

Jay G. Foy, Mayor  
Lawrence Gordon, Vice Mayor  
Mark C. Uptegraph, Council Member  
Remar M. Harvin, Council Member  
Daniel H. Sohn, Council Member  
Janice C. Rutan, Town Administrator  
John Fenn Foster, Town Attorney



**Town Council  
Workshop  
Town Hall Council Chambers  
4585 Charlotte Street  
Haverhill  
Tuesday, June 4, 2019**

**NOON**

**AGENDA**

- I. Call to Order
- II. Presentations/Proclamations
  - a. Presentation of Beatriz Sardinas re: Proposed Development Plans for 5263 Belvedere Road
- III. Council, Attorney and Staff Reports
  - a. Discuss proposed legislation to introduce to Representative Matt Willhite
- IV. New Business
- IV. Old Business
- V. Code & Ordinance
- VI. Adjournment

Notice: If any person decides to appeal any decision of the Town Council at this meeting, he/she will need a record of the proceedings and for this purpose; he/she needs to ensure that a verbatim record of the proceedings is made. The record must include the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.0105. The Town of Haverhill does not prepare nor provide such verbatim record.

In accordance with the provisions of the American with disabilities Act (ADA), this document can be made available in an alternate format (large print) upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting Janice C. Rutan, Town Administrator, at the Haverhill Town Hall, 4585 Charlotte Street, Haverhill, Florida. Phone Number (561) 689-0370 Facsimile Number (561) 689-4317

**TOWN OF HAVERHILL  
Town Council Workshop  
June 4, 2019  
Town Hall – 4585 Charlotte Street**

**OFFICIAL MINUTES**

Pursuant to the foregoing notice, a Haverhill Town Council Workshop was held on Tuesday, March 5, 2019 at Town Hall, 4585 Charlotte Street, Haverhill. Those present were Mayor Jay Foy; Vice Mayor Lawrence Gordon; Council Member Daniel Sohn; Town Attorney John Foster; Town Administrator Janice Rutan and Deputy Town Clerk Jean Wible

**I. CALL TO ORDER**

Mayor Foy called the Workshop to order at 12:12 p.m.

**II. PRESENTATIONS / PROCLAMATIONS**

Mayor Foy asked Town Attorney John Foster to explain what he found in court cases regarding ADA Compliance. Town Attorney Foster stated there seems to be some confusion and blending of Title II and Title III. He stated Title II prohibits discrimination by public entities (state or local governments); and Title III prohibits discrimination by a 'place of public accommodation,' which is a private entity that offers commercial services to the public. Attorney Foster provided copies of a case filed against the Town of Longboat Key, Florida. Discussion ensued.

- a. **Presentation of Beatriz Sardinias; Proposed Development Plans for 5263 Belvedere Road:** Town Administrator Janice Rutan informed all that she received a response stating no one with the developer's office will be attending today's workshop. T/A Rutan stated the developer wanted to do a development, and as our PRD now requires, there must be 75 foot frontage and the lot could be no less than 7,500 square feet. She explained he is interested in trying to do a 50 feet frontage. Discussion ensued.

**III. COUNCIL, ATTORNEY AND STAFF REPORTS**

Mayor Foy announced that Town Administrator Janice Rutan will be meeting with Commissioner Gregg Weiss tomorrow for the 2<sup>nd</sup> quarter meeting and if there is anything Council would like brought up to him for discussion, please see Town Administrator Rutan before 9:30am tomorrow.

