

**TOWN OF HAVERHILL  
TOWN COUNCIL REGULAR MEETING  
THURSDAY, APRIL 25, 2024  
6:00 P.M. OR IMMEDIATELY FOLLOWING THE  
LOCAL PLANNING AGENCY MEETING  
OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held on Thursday, April 25, 2024, at the Town Hall, 4585 Charlotte Street, Haverhill, FL.

**CALL TO ORDER**

Mayor Foy called the meeting to order at 6:23 p.m.

**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 and Town Administrator Tracey Stevens. With a quorum present in the Council Chambers, the meeting proceeded.

**COMMENTS FROM THE PUBLIC**

There were no comments from the public 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 Caranci moved to approve the agenda as submitted; seconded by Council Member Withington. Motion carried 5-0.**

**APPROVAL OF THE CONSENT AGENDA**

1. **Approval of the Minutes of the March 28, 2024, Regular Meeting**

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

**PROCLAMATIONS AND PRESENTATIONS**

2. **Presentation of the 2024 Mayor John Land Years of Service Award to Mayor Foy for 30 Years of Service to the Town of Haverhill, by Eryn Russell, Florida League of Cities**

Eryn Russell of the Florida League of Cities presented the 2024 Mayor John Land Years of Service award to Mayor Foy in recognition of his 30 years of service to the Town of Haverhill. She stated that the award is named after Mayor John Land of Apopka who served his community for 60 years. She read the resolution into the record and commended Mayor Foy for serving his community for such a long period of time.

Ms. Russell also thanked Vice Mayor Gordon for his service on the Board of Directors of the Florida League of Cities.

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**3. Annual Legislative Update by Senator Bobby Powell**

Senator Powell presented his annual legislative update to the Council. He reported on bills that he introduced during the 2024 legislative session, select bills that were stopped in the House of Representatives, select bills that passed, an overview of District 24 appropriations, and major session issues. He also provided information as to how to contact him and members of his team. He thanked the Town for providing scholarship money to the Palm Beach County Caucus of Black Elected Officials during its Scholarship Luncheon. He noted that they raised approximately \$20,000 in scholarship funds. Council Member Johnson thanked Senator Powell for hosting the Town Hall meeting last year for the residents of Haverhill.

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

Corporal Soler reported on the statistics for the last 30 days which included a stolen tag on Club Road and a stolen bicycle from N. Military Trail; 106 traffic stops; and 100 business/residence checks. There were no questions from Council Members.

**COMMENTS FROM PALM BEACH COUNTY FIRE RESCUE**

District Fire Chief Tracey Adams reported on the statistics for the month of March which included 18 medical calls, 5 motor vehicle accidents, 3 fire alarms, and 3 assist/investigations, for a total of 29 events. The average response time was 6:23. She noted that the Fire Department is gearing up for hurricane season and urged residents to prepare in advance. She also described other events, initiatives, and recognitions that the Fire Department has recently been involved with. The Council welcomed Chief Adams back after being out for several months.

