

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, April 5, 2022
NOON – 1:30 p.m.**

AGENDA

(Some items may not be discussed due to time limitation)

- I. Call to Order
- II. Agenda
 - a. WastePro presentation of proposed terms for continuation of Solid Waste and Recycling Contract
 - b. ARPA Advisory Committee's recommendations for resident survey and participation
 1. Traffic Calm Policy/Programs
 - c. Installation of Street Lights in front of Belvedere Park on Belvedere Road
 - d. PBSO Programs
 - e. Review of LWDD Access Gate at the E-3 canal; south of Belvedere Road
 - f. Discuss Ordinance governing removal of dead trees
 - g. Discuss Rental Property Ordinance
- III. Council, Attorney and Staff Reports
- IV. Adjournment @ 1:30 p.m.

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, April 5, 2022**

Public comment will be received via e-mail (jrutan@townofhaverhill-fl.gov) up until 10:00 a.m. on April 5, 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
April 5, 2022
Town Hall – 4585 Charlotte Street**

OFFICIAL MINUTES

Pursuant to the foregoing notice, a Haverhill Town Council Workshop was held on Tuesday, April 5, 2022, at Town Hall, 4585 Charlotte Street, Haverhill. Those present were Mayor Jay Foy; Vice Mayor Lawrence Gordon; Council Member Dennis Withington (**via zoom**); Council Member Teresa Johnson; Town Attorney John Foster; Town Administrator Janice Rutan; Deputy Town Clerk Jean Wible; Code Inspector Rico Armstrong and Town Engineer Todd McLeod.

Also in attendance was Chris Schulle, Division Manager with Waste Pro.

I. CALL TO ORDER

Mayor Foy called the workshop to order at 12:03 pm.

II. AGENDA:

- a. Waste Pro presentation of proposed terms for continuation of Solid Waste and Recycling Contract:** Town Administrator Janice Rutan reported that at the close of the last Town Council meeting on March 24, 2022, Chris Schulle had been directed to work with staff to come up with a rate sheet that would include the per unit, per month price if we would agree to move the vegetation pickup to Wednesday and the per unit, per month price if we kept as is.

Chris Schulle with Waste Pro explained that the biggest issue with Tuesday pickup was the cost by the current subcontractor had increased. Mr. Schulle explained that if the Town changed vegetation to Wednesday pickup, Waste Pro would be able to use their own grapple truck(s) therefore no longer needing the subcontractor which would result in no price increase for the Town. He stated they would work with the Town to do Belvedere Road first thing in the morning (as they typically do). Mr. Schulle reported the only price increase would be that of the CPI (Cost Per Index) in October.

Mayor Foy asked what the cost would be if the Town kept pickup on Tuesday, Mr. Schulle replied a \$5.97 per unit increase per month which would come out to about a \$72.00 increase.

Council Member Teresa Johnson asked if the increase would be absorbed by the residents. T/A Rutan stated the Town does have a Solid Waste Assessment that was implemented to cover the cost of Solid Waste and Recycling unless Town Council decided to make it a part of the General Operating Budget.

Mr. Schulle stated that if the Town were to change to Wednesday pickup of vegetation, Waste Pro would send out a couple of mailings to get the word out to the Town's residents of the upcoming change to take effect October 1st.

Mayor Foy stated all though we could not vote at a workshop, he was for changing the day of week to Wednesday instead of a rate increase. Vice Mayor Gordon and Council Member Withington were also in favor of changing to Wednesday. Council Member Teresa Johnson was against changing the day of pickup to Wednesday. Council Member Ray Caranci was not in attendance today.

CPI (Consumer Price Index): Chris Schulle reported that they are proposing a cap of 6%. Currently it does not exceed 3%, last year it was 5.8% (almost 5.9%) and this year should be around the same. Mr. Schulle stated that with inflation, the cost of doing business going up, the 3% just leaves too much on the table for them.

