

Jay G. Foy, Mayor  
Lawrence Gordon, Vice Mayor  
Dennis Withington, Council Member  
Ray Caranci, Council Member  
Dr. Teresa Johnson, Council Member  
John Fenn Foster, Town Attorney  
Janice C. Rutan, Town Administrator



**TOWN COUNCIL REGULAR MEETING**  
**Thursday, March 10, 2022**  
**6:30 p.m.**  
**AGENDA**

- I. CALL TO ORDER**
- II. INVOCATION AND PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. COMMENTS FROM THE PUBLIC**
- V. APPROVAL OF AGENDA**
- VI. APPROVAL OF THE CONSENT AGENDA**
  - a. Approval of the minutes for February 10, 2022, and February 24, 2022, Regular Meetings
- VII. PROCLAMATIONS AND PRESENTATION**
- VIII. COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**
- X. PUBLIC HEARINGS AND SECOND READINGS**
  - a. Act on request from Janet Long, property owner at 4910 Luwal Drive for a waiver under Section 38-9 (d) (3) (4) to allow for the parking of a trailer to extend into the front yard of the lot.
- XI. REGULAR AGENDA AND FIRST READINGS**
  - a. Discuss renewal of Solid Waste and Recycling contract with Waste Pro
  - b. Ordinance No. 510: Am Ordinance of the Town of Haverhill amending its Subdivision Regulations to allow for a Common Driveway provided such streets are subject to a recorded maintenance and use document
  - c. Ordinance No. 511: An Ordinance amending Chapter 46 – Signs to allow for change copy signs for places of worship
  - d. Ordinance No. 512: An Ordinance amending Chapter 58-329 – Home Occupation to comply with the provision of HB 403 as amended during the 2021 Legislative Session
- XII. REPORTS**
  - Town Attorney
  - Mayor
  - Town Administrator
  - Council/Committee/Delegate Report
  - Treasurer's Report (included in packet)
- XIII. UNFINISHED BUSINESS**
- XIV. NEW BUSINESS**
- XV. 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

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**March 10, 2022**  
**6:30 p.m.**

**Public comment will be received via e-mail ([jrutan@townofhaverhill-fl.gov](mailto:jrutan@townofhaverhill-fl.gov)) up until noon on March 10, 2022. Any public comments received via e-mail, will be made part of the record of the meeting. If you prefer to appear in person to address the Town Council and exhibit signs of illness, such as coughing or sneezing, please do not enter Town Hall. Each person will be granted 5 minutes to speak either on an agenda item or under Public Comment. If you wish to speak on a specific agenda item, please tell the Administrator prior to your entrance into the Town Hall so she can schedule speakers accordingly. Town Council has considered the health, safety and welfare of its residents and the public, and voted to continue to require face masks be worn during public meetings and public hearings in Town Hall and Town Council Chambers to address the Town Council. Masks will be required for those persons entering Council Chambers. Those persons gathering outside the Town Hall are encouraged to maintain a separation of at least six feet from one another. If you wish to listen to the Town Council Meeting via teleconferencing, dial 1-877-953-1152 and enter participant code 7404157#. Those individuals gathering outside of the Town Hall will need to dial-in to the number above as there will be no speaker outside to broadcast the meeting. Once the meeting begins, all participants will be muted, however, after Council discusses a specific workshop item, the call will be unmuted to allow for questions. Please be courteous of the other participants, speak in turns and do not talk over another speaker. Thank you for your patience and understanding.**

**TOWN COUNCIL REGULAR MEETING**  
**Thursday, March 10, 2022**  
**OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held on Thursday, March 10, 2022, at the Town Hall, 4585 Charlotte Street, Haverhill, FL. Those present were Mayor Foy, Council Member Dennis Withington, Council Member Ray Caranci, and Council Member Dr. Teresa Johnson. Also present were Town Attorney John Foster and Town Administrator, Janice C. Rutan.

**CALL TO ORDER**

Mayor Foy called the meeting to order at 6:30 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Foy led in the Pledge and offered the Invocation

**ROLL CALL**

All members present except for Vice Mayor Gordon.

**COMMENTS FROM THE PUBLIC**

**Steven Payne, 755 Huff Road.** Mr. Payne addressed the Town Council. The Code Officer had put him on notice that vegetation could not be placed curbside before 4:00 p.m. on the Thursday before the Tuesday pick up. He explained that his landscaper comes on Wednesdays for not only himself, but for his two neighbors.

Council gave the history and the intent behind the Ordinance, with Mayor Foy adding that it only excluded 2 days of the week that the vegetation could not be placed curbside. It was suggested his landscaper be requested to change his day of service.

