

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, August 26, 2021
6:30 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 for the August 3, 2021 Workshop and August 12, 2021 Regular Meeting
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX.. COMMENTS FROM THE PALM BEACH COUNTY FIRE RESCUE**
- X. PUBLIC HEARING:**
 - a. Approve purchase of Momentum 95G trash cart as per specifications in an amount not to exceed \$54,000 for FY 2021/2022
 - a. **RESOLUTION 2021-06: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, LEVYING A NON-AD VALOREM SPECIAL ASSESSMENT FOR RESIDENTIAL PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF HAVERHILL AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, TO FUND SOLID WASTE COLLECTION AND DISPOSAL AND RELATED CHARGES WITHIN THE TOWN, COLLECTING SUCH PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS; APPROVING, CONFIRMING, AND ADOPTING THE NON-AD VALOREM ASSESSMENT ROLL, INCORPORATED HEREIN AS EXHIBIT "B"; PROVIDING THAT SUCH ASSESSMENTS SHALL CONSTITUTE LEGAL, VALID, AND BINDING FIRST LIENS UPON PROPERTY AGAINST WHICH ASSESSMENTS ARE MADE UNTIL PAID; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**
- XI. REGULAR AGENDAS AND FIRST READINGS**
 - a. **RESOLUTION 2021-07: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, AUTHORIZING AND DIRECTING THE**

- MAYOR TO EXECUTE AN AMERICAN RESCUE PLAN ACT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT; AND PROVIDING AN EFFECTIVE DATE**
- b. Discuss proposed Building safety Inspection Program (Building Officials Technical Subcommittee)**

XII. REPORTS

Town Attorney

Mayor

Town Administrator

a. Discuss proposed 2021-2022 budget

Committee/Delegate Report

Treasurer's Report (included in packet)

XIII. UNFINISHED BUSINESS

XIV. NEW BUSINESS

XV. 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
August 26, 2021
6:30 p.m.

Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until noon on August 26, 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 OF HAVERHILL
TOWN COUNCIL REGULAR MEETING
Thursday, August 26, 2021
OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held at the Town Hall, 4585 Charlotte Street on Thursday, August 26, 2021. Those present Jay Foy, Mayor; Lawrence Gordon, Vice Mayor; Dennis Withington, Council Member and Ray Caranci, Council Member. Also present was 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

All Town Council members were present except Council Member Johnson. Attorney Foster was present via Zoom.

APPROVAL OF AGENDA

A motion was made by Council Member Withington, seconded by Vice Mayor Gordon, and unanimously passed (4-0) to approve the agenda as presented.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes for the August 3, 2021, Workshop and August 12, 2021, Regular Meeting

A motion was made by Vice Mayor Gordon, seconded by Council Member Caranci, and unanimously passed (4-0) 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.

PUBLIC HEARING:

Approve purchase of Momentum 95G trash cart as per specifications in an amount not to exceed \$54,000 for FY 2021/2022

The Town Administrator presented Staff's Report. She reported that the costs for the containers exceeded the Town's purchasing threshold and would require the Town to go out for bid or find a competitively bid contract to piggyback on. The Town Council, by consensus authorized the Town Administrator to move forward with bringing back a contract either by bid or piggyback.

RESOLUTION 2021-06: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, LEVYING A NON-AD VALOREM SPECIAL ASSESSMENT FOR RESIDENTIAL PROPERTIES LYING WITHIN THE MUNICIPAL BOUNDARIES OF THE TOWN OF HAVERHILL AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, TO FUND SOLID WASTE COLLECTION AND DISPOSAL AND RELATED CHARGES WITHIN THE TOWN, COLLECTING SUCH PURSUANT TO THE UNIFORM METHOD FOR THE LEVY, COLLECTION AND ENFORCEMENT OF NON-AD VALOREM ASSESSMENTS; APPROVING, CONFIRMING, AND ADOPTING THE NON-AD VALOREM ASSESSMENT ROLL, INCORPORATED HEREIN AS EXHIBIT "B"; PROVIDING THAT SUCH ASSESSMENTS SHALL CONSTITUTE LEGAL, VALID, AND BINDING FIRST LIENS UPON PROPERTY AGAINST WHICH ASSESSMENTS ARE MADE UNTIL PAID; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The title was read by Attorney Foster. The Town Administrator presented Staff's report. She confirmed with Council that they were in support of using the surplus funds in the Solid Waste Account to offset the cost of the trash containers and increase the annual assessment by 3% representing the CPI being charged to the Town by WastePro.

A motion was then made by Council Member Withington, seconded by Vice Mayor Gordon, and unanimously passed (4-0) to adopt Resolution 2021-06 setting the non-ad valorem assessment at 291.00 per unit (<4) per year for the fiscal year 2021/2022.

