

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, January 13, 2022
6:30 p.m.
AGENDA

- I. COMMENTS FROM THE PUBLIC**
- II. APPROVAL OF AGENDA**
- III. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes for November 18, 2021 and December 16, 2021, Regular Meetings and the December 7, 2021 Workshop Meetings
- 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 AND FIRST READINGS:**
 - a. **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; AUTHORIZING, UPON COUNCIL APPROVAL, A DEDICATION OF NO LESS THAN TWENTY FOOT ROADWAY PLUS CURB AND GUTTER, AND STREET PARKING, FOR RESIDENTIAL SUBDIVISIONS IN THE PBI AIRPORT OVERLAY AREA; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.**
 - b. **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.

- c. ORDINANCE NO. 509: 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 REINSERTING AND CLARIFYING THE OLD SECTION 2-66 (C) AUTHORIZING THE TOWN TO EXTEND A CONTRACT OR SERVICE UP TO AN ADDITIONAL THREE YEARS IF THE TOWN COUNCIL DETERMINES THAT THE SERVICES UNDER THE CONTRACT HAVE BEEN PROVIDED IN A SUPERIOR AND EXEMPLARY FASHION; 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.**
- d. Discuss scope of services, membership, and appoint members to serve on the ARPA Funding Committee**
- e. Adopt Trash Cart Policy**
- f. Authorize the migration of the Town's Exchange Server from on prem to Microsoft 365**

IX. REPORTS

**Town Attorney
Mayor
Town Administrator
Council/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
January 13, 2022
6:30 p.m.

Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until noon on January 13, 2022. 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, January 13, 2022

6:30 p.m.

OFFICIAL MINUTES

The regular monthly meeting of the Haverhill Town Council was held on Thursday, January 13, 2022, at the Town Hall, 4585 Charlotte Street, Haverhill, FL. Those present were Jay G. Foy, Mayor; Lawrence Gordon, Vice Mayor; Dennis Withington, Council Member; Ray Caranci, Council Member, Dr. Teresa Johnson, Council Member. Town Attorney John Foster and Town Administrator Janice C. Rutan were also present.

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 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

A motion was made by Council Member Withington, 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 November 18, 2021, and December 16, 2021, Regular Meetings and the December 7, 2021, Workshop Meetings

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

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

None.

COMMENTS FROM THE PALM BEACH COUNTY FIRE RESCUE

None.

REGULAR AGENDAS AND FIRST READINGS:

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; AUTHORIZING, UPON COUNCIL APPROVAL, A DEDICATION OF NO LESS THAN TWENTY FOOT ROADWAY PLUS CURB AND GUTTER, AND STREET PARKING,

FOR RESIDENTIAL SUBDIVISIONS IN THE PBI AIRPORT OVERLAY AREA; 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 title was read by Attorney Foster. Discussion followed.

Amendments to the proposed Ordinance included the following:

Clarification that the ROW for subdivisions in the PBI Airport Overlay to be turned over and maintained by the Town of Haverhill be twenty-four feet including curb and gutter (not twenty feet plus four feet of curb and gutter).

A motion was then made by Council Member Johnson, seconded by Council Member Withington, and unanimously passed to approve Ordinance No. 501, as amended, on first reading.

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.

The title was ready by Attorney Foster. He highlighted the parking requirement that would require the on-site, driveway parking spaces to be side by side. He also noted the scrivener's error referring to 3-bedroom units would need to be stricken from the Ordinance.

The following amendments were made to the proposed Ordinance:

It was also confirmed that the minimum parking requirements for a townhome project in the PBI Airport Overlay would be 3.5 spaces per unit with three spaces on-site (garage and driveway) and .5 space per unit being street or parking lot parking, plus the 20% of the total number of units to be set aside for guest parking. Mayor Foy reminded all that a twenty-five' foot front yard setback would still be required from what would be a forty' ROW; explaining that by reducing the ROW to a twenty-four' ROW including curb and gutter; a minimum front yard setback would be thirty-three.' This requirement would need to be included in the Ordinance.

A motion was then made by Council Member Withington, seconded by Council Member Johnson, and unanimously passed (5-0) to approve Ordinance No. 502, as amended, on first reading.

ORDINANCE NO. 509: 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 REINSERTING AND CLARIFYING THE OLD SECTION 2-66 (C) AUTHORIZING THE TOWN TO EXTEND A CONTRACT OR SERVICE UP TO AN ADDITIONAL THREE YEARS IF THE TOWN COUNCIL DETERMINES THAT THE SERVICES UNDER THE CONTRACT HAVE BEEN PROVIDED IN A SUPERIOR AND EXEMPLARY FASHION; 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 Foster offered Staff's report.

A motion was made by Vice Mayor Gordon, seconded by Council member Caranci, and unanimously passed to approve Ordinance No. 509 on first reading.

