

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
Workshop
Town Hall Council Chambers
4585 Charlotte Street
Haverhill
Tuesday, January 4, 2022
NOON**

AGENDA

- I. Call to Order**
- II. Presentations/Proclamations**
- III. New Business:**
 - a. Discuss Cloud Based Microsoft Exchange Server**
- V. Old Business**
 - A. Proposed Ordinances 501 and 502**
- VI. Council, Attorney and Staff Reports**
- VII. 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 WORKSHOP
TUESDAY, JANUARY 4, 2022**

Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until 10:00 a.m. on JANUARY 4, 2022. 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. 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 Workshop
January 4, 2022
Town Hall – 4585 Charlotte Street**

OFFICIAL MINUTES

Pursuant to the foregoing notice, a Haverhill Town Council Workshop was held on Tuesday, January 4, 2022, at Town Hall, 4585 Charlotte Street, Haverhill. Those present were Mayor Jay Foy; Vice Mayor Lawrence Gordon; Council Member Dennis Withington; Council Member Ray Caranci; Council Member Teresa Johnson; Town Attorney Lance Fuchs; Town Administrator Janice Rutan; Deputy Town Clerk Jean Wible; Code Inspector Rico Armstrong; Town Engineer Todd McLeod; Town Planner Josh Nichols.

Also in attendance were Kristen Northrup, Karl Albertson, and Rachel Wolfe all with D.R. Horton, Doug Murray with WGI, Inc., and Kenia Brown with Tru Appliances.

I. CALL TO ORDER

Mayor Foy called the workshop to order at 12:05 pm. Mayor Foy announced this was only a workshop for discussion purposes only and no decisions would be made. He reminded all that workshops are recorded.

II. PRESENTATIONS / PROCLAMATIONS

N/A

III. OLD BUSINESS

A. Proposed Ordinance 501 and 502:

Re: Ordinance #502 (One-Car Garages): Town Administrator Rutan reported that a revised site plan from D.R. Horton had been submitted to staff for their review, but staff was unable to review the site plan because the plans did not meet the Town's current ordinances so therefore, they would have been rejected. T/A Rutan stated that staff was looking at the full review of the potential Palm Beach International Airport Overlay Zone as well as the projects that could occur within that zoning area. T/A Rutan reported that staff met yesterday and had a review of proposed ordinances as well as recommendations from Town Council. **Discussion ensued.**

Town Planner Josh Nichols stated that from a garage standpoint, D.R. Horton was providing about 144 parking spaces which equates to about three and a half (3½) spaces per unit. Town Planner Nichols stated that in general, as it applied to the Palm Beach Overlay area, one (1) garage in this scenario, or for any properties in the PBIO area would be acceptable as long as they were supplying the three (3) spaces per unit with a guest as provided in the code. Town Planner Nichols stated that from staff's perspective, they would be meeting the requirements. Mayor Foy was in favor of the higher parking requirement than what we currently have. **Discussion ensued.**

Mayor Foy stated that he had expressed his concerns to Town Attorney John Foster of what constituted a legal lot document. Does a surveyor who was providing a lot survey to a property owner, constitute as a legal lot. The surveyor may or may not have had a title search done, they may or may not have had a proper easement background search, etc. Mayor Foy stated his problem was with the definition of legal sub-division. Town Attorney Lance Fuchs stated he would take the position that a survey was not necessarily a legal instrument, it is an opinion of survey by the particular surveyor versus title which would really be the gold standard relative to the legal definition of said property. Town Planner Nichols stated that he uses the county a lot as references because they have come into a lot of issues so many times that they have a lot of codes and the county says that you either had to have been platted or you would have had to been created prior to 1973. He reported that Palm Beach County drew a line in the sand and said that if this property was in its same configuration based on the legal description on a survey that you could find or the property appraiser prior to 1973 matched a new survey property of legal description, it's a legal lot. If after 1973 then basically, they were out of luck and would have to go plat. Mayor Foy thought our year was 1992 but T/A Rutan stated it was 1990. Mayor Foy stated that if that was the definition, then we have an answer. **Discussion ensued.**

