

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



**TOWN OF HAVERHILL
TOWN COUNCIL REGULAR MEETING
Thursday, November 19, 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 October 8, 2020 and October 22, 2020 Regular Meetings
- VII. PROCLAMATIONS AND PRESENTATION**
 - a. Proclaiming November 15-22, 2020 as National Hunger and Homelessness Awareness Week
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- VI. REGULAR AGENDA AND FIRST READINGS**
 - a. **ORDINANCE NO. 494: AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, DECLARING ZONING IN PROGRESS AND IMPOSING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF NEW APPLICATIONS FOR THE ESTABLISHMENT OF MEDICAL MARIJUANA TREATMENT FACILITIES, INCLUDING DISPENSING FACILITIES, UNTIL JUNE 25, 2021; PROVIDING FOR SEVERABILITY, PROVIDING FOR SCRIVENERS ERRORS; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**
 - b. Approve Change Order No. 1 for Engineering Services for NPDES FDEP Audit
 - c. Request for waiver from Chapter 38 Section 9 (c) Commercial Vehicles to allow for a commercial vehicle to be parked in the front yard, visible from the road and adjoining properties, with a GVW of 14,050 lbs. (no lettering) as requested by Bart Rasper, 4581 Charlotte Street
 - d. Consider and act on sodding the ballfield
 - e. Consider and act on Briarwood Wall Project
- VII. SECOND READINGS AND PUBLIC HEARINGS**
- 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

**TOWN OF HAVERHILL
TOWN COUNCIL REGULAR MEETING
Thursday, November 19, 2020
OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held on Thursday, November 19, 2020 at the Town Hall, 4585 Charlotte Street, Haverhill, Florida. Those present were Jay G. Foy, Mayor; Lawrence Gordon, Vice Mayor; Mark C. Uptegraph, Council Member; Dennis Withington, Council Member via teleconferencing) and Ray Caranci, Council Member. Also present were John Foster, Town Attorney and Janice C. Rutan, Town Administrator.

Teleconferencing was available for those persons wanting to participate in the meeting remotely.

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 in the Pledge of Allegiance.

ROLL CALL

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

COMMENTS FROM THE PUBLIC

None.

APPROVAL OF AGENDA

A motion was made by Vice Mayor Gordon, 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 October 8, 2020 and October 22, 2020 Regular Meetings

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

PROCLAMATIONS AND PRESENTATION

Proclaiming November 15-22, 2020 as National Hunger and Homelessness Awareness Week

The Town Administrator offered Staff's report. A motion was made by Council Member Uptegraph, seconded by Vice Mayor Gordon, and unanimously passed (5-0) to approve the Proclamation as presented proclaiming November 15-22, 2020 as National Hunger and Homelessness Awareness Week

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Kayla Schnell, Neighborhood Watch Commander addressed the Town Council. She expressed her concern regarding recent incidents that had occurred within Town. She reported the following:

- October 25, 2020: The homeowner at 5221 Bethany awoke from his sleep to find an intruder standing at the foot of his bed flashing the light of a phone in his face. The intruder fled. It was determined he had gained access into the main house from the garage.

- November 11, 2020: Someone had broken into the garage at 853 Palo Verde and rummaged through the vehicle and stole various items. It was not discovered until the afternoon of the next day.
- November 2, 2020: There was an attempted burglary at 5311 Club Road. The suspect never gained entry after they had shattered the sliding glass door.
- November 16, 2020: There had been a report of a theft at the property at 1146 Palmetto. It turned out the theft resulted from a situation between the landlord and tenant.
- There had been an attempt to steal a vehicle in which the keys had been left inside. a vehicle (address not mentioned).

Council expressed their appreciation to Deputy Schnell as the PBSO.

REGULAR AGENDA AND FIRST READINGS

ORDINANCE NO. 494: AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA, DECLARING ZONING IN PROGRESS AND IMPOSING A MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF NEW APPLICATIONS FOR THE ESTABLISHMENT OF MEDICAL MARIJUANA TREATMENT FACILITIES, INCLUDING DISPENSING FACILITIES, UNTIL JUNE 25, 2021; PROVIDING FOR SEVERABILITY, PROVIDING FOR SCRIVENERS ERRORS; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

The title was read by Attorney Foster. He offered Staff's report, explaining this was the continuation of an Ordinance prohibiting the establishment of medical marijuana treatment and dispensing facilities within the town. He added that the moratorium would expire June 25, 2021 to coincide with the end of the legislative session, in hopes the legislation would make changes to allow for the municipalities to regulate facilities within their own boundaries.