Discuss scope of services, membership, and appoint members to serve on the ARPA Funding Committee

The Town Administrator offered Staff's report. Council agreed to make appointments at their January 27, 2022, meeting. **Council, through consensus, adopted the following policy for the ARPA Advisory Committee:**

Responsibilities. The Committee will be responsible for reviewing the American Rescue Plan Act's (the "Act") eligible uses for funding; meeting with the Integrity Group; the Town Council appointed consulting group overseeing the program, discussing the community's needs; and making recommendations to the Town Council regarding the Town's expenditures of the funds. The Committee shall make routine reports to the Town Council, which shall include, but not be limited to, a statement indicating its recommended expenditures, the reasoning and community need behind each recommendation, how the community need will be addressed by the recommended expenditure, documentation that the expenditure is an authorized use of the funds under the Act, and a summary of the Committee's proceedings and activities.

It was confirmed that the Attorney would not need to be present at the meeting as the Integrity Group would serve in the advisory capacity. The Town Administrator would serve as Staff Liaison.

Adopt Trash Cart Policy

The Town Administrator offered Staff's report. **Council, through consensus, adopted the following Trash Cart policy as it pertains to replacement of carts:**

If the collection truck causes the damage or damage is the result of normal wear, the cart will be repaired or replaced at no charge. Damage resulting from negligence or abuse by the resident will be the responsibility of the resident. Stolen carts will be replaced at no charge to the resident, with a maximum one per year.

Additional carts are available for a one-time fee of \$70.00, however, there can be no more than two cans placed curbside for pick-up of household trash.

Authorize the migration of the Town's Exchange Server from on premises to Microsoft 365

The Town Administrator offered Staff's report. Based on the recent failures of the exchange server and the down time being caused by same, it was agreed that the Town would migrate to the Cloud via Microsoft 365 for e-mails only. **Council, through consensus, authorized the Town Administrator to move forward with the migration, noting that it would result in a per month increase to the Town in the amount of 38.59.**

REPORTS

Town Attorney

None.

Mayor

Mayor Foy reported on the rulemaking responsibilities being part of the Water Management District. He expressed his concern that this would further exacerbate the utilities right to get water.

Town Administrator

The Town Administrator reported on the upcoming election and the ballot language to appear on the ballot. She hoped to get a newsletter out to the residents informing them of the upcoming referendum.

She announced that Rico Armstrong, Community Liaison and Code Inspector, had successfully completed his probationary period with the Town and was now a full-time regular employee.

Council/Committee/Delegate Report

Vice Mayor Gordon reported on the upcoming FLC legislative action days February 8-9 in Tallahassee. He would be attending representing the Town of Haverhill as well as the PBC League of Cities.

He reminded all that the Palm Beach County League of Cities swearing in was scheduled for May 25, 2022. He would be sworn in as President with US Representative Val Demings slated to be the keynote speaker.

Council Member Johnson reported that her neighbor had been sending her videos of attempted car break ins throughout the Club Road Estates neighborhood. The Town Administrator offered to add it to the permit detail and forward the information on to Kayla Schnell, Community Liaison with PBSO.

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Council Member Johnson reported that she had heard back from Eric Call, Director of Parks and Recreation through Commissioner Weiss's office. It is hoped that the County can fund the lighting for the basketball courts using infrastructure money. Mr. Call hopes to have confirmation for the Town by March or April.

She also reported that Jonathan Brown, Director of Palm Beach County Department of Housing and Economic Development, would be attending an upcoming meeting of the Town Council to offer a presentation of what his office has to offer the residents of Haverhill in the way of housing assistance and down-payment assistance.

She next reported that Ann Barker of the Haverhill Baptist Church had reached out to her requesting the status of the proposed amendments to the sign Ordinance that would address animated signs.

A discussion ensued and it was the recollection of Council that the matter had been dropped due to the many variables including proximity to residential areas, lumens, change copy schedule, location, size, etc. Council would welcome the Pastors to attend the February workshop to revisit and discuss the matter. In the meantime, they suggested that they look at alternatives such as illuminated signs, not animated signs.

NEW BUSINESS

None.

OLD BUSINESS:

Council Member Caranci updated the Council on the utility matter that has been outstanding since October when the Waste Pro Grapple Truck took down the utility wires on Woodland Avenue.

He noted the Utility Poles were still broken and not removed although new poles have been installed; cable lines were still hanging and not fastened to poles by Comcast. The polls themselves, owned by AT&T, were in deplorable condition. He added that AT&T will not respond to calls. FP& L has been responsive, and he suggested that they should take over the polls.


There was a definite lack of communication between the utility companies (AT&T, FP&L and Comcast).

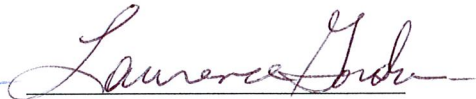
It was agreed that Council Member Caranci would put together a full synopsis and history of the accident and repairs (or lack thereof) to be sent to all the utility companies involved as well as Commissioner Weiss, Senator Powell and Representative Willhite. It was thought the elected officials should know how the utilities were responding to the residents they are supposed to serve.

ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 7:45 p.m.

Approved: January 27, 2022


Janice C. Rutan, Town Administrator


Lawrence Gordon, Vice Mayor