

**TOWN OF HAVERHILL  
TOWN COUNCIL REGULAR MEETING  
THURSDAY, NOVEMBER 14, 2024  
6:00 P.M.  
OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held on Thursday, November 14, 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 John Foster, Town Administrator Tracey Stevens, and Town Planner Matt Wojciechowski. 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. Town Attorney Foster requested to add Ordinance No. 533 and 534 to the agenda in reference to Rental Dwelling Unit Licensing.

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

**APPROVAL OF THE CONSENT AGENDA**

1. Approval of the Minutes of the October 24, 2024, Regular Meeting
2. Approval of the Minutes of the October 24, 2024, Local Planning Agency Meeting

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

**PROCLAMATIONS AND PRESENTATIONS**

3. Proclamation – Proclaiming November 17-23, 2024, as Hunger and Homeless Awareness Week – Sponsored by Council Member Johnson

Council Member Johnson introduced Ruth Mageria from Cros Ministries who spoke regarding Hunger and Homeless Awareness week. She provided statistics regarding the food pantry at Haverhill Community Church. Council Member Johnson thanked Ms. Mageria for serving the public in need.

**Council Member Johnson moved to adopt the proclamation Proclaiming November 17-23, 2024, as Hunger and Homeless Awareness Week; seconded by Vice Mayor Gordon. Motion carried 5-0.**

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

There was no report from the Palm Beach County Sheriff's Office.

**COMMENTS FROM PALM BEACH COUNTY FIRE RESCUE**

There was no report from Palm Beach County Fire Rescue.

**PUBLIC HEARINGS & ORDINANCE READINGS**

4. Second Reading and Adoption 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 12.5754 ACRES, MORE OR LESS, 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 AUTHORITY TO CODIFY; PROVIDING FOR CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

Mayor Foy opened the quasi-judicial hearing, and Town Attorney Foster swore in the witnesses who were in attendance to speak on Ordinance Numbers 522, 530, 531 and 532. Town Attorney Foster asked if there were any ex-parte communications, and none were disclosed.

Town Attorney Foster read Ordinance No. 522 by title only into the record.

Town Administrator Stevens gave the staff report noting that WGI and Meritage Homes have filed a voluntary annexation petition with the Town to annex 12.553 acres of land located off Wallis Road in unincorporated Palm Beach County into the Town of Haverhill. The proposed development will include 100 townhouse units, with 10 of those being workforce housing units. The interlocal agreement with Palm Beach County regarding the workforce housing units has been approved and signed by both parties. The first annexation public hearing was held on March 28, 2024, and continued to April 25, 2024. The annexation ordinance was approved by the Council on first reading and transmitted to second reading at the April 25<sup>th</sup> hearing. At that time, the project was placed on hold so staff could work with Palm Beach County and the developer to satisfy the County's objections to the annexation. At this time, the developer has satisfied all of the comments issued by Town Staff and Palm Beach County in order to move forward with annexation, comp plan amendment, re-zoning, and text amendment. There may be additional comments issued once subsequent applications are submitted for land development. In accordance with town code, prior to second reading of the annexation ordinance, the Land

## REGULAR TOWN COUNCIL MEETING MINUTES OF NOVEMBER 14, 2024

Planning Agency and Town Council held a public hearing and first reading on the comp plan amendment, text amendment, and re-zoning applications on October 24, 2024. The second reading of the annexation ordinance, the comp plan amendment, text amendment, and re-zoning ordinance are all being held this evening. Due to the proposed development adding future growth to the town, a preliminary revenue and expense report has been compiled which adds one employee to the town staff (currently included in the FY25 budget) and adds four additional police service hours per day to cover the additional areas to be patrolled and serviced in a higher crime rate area. With the addition of the Haverhill Courts development as well as the proposed Wallis Rd development, the town expects to take in approximately \$29,000 more than the additional expenses. Staff recommends that the developer pay a capital contribution to the town to cover expenses of \$180,000 for the first year since the town will not collect ad valorem taxes for this project until certificates of occupancy are issued and the tax roll confirmed. There are no business impact estimates required for these ordinances, as this is related to a voluntary annexation application which is exempt from the provisions of the business impact estimates state law as noted in Section 166.041(4)(a)(7)(b), Florida Statutes. Staff recommends approval of the ordinances as submitted.

