

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, October 14, 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 September 8, 2021 Workshop, First Public Budget Hearing and Regular Meeting
- VII. PROCLAMATIONS AND PRESENTATIONS**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- IX. COMMENTS FROM THE PALM BEACH COUNTY FIRE RESCUE**
- X. PUBLIC HEARING AND SECOND READINGS:**
 - a. **ORDINANCE NO. 506; AN ORDINANCE OF THE TOWN COUNCIL OF TOWN OF HAVERHILL, FLORIDA; AFFIRMING, RATIFYING AND EXTENDING THE TOWN'S CONSENT TO THE INCLUSION OF THE ENTIRE TERRITORY WITHIN THE TOWN'S MUNICIPAL BOUNDARIES INTO PALM BEACH COUNTY'S FIRE/RESCUE MUNICIPAL SERVICE TAXING UNIT FOR FIRE-RESCUE, FIRE PROTECTION, ADVANCED LIFE SUPPORT (OR SIMILAR EMERGENCY SERVICES), FIRE CODE ENFORCEMENT AND OTHER NECESSARY AND INCIDENTAL SERVICES; PROVIDING FOR INTENT, PURPOSE AND CONSENT; PROVIDING FOR EFFECTIVENESS AND DURATION OF EXTENDED CONSENT; PROVIDING FOR EFFECTIVENESS OF REPEAL; ACKNOWLEDGING AD VALOREM MILLAGE RATE LIMITATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR CAPTIONS.**
 - b. **ORDINANCE NO. 507; AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, PROVIDING FOR A QUALIFYING PERIOD; PROVIDING FOR THE COMMENCEMENT OF TERM OF OFFICE; DIRECTING THAT A COPY OF THIS ORDINANCE BE PROVIDED TO THE SUPERVISOR OF ELECTIONS; PROVIDING FOR SEVERABILITY, CONFLICTS; PROVIDING FOR THE CORRECTION OF SCRIVENERS ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.**
- XI. REGULAR AGENDAS AND FIRST READINGS**
 - a. **RESOLUTION 2021-12: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF HAVERHILL AND THE INTEGRITY GROUP TO PROVIDE GRANT PROGRAM MANAGEMENT CONSULTING FOR THE AMERICAN RESCUE PLAN ACT; AND PROVIDING AN EFFECTIVE DATE**

- b. **RESOLUTION NO. 2021-08: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, DESIGNATING THE DATE, TIME AND PLACE FOR FILING FOR THE OFFICES FOR THE POSITION OF TOWN COUNCIL SEATS 1 AND 2 PRIOR TO THE MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 8, 2022; APPOINTING AN ELECTION CANVASSING BOARD FOR PRECINCT NUMBERS 2046, 7136 AND 7140; AND PROVIDING FOR AN EFFECTIVE DATE**
 - c. **RESOLUTION N. 2021-09: A RESOLUTION ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA DESIGNATING THE DATE, TIME AND PLACE FOR THE MUNICIPAL RUN OFF ELECTION (IF NEEDED) FOR THE OFFICE OF THE TOWN COUNCIL SEATS 1 AND 2 TO BE HELD MARCH 22, 2022**
 - d. **APPROVE THE AGREEMENT BETWEEN THE TOWN OF HAVERHILL AND THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS FOR VOTE PROCESSING EQUIPMENT USE AND ELECTION SERVICES**
 - e. **AUTHORIZE THE PROPOSAL FOR ENGINEERING SERVICES FOR THE NPDES PROGRAM FOR THE 2021/2022 FY BETWEEN THE TOWN OF HAVERHILL AND AECOM**
 - f. **ORDINANCE NO. 508**
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 DELETING THE CURRENT REQUIREMENTS REGARDING PURCHASING AND IN ITS PLACE AND STEAD ALLOWING FOR THE TOWN TO PURCHASE PERSONAL PROPERTY, COMMODITIES, GOODS AND SERVICES MOTOR VEHICLES FOR LESS THAN \$65,000 WITHOUT UTILIZING A COMPETITIVE BIDDING PROCESS; BUT REQUIRING ALL OTHER PURCHASES IN EXCESS OF \$65,000 TO BE COMPETITIVELY BID, EXCEPT THAT A COMPETITIVE BID SHALL NOT BE REQUIRED IN A TOWN EMERGENCY, PURCHASES ALLOWED BY LAW NOT TO BE COMPETITIVELY BID, AND COOPERATIVE OR PIGGYBACK PURCHASES UTILIZING CONTRACTS OF A PUBLIC ENTITY OR NON-PROFIT ORGANIZATIONS; AND AUTHORIZING THE TOWN ADMINISTRATOR TO DRAFT RULES AND REGULATIONS FOR IMPLEMENTING THE PURCHASING POLICY FOR THE TOWN OF HAVERHILL; 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.
- XII. REPORTS**
Town Attorney
Mayor
Town Administrator
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
October 14, 2021
6:30 p.m.

Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until noon on October 14, 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, October 14, 2021
OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held at the Town Hall, 4585 Charlotte Street on Thursday, October 14, 2021. Those present were Jay Foy, Mayor, Lawrence Gordon, Vice Mayor; Dennis Withington, Council Member, Ray Caranci, Council Member and Teresa Johnson, Council Member. Also, present were Lance Fuchs, Town Attorney, and 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.

APPROVAL OF AGENDA

Staff requested that first reading of Ordinance 508 be removed from the agenda. A motion was then made by Council member Withington, seconded by Council member Johnson, and unanimously passed (5-0) to approve the agenda as amended.

APPROVAL OF THE CONSENT AGENDA

Approval of the minutes for the September 8, 2021, Workshop, First Public Budget Hearing and Regular Meeting

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

PROCLAMATIONS AND PRESENTATIONS

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

Kayla Schnell, PBSO Community Services Liaison, addressed the Town Council. She reported that there had been 117 documented business and resident checks during the previous 30-day period, forty-eight traffic stops and the report of a catalytic converter being stolen from a parked car on Pineway Drive.

Council Member Withington inquired as to an incident that may had taken place on the Sunday of July 4 weekend. He noted that there had been suspicious persons that had been seen loitering in the Briarwood subdivision who were later picked up by a suspicious vehicle. The police had been called. Deputy Schnell agreed to investigate the matter and would report back if a case number had been assigned.

COMMENTS FROM THE PUBLIC

Steve Mitchell, 4571 Belvedere Road. Mr. Mitchell addressed the Town Council about the zoning of his property on Belvedere Road located immediately west of the 7-11 property. He explained to Council that at one point the property had been zoned commercial and he would like to have it rezoned. The Town Administrator offered that the property had served at the Haverhill Medical Center, however, she was unaware of it ever being zoned commercial. She agreed to investigate

the history of the property. Council invited Mr. Mitchell to attend a workshop during which time further discussion could ensue.

COMMENTS FROM THE PALM BEACH COUNTY FIRE RESCUE

Not present.

PUBLIC HEARING AND SECOND READINGS:

ORDINANCE NO. 506; AN ORDINANCE OF THE TOWN COUNCIL OF TOWN OF HAVERHILL, FLORIDA; AFFIRMING, RATIFYING AND EXTENDING THE TOWN'S CONSENT TO THE INCLUSION OF THE ENTIRE TERRITORY WITHIN THE TOWN'S MUNICIPAL BOUNDARIES INTO PALM BEACH COUNTY'S FIRE/RESCUE MUNICIPAL SERVICE TAXING UNIT FOR FIRE-RESCUE, FIRE PROTECTION, ADVANCED LIFE SUPPORT (OR SIMILAR EMERGENCY SERVICES), FIRE CODE ENFORCEMENT AND OTHER NECESSARY AND INCIDENTAL SERVICES; PROVIDING FOR INTENT, PURPOSE AND CONSENT; PROVIDING FOR EFFECTIVENESS AND DURATION OF EXTENDED CONSENT; PROVIDING FOR EFFECTIVENESS OF REPEAL; ACKNOWLEDGING AD VALOREM MILLAGE RATE LIMITATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR CAPTIONS.

The title was read by Attorney Fuchs. He explained the agreement would be for the ensuing 10 years, expiring in 2031.

A motion was made by Council Member Withington, seconded by Council Member Caranci, and unanimously passed (5-0) to approve Ordinance 506 on second reading.

PUBLIC COMMENT:

Fred Ford, Luwal Drive. Mr. Ford addressed the Town Council. He complained that the Code Enforcement Officer was making daily rounds on Luwal Drive, a private road. He noted that he was finding code violations and citing the residents. The Town Council thanked Mr. Ford for his attendance and asked that he reach out to the Town Administrator to discuss Code issues as the Council cannot discuss code related matters.

ORDINANCE NO. 507; AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, PROVIDING FOR A QUALIFYING PERIOD; PROVIDING FOR THE COMMENCEMENT OF TERM OF OFFICE; DIRECTING THAT A COPY OF THIS ORDINANCE BE PROVIDED TO THE SUPERVISOR OF ELECTIONS; PROVIDING FOR SEVERABILITY, CONFLICTS; PROVIDING FOR THE CORRECTION OF SCRIVENERS ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

The title was read by Attorney Fuchs. The Town Administrator offered Staff's report. A motion was made by Council Member Johnson, seconded by Vice Mayor Gordon, and unanimously passed (5-0) to approve Ordinance 507 on second reading.

REGULAR AGENDAS AND FIRST READINGS

RESOLUTION 2021-12: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE TOWN OF HAVERHILL AND THE INTEGRITY GROUP TO PROVIDE GRANT PROGRAM MANAGEMENT CONSULTING FOR THE AMERICAN RESCUE PLAN ACT; AND PROVIDING AN EFFECTIVE DATE

A motion was made by Council Member Withington, seconded by Vice Mayor Gordon, and unanimously passed (5-0) to table action on Resolution 2021-12 until October 28, 2021.

