

**TOWN OF HAVERHILL
TOWN COUNCIL REGULAR MEETING
THURSDAY, FEBRUARY 22, 2024
6:00 P.M.
OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held on Thursday, February 22, 2024, at the Town Hall, 4585 Charlotte Street, Haverhill, FL.

CALL TO ORDER

Mayor Foy called the meeting to order at 6:00 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 Administrator Tracey Stevens, and Public Services Coordinator Joe Petrick (attending by phone). With a quorum present in the Council Chambers, the meeting proceeded.

COMMENTS FROM THE PUBLIC

There were no comments from the public offered at this time.

APPROVAL OF THE AGENDA

Mayor Foy inquired if there were any additions, deletions, or modifications to the agenda, and there were none.

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

APPROVAL OF THE CONSENT AGENDA

1. Approval of the Minutes of the January 25, 2024, Regular Meeting
2. Designation of Voting Delegate & Alternate Voting Delegates to the Palm Beach County League of Cities

Council Member Caranci moved to approve the consent agenda as submitted; seconded by Council Member Johnson. Motion carried 5-0.

PROCLAMATIONS AND PRESENTATIONS

3. Rhonda Giger, General Counsel, Palm Beach County Commission on Ethics, gave an annual update to the Council.

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

Deputy Johnson reported on the statistics for the last 30 days which included theft, armed business burglary, vehicle burglary, approximately 100 traffic stops, and 157 business/residential checks performed by permit deputies.

Council Member Johnson thanked PBSO for handling her complaint regarding trespassers in her community.

Council Member Withington asked about red-light infractions, and Deputy Johnson indicated that PBSO currently has a grant to enforce those.

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COMMENTS FROM PALM BEACH COUNTY FIRE RESCUE

Acting District Fire Chief Craig Spiegelhalter reported on the statistics for the month of January which included 11 medical calls, 4 motor vehicle accidents, 3 fire alarms, and 1 assist/investigation, for a total of 19 events. The average response time was 6.34 which is average for the area. He also described other events and initiatives that the Fire Department has recently been involved with, as well as their recent hiring process.

Council Member Johnson asked if the fire alarms were actual fires, and Chief Spiegelhalter responded that there were no actual fires; the alarms were false alarms.

Mayor Foy asked about information regarding recent bicycle and motorcycle crashes near our area, and Chief Spiegelhalter stated the data is included under motor vehicle accidents; however, he doesn't have any additional information. Deputy Johnson responded that more information may be obtained through PBSO crash reports.

REGULAR AGENDA

4. Selection of Contractor for Fence Portion of the Ballfield Reconfiguration Project

Town Administrator Stevens reported on the quotes that were received for the fence portion of the ballfield reconfiguration project and gave an overview of the different options. Discussion ensued regarding the project and different options and Town Administrator Stevens and Public Services Coordinator Petrick answered questions that the Council had regarding the project.

Mayor Foy called for public comments, and there were none.

Council Member Withington moved to select "Alpha Fence" as the fence contractor for the ballfield reconfiguration project at the quoted price of \$17,983.80 for option 5 and \$1,913.18 for a 10' wide black gate along Durham Street, along with a 10% contingency, and to authorize the Mayor or Town Administrator to sign the necessary contract documents; seconded by Vice Mayor Gordon. Motion carried 5-0.

5. Approve a Construction Contingency of 25% for the Demolition Portion of the Ballfield Reconfiguration Project

Town Administrator Stevens noted that a construction contingency wasn't previously approved for this project, and the contractor incurred some unanticipated costs for the removal of the tall light posts in the rear of the field. She recommended approving an additional \$4,500 for this project to cover actual costs. Vice Mayor Gordon asked if this price could be negotiated, and Town Administrator Stevens stated that the contractor went above and beyond for the town on this project and did some additional work in the bathrooms that was also unanticipated. She indicated that \$4,500 is a fair price for the work that was performed.

Council Member Caranci moved to approve payment of \$4,500 to Ibero Property Management Corp for additional project costs for the ballfield demolition project; seconded by Vice Mayor Gordon. Motion carried 5-0.