**PUBLIC HEARINGS & ORDINANCE READINGS**

4. Continued from the March 28, 2024 Meeting: First Reading and Transmittal of Ordinance No. 522: AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, PURSUANT TO AN APPLICATION FOR VOLUNTARY ANNEXATION FILED WITH THE TOWN BY MERITAGE HOMES OF FLORIDA, INC., A FLORIDA CORPORATION, AS AGENT, ANNEXING WITHIN THE CORPORATE AREA OF THE TOWN OF HAVERHILL, FLORIDA, FIVE (5) PARCELS OF REAL PROPERTY COMPRISING A TOTAL OF 12.553 ACRES, SAID REAL PROPERTY BEING LOCATED IN UNINCORPORATED PALM BEACH COUNTY APPROXIMATELY 0.22 MILES NORTH OF SOUTHERN BOULEVARD, 0.91 MILES WEST OF MILITARY TRAIL, AND 2.30 MILES EAST OF THE FLORIDA TURNPIKE, AS MORE PARTICULARLY DESCRIBED HEREIN AND AS DEPICTED ON THE SURVEY AND MAP ATTACHED HERETO; DECLARING THAT THE VOLUNTARY ANNEXATION APPLICATION BEARS THE SIGNATURES OF THE OWNERS OF THE REAL PROPERTY TO BE ANNEXED HEREBY; FINDING THAT THE AREA TO BE ANNEXED IS CONTIGUOUS TO THE TOWN, REASONABLY COMPACT AND WILL NOT RESULT IN THE CREATION OF ANY ENCLAVES, AND IS IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; AMENDING APPENDIX A OF SECTION 1.02 OF ARTICLE I OF THE TOWN CHARTER BY REDEFINING THE CORPORATE LIMITS AND BOUNDARIES OF THE TOWN TO INCLUDE THE ANNEXED REAL PROPERTY IN THE TOWN'S OFFICIAL BOUNDARY MAP; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF STATE, THE PALM BEACH COUNTY CLERK OF COURT, THE COUNTY ADMINISTRATOR FOR PALM BEACH COUNTY AND OTHERS, AND PROVIDING FOR A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND

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### AUTHORITY TO CODIFY; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

The Council dispensed with the reading of Ordinance No. 522 since the title was read earlier during the Local Planning Agency portion of the meeting.

Mayor Foy stated that the Local Planning Agency recommends to the Town Council that Ordinance No. 522 be approved to transmit to second reading.

Mayor Foy called for public comment.

Palm Beach County Principal Planner Khurshid Mohyuddin, spoke on behalf of Palm Beach County, stating that the County is opposed to the voluntary annexation. He noted that the opposition letter dated March 15, 2024 that was submitted to the Town was prepared by County Staff and the County Attorney. Specifically, County Staff finds that the area in question is not contiguous with the Town of Haverhill boundaries as that term is defined in State Statutes Section 171.031(3). In addition, County Staff finds that the proposed density would be incompatible with existing densities to the North, South, East and West. The County has long established a mechanism to provide workforce/affordable housing in high density areas. In annexing and increasing densities, the County and Town would miss a valuable opportunity to provide affordable homes to the residents who need them the most. The County remains committed to its efforts to work cooperatively with municipalities towards annexation. The County, however, must object to this annexation due to the issues outlined in the letter. The County staff met with the developer and Town Staff yesterday and the developer has committed to continue working with the County to resolve some of the County's concerns between first reading and second reading of the ordinance. However, the County reserves its right to pursue all legal remedies available should the Town Council adopt this annexation at the second reading.

Council Member Johnson asked staff to clarify the number of hours that the town provides for police coverage. Town Administrator Stevens stated that currently, the town provides six hours of police services per day for 365 days per year, with additional coverage on some days such as Town Council meeting days and Friday and Saturday nights. If the Town were to annex this property, staff recommends adding four additional police service hours per day to cover the evening hours since the area to be annexed is in a higher crime rate area. She stated that the minimum shift requirement is four hours, and that is the reason for the recommendation to add four hours. Another option is to provide two additional hours, making the six hour shift an eight hour shift; however, choosing that option would not provide the much needed evening hour coverage.

Town Administrator Stevens stated that the Council will need to have a discussion regarding the revenue/expense analysis prior to voting on the ordinance during second reading and make decisions based on staff recommendations as to whether or not additional staffing will be approved, and how much additional police services will be needed. Those decisions will determine whether the annexation would be revenue neutral to the town, or whether the Council would need to raise the mil rate to cover the additional expenses.

Mayor Foy stated the Council intends to fully examine all of the aspects of this annexation prior to voting on its approval or denial.