## **Discuss proposed legislation to introduce to Representative Matt Willhite:**

- a. Council member Daniel Sohn stated there will be an extension of the existing "Texting While Driving" law that goes into effect on July 1, 2019. Councilman Sohn stated that he personally has significant issues with this legislation when it comes to racial profiling. He stated it essentially will save lives when it comes to highways, so on and so forth, but he spoke with State Attorney Dave Aronberg, who told him the number one offense in Palm Beach County is actually driving while on a suspended license. Councilman Sohn stated that he wanted to be mindful that while they are not in the Town of Haverhill, Stacey Street is right on that side and there is a big minority population there who really think they are in Haverhill. Councilman Sohn is concerned, we may start getting an influx of phone calls from those (Stacy Street) residents that do not live in Haverhill, saying hey this is what happened to me. Councilman Sohn would like to personally see if Town Council would direct staff to keep a record or tally of how many people from any area that's not from the Town of Haverhill that calls regarding laws that are about racial profiling. Town Administrator Rutan stated she will request a list of all texting while driving citations issued in the Town of Haverhill from the permits (TOH Officer detail) office with PBSO. Discussion ensued.
- b. Mayor Foy stated the texting while driving legislation could be one to discuss with Representative Matt Willhite. Mayor Foy also stated Rep. Willhite specifically asked us for our input and so his two thoughts of input are, Home Rule and we need to have something that reduces the administrative or elective official's requirements in a small Town such as the Town of Haverhill. Mayor Foy stated we are now receiving the Supervisor of Elections request for our Statement of Financial Interests, etc. and it's such a burden for small Towns. Discussion ensued.
- c. Town Attorney John Foster stated there are two legislations that are of real concern to him which have been talked about before and those are tree trimming and vegetable gardens. He feels it doesn't deal with adequate clarity. He stated the Mayor brought up a good point of which, if somebody hires an arborist who says, that limb on that 50ft pine tree is 300ft from your house and could break off and take out your roof, I will need to take down that tree. So not only do they get to take down that tree, they don't have to replace it with anything. Town Attorney also stated regarding vegetable gardens, the legislation doesn't seem to confine it to the backyard or the side yard, etc. Discussion ensued.
- d. Town Administrator Janice Rutan stated we also wanted to bring up the Medical Marijuana as well.
- e. Councilman Sohn stated regarding Home Rule, he would like Town Council to give three specific examples that affect the Town of Haverhill. He stated legislators need to hear what their individual cities, in their districts, are having issues with. Discussion ensued.
- f. Town Attorney Foster stated website posting is another issue. He stated communications is another issue. The fact that they can line Belvedere Road and Haverhill Road with pole after pole after pole, etc. Discussion ensued.

#### **IV. NEW BUSINESS**

- a. Vice Mayor Lawrence Gordon stated that at one point we had talked about addressing the issue of going to the voters on extending Town Council terms limits from two (2) years to either three (3) or four (4) years. He asked if this is something we are still looking into or is everyone happy with changing it to three (3). Discussion ensued.

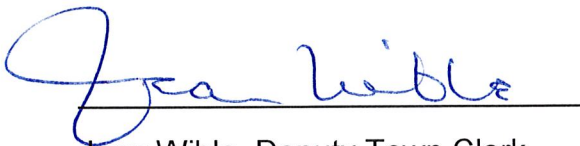
#### **V. CODE & ORDINANCE**

- a. Town Administrator Janice Rutan announced Public Service Director Joseph Roche is on vacation so no Code & Ordinance today. She will coordinate a future date and inform all.

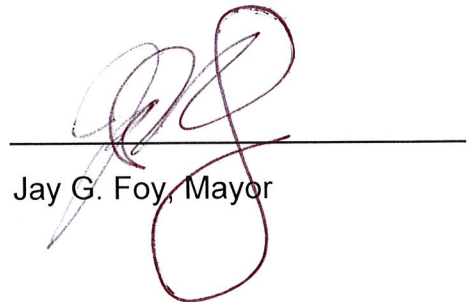
#### **VI. ADJOURNMENT**

There being no further business to be discussed, the workshop ended at 1:35 p.m.

Approved: June 27, 2019



Jean Wible, Deputy Town Clerk



Jay G. Foy, Mayor

**SIGN IN SHEET**

**TOWN OF HAVERHILL  
COUNCIL WORKSHOP  
Tuesday, June 4, 2019  
Noon**

Name	E- Mail Address	Signature
Jay Foy		
Lawrence Gordon		
Janice Rutan		
Sean Wible		
John Foster		
Daniel Sohn		