

**TOWN COUNCIL REGULAR MEETING**

**Town Hall Council Chambers**

**Thursday ~ June 11, 2020**

**7:00 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 March 16, 2020 and April 9, 2020, Regular meetings
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- VI. REGULAR AGENDA AND FIRST READINGS**
  - a. Update on Emergency Drainage Repairs at Berkeley Mews/Briarwood
  - b. Consider proposal from Toshiba re: Document Management System being removed from server and standalone PC to the Docuware Server in the Cloud
- VII. SECOND READINGS AND PUBLIC HEARINGS**
- XI. REPORTS**
  - Town Attorney
  - Mayor
  - Town Administrator
  - Committee/Delegate Report
  - Approval of 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 Facsimile Number (561) 689-4317

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



**TOWN COUNCIL MEETING  
JUNE 11, 2020**

**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 6:00 p.m. on June 11, 2020. 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, access to the Town Hall by the public will be limited to no more than 10 persons in the Council Chambers including Town Council, Staff and PBSO; provided, however, that those persons exhibiting signs of illness, such as coughing or sneezing will not be permitted in the 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 agenda item, but prior to the vote, 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 COUNCIL REGULAR MEETING**  
**Town Hall Council Chambers**  
**Thursday ~ June 11, 2020**  
**OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held at the Town Hall, 4585 Charlotte Street on Thursday, June 11, 2020. Those present were Jay Foy, Mayor; Lawrence Gordon, Vice Mayor; Mark C. Uptegraph, Council Member; Dennis Withington, Council Member 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 7:00 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 physically present in Town Hall.

**COMMENTS FROM THE PUBLIC**

Virginia Savietto addressed the Town Council. She introduced her nine year old son Luca to all present. She announced her candidacy for Palm Beach County School Board District 2 adding she was supported by Chuck Shaw who had previously held the position. She is a certified teacher, an Adjunct Professor at Palm Beach State College. Her son Luca attends Pine Jog Elementary School.

After teaching ESOL at Lake Worth she realized how much was needed in the County. She started Democratic Spanish Caucus. She has been involved in community and leadership in District 2 for over 17 years. Presently she is quite active with the 2020 census and is the spoke person for League of Women Voters in that regard.

She spoke of her platform and looked forward to having input on leadership.

She has been working in Commissioner Greg Weiss's office (District 2) since December 2018 and before that managed private marketing firms. She was a graduate of Lake Worth High School.

Ms. Savietto requested Town Council support in the Non Partisan position of Palm Beach County School Board representing District Seat for the August Primary. She can continue to work for Commissioner Greg Weiss should she be elected. It would be a four year term. She looked forward to being able to visit the schools. As a parent she can better understand the system.

Council thanked Ms. Savietto for attending and wished her well.

Hearing no further comments from the public, Mayor Foy moved on with the agenda.

**APPROVAL OF AGENDA**

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

## **APPROVAL OF THE CONSENT AGENDA**

**Approval of the minutes of the March 16, 2020 and April 9, 2020 Regular meetings.**

**A motion was made by Council Member Uptegraph, seconded by Vice Mayor Gordon 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**

The Town Administrator introduced D/S St. Juste. He had come on duty at 8:00 a.m. for a six hour shift. On his way home he learned the evening officer called out and D/S St. Juste turned around and continued to work for the Town for a 12 hour shift.

Council expressed their appreciation to him for his service.

## **REGULAR AGENDA AND FIRST READINGS**

### **Update on Emergency Drainage Repairs at Berkeley Mews/Briarwood**

Town Engineer gave a brief update on the Berkeley Mews emergency drainage project. The temporary repairs had been completed and although Todd had hope the permanent repair project could have commenced this week, it looked as though they would begin working the week of June 21, 2020 and that they would probably be on site for 6 days due to dewatering and pumping, etc.

They should start seeing the utility company painting utility lines, Wynn and Sons would be pumping and the drilling company should be onsite the following Thursday.

Mayor Foy inquired as to the recommended maintenance for the directional bore. Specifically of the pipe would need to be flushed out, etc.

Vice Mayor Gordon then requested clarification as to whether they would be boring under the existing pipe, it was explained the main drainage line would be PVC and the second drill would be on the old pipe where the cement would be poured so to stop further collapsing of the existing pipe.

### **Consider proposal from Toshiba re: Document Management System being removed from server and standalone PC to the Docuware Server in the Cloud**

The Town Administrator offered Staff's report. She explained that the Document Management System the Town has used for close to 10 years, Docuware, was owned by parent company, Toshiba. They originally hosted Docuware on the Town's server but as more and more documents were entered into system, it was necessary to purchase a dedicated server for Docuware. That server had crashed several months back. The data had been retrieved and Staff had been negotiating with Toshiba who was strongly recommended the Town's server be moved to the Cloud.

Presently the Town pays approximately 1800 per year for the service contract and is limited to the number of documents that can be hosted by the system.

The proposal was reviewed by the Town Attorney and he had several issues such as the indemnity clause, the automatic renewal, the control and ownership of the documents.