**APPROVAL OF AGENDA**

The Town Administrator noted that there was a scrivener's error included in the minutes of February 10, 2022, that would be corrected. Staff requested item **XI.d Ordinance No. 512 First Reading**, be removed from the agenda.

**A motion was made by Council Member Caranci, seconded by Council Member Johnson, and unanimously passed (4-0) to approve the agenda as amended.**

**APPROVAL OF THE CONSENT AGENDA**

**Approval of the minutes of the February 10, 2022, and February 24, 2022, regular meetings. A motion was made by Council Member Withington, seconded by Council Member Caranci, and unanimously passed (4-0) to approve the agenda as presented.**

**COMMENTS FROM THE PALM BEACH COUNTY SHERIFF'S OFFICE**

The Town Administrator had been provided the crime stats for the previous two-week period:

- The only property crime was reported 03/03/22, 1000 Block of N Haverhill Rd - Package theft from porch.
- Ten (10) traffic stops were conducted along the 5400 Block of Belvedere Rd. One of those stops resulted in an arrest. I cannot provide any further details pertaining to that specific case.
- On 03/03/22, there was a report of "shots fired", near Belvedere Rd and N Haverhill Rd. Shots were allegedly *heard* by the complainant. Deputies canvassed the area, and no evidence of a shooting was discovered.

The Town Administrator would provide alternative dates to the Town Council for the rescheduling of the human trafficking presentation.

#### **X. PUBLIC HEARINGS AND SECOND READINGS**

**Act on request from Janet Long, property owner at 4910 Luwal Drive for a waiver under Section 38-9 (d) (3) (4) to allow for the parking of a trailer to extend into the front yard of the lot.**

The Town Administrator presented Staff's report. Janet Long and Bill Rowan, property owners were present in the audience. They addressed the Town Council and explained due to the configuration of their lot, their trailer cannot fit in either of their side yards. Further, since Luwal Drive is a private road, the only people driving down far enough to see the trailer from the road would be their guests.

**A motion was made Council Member Withington, seconded by Council Member Caranci, and unanimously passed (4-0) to grant the request for waiver and allow the trailer to be parked in the Long's driveway, in front of the plane of the house as requested.**

**Through Council consensus, it was agreed to amend the agenda to hear items XI b. and XI. C prior to XI. A.**

#### **REGULAR AGENDA AND FIRST READINGS**

**Ordinance No. 510: Am Ordinance of the Town of Haverhill amending its Subdivision Regulations to allow for a Common Driveway provided such streets are subject to a recorded maintenance and use document**

The title was read by Attorney Foster. He explained that the purpose of the Ordinance originally was to eliminate the creation of "flag lots", however, language addressing common driveways was since added.

**A motion was made by Council Member Withington, seconded by Council Member Johnson, and unanimously passed (4-0) to approve Ordinance No. 510 on first reading.**

**Ordinance No. 511: An Ordinance amending Chapter 46 – Signs to allow for change copy signs for places of worship**

The title was read by Attorney Foster. A brief discussion followed with all agreeing that this proposed Ordinance has been before the Town Council on numerous occasions and action should be taken. Attorney Foster noted that he had added language allowing the Town Administrator to authorize a change to the permitted uses in the event of an emergency.

**A motion was made by Council Member Johnson and seconded by Council Member Withington to pass Ordinance No. 511 on second reading. The motion passed 3-1 with Council Member Caranci voting against the motion.**

~~**Ordinance No. 512: An Ordinance amending Chapter 58-329—Home Occupation to comply with the provision of HB 403 as amended during the 2021 Legislative Session**~~

**Steven Payne, 755 Huff Road** once again addressed the Town Council. He explained that he walks his dog daily at the Haverhill Park and complained that there were no doggy dispensers nor were there enough trash cans available to dispose of trash. Council Member Johnson agreed, adding that it is extremely dark in certain areas of the park. She added that some areas may benefit from the lighting at the basketball fields, however, presently it is very dark.

Mayor Foy also noted that every morning, prior to the opening of the Park, there are cars parked along the south side of Belvedere Road. He also added that people are crossing Belvedere Road, not at the crosswalks, at dusk, making for a very dangerous situation.

It was agreed that the Mayor and Town Administrator would bring these items to the attention of Commissioner Weiss during their meeting of March 15, 2022. The March 15, 2022 meeting had been scheduled to discuss the matter of closing the Roessler's driveway at 1010 Pineway Road as part of the Belvedere Road Bridge construction project.