Vice Mayor Gordon asked if there was any wiggle room to meet each other between the 3% and 6%. Mr. Schulle stated that five ½ % would about the lowest they could go however, after further discussion, Mr. Schulle stated he "live" with the cap at 5%. **Discussion ensued.**

Town Administrator Rutan stated it was also discussed capping vegetation at 6 cubic yards if we kept it at Tuesday pickup but if we're moving the pickup day to Wednesday, are we keeping it unlimited or do you want to keep it at the 6 cubic yards cap. Mr. Schulle stated that if we are going to move pickup to Wednesday, he wasn't going to push the issue of cubic yard. The only thing he would ask is, if a resident hired a contractor, he would like it enforced that the contractor take with them. T/A Rutan reported that staff tells residents to inform us when a huge project will be done so staff can notify Waste Pro ahead of time to be prepared. **Discussion ensued.**

Town Administrator Rutan announced a discussion and authorization of terms of renewal of Solid Waste and Recycling contract with Waste Pro and the authorization of Mayor Foy to sign renewal contract will be on the next Town Council meeting on April 14, 2022, at 6:30pm.

- b. ARPA Advisory Committee's recommendation for resident survey and participation:** Regarding the resident survey and participation, Town Administrator Rutan reported that she had anticipated receiving a proposal by

yesterday from Shauna Smith-Pierre with Digital Content Loft (who had presented at a previous Council Workshop) but as of today's workshop, it had not been received. T/A Rutan provided a quick overview of the zoom discussion she and Council Member Johnson had with Ms. Pierre on March 29, 2022.

1. **Traffic Calm Policy/Programs:** T/A Rutan reported this past Monday, she had a resident that lives on Ontario Road come to Town Hall very, very upset as he watched his child's life flash before his eyes because he was almost hit by a speeding car. T/A Rutan explained that this particular road is a short road with not many homes on it so there really should only be local traffic on it. The property owner wanted to know if there was anything the Town could do. T/A Rutan stated that she knew that traffic calming devices in our residential areas was on the ARPA list of possible funding. T/A Rutan reported that she had spoken with Town Engineer Todd McLeod about this.

Town Engineer McLeod stated that about 2-3 years ago, there was some discussion about developing a Town speed hump policy. He believed it was on Palmetto Road. However, the consensus at that time was that it had more complications than benefits by adding more speed humps because of noise complaints from residents that did not want them or the slowing down of emergency vehicles such as Fire Rescue, etc. T/E McLeod reported that traffic calming was something that the ARPA Advisory Committee wanted to look at and the potential use of ARPA funds. T/E McLeod provided designs of traffic calming devices such as narrowing streets with textured pavement, rumble strips, to Town Council which were not speed humps. Vice Mayor Gordon asked what the comparative pricing was between the suggestions. T/E McLeod stated he had not looked into pricing as of yet but felt certain the rumble strips would be the least expensive. **Discussion ensued.**

- c. **Installation of Street Lights in front of Haverhill Park on Belvedere Road:** Town Administrator Janice Rutan reported that at a recent meeting, Town Council had talked about Haverhill Park not having enough lighting, dog baggies, garbage receptacles, etc. T/A Rutan and Mayor Foy had met with Commissioner Weiss and discussed the lighting issues on Belvedere Road (in front of Haverhill Park). Commissioner Weiss then reached out to Stephanie Mitrione with Florida Power & Light. Ms. Mitrione emailed T/A Rutan lighting information and stated the county was fine with the Town installing lights in the county's Right-of-Way as long as the Town was willing to pay for the installation and include those lights in the Town's inventory of streetlights. In her email to T/A Rutan, Ms. Mitrione asked for the Town to specify type of lights, locations of desired lights on aerial map, what type of pole along with what mounting height desired and what roadway fixture the Town would like to use in the application. Mayor Foy would like the Town to reach out to the county for their signs and marketing plans to

see if they have plans to add more streetlights before Town Council moved forward on this. **Discussion ensued.**