6. Resolution No. 2024-01: A Resolution of the Town Council of the Town of Haverhill, Florida, Expressing Support for the Extension and Continuation of the Palm Beach County One-Cent Sales Surtax to Fund Local Infrastructure Projects Through December 31, 2036; Providing for an Effective Date; and for Other Purposes

Town Attorney Foster read Resolution No. 2024-01 by title only into the record.

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Mayor Foy stated that this topic was discussed at the Palm Beach County League of Cities (PBCLOC) District II/III meeting, and it was noted that the School District plans to move forward with their own ½ cent sales tax question on the ballot. He noted that 34 of the 39 municipalities in Palm Beach County have adopted a resolution in support of the continuation of the infrastructure surtax.

Vice Mayor Gordon mentioned that the PBCLOC will be meeting with the Board of County Commissioners next week and will present all of the resolutions in support of the measure, along with a list of infrastructure projects that may not be funded if the infrastructure surtax does not continue. Council Member Caranci stated that there are a lot of critical infrastructure needs in Haverhill, and Town Administrator Stevens stated that those projects will need to be funded out of the property tax levy if the infrastructure surtax ends. She noted that the Town receives approximately \$200,000 per year in surtax funds.

Council Member Withington moved to adopt Resolution No. 2024-01; seconded by Council Member Johnson. Motion carried 5-0.

7. Resolution No. 2024-02: A Resolution of the Town Council of the Town of Haverhill, Florida, Adopting Purchasing Policy and Procedures

Town Attorney Foster read Resolution No. 2024-02 by title only into the record.

Town Administrator Stevens stated that the Town currently does not have a formal purchasing policy or procedures. Due to that, the Office of the Inspector General, during its audit of the Town five years ago, issued a finding that the Town's controls for financial operations and reporting could be enhanced. Town Administrator Stevens stated she agrees with the OIG findings and developed Purchasing Policy & Procedures for the Town Council's review. She stated that although she has the authority under Town Code Section 2-66 (c) to develop and implement the Purchasing Policy & Procedures, she is recommending that the Council review and adopt the policy prior to implementation since it speaks to purchasing thresholds.

Council Member Caranci moved to adopt Resolution No. 2024-02; seconded by Council Member Withington. Motion carried 5-0.

8. Approval of Hiring Wynn & Sons for Traffic Calming Project in Ponderosa Neighborhood Under Current Agreement for Minor Construction Projects Utilizing ARPA Funds at a Cost Not to Exceed \$34,278.22

Town Administrator Stevens noted that town staff consistently receives complaints from residents in this neighborhood regarding speeding. Since the Town installed traffic calming devices on a couple of the streets, cars are now bypassing those streets and speeding down Ponderosa and Mimosa. The traffic calming plans were submitted in the meeting package for review by the Council, and staff recommends hiring Wynn & Sons under the Town's current agreement for Minor Construction Projects with Wynn & Sons utilizing ARPA funds at a cost not to exceed \$34,278.22. Discussion ensued regarding the need for the traffic calming devices and the costs for the project.

Council Member Johnson moved to hire Wynn & Sons for the traffic calming project in the Ponderosa neighborhood under the current agreement for minor construction projects utilizing ARPA funds at a cost not to exceed \$34,278.22; seconded by Council Member Withington. Motion carried 5-0.

REPORTS

9. Town Attorney

Town Attorney Foster reported that several municipalities are joining a lawsuit regarding Form 6 requirements. In addition, he stated he is following legislation that may affect Haverhill such as the sovereign immunity bill. Discussion ensued regarding sovereign immunity and Form 6 requirements.

10. Mayor

Mayor Foy mentioned that the street lights that are out along Military Trail, Belvedere and Haverhill Roads are a safety issue and may be a contributing factor in traffic crashes involving pedestrians. The amount of time it is taking FPL to fix the issues is problematic. Town Administrator Stevens stated she will reach out to our representative one more time before she begins to move the issue up the chain.

