

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



TOWN COUNCIL REGULAR MEETING
Thursday, December 16, 2021
6:30 p.m.
AGENDA

- I. COMMENTS FROM THE PUBLIC**
- II. APPROVAL OF AGENDA**
- III. APPROVAL OF THE CONSENT AGENDA**
 - a. Approval of the minutes for November 18, 2021, Regular and October 5, 2021, and November 9, 2021, Workshop Meetings
- IV. PROCLAMATIONS AND PRESENTATION**
- V. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- VI. COMMENTS FROM THE PALM BEACH COUNTY FIRE RESCUE**
- VII. REGULAR AGENDAS**
 - A. DISCUSS ORDINANCE NO. 501: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 54, SUBDIVISIONS, PLATTING AND REQUIRED IMPROVEMENTS, BY DELETING REFERENCES TO PRIVATE ROADS AND DRIVEWAYS BEING ABLE TO SERVE AS ACCESS TO LOTS IN ANY NEW SUBDIVISION; REQUIRING ALL LOTS WITHIN A SUBDIVISION TO HAVE LEGAL ACCESS TO A LOCAL STREET DEDICATED TO THE TOWN; ALLOWING, WITH COUNCIL APPROVAL, THE SUBDIVISION OF LOTS WITHIN THE R-1 SINGLE FAMILY DISTRICT PROVIDED THE LOT WILL BE AT LEAST NINETY FEET WIDE AND MEET THE OTHER REQUIREMENTS OF THE ZONING CODE; providing for severability; providing for repeal of laws in conflict; providing for CORRECTION OF SCRIVENERS' errors; providing for an effective date and other purposes.**
 - B. DISCUSS ORDINANCE NO. 502: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING Article vii, PBI airport overlay, of CHAPTER 58, ZONING, BY amending Sec. 58-257, Site development standards for townhouses and zero lot line homes, but creating a new subsection authorizing one-car garages; providing for severability; providing for repeal of**

laws in conflict; providing for CORRECTION OF SCRIVENERS' errors;
providing for an effective date and other purposes

C. Discuss scope of services, membership, and appoint members to serve on the
ARPA Funding Committee

D. Discuss participation in the Opioid Settlement

IX. REPORTS

Town Attorney

Mayor

Town Administrator

a. Discuss Solid Waste and Recycling contract with Waste Pro
Committee/Delegate Report

Treasurer's Report (included in packet)

X. UNFINISHED BUSINESS

a. Social Media

b. Exchange Server/Microsoft Cloud

XI. NEW BUSINESS

XII. 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

December 16, 2021

6:30 p.m.

Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until noon on December 16, 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 COUNCIL REGULAR MEETING
Thursday, December 16, 2021
6:30 p.m.
Official Minutes

The regular monthly meeting of the Haverhill Town Council was held on Thursday, December 16, 2021, at the Town Hall, 4585 Charlotte Street, Haverhill, Florida. Those present were Jay G. Foy, Mayor; Dennis Withington, Council Member; Ray Caranci, Council Member and Teresa Johnson, Council Member. Town Attorney John Foster and Town Administrator Janice C. Rutan were also present.

CALL TO ORDER

Mayor Foy called the meeting to order at 6:30p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Foy offered the Invocation and led the Pledge of Allegiance.

ROLL CALL

The Town Administrator called the roll. All members were present with Vice Mayor Gordon participating via teleconference.

COMMENTS FROM THE PUBLIC

Henrietta and Sherman Creighton, Palo Verde Court were present to address the Town Council. They had received a letter from the Town of Haverhill putting them on notice that they could not park on the landscaped portions of their lawn. They explained that they often host get-togethers and those visiting their home park on the lawn instead of on the street. Parking on their lawn was not happening daily. Could there be a waiver for unusual circumstances?

Discussion followed and Council gave the background of the Ordinance that regulates parking on the landscaped portions of properties. Alternative parking surfaces were next discussed.

Discussion followed and Council explained they could not discuss specific code cases but in general they, too, were looking at alternative parking solutions for situations like the Creighton's.

APPROVAL OF AGENDA

The Town Administrator requested approval of the November 19, 2021, minutes be removed from the consent agenda. **Motion was made by Council Member Withington, 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 for ~~November 18, 2021, Regular~~ and October 5, 2021, and November 9, 2021, Workshop Meetings

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

PROCLAMATIONS AND PRESENTATION

None.

COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE

None.

COMMENTS FROM THE PALM BEACH COUNTY FIRE RESCUE

None.

REGULAR AGENDA

DISCUSS ORDINANCE NO. 501: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING CHAPTER 54, SUBDIVISIONS, PLATTING AND REQUIRED IMPROVEMENTS, BY DELETING REFERENCES TO PRIVATE ROADS AND DRIVEWAYS BEING ABLE TO SERVE AS ACCESS TO LOTS IN ANY NEW SUBDIVISION; REQUIRING ALL LOTS WITHIN A SUBDIVISION TO HAVE LEGAL ACCESS TO A LOCAL STREET DEDICATED TO THE TOWN; ALLOWING, WITH COUNCIL APPROVAL, THE SUBDIVISION OF LOTS WITHIN THE R-1 SINGLE FAMILY DISTRICT PROVIDED THE LOT WILL BE AT LEAST NINETY FEET WIDE AND MEET THE OTHER REQUIREMENTS OF THE ZONING CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

Mayor Foy opened discussion by explaining that he was reluctant to adopt an ordinance that might not address existing lots of record that were non-conforming. He had asked the Town Administrator to project the property appraiser's website so certain non-conforming properties could be brought up on the screen and viewed by all during the discussion.

