

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



**TOWN OF HAVERHILL
TOWN COUNCIL REGULAR MEETING
Thursday, April 8, 2021
7:00 p.m.
AGENDA**

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
 - a. Omar Zraouli, 5333 Belvedere Road. Re: trailer/boat storage/parking on residential lots
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes for the February 25, 2021, March 11, 2021 and March 25, 2021 Regular Meetings
- VII. PROCLAMATIONS AND PRESENTATION**
 - a. Proclamation recognizing former Council Member Mark C. Uptegraph's years of service
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. REGULAR AGENDA AND FIRST READINGS**
 - a. Review and schedule for Public Hearing proposed Comprehensive Plan Amendment - Evaluation and Appraisal Report (E.A.R.)
 - b. Consider Council appointment and alternate to serve on the Palm Beach County Intergovernmental Issues Forum
- X. PUBLIC READINGS AND SECOND HEARINGS**

None.
- XI. REPORTS**
 - Town Attorney
 - 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 MEETING
April 8, 2021

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) up until noon on April 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, you will not be permitted into 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 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 during these uncertain times.

**TOWN OF HAVERHILL
TOWN COUNCIL REGULAR MEETING
Thursday, April 8, 2021
OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held at the Town Hall, 4585 Charlotte Street on Thursday, April 8, 2021. Those present Jay Foy, Mayor; Lawrence Gordon, Vice Mayor; Dennis Withington, Council Member; Ray Caranci, Council Member and Teresa Johnson, Council Member. Also present were John Fenn Foster, Town Attorney, Josh Nichols, Town Planner 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 present in Council Chambers.

COMMENTS FROM THE PUBLIC

Omar Zraouli, 5333 Belvedere Road. Re: trailer/boat storage/parking on residential lots

Mr. Zraouli requested to be placed on the agenda to discuss an exception to the parking ordinance and allow vehicles to be parked on the side yard in front of the plane of the house. He explained that he has a large lot with a very large front setback.

The Town Attorney advised that Mr. Zraouli would need to submit a formal application to the Town prior to Council taking any action. The matter would need to be presented to Staff for Staff to review and make a recommendation to the Town Council.

Clarification was made that Mr. Zraouli had received a courtesy letter from the Town and had not been issued a violation.

A discussion followed as to whether a variation or a variance would be required. It was suggested Mr. Zraouli attend the April 14, 2021 noon Code and Ordinance Committee/Workshop where this matter can be discussed.

APPROVAL OF AGENDA

The Town Administrator reported that former Council Member Uptegraph was unable to attend the meeting. Mayor Foy requested the Proclamation in his honor be removed from the agenda and postponed until the next meeting. **A motion was then made by Vice Mayor Gordon, seconded by Council member Withington, and unanimously passed (5-0) to approve the consent agenda a Lawrence to approve as amended.**

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes for the February 25, 2021, March 11, 2021, and March 25, 2021 Regular Meetings

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

PROCLAMATIONS AND PRESENTATION

~~Proclamation recognizing former Council Member Mark C. Uptegraph's years of service~~

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Kayla Schnell, Crime Prevention Unit of the Palm Beach County Sheriff's office was present to report on the crime statistics for the prior month.

She reported a robbery on March 15 at the intersection of Belvedere and Haverhill Roads. The suspect fled the scene and was arrested at the intersection of Military and Belvedere Roads. Two arrests were made, the first being the cab driver the suspect fled from at the intersection of Haverhill and Belvedere Roads, the second being the attempted robbery at the 7-11.

There was a report of a stolen tag at 4779 Durham which was later recovered in Boca Raton.

There was a reported incident of road rage at 1001 N Military Trail.

74 traffic stops had been conducted.

Officer Schnell cautioned all about a gift card scheme that was happening. The perpetrators usually target the elderly. Council Member Caranci lamented that a relative of his had recently been a victim. Officer Schnell had supplied the Town with fliers that the Code Enforcement officer was giving to residents; the warning was also placed on the Town's website

Council expressed their appreciation to Officer Schnell and the Palm Beach County Sheriff's office.

REGULAR AGENDA AND FIRST READINGS

Review and schedule for Public Hearing proposed Comprehensive Plan Amendment - Evaluation and Appraisal Report (E.A.R.)

Town Planner, Josh Nichols, presented Staff's report. He explained that the State requires every municipality, every 7 years, to submit a review of their Comprehensive Community Plan through an Evaluation and Appraisal report.

He explained the principal amendments necessary to reflect updated state comprehensive planning requirements were the removal of items which cite Chapter 9J-5 of the Florida Administrative Code, Minimum Criteria for Review of Local Government Comprehensive Plans and Plan Amendments, Evaluation and Appraisal Reports, Land Development Regulations and Determinations of Compliance. Noting that Chapter 9J-5 had been repealed since the last update of the Town's Comprehensive Plan, any references to this Chapter and its requirements have been struck through.