Re: Ordinance #501 (Right-of-Way Widths): Town Engineer Todd McLeod stated right now there was a 40ft minimum right of way with the utility easements which is what the previously approved site plan was approved under. The D.R. Horton project was proposing some off-street parking, paver driveways, etc. Staff's perception from yesterday's meeting was that there were a couple of ways to work around those issues. The simplest way was to reduce the minimum right-of-way width to 24ft for projects in the PBIO area. It would just basically just give the Town the roads, curbs and gutters which would avoid complications with pavers driveways, on-street parking, and sidewalks. T/E McLeod stated this way the Town would only maintain the road, curb and gutter. Anything outside of that would be private property. T/E McLeod stated that reducing the right of way to 24ft may benefit Ivywood Road as well in the future. Mayor Foy stated setbacks would have to be

increased to allow for the 24ft minimum right-of-way. Vice Mayor Gordon wanted to be sure the ordinances discussed here today (#501 and #502) are made clear that they are only applicable in the Palm Beach Airport Overlay Zone. T/A Rutan reported the visualization of the (20-acre square) airport overlay district was the east side of Haverhill Road at the storage facility, across the road at Haverhill Baptist Church, the former trailer park property, and Ivywood Road. **Discussion ensued.**

Vice Mayor Gordon asked D.R. Horton representatives if they knew what the price range would be for the units. Kristen Northup stated probably somewhere in the mid \$300,000.00's as an average. Vice Mayor Gordon asked if they had done this type of project or one similar anywhere else that could give Council an idea. Kristen stated yes, Town Commons (in Lake Worth) but the units are a little bigger and they went for in the high 300,000.00's. **Discussion ensued.**

IV. NEW BUSINESS

- a. **Discuss Cloud Based Microsoft Exchange Server:** Town Administrator Rutan reported that we had discussed this issue many times however, the issue was that we have been targeted because our server is old. It has failed miserably several times over the holidays. T/A Rutan explained that she tried to work from home but could not receive emails which delayed her addressing resident's issues in real time. T/A Rutan reported that it was the Town's IT company's recommendation to move the exchange server (only) to Microsoft 365 cloud based. This would not be for our programs, database etc. it would just be for our email. Mayor Foy asked what the annual increase would be. T/A Rutan stated it was her understanding that it was \$600.00 per year. Mayor Foy stated there was not much to discuss about this as things are changing with more businesses going to the cloud. Mayor Foy stated this would be on the January 13, 2022, agenda for a vote.
- b. Vice Mayor Gordon reported that while listening to the news this morning, the number one news story was about the new COVID variant Omicron, and its difficulties and problems. He stated that one of the things that really jumped out at him was the doctor who was treating people in the House and Senate in D.C. strongly recommended that they stop the person-to-person meetings and go virtual. Vice Mayor Gordon stated it was being reported that positivity rate was up from 1% to between 15% to 20%. Vice Mayor Gordon stated it is worse here in Palm Beach County. He stated we might want to put careful thought in terms of how we want to conduct our meetings and how stringent we wanted to be about vaccinations and things of that nature. Mayor Foy asked that our Town Attorney's be up to date on whatever the latest rules of

the Governor were and to be ready to advise Town Council at the next meeting. Town Attorney Fuchs stated they will take a look at it and advise. **Discussion ensued.**