The Mayor also had concerns of lots not being able to subdivide if they were located on a private road but otherwise met the standards. Attorney Foster noted he added language to the proposed Ordinance that would allow lots of record that existed at the time of adoption to become legal lots of record. In other words, if a "flag lot" exists by legal subdivision prior to the adoption of Ordinance No. 501, it would become a valid non-conforming lot of record.

Discussion followed with Staff expressing concern that many lots exist within the Town that were not created by legal subdivision. She also expressed concern that many properties within the Town have more than one dwelling unit on them and if this Ordinance were passed, they would never be able to create legal lots of record through a subdivision due to the size of the lots. She suggested that in addition to the lots becoming valid non-conformities at the time of adoption, language be added that pre-existing dwellings on those lots could also become valid non-conformities.

Staff would attempt to pull together a list of those properties that were pre-existing that are non-conforming. They discussed a specific property in Town subdivided by legal description that may have resulted in creating an illegal lot of record.

DISCUSS ORDINANCE NO. 502: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY AMENDING ARTICLE VII, PBI AIRPORT OVERLAY, OF CHAPTER 58, ZONING, BY AMENDING SEC. 58-257, SITE DEVELOPMENT STANDARDS FOR TOWNHOUSES AND ZERO LOT LINE HOMES, BUT CREATING A NEW SUBSECTION AUTHORIZING ONE-CAR GARAGES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES

A brief discussion ensued. The Mayor reiterated that the number of required garage spaces should be tied directly to the number of bedrooms in a unit. He did not support a one car garage for a 4-bedroom unit, adding that most likely a 4 bedroom unit would have four cars which would result in at least one car parking on the street.

Staff reported that a revised site plan had been submitted for the Haverhill Townhome project and that Staff would do a thorough review prior to presenting to Council at the January workshop.

Discuss scope of services, membership, and appoint members to serve on the ARPA Funding Committee

Council agreed to appoint a committee to oversee the projects to be funded through the ARPA program and make recommendations to the Town Council. The Committee would consist of two sitting Council Members and three residents of the Town. Council Member Johnson and Council Member Withington offered to serve on the Committee. Appointments would be made at the next regularly scheduled meeting.

Discuss participation in the Opioid Settlement

The Town Administrator offered Staff's report. The Florida Attorney General had announced that settlements have been reached in the litigation with major manufactures and distributors of Opioids. The County was seeking information from each of the municipalities as to their participation in the settlement so that the funds can be disbursed.

Haverhill would be entitled to receive \$2,769.78, \$122,79 for the ensuing 18 years. Given the amount of the funding the Town would have received, and the Staff time required to participate in the program to request, allocate and report the funding and expenditures, it was the consensus of Council to forego participation.

REPORTS

Town Attorney

Attorney Foster presented Ordinance No.509 to the Town Council for their consideration at their next meeting. The Ordinance would amend the purchasing policy and allow the Town Council to extend a contract or service for up to an additional three years if Council determines the services had been performed in a superior and exemplary fashion.

Council was in support of the Ordinance being scheduled for first reading on January 13, 2022.

Town Administrator

Discuss Solid Waste and Recycling contract with Waste Pro (discussed as part of Attorney's report).

Treasurer's Report

Included in packet.

UNFINISHED BUSINESS

Social Media

Exchange Server/Microsoft Cloud

The Town Administrator next discussed the issues they were experiencing with the Exchange Server hosting the Town's e-mail. They had lost connectivity several times over the past few weeks, and it was the recommendation of the Town's IT providers that the Town consider moving the service to the Cloud through Microsoft 365.

Discussion followed with Council expressing their dismay that they were being forced to license though Microsoft. It was agreed that the matter would be further discussed at the January 2022 workshop.

Discussion next turned to the proposal presented to the Town Council by Digital Content Loft for Digital Marketing Solutions. Council Member Johnson expressed the desire to see the Town be active with social media noting the value of community and community functions.

She added that she would like the Town Council to consider hosting a movie night in the ball field. Council Member Gordon supported the idea.

All agreed that the Staff would obtain additional quotes for digital marketing services and report back to the Town Council.

Mayor's Report

Mayor Foy noted that the annual report for the NPDES program was due.

He then commented on the success of the Mayor's luncheon and thanked Staff for their assistance in putting it together. All agreed it was a wonderful event and the food was delicious.

Committee/Delegate Report

None.

NEW BUSINESS

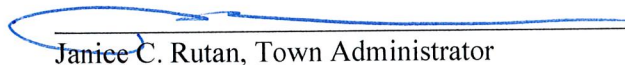
Council Member Johnson inquired on how to authorize the installation of speed humps on Club Circle. It was noted that because Club Circle was a private road the Town could not fund the project.

The Town Administrator gave an update on the Belvedere Road Bridge project.

ADJOURNMENT

With no further business to come before the Town Council, the meeting adjourned at 8:20 p.m.

Approved: January 13, 2022


Janice C. Rutan, Town Administrator


Jay G. Foy, Mayor.

SIGN IN SHEET

**TOWN OF HAVERHILL
REGULAR TOWN COUNCIL MEETING
Thursday, December 16, 2021
6:30pm**

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