A motion was then made by Council Member Caranci and seconded by Vice mayor Gordon to pass Ordinance No. 494 on first reading. The vote was called at 4-1, with Council Member Uptegraph voting against the motion.

Approve Change Order No. 1 for Engineering Services for NPDES FDEP Audit

The Town Administrator presented the Town Council with an amendment to the Agreement between the Town and AECOM for NPDES Engineering Services. It was explained by Karen Brandon, Engineer, that the Change Order was for additional engineering services related to the FDEP Audit of the Town's NPDES program. The services, performed based on the hourly rates approved in the original Agreement, were in the amount of \$4,912.50.

Mayor Foy expressed his frustration over the severe fiscal impact the change in audit requirements have had on the Town. He suggested writing a letter to the agency explaining the excessive expense and the financial burden. He also suggested scheduling a ZOOM meeting with the group leader to discuss the recent delegation of responsibilities from the Federal Government, to the State to the County.

A motion was made by Vice Mayor Gordon, seconded by Council Member Uptegraph and unanimously passed (5-0) to approve the change order in the amount of \$4,912.50 and to authorize the Mayor and Staff to draft a letter to the FDEP for Council review and consideration.

Request for waiver from Chapter 38 Section 9 (c) Commercial Vehicles to allow for a commercial vehicle to be parked in the front yard, visible from the road and adjoining

properties, with a GVW of 14,050 lbs. (no lettering) as requested by Bart Rasper, 4581 Charlotte Street.

The Town Administrator presented Staff's report. A discussion followed concerning the intent and distinctions of the recently adopted Ordinance 481.

A motion was made by Vice Mayor Gordon, seconded by Council Member Mark Uptegraph, and unanimously passed (5-0) to raise no objection to granting a waiver from Chapter 38, Section 9 (c) Commercial Vehicles to allow for a commercial vehicle to be parked in the front yard, visible from the street and adjoining properties with a GVW of 14,050 lbs. (no lettering) as requested by the property owner, Bart Rasper.

Consider and act on sodding the ballfield
Discussed at workshop. No action.

Consider and act on Briarwood Wall Project
Discussed at workshop. No action.

SECOND READINGS AND PUBLIC HEARINGS
None.

REPORTS
Town Attorney
None.

Mayor
A Code and Ordinance Committee meeting was scheduled for December 10, 2020 at 11:30 a.m.

Mayor Foy explained that he was quite interested in how the voters of Haverhill voted in the November election. He would like to know how his constituents voted on the constitutional amendments.

The Town Administrator responded that she would make a public records request to the Supervisor of elections.

Town Administrator
Regarding the appointment of a Charter Review Committee, it was agreed it would be brought up under New Business.

Committee/Delegate Report
Vice Mayor Gordon reported that the Palm Beach County League of Cities was requesting the municipalities assist them with posting the SFWMD approved landscape watering days.

He next gave an update on the legal cases, one that addressed vaping and passing a law that vaping would be illegal for all persons under the age of 18.

It was next confirmed that the qualifying period for the Municipal Election was December 1 – 15, 2020.

Treasurer's Report
Included in packet

UNFINISHED BUSINESS
None.

NEW BUSINESS

Vice Mayor Gordon suggested the Town become a vaccination site when the COVID Vaccine becomes available.

CHARTER COMMITTEE: It was agreed that the Charter Committee would consist of no more than 2 Council members and 3 residents. Vice Mayor Gordon and Council Member Caranci volunteered to serve on the committee. Teresa Johnson, a resident of Club Road Estates and present in the audience offered to serve on the committee.

It was explained the Committee would be charged with rewriting the Charter in the area specific to elections, residency, and length of term.

Council was requested to consider names for appointment so the Council could act on the appointment at their December meeting.

They were oping the Committee could proposed the changes to be placed on the ballot for the November 2021 election.

Town representatives to serve on the Committee would be Vice Mayor Gordon, Council Member Ray Caranci, Town Attorney Foster, and Town Administrator Janice C. Rutan.

The Town Administrator reported she intended to have a newsletter mailed before the Christmas Holiday. Council asked for it to include an article about safe protocols during COVID-19, especially about safe distancing and mask wearing, as well as an article on feral cats.

Council Member Caranci thanked Staff doe having the pavement stop bars painted.

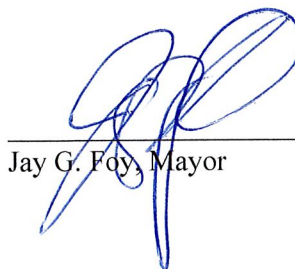
Mayor Foy extended the Local State of Emergency.

ADJOURNMENT

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

Approved: January 14, 2021


Janice C. Rutan, Town Administrator


Jay G. Foy, Mayor

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