It was agreed the following items would be brought up for discussion as well:

- Opening the park earlier than dawn
- Better lighting in the park and on Belvedere Road
- Doggy bag dispensers
- Additional trash receptacles
- Status of basketball court lighting

#### **Discuss renewal of Solid Waste and Recycling contract with Waste Pro**

Town Administrator Rutan reported that she had met with Chris Schulle of Waste Pro and the following contract changes were being proposed by WastePro:

- Household Garbage must be placed in blue Town of Haverhill receptacles (alternative receptacles could be used for bulk items and vegetation)
- Vegetation limited to no more than 6 cubic yards
- Annual increase tied to exact CPI as of June 30

The Town Administrator suggested that at least 2 amnesty days per year be given to the residents, either before or after hurricane season which would allow unlimited vegetation.

Concern was expressed about the unlimited increase based on the CPI. It was explained that the present contract allowed for a CPI increase not to exceed 3%. This year, the actual CPI was at 5.8%, thereby Waste Pro was realizing a loss of 2.8%. Council would prefer to see an annual "not to exceed" cap on the CPI.

Discussion followed as to whether the matter should be put out to bid.

It was agreed to invite Chris Schulle from Waste Pro to the March 24, 2022, meeting to address these specific items of the contract noted above.

#### **REPORTS**

##### **Town Attorney**

The Town Attorney Foster congratulated the Council on the approval of the Charter amendments resulting from March 8, 2022, referendum. He would be sending a clean copy of the Charter to file with the Secretary of State.

##### **Mayor**

Mayor Foy expressed his pleasure that the voters came out to vote on the 4 ballot questions and had taken the time to participate in the referendum.

He then reported on the District 2 § 3 luncheon that had been held the previous day. Items of discussion had included the Loxahatchee River Rule; the continued issue of homelessness in the County and the causes (homelessness, drug dependency, financial issues, bad luck and in some cases a preference to live that way).

The matter of temporary parking permits was next addressed. The Town allows the Code Inspector to issue a permit for the temporary parking of boats and recreational vehicles for a specific period of time under certain conditions that would not normally be allowed under the terms of the Ordinance.

Staff was seeking confirmation that the temporary parking permit could allow for parking on the grass as well.

Attorney Foster agreed to investigate the matter and would report back at the next meeting.

#### **Town Administrator**

The Town Administrator reported on the March 8, 2022, election. She commented that she was quite pleased with how Supervisor of Elections managed the election for the Town. The entire process went quite smoothly.

Town Administrator Rutan reported that Vice Mayor Gordon would be attending the Florida Black Caucus on Local Elected Officials March 15 – 18 in Orlando. She noted that FBC-LEO had the wrong e-mail address for the Vice Mayor, and they had just been notified of the event.

#### **Council/Committee/Delegate Report**

Mayor Foy reported that Jeremy McBrian, Director of the Water Resource Task Force had resigned suddenly. Patrick Rudder would be taking over his position.

Mayor Foy reminded Staff that the NPDES report was due March 31, 2022. The Town of Haverhill had still not completed their report for signature. The Administrator would follow up with Karen Brandon, the Town's NPDES Engineer.

#### **Treasurer's Report**

Included in packet

#### **UNFINISHED BUSINESS**

Council Member Caranci reported that there were still outstanding issues resulting from the accident of October 19, 2022, whereby the WastePro subcontractor took down the utility wires in the Ponderosa/Woodland/Mimosa neighborhoods.

It was agreed Council Member Caranci would prepare a report for the Mayor and Administrator to provide to Commissioner Weiss at their March 15, 2022 meeting.

Resident Bill Rowan, Luwal Drive reported that FP&L had installed new poles behind his property and have still not transferred the wires. The existing wires are not secure on the older pole and they are afraid of a resulting outage.

#### **NEW BUSINESS**

Council member Johnson suggested the Town look into adopting an Ordinance that would follow recent legislation which would implement a rent stabilization program. She reported that rents have increased astronomically and there should be some controls in place. She referred to such a proposal occurring in the Miami Dade area.

Staff would try to procure a copy of the proposed Ordinance from Miami Dade.

It was agreed to place this matter on the April workshop.

Council Member Caranci commented that the presentation by Jonathon Brown from the County regarding rent programs and home purchase incentives for low to moderate income and first-time

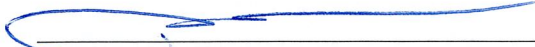
homeowners would benefit the residents of the Town. He asked that staff include information on these programs in our next newsletter as well as on our website.

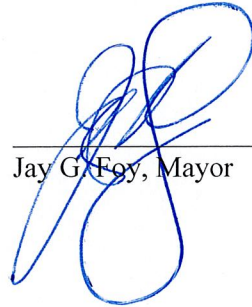
Mayor Foy commented that there was 65 million dollars available in forgivable loans to those who qualify.

**ADJOURNMENT**

**With no further business to come before the Town Council, the meeting adjourned at 7:45 p.m.**

Approved: March 24, 2022

  
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Janice C. Rutan, Town Administrator

  
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Jay G. Foy, Mayor