REGULAR AGENDAS AND FIRST READINGS

RESOLUTION 2021-07: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AMERICAN RESCUE PLAN ACT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT; AND PROVIDING AN EFFECTIVE DATE

The title was read by Attorney Foster. It was agreed to change the language to authorize the Town Administrator to execute the agreement. Vice Mayor Gordon explained that through the League of Cities he had attended many seminars regarding the ARPA funding program and spoke specifically about the caveat included in the agreement that allowed the Town to earn interest on the funds, however, spending of the interest earned would still be subject to the terms of the agreement.

A motion was then made by Vice Mayor Gordon, seconded by Council Member Withington, and unanimously passed to adopt Resolution 2021-07 authorizing and directing the Town Administrator to execute the American Rescue Plan Agreement with the State of Florida Emergency Management.

Discuss proposed Building Safety Inspection Program (Building Officials Technical Subcommittee)

The Town Administrator offered Staff's report. Since the tragic condominium collapse of the Champlain Towers in Surfside, Florida, the PBC Building Officials have been meeting to promulgate rules for timely inspections of commercial buildings to avoid a repeat catastrophe.

The Subcommittee put together a proposed set of bylaws for all municipalities in PBC to consider adopting. After review, it was the recommendation of the Building Official, Bill Denison, that the Town of Haverhill did not have commercial buildings that would qualify for the program and therefore was exempt from participation. Council concurred with the Building Official and by consensus agreed to not participate in the program.

REPORTS

Town Attorney

Attorney Foster reported that after careful consideration of the proposed changes to the Town's Charter, it would be his recommendation that the Town consider adopting 4 separate Ordinances, each one addressing the specific change to the Charter. He explained the changes in detail. The Town Administrator would be forwarding to the Town Council at their next meeting.

A brief discussion followed concerning implementing a special assessment for the maintenance of roads. Attorney Foster referred to a program being used by the Town of Palm Beach.

Mayor

None.

Town Administrator

The Town Administrator announced that Rico Armstrong, Community Services/Code Inspector had started in his new position on Monday. He has been busy settling in and taking some online classes to familiarize himself with different aspects of the position.

She next reported that Rodrick Jones, Public Works, had been out mowing and the mower detached from the machine. The mower was rendered inoperable and will need to be welded. There is a several weeks waiting period at the Town's vendor, Lawnmower Headquarters. The Town's present mower is approximately 13 years old.

The Town Administrator reported that Lawnmower Headquarters had one mower in stock for a cost of \$7,759. There was money on the budget if Council would authorize the purchase. Discussion followed and the Town Administrator replied that they have had a professional relationship with Lawnmower Headquarters since 2005. Council Member Withington also noted that he also deals with the vendor and supported the comments of the Town Administrator.

A motion was then made by Vice Mayor Gordon, seconded by Council Member Withington, and unanimously passed (4-0) to approve the purchase of the mower from Lawnmower Headquarters in the amount of \$7,759.00.

Discuss proposed 2021-2022 budget

The Town Administrator included the increase in her pay as per the recommendation of the Mayor. Council Member Caranci asked if the Town Administrator could provide them the percentage difference between last year's budget and the proposed budget.

Council Member Caranci explained that the increase in his property value as of January 1, 2021, from the prior year was 1.38%, yet his taxes had increased approximately \$75.00.

Discussion followed regarding property values throughout the Town.

The Town Administrator announced she would be ordering additional trashcans for those residents that do not receive solid waste and recycling services through the Town.

Committee/Delegate Report

Vice Mayor Gordon reported on his attendance at the Florida League of Cities Conference August 12-14 in Orlando. He noted he serves on the Board of Directors and well as on the Economic Land Use Legislative Committee.

He reported how he had chaired the previous day's Palm Beach County League of Cities General Membership meeting in which over 100 people (socially distanced) had been in attendance.

He spoke of the conference and reported that one of the keynote speakers who addressed the conference reported that in 20 years the minority would become the majority. He predicted that the conservatives will be diminishing, and the younger people would be moving to the left.

**Treasurer's Report
Included in packet.**

UNFINISHED BUSINESS

None.

NEW BUSINESS

The Town Administrator reported that City of Atlantis would be introducing legislation that would exempt a public record request sent via e-mail as an attachment from being responded to. The public record request would be required to be included in the body of the e-mail. There had been so many cases of cyber-attacks through attachments to e-mails that the City recommended this action. The Town Council supported the proposal.

ADJOURNMENT:

With no further business to come before the Town Council, the meeting adjourned at 7:320 p.m.

Approved: September 23, 2021



Janice C. Rutan, Town Administrator

Jay G. Foy, Mayor