- d. **PBSO Programs:** Town Administrator Rutan stated that if Town Council was in support of license plate readers, the actual license plate readers may be funded by the ARPA funds. T/A Rutan reported that the Town would have to purchase the actual readers but once the cameras were installed, the maintenance, the reading of the information etc. would be all PBSO. T/A Rutan reported that if Town Council were interested, Sergeant Segedin with the PBSO would come and make a presentation of the program to include the cost. Town Attorney Foster wondered if the videos would be exempt from public records law. T/A Rutan felt the record would not be the Town's because the Town would not be maintaining it. Town Attorney Foster stated he would have a real problem with the fact that we are authorizing someone to come into the Town to make videos and somehow, we are not required to make them a public record. T/A Rutan stated that under state law, she was sure PBSO would be required to make it a public record. Mayor Foy stated we could bring this up to all of Town Council for a consensus. **Discussion ensued.**

Town Administrator reported that PBSO had reached out to her to see if the Town would give them access to Town Hall cameras. She explained that as examples, if the 7-11 were to be robbed or if there was a hit and run. At this time, they have to wait for T/A Rutan to come in to play back. This way they would have immediate access. T/A Rutan stated she had no objection to it. Vice Mayor Gordon asked if we granted access, would they have access to anything else. T/A Rutan stated no. She explained that she currently has access via her cellphone. Council Member Johnson asked if just outside cameras. T/A Rutan stated no, it would be inside as well however, it is only the common areas not offices which would be the hallway and Council Chambers. T/A Rutan stated it would only be Sergeant Segedin that would have access information. **Discussion ensued.**

- e. **Review of LWDD Access Gate at the E-3 canal, South of Belvedere Road:** Town Administrator reported there are vehicles traversing the canal on the south side of Belvedere Road on east side of the canal. She explained that we had a similar situation on Pineway Road so the Town put gates there to stop people from doing the same thing. She reached out to Lake Worth Drainage District and their response via email (a copy attached) was that they will only allow an access gate at the E-3 Canal right-of-way just south of Belvedere Road, fifty feet from road right-of-way. The application fee is \$610.00. Access gates must be fabricated and installed according to LWDD approved plans and specifications. LWDD will supply the access gate and bollards, after the fee of \$2125.00 is paid by the Town and the permit is issued. The access gate will only block vehicular traffic therefore if applicant would like to add a chain link fence and gate LWDD

will allow that. The chain-link fence and chain-link gate will be the responsibility of the Town. Council Member Johnson reported that she heard an all-terrain vehicle going back and forth around 11:00pm as her property runs parallel to the canal. **Discussion ensued.**

- f. **Discuss Ordinance governing removal of dead trees:** Town Administrator Rutan reported that at last Town Council meeting, a resident came to complain that he was not allowed to use his dead tree for art. T/A Rutan explained that he wanted the opportunity to take his dead tree and make it into a pelican. She stated that the Town's ordinance was very specific that dead trees must be removed. It reads: **Lands to be kept free from trash or filth.** The owners and occupants of lands within the town shall keep the lands and one-half of any abutting town street, right-of-way, alley or easement free from any accumulation of trash or filth, broken tree limbs or branches, uncontained garbage or refuse, any containers or materials which could hold or conceal pools of water and heavy, dense or dank growth of weeds, grass, underbrush, Florida Holly trees, or other uncultivated vegetation, **or other dead or living plant life, which might constitute a fire hazard, serve as a breeding place for or harbor insects,** or pests or vermin, or give off an offensive odor which shall, in each case, constitute a nuisance when any parts or accumulation of growth are located within 50 feet of the boundary of any developed or maintained adjacent property located in the corporate limits of the town. If accumulation or growth constituting a nuisance is located on lots of one-half acre or more in size, then only that area which is within fifty feet or less from the nearest boundary shall be declared to be a nuisance. It is further found and declared that the accumulation and growth are detrimental to the economic welfare of the adjacent property, and injurious to the public safety, health and welfare of the town and its inhabitants. Such nuisances also adversely affect the economic growth, stability and prosperity of the town and its inhabitants. It is further found and declared that dense undergrowth, weeds, and vegetation, either cultivated or uncultivated, that are allowed to grow so as to impede and obstruct the normal view of intersections, or traffic signs from streets, roads, and highways, are traffic hazards and are hereby declared to be a nuisance. Town Attorney Foster stated he will research the Town's property standards and report his findings at the April 14, 2022, Town Council meeting. **Discussion ensued.**

