PURCHASING, SECTION 2-66, BIDDING PROCEDURES, BY DELETING THE CURRENT REQUIREMENTS REGARDING PURCHASING AND IN ITS PLACE AND STEAD ALLOWING FOR THE TOWN TO PURCHASE PERSONAL PROPERTY, COMMODITIES, GOODS AND SERVICES MOTOR VEHICLES FOR LESS THAN \$65,000 WITHOUT UTILIZING A COMPETITIVE BIDDING PROCESS; BUT REQUIRING ALL OTHER PURCHASES IN EXCESS OF \$65,000 TO BE COMPETITIVELY BID, EXCEPT THAT A COMPETITIVE BID SHALL NOT BE REQUIRED IN A TOWN EMERGENCY, PURCHASES ALLOWED BY LAW NOT TO BE COMPETITIVELY BID, AND COOPERATIVE OR PIGGYBACK PURCHASES UTILIZING CONTRACTS OF A PUBLIC ENTITY OR NON-PROFIT ORGANIZATIONS; AND AUTHORIZING THE TOWN ADMINISTRATOR TO DRAFT RULES AND REGULATIONS FOR IMPLEMENTING THE PURCHASING POLICY FOR THE TOWN OF HAVERHILL; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.**

The title was read by Attorney Foster. Attorney Forster offered Staff's report. There being no public comment, a motion was made by Council Member Johnson, seconded by Council Member Caranci and unanimously passed (5-0) to approve Ordinance No. 508 on second reading.

#### **REPORTS**

##### **Town Attorney**

None.

##### **Mayor**

Mayor Foy reminded all of the Mayor's lunch scheduled for December 14, 2022. He next reported on the NPDES Program and the letters of acceptance for the 2018/2019 term.

##### **Town Administrator**

None.

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

Vice Mayor Gordon reported on the Palm Beach County Days scheduled for January in Tallahassee. He would be unable to attend as planned but would be attending the February statewide Tallahassee Days.

He would be sworn in at the President to the Palm Beach County League of Cities in May. They are planning on holding an in-person event at the Kravitz Center.

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

Included in packet.

#### **UNFINISHED BUSINESS**

A brief discussion took place regarding the ARPA funding and projects. The Town Administrator noted that there had been no expenditures from the Infrastructure funds either. She suggested the Woodland Drainage project recently completed could perhaps be assigned to the Infrastructure account. A meeting of the Committee would be scheduled.

The Town Council would want to look at the transition from septic to sewer.

On October 19, 2021 a WastePro truck had taken down utility wires. The Town Administrator and Council Member Caranci reported that repair of the wires by the Utility Companies (FP&L, AT& T and Comcast) were still ongoing. There was a lack of communication between the entities and calls were left unanswered, etc.

Council Member Caranci gave a history on the age of the wires and poles and was adamant that they needed to be upgraded and power/cable/internet restored to those affected.

Vice Mayor Gordon offered to reach out to our legislators for assistance in getting this matter resolved. Mayor Foy suggested Staff contact Commissioner Weiss's office as well.

**NEW BUSINESS**


Staff had received a proposal for digital services from Shauna Smith of Digital Content Loft. The proposal for social media such as Facebook, web design and Instagram would be presented at the December workshop.

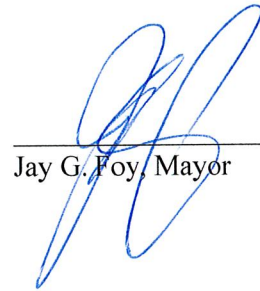
Discussion followed. Concerns over public records law were raised.

**ADJOURNMENT**

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

**Approved:**     January 13, 2022

  
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Janice C. Rutan, Town Administrator

  
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Jay G. Foy, Mayor