Brian Seymour, Attorney for the Applicant, gave the applicant's report noting that Town Administrator Stevens' report encompassed all of the details and he had nothing else to add.

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

There were no final comments from staff or the applicant.

### **Council Member Johnson moved to adopt Ordinance No. 522 on second reading; seconded by Vice Mayor Gordon. Motion carried 5-0.**

5. Second Reading and Adoption of Ordinance No. 530 – AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA AMENDING ITS COMPREHENSIVE PLAN, AS AMENDED, BY AMENDING AND MODIFYING THE FUTURE LAND USE MAP OF ITS LAND USE ELEMENT BY ASSIGNING A FUTURE LAND USE DESIGNATION OF HIGH DENSITY RESIDENTIAL FROM THE PALM BEACH COUNTY LR-2, LOW DENSITY RESIDENTIAL FUTURE LAND USE DESIGNATION, TO AN APPROXIMATE 12.57 ACRE PARCEL GENERALLY LOCATED OFF OF WALLIS ROAD 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 REQUESTED BY MERITAGE HOMES OF FLORIDA, INC., A FLORIDA CORPORATION, ON BEHALF OF THE PROPERTY OWNERS; PROVIDING FOR SEVERABILITY AND REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR CODIFICATION; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND SUCH OTHER ENTITIES AS PROVIDED BY LAW; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE AND OTHER PURPOSES.

Town Attorney Foster read Ordinance No. 530 by title only into the record.

This ordinance is related to Ordinance No. 522 and there were no additional comments from the applicant. Town Administrator Stevens stated that all conditions recommended by staff have been met at this time, and there may be additional conditions during the land development phase.

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Council Member Caranci asked about the legal descriptions, and Town Attorney Foster stated that the legal descriptions are accurate.

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

**Council Member Withington moved to adopt Ordinance No. 530 on second reading; seconded by Council Member Caranci. Motion carried 5-0.**

6. Second Reading and Adoption of Ordinance No. 531 – AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, AMENDING ITS OFFICIAL ZONING MAP, AS AMENDED, BY REDESIGNATING AN APPROXIMATELY 12.57 ACRE PARCEL FROM THE EXISTING PALM BEACH COUNTY ZONING DESIGNATION OF RM – MULTIFAMILY RESIDENTIAL TO A TOWN OF HAVERHILL ZONING DESIGNATION OF R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT, WHICH PARCEL IS GENERALLY LOCATED OFF OF WALLIS ROAD 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 REQUESTED BY MERITAGE HOMES OF FLORIDA, INC., A FLORIDA CORPORATION ON BEHALF OF THE PROPERTY OWNERS; PROVIDING FOR CHANGES IN THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY AND REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS’ ERRORS; PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE AND OTHER PURPOSES.

Town Attorney Foster read Ordinance No. 531 by title only into the record.

This ordinance is related to Ordinance No. 522 and there were no additional comments from the applicant or staff.

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

**Council Member Johnson moved to adopt Ordinance No. 531 on second reading; seconded by Council Member Withington. Motion carried 5-0.**

7. Second Reading and Adoption of Ordinance No. 532 – AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, AMENDING SECTION 58-252, BOUNDARIES, AND SECTION 58-256, REZONING CRITERIA, OF ARTICLE VII, PBI AIRPORT OVERLAY, OF CHAPTER 58, ZONING, OF THE CODE OF ORDINANCES OF THE TOWN OF HAVERHILL, TO AMEND THE BOUNDARIES OF THE PBI AIRPORT OVERLAY AREA TO INCLUDE THE APPROXIMATE 12.57 ACRE PARCEL OFF OF WALLIS ROAD LOCATED APPROXIMATELY 0.22 MILES NORTH OF SOUTHERN BOULEVARD, 0.91 MILES WEST OF MILITARY TRAIL, AND 2.30 MILES EAST OF THE FLORIDA TURNPIKE, AND TO AUTHORIZE THE TOWN COUNCIL TO MAKE AN EXCEPTION FOR PROPERTY THAT DOES NOT ABUT HAVERHILL ROAD; PROVIDING FOR SEVERABILITY AND REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS’ ERRORS; PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE AND OTHER PURPOSES.

Town Attorney Foster read Ordinance No. 532 by title only into the record.

