

**TOWN OF HAVERHILL
TOWN COUNCIL REGULAR MEETING
THURSDAY, AUGUST 24, 2023
6:30 P.M.
OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held on Thursday, August 24, 2023, at the Town Hall, 4585 Charlotte Street, Haverhill, FL.

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 in the Pledge of Allegiance.

ROLL CALL

Town Administrator Stevens called the roll and Council Members present were Mayor Jay G. Foy, Vice Mayor Lawrence Gordon, Council Member Ray Caranci, Council Member Teresa Johnson, and Council Member Dennis Withington. Town Staff present included Town Attorney John Foster, Town Planner Josh Nichols, and Town Administrator Tracey Stevens. With a quorum present in the Council Chambers, the meeting proceeded.

COMMENTS FROM THE PUBLIC

Mayor Foy called for public comment, and there was none.

APPROVAL OF THE AGENDA

Mayor Foy asked if there were any additions, deletions, or modifications to the agenda, and Town Administrator Stevens and Town Administrator Stevens reserved the right to postpone items #11.a. and 11.b. to the next meeting due to time constraints.

Council Member Johnson moved to approve the agenda as amended; seconded by Vice Mayor Gordon. Motion carried 5-0.

APPROVAL OF THE CONSENT AGENDA

1. **Approval of the minutes of the August 10, 2023, Special Meeting**
2. **Ratify the Time Change for All Future Town Council Meetings to 6:00 p.m.**
3. **Approval of Federal Fiscal Year 2022 (County Fiscal Year 2023) Edward Byrne Memorial Justice Assistance Grant (JAG) Program (JAG-Countywide) funds allocation in the total amount of \$322,342, of which \$240,228 will be allocated to the Countywide Re-Entry Program, and \$82,114 will be allocated to Equipment for Law Enforcement Agencies Countywide**
4. **Approval of United Healthcare Insurance Renewals for October 1, 2023 – September 30, 2024**
5. **Approval of Preferred Governmental Insurance Trust General Liability and Workers' Comp Insurance Renewals for October 1, 2023 – September 30, 2024**

Council Member Withington moved to approve the consent agenda as submitted; seconded by Vice Mayor Gordon. Motion carried 5-0.

PROCLAMATIONS AND PRESENTATIONS

There were no proclamations or presentations scheduled.

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COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE (PBSO)

Deputy Kayla Schnell of PBSO reported on the statistics for the last 30 days which included the report of a stolen vehicle tag off Briarwood Drive, vandalism to a vehicle off Club Road, a drunk driving arrest on the corner of Haverhill Road and Belvedere Road, a residential burglary off Club Road in which an arrest was made at the scene, a vehicle burglary at the strip mall on Military Trail, a trespass arrest at the 7/11 on Military Trail, 176 business and residence checks, and 85 traffic stops.

COMMENTS FROM PALM BEACH COUNTY FIRE RESCUE

District Fire Chief Ricky Rodriguez introduced himself and reported that he would be covering for District Fire Chief Tracey Adams while she is on leave. He mentioned that he would be taking two weeks of vacation beginning next week, and that he would follow up upon his return.

(Note: This item was taken up later in the meeting when District Fire Chief Ricky Rodriguez arrived.)

PUBLIC HEARINGS & ORDINANCE READINGS

6. Second Reading and Adoption of Ordinance No. 513:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, ADOPTING PLAN AMENDMENT 22-01 TO THE TOWN OF HAVERHILL COMPREHENSIVE PLAN TO IMPLEMENT AMENDMENTS RELATING TO ITS EVALUATION AND APPRAISAL REPORT; TO REMOVE ITEMS WHICH CITE CHAPTER 9J-5 OF THE FLORIDA ADMINISTRATIVE CODE; TO CLAIM EXEMPTION FROM SECTION 163.31777, FLORIDA STATUTES, RELATING TO SCHOOL CONCURRENCY; TO ADD AN OBJECTIVE IN THE FUTURE LAND USE ELEMENT WHICH ACKNOWLEDGES THE CREATION OF THE PALM BEACH INTERNATIONAL AIRPORT OVERLAY; AND TO ADD A PROPERTY RIGHTS ELEMENT TO THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT, PROVIDING FOR AUTHORITY TO CODIFY; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Town Attorney Foster read Ordinance No. 513 into the record by title only.

Mayor Foy called for public comment, and there was none.

Mayor Foy called for Council Member discussion, and Council Member Caranci noted that he noticed a couple of scrivener's errors that need to be fixed, and stated he would follow up with Town Administrator Stevens.

Council Member Withington moved to adopt Ordinance No. 513 on second reading as submitted and with the correction of any scrivener's errors; seconded by Council Member Johnson. Motion carried 5-0.

REGULAR AGENDA

7. Review Waiver Request for 4950 Luwal Drive to Allow Commercial Vehicle Parking in a Residential District

Lisa Reves, Attorney for the Applicant, presented the waiver request for 4950 Luwal Drive to allow a commercial vehicle to be parked in a residential district under Code Section 38-9 (c). She provided handouts for the Council to review, which were accepted into the record.