11. Town Administrator

Town Administrator Stevens noted that her written monthly report was submitted in the Council packages which included the following:

- a. A septic map that was provided by Mock Roos was distributed to the Council for review. Discussion ensued regarding the map and it was mentioned that some of the data may be incorrect, as it is believed that 7/11 is on sewer, but is marked on the map as having septic. Town Administrator Stevens stated the first step will be for the Council to decide whether or not it wishes to proceed with septic to sewer, and she will place an item on the next agenda for discussion.
- b. Amendment 3 of the TPA's Transportation Improvement Program was recently published, and there was an item on the plan for intersection improvements for Belvedere/Haverhill Road. Those improvements were not listed on the County's 5-Year Road Program, so Town Administrator Stevens reached out to the County for an explanation. The County Engineer assured the Town that intersection improvements are not planned, and he is going to reach out to the TPA and ask them to remove it from the Transportation Improvement Program.
- c. Council Member Caranci noted that the Town Engineer is working on the finalized street lighting plan to submit to FPL.

12. Treasurer

The Treasurer's report for January 2024 was presented by Town Administrator Stevens and accepted by the Town Council.

13. Committee Delegates

Vice Mayor Gordon reported that he recently attended the Criminal Justice Commission meeting. He noted that the location of the meetings has changed.

Vice Mayor Gordon reported that he attended the Issues Forum Executive Committee meeting and the committee accepted the sub-committee recommendations regarding County street lighting.

Council Member Johnson reported on the Citizens Committee on Airport Noise and stated that the noise monitoring system has been updated and they are receiving good data. They are adjusting the meeting time so the public can attend. She also stated that the FAA is proposing an airspace change regarding areas to the West.

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Mayor Foy reported that the FDEP filed a motion seeking a partial stay in response to the federal court order divesting DEP of its authority to issue State 404 program permits for wetlands in Florida. The court ruled that there needs to be stricter enforcement of the guidelines for wetlands permitting to protect endangered species.

Mayor Foy stated that he attended the NPDES meeting and it will be another fiscal year before a new five-year permit is received. He stated that we are currently on the 8th year of a five-year permit.

Mayor Foy reported that he attended the PBCLOC District II/III meeting and the topic of the meeting was artificial intelligence. He stated that the voice recognition functions are very disturbing, and can be used in harmful and deceitful ways to influence elections, etc.

UNFINISHED BUSINESS

There was no unfinished business to come before the Council at this time.

NEW BUSINESS

Council Member Johnson requested that the Town purchase an advertisement in the program for the upcoming Palm Beach County Caucus of Black Elected Officials Scholarship Luncheon to thank the group and offer the Town's congratulations to the scholarship recipients. The full page ad will cost \$350 and will help fund the scholarships. Discussion ensued regarding the legalities of authorizing the expenditure of funds without an item being listed on the agenda and properly advertised to the community who may want to speak on the item, and where in the budget the expenditure would be funded from. Town Attorney Foster stated that there is a distinction between expending funds for a political purpose and expending funds for donating to a scholarship fund and supporting an organization that Council Members are members of as part of their official duties.

Vice Mayor Gordon moved to expend \$350 out of advertising budget for a full page ad in the program for the Palm Beach County Caucus of Black Elected Officials Scholarship Luncheon; seconded by Council Member Withington. Motion carried 5-0.

Council Member Johnson requested an agenda item at a later date to discuss Growth in the Town and the potential demand on services and staff of the town. Council Members agreed, and Town Attorney Foster cautioned the Council about discussing this prior to the annexation application that will be coming before the Council next month.

Council Member Johnson mentioned that she would like the Town to hold free movie nights when the ballfield reconfiguration project is completed. Town Administrator Stevens stated that the Council could discuss adding funding to the upcoming budget for special events.

ADJOURNMENT

There being no further business to come before the Town Council, the meeting was adjourned at 7:44 p.m.

Minutes prepared by Town Administrator Stevens and adopted by the Town Council on March 28, 2024.

Approved: _____

Tracey L. Stevens, Town Administrator

Jay G. Foy, Mayor