**The Mayor expressed his aversion to storing documents in the cloud. It was the general consensus of the Town Council to pursue installing a server and maintaining the Docuware system on a dedicated server.**

## **SECOND READINGS AND PUBLIC HEARINGS**

None.

### **REPORTS**

#### **Town Attorney**

Town Attorney Forster announced that the Town Administrator had sent out the notices for the Public Hearing to consider the adoption of the pending Ordinances. Hearings were scheduled for the July 9 and July 23. Although strike through versions of the Ordinances had not been included for cost of mailing reasons, there was instruction on how to obtain the proposed changes.

Attorney Foster addressed the proposed shutter ordinance with regard to persons leaving town. They can apply to the Town for permission to leave shutters up providing said shutters are aesthetically pleasing and match the architect of the dwelling (plywood would not be allowed). Discussion followed. There would need to be a local emergency contact provided with the application. He highlighted required information needed for the application.

Mayor Foy asked who the judge of determining compatibility. The entity should be identified (Council, Town Administrator). Discussion followed. All agreed, "shutters in place" were not aesthetically pleasing.

It was suggested that the shutters would need to meet Miami Dade requirements. It was noted that plywood was an approved shutter material.

Attorney Foster organized the language of the recreational vehicle Ordinance. In addition clarification was made to the 24 hour RV parking requirements.

He added the clause that added residential property abutting Haverhill Road and Belvedere Road; the boundaries of the Town and those properties abutting commercial properties may have a ten foot hedge.

He next addressed the Town Charter and putting any amendment to the Charter on hold. The Supervisor of Elections would not entertain a question on either the August or November ballot. None of the proposed changes would be effective by the time of qualifications. Staff was recommending that the Charter amendment be tackled strongly in March 2021 election.

In response to Council Member Caranci explained how the Ordinance to amend the Charter would proceed (adoption by Town Council; placement on ballot; forward to Secretary of State, etc).

Mayor Foy commented that all persons should be encouraged to vote for the best person for the seat. The Town needs to be sure persons representing the Town are interested in the Town.

#### **Mayor**

Mayor Foy asked when the local spraying of mosquitoes would be scheduled. The Town Administrator reported that the Town was on the schedule for June.

Mayor Foy reported that the SFWMD was encouraging each municipality to adopt their own water regulations. He commented that enforcement would be close to impossible. Persons will adopt their own support of water conservation. The general consensus of Council was to take no action.

Council Member Caranci added that when he was in Palm Beach Gardens he also found issues with enforcement. He recommended that Council encourage water conservation and get the public service announcements out to the residents. Mayor Foy commented that broken sprinkler heads were a real concern.

#### **Town Administrator**

The Town Administrator reported that she had been working with the auditors to complete the 2019 Financial Statements and this year was extremely intensive as Staff had to provide the requested documents to the auditors as the field work was being done remotely this past year. The audit was under review by Raquel McIntosh who would present to the Council June 25, 2020.

It was confirmed that Palm beach County was still under Phase I of the Governor's State of Emergency. The Town Council supported Mayor Foy in continuing the Local State of Emergency that had been adopted by the Town Council.

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

Vice Mayor Gordon reported on the Palm Beach County League of Cities would be holding its first in person Board Meeting on June 17, 2020. Social Distancing would be adhered to. The Town Administrator reported that the Florida League of Cities was still planning to hold its annual conference and business meeting in August. Vice Mayor Gordon responded that if it was reasonable and healthy for him to attend he would plan to attend.

Mayor Foy reported that the DEP was requiring excessive information regarding NPDES reporting. He noted that they were requesting information that had accrued and included in reports for the past several years. The Town's NPDES Engineer, Karen Brandon would respond. Some of the information is available on the DEP own website.

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

Not included. The Mayor commented that Budget Season would be starting and the forecast was not looking good as so much of the State's revenue was dependent on sales tax revenue and tourism dollars.

#### **UNFINISHED BUSINESS**

As a housekeeping issue, Council was reminded that it needed to confirm and ratify the action it took on April 9, 2020 when appointing the Mayor and Vice Mayor for the ensuing year.

The Mayor reminded all that he still wanted to move forward with a formal swearing in and a celebratory meeting welcoming the newly elected Council Members.

Confirming there was no public comment to be heard on the matter, the Mayor called for the motion.

**A motion was then made by Council Member Uptegraph, seconded by Vice Mayor Gordon and unanimously passed (5-0) to confirm and ratify the appointment of Jay Foy as Mayor and Lawrence Gordon as Vice Mayor for the ensuing one year term.**

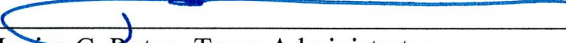
#### **NEW BUSINESS**

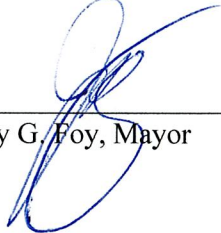
None.

**ADJOURNMENT**

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

**Approved: July 9, 2020**

  
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Janice C. Rutan, Town Administrator

  
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Jay G. Foy, Mayor