**Council Member Withington moved to approve on first reading the transmittal of Ordinance No. 522 to second reading; seconded by Vice Mayor Gordon. Motion carried 5-0.**

**REGULAR AGENDA**

**5. Continued from the March 28, 2024 Meeting: Request from the Owners of 536 & 550 Tall Pines Rd for a Driveway Variation Pursuant to Town Code Section 53-319(i)**

Town Administrator Stevens asked to continue this to the next meeting, as the owners did not submit an alternate plan after meeting with staff.

Council Member Caranci stated that from a planning standpoint, a variation from the setbacks should not be in the form of a variation request; it should be a variance application. He suggested approving a zoning in progress ordinance while the Town studies the aspect of variation vs. variance. Town Attorney Foster stated that a zoning in progress ordinance would be appropriate if the Town Council would like to study the issue of variance vs. variation. He stated that the driveway ordinance will be ready for first reading at the next meeting though, so a zoning in progress may overlap in this instance.

For this particular application, Town Attorney Foster stated that there is a requirement that any variation granted be compatible with surrounding land uses, and lot line to lot line driveways don't currently exist in the Town. Even though this isn't a variance request, there are elements of the variance regulations that the Council can look at when considering the variation.

Mayor Foy stated he agrees that the variation vs. variance aspects need to be looked into and suggested holding a workshop to discuss this at a later date after the driveway ordinance and other ordinances are presented.

**Council Member Johnson moved to continue this item to the May 23, 2024 meeting; seconded by Council member Caranci. Motion carried 5-0.**

**6. Continued from the March 28, 2024 Meeting: Request from DISH Wireless to Lease Ground and Tower Space, and to Eliminate the Minimum Height Requirement**

Town Administrator Stevens introduced Ryan Triller from DISH Wireless (aka Boost Mobile), who spoke to the Council regarding a request to collocate facilities on the tower located behind Town Hall, at a height of 57' which is lower than the minimum height as provided by the Town's contract with New Cingular Wireless/AT&T. They would provide three antennas with six radio heads at 57' on a 35 sq. ft. ground space steel platform, adding power from FPL along with fiber. He stated this is a very early presentation, and if the Council agrees to lower the minimum height to 57', they will work on a formal proposal with construction drawings and a proposed ground lease agreement and begin financial negotiations with staff.

Town Administrator Stevens stated that at this time, this item is only to discuss lowering the minimum height to 57', as DISH Wireless does not want to continue with this project unless the minimum height is lowered. Mr. Triller stated that he didn't see anything in the Town Code regarding a minimum height requirement, and Town Attorney Foster stated the minimum height requirement resides in the tower lease agreement with New Cingular Wireless/AT&T.

Mayor Foy asked what the current minimum height is, and Town Administrator Stevens stated the current minimum height is 67' and DISH Wireless is requesting to locate its facilities at 57'. Mayor Foy stated that he would like to know why the minimum height was set at 67' and he wondered if it has anything to do with emissions. Town Administrator Stevens stated that she did some research as to why the minimum height was set at 67' and couldn't find it in the minutes of the meetings or the language of the ordinances or state statutes, and she also contacted past staff who also could not recall the discussions. Vicky Davis of Crown Castle, who was attending the

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meeting via phone conference, stated that she recalls the discussion regarding the minimum height centered around the Town possibly wishing to locate some of its own facilities or equipment on the tower in the future.

Mr. Triller stated that if the Council is concerned about emissions, his company would provide an EME study that measures the RF.

Council Member Caranci suggested that the Council receive the emissions study prior to voting on the minimum height, and the Council agreed.

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

**There was consensus of the Council to continue Item 6 to a future meeting once the emissions study is received by DISH Wireless.**

### **7. Continued from the March 28, 2024 Meeting: Fifth Amendment to the New Cingular Wireless PCS, LLC Tower Lease Agreement**

**There was consensus of the Council to continue Item 7 to a future meeting once the emissions study is received by DISH Wireless.**

### **8. Resolution No. 2024-03: A Resolution of the Town Council of the Town of Haverhill, Florida, Adopting the Statewide Mutual Aid Agreement for Catastrophic Disaster Response and Recovery; Providing an Effective Date; and for Other Purposes**

Town Attorney Foster read Resolution No. 2024-03 into the record by title only.

