

**TOWN OF HAVERHILL
TOWN COUNCIL REGULAR MEETING
THURSDAY, JULY 25, 2024
6:00 P.M.
OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held on Thursday, July 25, 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 Foy, Vice Mayor Lawrence Gordon, Council Member Ray Caranci, Council Member Teresa Johnson, and Council Member Dennis Withington. Town Staff present included Town Attorney Dominic DeCesare and Town Administrator Tracey Stevens. With a quorum present in the Council Chambers, the meeting proceeded.

COMMENTS FROM THE PUBLIC

David London of 760 Palm Tree Lane commented that there are still street lights out in the North section of Haverhill Road. He also commented about the vegetation overhanging along Belvedere Road. He suggested that the Town consider regulating the noise levels of lawn equipment and possibly moving to a non-combustible option.

APPROVAL OF THE AGENDA

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

Council Member Johnson 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 June 27, 2024, Regular Meeting
2. Approval of Federal Fiscal Year 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) Program (JAG-Countywide) funds allocation in the total amount of \$348,087, of which \$240,228 will be allocated to the Countywide Re-Entry Program, and \$107,859 will be allocated to Equipment for Law Enforcement Agencies Countywide

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

PROCLAMATIONS AND PRESENTATIONS

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

Deputy Havemann reported on the statistics for the last 30 days which included a threat of suicide call on Club Road. 156 traffic stops were performed, as well as 125 property checks.

COMMENTS FROM PALM BEACH COUNTY FIRE RESCUE

There were no Fire Rescue personnel in attendance to give a report.

PUBLIC HEARINGS & ORDINANCE READINGS

3. **Second Reading and Adoption of Ordinance No. 527:** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, AMENDING DIVISION I, GENERALLY, AND DIVISION 3, OFF STREET PARKING REQUIREMENTS, OF ARTICLE IX, SUPPLEMENTAL DISTRICT REGULATIONS, OF CHAPTER 58, ZONING, OF THE CODE OF ORDINANCES OF THE TOWN OF HAVERHILL, TO CREATE A NEW SECTION 58-365 PROVIDING FOR REGULATIONS AND STANDARDS FOR RESIDENTIAL DRIVEWAYS, INCLUDING, WITHOUT LIMITATION, REQUIRING A PERMIT FOR ALL INSTALLATIONS AND MODIFICATIONS TO DRIVEWAYS AND PARKING AREAS, REQUIRING ALL MOTOR VEHICLES ON A RESIDENTIAL LOT TO BE PARKED IN A GARAGE OR ON A DRIVEWAY OR PARKING AREA ON A DURABLE SURFACE APPROVED BY THE TOWN ENGINEER, LIMITING THE TOTAL IMPERVIOUS AREA IN THE FRONT YARD TO NO MORE THAN 40 PERCENT OF THE FRONT YARD, REQUIRING DRIVEWAY ADDITIONS TO MATCH THE EXISTING DRIVEWAY IN MATERIAL, SPECIFYING THAT MINIMUM AND MAXIMUM WIDTHS FOR DRIVEWAYS, AND ESTABLISHING SETBACKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE AND OTHER PURPOSES.

Town Attorney DeCesare read Ordinance No. 527 by title only into the record.

Town Administrator Stevens reported that staff was requesting an amendment to paragraph "m". The language was cleaned up so it would be easier to read and understand, and the sentence regarding parking plans for non-rentals was removed.

Vice Mayor Gordon voiced his frustration with people parking their cars horizontally on the driveway aprons between the sidewalk and the roadway which is forcing pedestrians into the roadway. Town Administrator Stevens responded that the code section regarding "Stopping, Standing, and Parking" addresses those situations. She stated that due to several resident complaints regarding parking in the Briarwood neighborhood, permit deputies and code enforcement have been working on alleviating the issues.

Council Member Caranci asked where in the code addresses the limit of number of driveway connections to the road. Town Administrator Stevens stated that the limit is two driveway connections to the road currently in the code, and the Council agreed that the language should remain in the code.

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

Council Member Withington moved to adopt Ordinance No. 527 on second reading as amended; seconded by Council Member Johnson. Motion carried 5-0.