The Town was also proposing to claim exemption from Article 163.31777 of the Florida Statutes, which requires that municipalities join into an inter-local agreement with the applicable school district to address concurrency issues. The Town complies with all criteria necessary to do so.

Finally, he added that the Town proposes to add an Objective in the Future Land Use Element which would acknowledge the creation of the Palm Beach International Airport Overlay at the direction of the Palm Beach International Airport. This was due to the Town's location in the approach path of a Palm Beach International Airport runway.

The Town Planner reported that the current conditions of the Town had not seen significant changes since the last update of the Comprehensive Plan and therefore would not constitute any additional changes to the plan.

The Town Administrator confirmed the Public Hearing advertisement requirements and noted the first hearing could be scheduled for May 13, 2021.

Consider Council appointment and alternate to serve on the Palm Beach County Intergovernmental Issues Forum

The Town Administrator offered staff's report. She provided the history and purpose of the Issues Forum and IPARC (Planning Council). **A motion was then made by Council Member Withington, seconded by Vice Mayor Gordon, and unanimously passed (5-0) to appoint the Town Administrator to represent Town Council on the Palm Beach County Intergovernmental Issues Forum and to appoint Council member Caranci as an alternate member to the Palm Beach County Intergovernmental Issues Forum.**

PUBLIC READINGS AND SECOND HEARINGS

None.

REPORTS

Town Attorney

Attorney Foster reported that at the prior meeting, a motion and second to approve Resolution 2021-02 Fences had not been offered, however, a unanimous vote had been taken.

A motion was then made by Council Member Withington, seconded by Council Member Caranci, and unanimously passed to ratify and confirm the approval of Resolution 2021-02.

Town Administrator

The Town Administrator reported briefly on the upcoming budget cycle. She reminded Council that the extension of the contract with WastePro for solid waste and recycling services calls for an up to 3% increase. Last year, because of a fund balance, the Town Council voted to not increase the assessment but to fund the CPI increase with the fund balance. She was concerned that the residents could be looking at a 6% increase this coming year. The preliminary assessment for the 2021/2022 FY would be in June.

The Town would need to rebid the services for the 2022-2023 fiscal year.

Committee/Delegate Report

Mayor Foy reported on the filing of the annual NPDES reports. He commented that filing for at least one half of the reports have been delayed.

Vice Mayor Gordon reported on the Palm Beach County League of Cities Scholarship program. The Committee had met at the Town Hall to interview 6 student applicants. Two additional scholarships of \$1,000 each was available to municipal workers wishing to further their education.

Of the 6 students interviewed, the committee was able to award scholarships to all.

Treasurer's Report

None.

UNFINISHED BUSINESS

The Town Administrator reported on the Briarwood Wall project. They were still waiting on the receipt of the consent joinders to be signed by the mortgage companies for each property.

The Town Administrator reported that she had filed an accompanying Local Funding Initiative Request through Senator Powell's office. This was needed to sponsor the request filed by Representative Willhite for the State Appropriations. She was hoping to receive funding for traffic calming devices. A discussion followed regarding the excessive speeding throughout the Town and the need for the traffic calming devices.

NEW BUSINESS

Council Member Johnson addressed the Town Council. She announced that she was working with the Haverhill Community Church (formally Haverhill Baptist Church) to sponsor a "Feeding Event" on Saturday, May 8, 2021 at the church property parking lot. They were reaching out to Walmart, and others, to donate food for the event. She explained that the recipients would drive through, pick up the prepared food and drive on. She was requesting Council support of the event and authorize her use of the Town's letterhead as Council Member.

Attorney Foster expressed his concern over the exposure the Town would have to the extent the public would deem the event a Town sponsored event. He requested the Town Administrator contact the Town's insurance company to determine liability.

With that being said, he inquired of the Council if this would be a Town sponsored event, and did the Council want it to be a Town sponsored event. Adding that, historically, the Council placed limitations on sponsorship of outside events. Lastly, he preferred it be held on Town property if the Town were to sponsor.

Council Member Johnson stated she chose the Church's parking lot as it was larger than the Town's parking lot and would be better to accommodate the recipients.

Discussion followed as to the amount of people as the event could not be limited to Town residents if the Church were involved. Would police need to be on site to organize the traffic.

The giveaway events held by the Town during this pandemic were in partnership with other entities for the benefit of the Town's seniors. Recipients of the bags had to be preregistered.

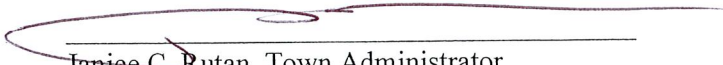
Discussion followed. Vice Mayor Gordon responded that Town stationary should not be used and that feeding the private sector should be left to the private sector. It was the consensus of Council that they would prefer to see the event remain a private event.

ADJOURNMENT:

With no further business to come before the Town Council, the meeting adjourned at 8:05 p.m.

Approved:

April 22, 2021


Janice C. Rutan, Town Administrator


Jay B. Foy, Mayor