Town Attorney Foster stated that if the Council wishes to grant the waiver, several conditions should be met. Specifically, a concrete driveway will need to be installed, the vehicle will need to be stored so as not to be visible from the roadway or adjacent properties, and the waiver should be time limited.

The Council asked for clarification as to whether the waiver request is for one vehicle, or additional vehicles and equipment as shown in the photographs, and Ms. Reves clarified that the applicant is requesting a waiver for one specific truck.

Mayor Foy called for public comment. Sherri Gerris of 4920 Luwal Drive spoke to the Council regarding commercial businesses being run out of homes in a residential neighborhood which is different than the commercial businesses in a commercial district. She stated that the commercial vehicles are continually tearing up the road and that's why she objects to the waiver request. She stated that the commercial vehicles being lined up along the roadway force vehicles travelling along the road to traverse through large potholes. She noted that all of this was going on again just one hour prior to this meeting. She stated that the waiver request sounds like it is asking for a waiver for more than one vehicle, and she would object to that.

Discussion ensued by Council Members and Town Attorney Foster regarding the waiver request and potential conditions for approval.

Vice Mayor Gordon moved to approve the waiver request for one specific commercial vehicle for one year with the following conditions: applicant to supply the Town Administrator with the vehicle details including year, make and model; a concrete driveway sufficient to accommodate a large commercial vehicle be installed; sod around the driveway to be replaced; and an eight foot barrier either fence or hedge or combination to be provided in the rear, side and front yards to screen the vehicle from view from the street and adjacent properties; seconded by Council Member Withington. Motion carried 5-0.

Prior to the vote, Mayor Foy commented that he believes this is a bad idea; however, with all the specific conditions applied to the specific lot, he can accept it even though he believes it is a bad idea in general that could spread like wildfire.

8. Correct Clerical Error in Ordinance No. 508 to Change from Category Two to Category Three Purchasing Threshold

Town Attorney Foster explained that there is a scrivener's error in Ordinance No. 508. In Section 2-66(a), the reference to Category Two in F.S. 287.017 should actually be Category Three. Category Three matches the threshold of \$65,000 as set forth in the ordinance, and that was the original intent. Town Administrator Stevens stated that although she could have made the change since it is only a scrivener's error, she brought it to the Town Council since it involves the purchasing code and she didn't want to give the appearance of making a unilateral decision to give herself additional purchasing authority.

There was consensus of the Council to allow Town Administrator Stevens to cure the clerical error in Ordinance No. 508 as presented, changing the words "Category Two" to "Category Three" in Section 2-66(a).

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9. Discuss FY24 Proposed Budget

Town Administrator Stevens presented the proposed FY24 budget and stated that the goal mil rate reduction to 4.05 is being utilized, while also being able to increase employee salaries by 7% which is 2% higher than originally proposed. She indicated that research shows neighboring municipalities are proposing similar salary increases this year, as the current rate of inflation is 6.9% and the social security increase was 8.7% this year as well.

Town Administrator Stevens introduced a community engagement survey tool by a company called Polco to address a suggestion by Council Member Johnson. She noted the cost is \$3,900 for a two-year period and asked the Council if they are interested in moving forward. After discussion by the Council, it was decided to hold off on this software until the Town's Civic Ready software is rolled out and utilized.

There was consensus of the Council to approve 7% raises for employees in the FY24 budget, and to utilize the 4.05 mil rate.

10. Discuss Street Lighting Enhancements

Mayor Foy recapped the discussion from the last meeting since not all Council Members were present. He stated that he learned that the County goes directly to FPL and rents the street light poles and suggested that the Town may want to do the same. He stated that the Town may or may not need a photometric study and suggested that the Council complete the street lighting map as the next step.

Council Member Caranci stated that he would also like to speak with FPL regarding vegetation management and repair of the FPL lines in his neighborhood in conjunction with street lighting.

There was consensus of the Council to invite FPL representatives to an upcoming workshop.

REPORTS

11. Town Attorney

- a. **Legislative Update – postponed to next meeting**
- b. **Council Member Orientation Memo – postponed to next meeting**

Town Attorney Foster noted that these items will be postponed to the next meeting due to time limitations.

12. Mayor

(Note: This item was taken up after the Town Administrator's Report.)

In the absence of Mayor Foy, Vice Mayor Gordon reported that proposed changes to sovereign immunity laws did not pass this legislative session; however, it is suspected that changes will reappear next legislative session to increase the caps. He also reported that changes to the tort reform in negligence type cases passed this legislative session. The statute of limitations used to be four years to resolve the case, and now it is two years. He stated that the new law provides that health insurance holders must use doctors provided through their health insurance which should lower the claims. He noted that a lot of lawsuits were filed prior to the new law going into effect. Vice Mayor Gordon also reported that impact fees will remain as opposed to the proposed mobility fees.

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13. Town Administrator

Town Administrator Stevens reported that the Palm Beach County Inspector General sent a letter to all municipalities in the county to inform them they would be conducting a risk and compliance review of all municipalities in the month of September.