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

**Council Member Withington moved to adopt Resolution No. 2024-03; seconded by Council Member Johnson. Motion carried 5-0.**

## **REPORTS**

### **9. Town Attorney**

Town Attorney Foster had nothing additional to report. He stated that the essence of the staff meeting with the County was centered around workforce housing. He stated that from the developer's standpoint, the County's regulations are too burdensome. Mayor Foy stated he does not want to go into any further discussion regarding the matter since the court reporter already left the meeting.

### **10. Mayor**

Mayor Foy stated that Senator Powell is a superb speaker and he admires his ability to speak. He also reported that almost all municipalities complied with the NPDES reporting requirements, with Haverhill being one of them.

### **11. Town Administrator**

Town Administrator Stevens reported that the Town's two CD's with Bank United matured at the end of March, and Mayor Foy accompanied her to the bank to withdraw the funds and deposit them into the Town's Seacoast Bank sweep account that is making 4.2% interest, as opposed to the CD rate of 0.10%.

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She also reported that she met with FPL today along with Town Engineer McLeod to finalize the street lighting map details. Staff will follow up with FPL regarding additional questions they had prior to developing the prices for the Town.

Council Member Caranci thanked Town Administrator Stevens for her persistence in working with FPL to ensure the street lights were fixed around Town, along with the pole and line issue in his neighborhood.

**12. Treasurer**

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

**13. Committee Delegates**

Council Member Johnson reported that she attended the April 2, 2024 Board of County Commissioners meeting along with other YWCA representatives to accept a proclamation for the “Until Justice Just Is” program. She described upcoming events.

Council Member Johnson stated that she would send a Community Food Distribution event flyer to Town Administrator Stevens after the meeting to distribute to the rest of the Council.

Vice Mayor Gordon reported that he attended the Florida Black Caucus of Local Elected Officials and they discussed taking care of yourself which will put you into a position to help others more.

**UNFINISHED BUSINESS**

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

**NEW BUSINESS**

Council Member Johnson requested that an item be included on the next Town Council agenda to discuss a Town Charter Amendment to Section 2.06 Induction and Meetings regarding the annual selection of Mayor and Vice Mayor. She stated she has served on the Council for three years and she appreciates the diversity and professional background each Council Member brings to the table, and she believes these experiences will be critical to a conversation about amending the language that would ensure the rotation of leadership on the Council.

Vice Mayor Gordon asked if the request is to change from a selection of Mayor by Council Members to a rotation, and Council Member Johnson confirmed she would like to discuss a change for both positions of Mayor and Vice Mayor.

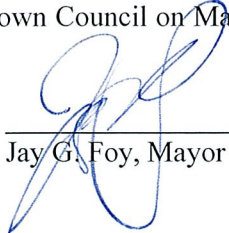
Mayor Foy asked for clarification if a Charter Amendment would go to the voters, and Town Administrator Stevens confirmed that a Charter Committee would make recommendations to the Council and then an ordinance amending the Charter would go before the voters in a referendum. Mayor Foy stated he would include an item on the next agenda for discussion.

**ADJOURNMENT**

There being no further business to come before the Town Council, the meeting was adjourned at 7:39 p.m.

Minutes prepared by Town Administrator Stevens and adopted by the Town Council on May 23, 2024.

Approved:   
Tracey L. Stevens, Town Administrator

  
Jay G. Foy, Mayor



# SIGN IN SHEET

**TOWN OF HAVERHILL**  
**LOCAL PLANNING AGENCY & REGULAR TOWN COUNCIL MEETING**  
**Thursday, April 25, 2024**  
**6:00pm**

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