RESOLUTION NO. 2021-08: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, DESIGNATING THE DATE, TIME, AND PLACE FOR FILING FOR THE OFFICES FOR THE POSITION OF TOWN COUNCIL SEATS 1 AND 2 PRIOR TO THE MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 8, 2022; APPOINTING AN ELECTION CANVASSING BOARD FOR PRECINCT NUMBERS 2046, 7136 AND 7140; AND PROVIDING FOR AN EFFECTIVE DATE

The title was read by Attorney Fuchs. The Town Administrator offered Staff's report. A motion was made by Vice Mayor Gordon, seconded by Council Member Johnson, and unanimously passed (5-0) to pass Resolution 2021-08.

RESOLUTION N. 2021-09: A RESOLUTION ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA DESIGNATING THE DATE, TIME, AND PLACE FOR THE MUNICIPAL RUN OFF ELECTION (IF NEEDED) FOR THE OFFICE OF THE TOWN COUNCIL SEATS 1 AND 2 TO BE HELD MARCH 22, 2022

The title was read by Attorney Fuchs. The Town Administrator offered Staff's report. A motion was made by Council Member Johnson, seconded by Council Member Withington, and unanimously passed (5-0) to pass Resolution 2021-08.

APPROVE THE AGREEMENT BETWEEN THE TOWN OF HAVERHILL AND THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS FOR VOTE PROCESSING EQUIPMENT USE AND ELECTION SERVICES

The Town Administrator offered Staff's report. A motion was then made by Council Member Withington, seconded by Vice Mayor Gordon, and unanimously passed (5-0) to approve the Agreement between the Town of Haverhill and the Supervisor of Elections for the 2022 election cycle.

AUTHORIZE THE PROPOSAL FOR ENGINEERING SERVICES FOR THE NPDES PROGRAM FOR THE 2021/2022 FY BETWEEN THE TOWN OF HAVERHILL AND AECOM

Mayor Foy explained the Town had been using the services of Karen Brandon to oversee its NPDES program for several years and she continues to do an excellent job in representing the Town. He confirmed with Staff the annual amount had not increased.

A motion was then made by Council Member Johnson, seconded by Vice Mayor Gordon, and unanimously passed (5-0) to approve the agreement with Kareem Brandon (AECOM) to provide Engineering services for the Town's NPDES program for the ensuing year in an amount not to exceed \$9,000.

ORDINANCE NO. 508
(Tabled until October 28, 2021).

REPORTS
Town Attorney
None

Mayor
Mayor Foy announced that he had sent a letter to Mr. Ricks stating the Town had no objection to Palm Beach County's proposed 5-year plan provided it was inclusive of all projects slighted for Haverhill. (Letter attached). He then gave an update on the recently enacted DEP/SFWMD reporting mandates that would affect the Village of Wellington and other permittees by assessing waters already classified within an MS4.

Town Administrator

The Town Administrator reported that Staff had ordered trash can receptacles and the new containers would be delivered to each household receiving Solid Waste and Recycling services by mid-November.

Committee/Delegate Report

Vice Mayor Gordon reported on the meeting of the Criminal Justice Committee and their desire to work closely with local Law Enforcement agencies. The Palm Beach County League of Cities met to establish their list of legislative priorities for the upcoming session. Affordable Housing was at the top of the list. Council Member Dr. Johnson confirmed with Vice Mayor Gordon that the appropriation of funding through the Sadowski Trust would also be a high priority.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Council Member Withington requested Town Council permission to close Berkeley Mews to vehicular traffic October 31, 2021, from 5:30 p.m. to 9:00 p.m. to allow for a Halloween Block Part. Motion passed unanimously.

Council Member Dr. Johnson requested Town Council support in asking the County to install lights at the basketball courts at the Haverhill County Park. She noted she walks in the park daily and there are lights at the Racket Ball courts and at the tennis courts but not at the recently installed basketball courts.

The Town Administrator reached out to Gus Arnold who was the project manager at the time the Courts were constructed and confirmed with him that the site plan did not call for lighting. Discussion ensued.

It was consensus to support Council Member Johnson and authorize her to represent the Town of Haverhill in this matter when reaching out to Palm Beach County Parks and Recreation and the County Commissioners.

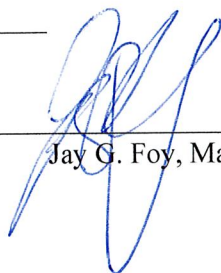
ADJOURNMENT

With no further business, the meeting adjourned at 7:30 p.m.

Approved: November 18, 2021



Janice C. Rutan, Town Administrator



Jay G. Foy, Mayor