Town Administrator Stevens reported that Town Council voted at the last meeting to opt into the Florida Division of Emergency Management's (FDEM) new initiative called Florida Recovery Obligation Calculation (FROC), which is a program that standardizes, streamlines, and simplifies the Public Assistance process. The new program should result in a quicker recovery and reduced risk for Applicants such as the Town when applying for FEMA assistance following a natural disaster. However, Town Administrator Stevens reported that she attended the all-day training session regarding FROC and learned that the Town would need to meet the \$1 million threshold in hurricane damages to be eligible for the program. She stated that it is very unlikely that the Town would ever meet that threshold unless there was a catastrophic event, and the program is very onerous for a small staff, so it does not make sense to opt in at this time. **There was consensus of the Council to not proceed with FROC implementation.**

Town Administrator Stevens offered Town Council Members the opportunity to receive a government issued employee ID. Council Members wishing to receive an ID should stop by Town Hall for a photo op.

Town Administrator Stevens suggested that the Town sponsor a Halloween "Trunk or Treat" event where members of the public will setup their vehicles at the Town Hall facility and decorate their trunk with Halloween decorations and hand out candy to the children. She stated that she could possibly have a face painter available and hand out popcorn. **There was Council consensus to sponsor the event.**

Mayor Foy left the meeting at 7:07 p.m. as planned and handed the gavel to Vice Mayor Gordon.

14. Treasurer

The Treasurer's Report was submitted and accepted for July 2023. Town Administrator Stevens noted that the Town is on track with revenues and expenditures.

15. Committee Delegates

Council Member Johnson reported that she attended a Town Hall meeting called by a School Board Member regarding renovation of the old Roosevelt Middle School. She stated the School Board is committed to at least phase one renovation. There were concerns from the community that the original vision was for a museum and cultural library. She stated she also attended a School Board meeting regarding the African American curriculum and what has been passed by the State Board of Education. She noted that was also a topic of conversation at the Town Hall meeting here in Haverhill. She stated that people are advocating to teach fact not fiction.

Council Member Johnson asked Town Administrator Stevens to contact the County Administrator to request funding in the FY2024-2025 budget for basketball court lighting at Haverhill Park. There was Council consensus to do so.

Council Member Johnson asked if staff had contacted the developer of the townhomes project to inquire about price point signage. Town Administrator Stevens responded that she had contacted the developer and has not heard back from them yet. She stated she would follow up again.

Council Member Johnson asked when the next newsletter would be distributed, and Town Administrator Stevens stated that she hopes to distribute one soon. She noted that every time she begins, something else comes up such as an IG Audit, but it is her goal to complete this soon.

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UNFINISHED BUSINESS

Vice Mayor Gordon asked for an update on the annexation request from Meritage Homes, and Town Attorney Foster stated that staff would be meeting with WGI and Meritage Homes on August 31st to discuss this. He stated that the developer has hired a land use attorney to address the comments from the County; however, Town Staff would be recommending that the Council not move forward with the annexation due to the County comments regarding potential litigation. He stated that there is also new legislation that will require the Town to hire experts and create an annexation report prior to approving any annexation. Town Administrator Stevens stated that the County is focused on affordable housing at this time, and they would like to retain all land available to them for that purpose. The Town does not have a code addressing affordable housing requirements, so if the developer annexes into Haverhill, affordable housing options could be lost.

NEW BUSINESS


Council Member Caranci mentioned that he recently spoke with a resident who would like to re-establish a Beautification Committee. He mentioned that the past Beautification Committee recognized a “House of the Month” and people felt connected to the town. The main focus of the committee will be landscaping in the medians along Haverhill & Belvedere Roads as well as Town Hall beautification. He asked if Town Administrator Stevens could research the County permit for landscaping & irrigation in the medians that is currently active. He stated that the Town has the responsibility for maintaining the landscaping in the medians in perpetuity, as the Town received a grant to install the landscaping. He stated that the irrigation and vegetation has been destroyed over time by vehicles. Town Administrator Stevens mentioned that she recently met with the Infrastructure Surtax Committee and discussed beautification of the medians. She noted that she did some research and found that the infrastructure surtax funds cannot be used for beautification purposes. Town Attorney Foster agreed with that assessment. Council Member Caranci asked if ARPA funds could be used for that purpose, and Town Administrator Stevens responded that the ARPA funds have already been earmarked for other projects. She stated she would be bringing proposals for the ballfield to the Council soon.

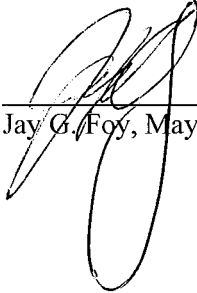
ADJOURNMENT

There being no further business to come before the Town Council, the meeting adjourned at 7:36 p.m.

Minutes prepared by Town Administrator Stevens and adopted by the Town Council on September 14, 2023.

Approved: _____


Tracey L. Stevens, Town Administrator


Jay G. Foy, Mayor

SIGN IN SHEET

TOWN OF HAVERHILL
 REGULAR TOWN COUNCIL MEETING
 Thursday, August 24, 2023
 6:00pm

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