- g. **Discuss Rental Property Ordinance:** Town Administrator Rutan reported that WPTV had an article this morning that said if an apartment is considered luxury, they cannot limit the increase. Vice Mayor Gordon asked if they defined luxury. Town Attorney Foster stated that is a problem. Vice Mayor Gordon stated that because this was on the agenda, what specific problem were we trying to address. Council Member Johnson stated we had previously asked Attorney Foster to look at the ordinance that Miami-Dade County had passed to see what language was in there in terms of what the Town could do to stabilize or put

something in place that would limit the increase that landlords could place on tenants. Town Attorney Foster stated that one of the interesting things in the Miami-Dade ordinance, in the recitals, was they say that out of 895,801 households in Miami-Dade, almost half are renting. He reported the average amount of rent in Miami as of December 2021 was \$3,020.00. Attorney Foster stated that basically what the ordinance does is just say basically that when a person was on a month-to-month tenancy, it could not be terminated in fifteen (15) days. They would have to give sixty (60) days' notice. Vice Mayor Gordon stated that this only applied for month to month not a year's lease. Town Attorney stated correct and if it is a written lease, it does not apply. Town Attorney also stated there was a Florida Statute that governs residential tenancies. Town Attorney Foster stated Town Council will have to weigh in at the next Town Council meeting on April 14, 2022, on whether to adopt an ordinance that deals with a time period. Town Attorney stated that would be about all that the Town could do otherwise, to have any kind of rent control ordinance, the Town would have to have a referendum every single year. **Discussion ensued.**

III. COUNCIL, ATTORNEY AND STAFF REPORTS

Vice Mayor Gordon reported that he and Town Administrator Rutan attended the PBSO State of Public Safety in PBC fundraiser for the foundation this morning at the Palm Beach Kennel Club. There were several elected officials from other Municipalities in attendance. He stated the Sheriff Bradshaw gave a presentation of where things were, and the question was posed to him of when the body cameras would be available. Sheriff Bradshaw announced that they were looking at three different manufacturing companies right now and trying to pick the very best one.

Town Administrator Rutan stated that PBSO would have a dispatch center that would monitor all of the body cameras so it would be seen immediately by a supervisor.

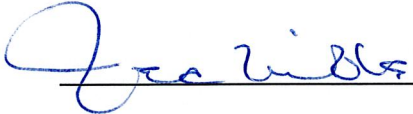
Vice Mayor Gordon reported on speaking with the administrator from the criminal justice division. He stated that one of the big issues there is whether or not bail should be reduced or eliminated for petty crimes because so many people are being held in jail for really petty things and cannot afford to pay the bail. Discussion ensued.

Vice Mayor Gordon reported that the city of Palm Beach Gardens and the County were fighting (have a current lawsuit) about impact fees versus mobility fees and the County had won the first round. He will keep all updated.

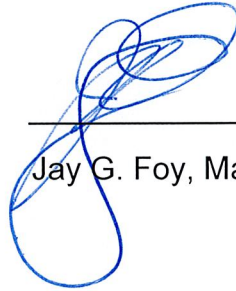
IV. ADJOURNMENT

With no further business, the workshop ended at 1:50 pm

Approved: May 12, 2022



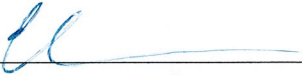

Jean Wible, Deputy Town Clerk



Jay G. Foy, Mayor

SIGN IN SHEET

**TOWN OF HAVERHILL
TOWN COUNCIL WORKSHOP
Tuesday, April 5, 2022
Noon**

Name	E- Mail Address	Signature
Chris Schulle	cschulle@wasteprawn.com	
Todd McLeod	todd@uncleodsecurity.com	
John Foster		
Jay Fay		
Lawrence Gordon		
Teresa Johnson		
Janice Ruten		
Sean Wible		
Rico Armstrong		
Dennis Withington	via zoom	