4. **First Reading of Ordinance No. 528 and Transmittal to Second Reading:** AN ORDINANCE OF THE TOWN OF HAVERHILL, FLORIDA AMENDING THE TOWN OF HAVERHILL CODE OF ORDINANCES TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS;

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PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE AND OTHER PURPOSES.

Town Attorney DeCesare read Ordinance No. 528 by title only into the record.

Town Administrator Stevens stated that none of the Haverhill flood zones have changed due to the flood insurance study and flood insurance rate maps revisions.

Vice Mayor Gordon suggested that residents look into flood insurance if they can afford it because any water intrusion into the home from such things as pool overflow, etc. are considered flooding.

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

Vice Mayor Gordon moved to approve Ordinance No. 528 on first reading and transmit to second reading; seconded by Council Member Withington. Motion carried 5-0.

5. **First Reading of Ordinance No. 529 and Transmittal to Second Reading:** AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 30-61, SCOPE OF DIVISION, OF DIVISION 3, ROLLOFF COLLECTION SERVICE, OF ARTICLE II, COLLECTION, OF CHAPTER 30, SOLID WASTE, OF THE CODE OF ORDINANCES OF THE TOWN OF HAVERHILL, TO PROVIDE FOR THE ROLLOFF COLLECTION SERVICE ON RESIDENTIAL LOTS WITHIN THE TOWN WHEN A BUILDING PERMIT HAS BEEN ISSUED, AUTHORIZING THE BUILDING OFFICIAL TO DETERMINE THE PROPER PLACEMENT OF THE CONTAINER ON THE RESIDENTIAL LOT AND PRESCRIBING REGULATIONS IN THOSE INSTANCES WHERE A RESIDENTIAL PROPERTY OWNER NEEDS A CONTAINER FOR CLEANING AND REMOVAL OF PERSONAL PROPERTY INCLUDING THE APPLICATION FOR A PERMIT; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE AND OTHER PURPOSES.

Town Attorney DeCesare read Ordinance No. 529 by title only into the record.

Town Administrator Stevens noted that the title block of the ordinance accurately summarizes the amendments to the ordinance, and she had nothing further to add.

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

Council Member Caranci moved to approve Ordinance No. 529 on first reading and transmit to second reading; seconded by Council Member Johnson. Motion carried 5-0.

REGULAR AGENDA

6. **Approve Fifth Amendment to the New Cingular Wireless PCS, LLC Tower Lease Agreement**

Town Administrator Stevens reported that this amendment is coming before the Council due to a request from DISH Wireless to remove the height requirement to install utilities on the cell tower. They indicated that they would like to install facilities at 57', with the lowest portion of the facilities no lower than 50'. DISH Wireless submitted the Radio Frequency Electromagnetic Energy Report (RF-EME) to the Council as requested and they noted that the report shows there

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should be no health concerns regarding the placement of the facilities at 57' as they are requesting.

Vicky Davis of Crown Castle spoke to the Council and added that DISH Wireless will come back to the Council at a later date with their own lease agreement to be approved.

Council Member Johnson asked about the RF-EME report and Ms. Davis indicated that she is not qualified to answer questions regarding the report. The Council discussed the report and asked if the person who created the report could answer questions at the next meeting.

Mayor Foy called for public comments, and David London of 760 Palm Tree Lane asked to view the RF-EME report, and Town Administrator Stevens handed him a copy of the report. He voiced his concerns regarding the amount of radiation being emitted from the cell tower. Council Member Caranci responded that the report shows the radiation will be high enough so as not to impact residents; however, he would like to ask questions.

The Council discussed the height limitation and decided to limit it to 50 feet.

Council Member Johnson moved to approve the fifth amendment to the New Cingular Wireless PCS, LLC Tower Lease Agreement as amended with a height limitation at no lower than 50 feet, and to allow staff to finalize the agreement; seconded by Council Member Withington. Motion carried 5-0.

7. Resolution No. 2024-05: A Resolution of the Town Council of the Town of Haverhill, Florida, Tentatively Establishing a Millage Rate for the 2024/2025 Fiscal Year; Setting the Required Public Hearings and Providing an Effective Date.

Mayor Foy read Resolution No. 2024-05 by title into the record.