- c. Vice Mayor Gordon wanted to remind everyone about early voting if you live in one of the special election districts. Council Member Withington reported he voted on Sunday and was in and out in minutes. T/A Rutan reported that Town Hall will be a polling location for the special election being held next Tuesday (1/11/2022) and will be opened from 7:00a to 7:00p. T/A Rutan stated there must be another special election because they are holding up the printing of all of our ballots to determine who was going to be on the ballot in March 2022.
- d. Council Member Ray Caranci reported that he and several residents in his neighborhood were concerned about how extreme the use of fireworks had become in the Town. T/A Rutan reported that she heard from neighbors abutting Luwal Drive about loud music on both Christmas Eve and Christmas Day. She stated she was surprised that she did not hear any complaints whatsoever from anyone about music on New Year's. **Discussion ensued.**
- e. Mayor Foy mentioned that the preaching on the northeast corner of Belvedere Road and Military continues every Sunday. Council Member Withington stated they seemed to have gotten louder. Mayor Foy reminded all it was on county property so there was nothing the Town could do to control it. Vice Mayor Gordon suggested lodging a complaint with Walgreen's Corporate who owns the building. T/A Rutan reported that a rezoning for land use change was going on right now. She reported that she thought they were increasing the Murphy gas station and making the existing building into a convenience store. **Discussion ensued.**
- f. Mayor Foy asked Kenia Brown if she had anything she wanted to bring up. Ms. Brown stated only about something that was already touched on which was the Sunday visitors on the corner of Belvedere Road and Military Trail. She stated she operated an appliance repair shop at 4500 Belvedere Road in the Town for about 3 years and thought about coming by.
- g. Council Member Caranci stated he was really pleased that D.R. Horton and WGI, Inc were responding to the Town's constructive critiques.
- h. Vice Mayor Gordon asked if there had been anything new regarding the property at 5263 Belvedere Road in regard to the owner and D.R. Horton still talking. T/A Rutan answered no.
- i. Town Administrator Rutan reported that the property the Town had subdivided about two (2) years ago on the corner of Rutherford Lane and Belvedere Road had allowed their variance for their septic to expire. T/A

Rutan explained that after its expiration, Department of Health had cancelled all meetings of their variance board due to COVID. The Dept of Health just reinstated their meetings, and the property owner was re-approved. T/A Rutan reported that the property owner had come in today with his building permit application. **Discussion ensued.**

- j. Council Member Johnson reported she had a discussion with Town Administrator Rutan regarding Johnathan (could not recall his last name) with Housing and Economic Development of Palm Beach County and who oversees the down payment assistance program. Council Member Johnson would like him to come do a presentation once the D.R. Horton project starts moving forward.

V. COUNCIL, ATTORNEY AND STAFF REPORTS

Mayor Foy announced the NPDES reports are due. He stated that technically they were not due until the end of March 2022.

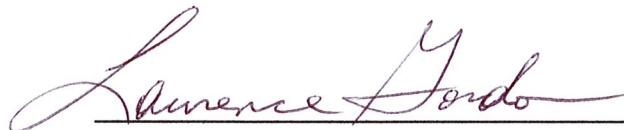
VI. ADJOURNMENT

With no further business, the workshop ended at 12:55 pm

Approved: January 27, 2022



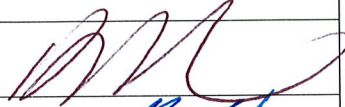
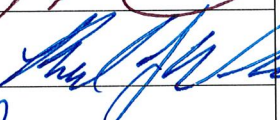



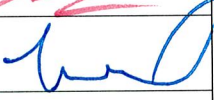

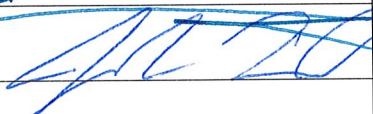
Jean Wible, Deputy Town Clerk



Lawrence Gordon, Vice Mayor

SIGN IN SHEET

TOWN OF HAVERHILL
TOWN COUNCIL WORKSHOP
Tuesday, January 4, 2021
Noon

| Name | E- Mail Address | Signature |
|-------------------|-------------------------------|---|
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| Teresa Johnson | | |
| Ray Caranci | | |
| Dennis Withington | | |
| Jean Wible | | |
| Rico Armstrong | | |
| Janice Ruffin | | |
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