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This ordinance is related to Ordinance No. 522 and Town Administrator Stevens stated that the motion should include the condition that the developer pay the capital contribution of \$180,000 as recommended by staff.

Brian Seymour, Attorney for the Applicant, asked to amend the condition to determine the timeframe for the capital contribution to be paid.

After discussion, it was determined that 25% of the capital contribution would be paid at the first building permit and the balance when the 50<sup>th</sup> certificate of occupancy is issued.

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

Mayor Foy closed the quasi-judicial hearing.

**Council Member Caranci moved to adopt Ordinance No. 532 on second reading, and to require the developer to pay a capital contribution of \$180,000 with 25% being due to the Town when the first building permit is issued, and the balance due when the 50<sup>th</sup> certificate of occupancy is issued; seconded by Council Member Johnson. Motion carried 5-0.**

Attorney Seymour stated that he has done a lot of annexations and this one went more smoothly than most. He commented that the staff is exceptional and it is clear that the staff and Council care deeply about the town. He appreciates all the effort that went into it.

### REGULAR AGENDA

#### 8. Adopt a Cybersecurity Policy for the Town of Haverhill

Town Administrator Stevens stated that municipalities with a population less than 25,000 have until January 1, 2025, to adopt cybersecurity standards and employee training as listed in House Bill 7055, in Chapter 2022-220 Florida Statutes. In addition, we are required to update our cyber security insurance policy to include coverage for ransomware. Employee training and insurance policy updates have already been completed. Staff recommends approval of the cybersecurity policy as submitted.

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

**Council Member Withington moved to adopt the cybersecurity policy as submitted; seconded by Vice Mayor Gordon. Motion carried 5-0.**

#### 9. Resolution No. 2024-13: A Resolution of the Town Council of the Town of Haverhill, Florida, Adopting Budget Amendments for Fiscal Year 2023-2024

Town Attorney Foster read Resolution No. 2024-13 by title into the record.

Town Administrator Stevens stated that budget amendments are performed at the end of each fiscal year to true-up the budget line items in accordance with auditing standards. She stated there is no impact on the general operating budget total expenditures.

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

**Council Member Johnson moved to adopt Resolution No. 2024-13; seconded by Council Member Withington. Motion carried 5-0.**

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10. Resolution No. 2024-14: A Resolution of the Town Council of the Town of Haverhill, Florida, Supporting the Procurement and Oversight of Consultants for the Development of a Countywide Transportation Plan; Supporting the Formation of a Technical Advisory Committee for the Same; and Providing for an Effective Date.

Town Attorney Foster read Resolution No. 2024-14 by title only into the record.

Town Administrator Stevens stated that she recommends adopting this resolution so Haverhill will be included in the planning process for the countywide transportation plan. She stated it would not cost Haverhill anything at this stage other than the Town Administrator's time in providing information as requested.

Council Member Caranci asked if the street lighting issue would be included in this process, and Town Administrator Stevens responded that it is not clear whether that will happen or not, so she is addressing that issue separately. Council Member Caranci noted that the lack of street lighting on county roads is a safety issue that should be addressed by the county.

**Council Member Caranci moved to adopt Resolution No. 2024-14; seconded by Council Member Withington. Motion carried 5-0.**

11. First Reading and Transmittal of Ordinance No. 533 – AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, AMENDING ARTICLE II, RENTAL DWELLING UNITS, OF CHAPTER 16, BUSINESSES, OF THE TOWN CODE OF ORDINANCES BY DELETING THE REQUIREMENT OF A MANDATORY INSPECTION OF A RENTAL UNIT AS A CONDITION OF ISSUANCE OF THE RENTAL LICENSE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE AND OTHER PURPOSES.

Town Attorney Foster read Ordinance No. 533 by title only into the record. He noted that the Sunshine Law does not require that the Town provide separate notice of any deviation from the posted agenda. He noted that this issue is time sensitive due to language in state statutes.

He stated there was a letter issued by Attorney Ryan Abrams that claims our rental dwelling units ordinance has been preempted by state law. He stated that although in his opinion it does not appear that the Town's rental dwelling units ordinance has been preempted as indicated by Attorney Abrams, he is recommending that the Town Council repeal the ordinance until staff has the opportunity to gather more information and work with the legislature to clarify its language in state statutes.

Town Attorney Foster stated that there are two ordinances presented; however, only one will be adopted on second reading based on how the Town Council desires to continue.