Town Administrator Stevens commented that the preliminary budget was submitted in the Council packages, and she recommends setting the maximum millage rate at 4.05 which is the current millage rate. The property values went up by 8.45% which gives us some room to account for increases in expenditures. She also noted that management is recommending the addition of one staff member, as the population continues to grow and there has been no growth in staff for many years. Increased population places additional demands on staff with more walk-in customers, phone calls, emails, etc. In addition, the Council desires to plan more town events, and additional duties have been added recently such as rental licensing and inspections, business impact estimates and other reporting requirements passed down from the state with unfunded mandates. The additional employee will also help cover other employees during times of vacation, conference attendance, jury duty, etc. and will assist with projects that need to be completed such as a contracts database and cleaning up our building permits and contractor data. Town Administrator Stevens reported that she has come close to a need to shut down Town Hall recently due to short staffing when one employee was out of town, another employee was on jury duty, and she had a meeting offsite. She indicated that this would be a full-time position covering the front counter as a building permits and licensing technician which would free up the Deputy Town Clerk to perform other duties and assist the Code Enforcement Department as well.

Council Member Johnson stated that the staffing numbers won't be able to remain the same as a natural progression happens with the growth of the town. She would like to have a deeper discussion regarding growth of the town.

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

Council Member Withington moved to adopt Resolution No. 2024-05, Tentatively Establishing the millage rate for the 2024/2025 fiscal year at 4.05 mils; seconded by Council Member Caranci. Motion carried 5-0.

8. **Resolution No. 2024-06: A Resolution of the Town Council of the Town of Haverhill, Florida, Levying a Non-Ad Valorem Special Assessment for the 2024/2025 fiscal year for Residential Properties Lying Within the Municipal Boundaries of the Town of Haverhill as More Particularly Described In Exhibit "A" Attached Hereto, to Fund Solid Waste Collection and Disposal and Related Charges Within the Town, Collecting Such Pursuant to the Uniform Method for the Levy, Collection and Enforcement of Non-Ad Valorem Assessments; Approving, Confirming, and Adopting the Non-Ad Valorem Assessment Roll, Incorporated Herein As Exhibit "B"; Providing That Such Assessments Shall Constitute Legal, Valid, and Binding First Liens Upon Property Against Which Assessments are Made Until Paid; Providing for Conflict; Providing for Severability; and Providing for an Effective Date.**

Mayor Foy read Resolution No. 2024-06 by title into the record.

Town Administrator Stevens reported that the rates of \$326.00 for solid waste have not changed since the preliminary rates were set. This is an increase from the rate that was set last year of \$315.00.

Council Member Johnson moved to adopt Resolution No. 2024-06 as submitted; seconded by Council Member Withington. Motion carried 5-0.

9. **Approve Purchase of Business Tax Receipts Module as part of the Town's Finance Software, Information Management Services (IMS), in the amount of \$6,999 Utilizing the Contingency Line in the Current Budget**

Town Administrator Stevens mentioned that the Town currently uses an archaic system that requires a lot of time-consuming manual work, and she described the manual work that needs to be performed. She answered questions from the Council such as the monthly maintenance agreement price which is \$48, and if the software has been vetted. Town Administrator Stevens noted that the software has been vetted, and it is an additional software module that integrates with the Town's current finance and building permits software.

Council Member Johnson moved to approve the purchase of the business tax receipts module from Informational Management Services in the amount of \$6,999 utilizing the contingency line in the current budget; seconded by Council Member Withington. Motion carried 5-0.

REPORTS

10. Town Attorney

Town Attorney DeCesare reported that he was filling in for Town Attorney Foster who is currently attending the Florida Municipal Attorney's Association annual conference. He thanked the Council for the privilege of serving the Town.

11. Mayor

Mayor Foy reported that the last NPDES meeting was cancelled. He also reported that he may be serving on the League of Cities Lake Worth Lagoon Grant Committee and will report more at the next meeting.