Town Administrator Stevens stated that it would be in the best interest of the Town to repeal the ordinance at this time while staff works with Florida League of Cities, Palm Beach County League of Cities, and all of our other resources to clarify the statutes. She stated that it would be the intention of staff to bring back another ordinance once this has been clarified.

Council Member Caranci stated that our residents deserve a safe place to live, and the ordinance was created for the health, safety and welfare of our residents. He hopes we will be able to bring this back soon. He noted that one of the reasons the town adopted this ordinance was because of

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the septic tank issues we were noticing when people were crammed into homes that were built for only a few people.

**Council Member Withington moved to approve the transmittal of Ordinance No. 533 to second reading; seconded by Council Member Caranci. Motion carried 5-0.**

12. First Reading and Transmittal of Ordinance No. 534 – AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES BY REPEALING ARTICLE II, RENTAL DWELLING UNITS, OF CHAPTER 16, BUSINESSES, CONSISTING OF SECTIONS 16-5 THROUGH 16-12, INCLUSIVE, BUT RESERVING SAID SECTIONS FOR FUTURE USE; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CORRECTION OF SCRIVENERS' ERRORS; PROVIDING FOR CODIFICATION, AN EFFECTIVE DATE AND OTHER PURPOSES.

Town Attorney Foster read Ordinance No. 534 by title only into the record.

**Council Member Withington moved to approve the transmittal of Ordinance No. 534 to second reading; seconded by Council Member Johnson. Motion carried 5-0.**

**REPORTS**

**13. Town Attorney**

Town Attorney Foster did not have anything new to report.

**14. Mayor**

Mayor Foy reported that

**15. Town Administrator**

Town Administrator Stevens noted that her written monthly report was submitted in the Council packages. She reported that the annual Mayor's luncheon will be held on December 10<sup>th</sup> at 11:30 AM.

Town Administrator Stevens noted that she is currently in negotiations to extend the Building Official's contract at the same prices, and the contract will be on the December agenda for approval. Council Member Caranci asked if staff is happy with the performance of the Building Official, and Town Administrator Stevens responded that the Building Official has been very attentive to the needs of the Town. She stated that she has received some comments from residents that it seems the Building Official is paying close attention and enforcing the codes, and although that may not seem like a good thing from a builder standpoint, that's what we were looking to improve when we switched from one Building Official to another.

Town Administrator Stevens asked if any of the Council Members would like to serve on the Homeless & Housing Alliance of Palm Beach County, and Council Member Withington offered to serve as the delegate. Council Member Johnson offered to serve as the alternate, and the Council confirmed the two appointments.

Town Administrator Stevens stated she received the annual TRIM compliance letter from the State, and the Town is in compliance with all requirements.

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Town Administrator Stevens thanked the Council for providing the funding for community events. She stated that the Trunk-or-Treat event was a great event that was well attended. She stated that she would like to setup a movie in the park event after the annual Mayor's luncheon.

Council Member Johnson asked about the letter to the Lake Worth Drainage District, and Town Administrator Stevens apologized that it hasn't been drafted yet due to the annexation and lawsuits that she has been working on. She promised she would follow up soon.

**16. Treasurer**

Town Administrator Stevens reported that the Treasurer's report for September 2024 will be submitted as soon as the year end closing entries have been completed.

**17. Committee Delegates**

There were no committee delegate reports.

**UNFINISHED BUSINESS**

Council Member Caranci stated that he spoke with an FPL Representative recently regarding the undergrounding program and they have all of the locations for the transformers authorized and they are working on the last hook up authorizations. They hope to include this on the 2025 construction schedule. The Council discussed the program.


**NEW BUSINESS**

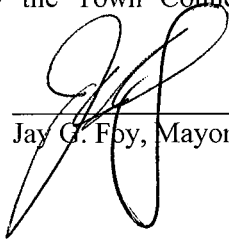
There was no New Business to come before the Council at this time.

**ADJOURNMENT**

There being no further business to come before the Town Council, the meeting was adjourned at 7:06 p.m.

Minutes prepared by Town Administrator Stevens and adopted by the Town Council on December 12, 2024.

Approved:   
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Tracey L. Stevens, Town Administrator

  
\_\_\_\_\_  
Jay G. Foy, Mayor