12. Town Administrator

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

- a. Town Administrator Stevens attended the County Commission meeting on July 17th. The discussion centered around whether or not to switch from impact fees to mobility fees or multimodal fees. The Commission is leaning towards multimodal fees which would give the County more flexibility to expend those dollars toward roads, bike/pedestrian lanes, transit, etc. while still allowing the collection of proportionate share dollars from developers to satisfy concurrency for administrative and quasi-judicial applications, and the ability to still require a traffic impact study. They also discussed moving toward a transportation surtax, and directed staff to work with the municipalities (Mayor's & Manager's group) to develop an RFP for a study that would help us collectively develop a plan on how to spend those dollars. Although we were hoping for a continuation of the infrastructure surtax, the Manager's group feels that working together on a plan is the next best option. The Central County Mayor's & Manager's group will be meeting on July 31, 2024 at Noon. Mayor Foy indicated that either he or Vice Mayor Gordon will be able to attend along with Town Administrator Stevens, depending on schedules. The Council spoke about developing a position and voiced frustration that the County Administrator approached the Manager's group as opposed to the League of Cities. After discussion, the Council requested a letter from the County that indicates the intention of the County so the Council will be better informed.
- b. Town Administrator Stevens recently served on the Unsheltered Legislation Task Force to work with the County, other municipalities and partner agencies on solutions to homelessness in light of the new state law regarding unauthorized public camping and public sleeping which becomes effective October 1, 2024. The task force report was included in the Council packages for review. There is still a lot of work for the group to do.
- c. The Commission on Ethics recently audited the Town to ensure we are complying with the ethics laws of the state and county. We received a compliance letter on June 28th stating that the Town is in full compliance.
- d. St. Christopher's Episcopal Church applied for a special event permit to hold a bazaar on August 24th from 10:00 a.m. through 4:00 p.m. The event will include steel pan music for one hour beginning at 2:00 p.m., a bouncy castle, vendor tents, the sale of fish and chicken dinners at the Parish Hall, and dominoes games. The expected attendance is 600 people throughout the day. After review of the application, staff approved the event with conditions related to safety and parking.
- e. The County has secured a grant for basketball court lighting at Haverhill Park. County staff indicated that they should have the funds and MOU in place by December which will allow them to move forward with design, permitting and installation in 2025.
- f. Project updates were included in the report which included street lighting enhancements, drainage in the Tall Pines neighborhood, 4894 Cyprus Lane subdivision, and Wallis Rd annexation.

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13. Treasurer

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

Vice Mayor Gordon moved to receive and file the Treasurer's Report for June 2024; seconded by Council Member Johnson. Motion carried 5-0.

14. Committee Delegates

Council Member Johnson reported that she attended the Palm Beach County League of Cities meeting yesterday. She also reported on the Committee on Airport Noise and the consultant's report that was submitted in reference to the proposed runway extension project. She stated that the project is in its infancy and it will take between 5-10 years before the capital improvement projects begin. She reported that the BEO scholarship committee is currently reviewing scholarship applications that were submitted by high school and college students, and they plan on awarding the scholarships on August 10th in conjunction with FPL.

Vice Mayor Gordon reported that he attended the Palm Beach County League of Cities meeting yesterday along with Town Administrator Stevens. He stated that the legal report given at the meeting concentrated on the unsheltered legislation and potential litigation. He reported that the PBCLOC finalized the employment agreement extension for Richard Radcliffe and noted that he does a great job supporting the municipalities in Palm Beach County. Vice Mayor Gordon also reported that the Florida League of Cities Annual Conference will be held in Hollywood, Florida on August 15-17, and he will be attending along with Town Administrator Stevens.

UNFINISHED BUSINESS

There was no Unfinished Business to come before the Council at this time; however, Council Member Johnson asked about the Town Hall facility use policy and Town Administrator Stevens responded that she would share the policy after the meeting.

NEW BUSINESS

There was no New Business to come before the Council at this time.

ADJOURNMENT

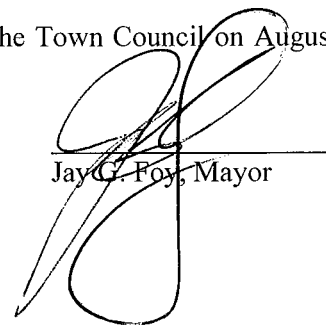
There being no further business to come before the Town Council, the meeting was adjourned at 7:08 p.m.

Minutes prepared by Town Administrator Stevens and adopted by the Town Council on August 22, 2024.

Approved: _____



Tracey L. Stevens, Town Administrator



Jay C. Foy, Mayor

