

**TOWN OF HAVERHILL
TOWN COUNCIL REGULAR MEETING
THURSDAY, NOVEMBER 9, 2023
6:00 P.M.
OFFICIAL MINUTES**

The regular monthly meeting of the Haverhill Town Council was held on Thursday, November 9, 2023, 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 G. Foy, Vice Mayor Lawrence Gordon, Council Member Ray Caranci, Council Member Teresa Johnson, and Council Member Dennis Withington (via teleconference). Town Staff present included Town Attorney John Foster, Town Administrator Tracey Stevens, Public Services Coordinator Joe Petrick, and Deputy Town Clerk Jean Wible. With a quorum present in the Council Chambers, the meeting proceeded.

COMMENTS FROM THE PUBLIC

There were no comments provided by the public at this time.

APPROVAL OF THE AGENDA

Mayor Foy asked 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 October 26, 2023, Regular Meeting
2. Approval of Consulting Services Agreement with AECOM for NPDES Engineering Services

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

PROCLAMATIONS AND PRESENTATIONS

3. Presentation of the International Institute of Municipal Clerks' Certified Municipal Clerk Designation Certificate & Pin to Jean Wible by Florida Association of City Clerks' District Director Renee Basel

Florida Association of City Clerks' District Director Renee Basel presented the Certified Municipal Clerk designation certificate and pin to Deputy Town Clerk Jean Wible. Town Administrator Stevens commended Ms. Wible on her hard work and dedication to the Town, and the Town Council congratulated her on her accomplishments.

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

There were no comments provided by the Palm Beach County Sheriff's Office.

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COMMENTS FROM PALM BEACH COUNTY FIRE RESCUE

Acting District Fire Chief Craig Spiegelhalter reported on the statistics for the month of October which included 21 total events with 12 being EMS calls, 6 motor vehicle accidents, 2 assist/investigations, and 1 fire alarm. The average response time was 6.11 minutes. He reported on Fire Department events and successes as well. Council Member Caranci asked about the different formatting of the statistics report, and Acting Chief Spiegelhalter responded that he would inquire with his staff and report back.

PUBLIC HEARINGS & ORDINANCE READINGS

There were no public hearings or ordinance readings.

REGULAR AGENDA

4. Discussion Regarding Ballfield Reconfiguration Project, and Approval of First Phase of Project

Town Administrator Stevens recapped the discussion of this project from the last meeting and noted that the contract for the first phase of the project which includes demolition, fence repairs, and bathroom cleaning and repairs has been submitted for approval. She introduced Public Services Coordinator Petrick who reported on the specifics of the landscaping quotes. After discussion of the project, the Council directed staff to gather quotes for landscaping the portion of the field that will remain bare after the demolition is completed. It was noted that the clay will need to be removed and the field sprayed for weeds, and it was the desire of the Council to install Bahia sod which will need less maintenance. The Council also asked staff to check if the Town would be receiving a credit for the scrap aluminum.

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

Council Member Johnson moved to approve the contract with Ibero Property Management for the first phase of the ballfield reconfiguration project to include demolition and bathroom repairs as submitted; seconded by Council Member Caranci. Motion carried 5-0.

5. Review Meritage Homes Memorandum of Understanding in Reference to Application for Voluntary Annexation of Wallis Road Property

Town Attorney Foster gave a brief background on the voluntary annexation application of property off Wallis Road and noted that staff had been working with the applicant on a memorandum of understanding to cover the town in the event of a lawsuit based on the preliminary comments from the County. He mentioned that the Town Administrator noticed that the property to potentially be annexed is not in the Town's future annexation area; however, it is in the County's future annexation area for Haverhill & West Palm Beach.

Discussion ensued and Town Administrator Stevens stated that several things should be reviewed in our comp plan if we move forward such as school concurrency, traffic impacts, etc., as it appears from the Future Annexation Area Map that in the long-term planning of the town, annexing that far was not contemplated so there may be some long-range effects. Council Member Caranci agreed and noted that if it wasn't a voluntary annexation, a study would need to be performed. He stated that the Council may want to look into performing a study to find out how much this annexation would impact the taxpayers long-term.

Vice Mayor Gordon asked if the County was serious about a lawsuit, and Town Attorney Foster responded that he is unsure. Town Administrator Stevens noted that the County referenced workforce/affordable housing in its opposition letter to the Town, as they may see that piece of property as a good opportunity to provide that in the future.

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Brian Seymour, the Attorney for the Applicant, spoke to the Council and stated that a study will be completed regarding school concurrency, traffic impacts, public safety services, utilities, etc. during the application process as there are also pending site plan approvals, zoning and comp plan amendments. The short and long-term analysis will all be done as part of that process. He noted that the opposition letter from the County is not actually a County position per se. The letter was generated by a member of the County staff and was not approved by the County Commission. Prior to filing a lawsuit, they would need to initiate the intergovernmental dispute resolution process which is unlikely. The applicant is willing to indemnify the Town through the memorandum of understanding if that were to happen. Town Attorney Foster agreed and noted that staff recommends moving forward with the indemnity agreement.

Mayor Foy asked if consenting to the agreement would be moving forward with the application, and Town Administrator Stevens explained that the applicant placed the application on hold while we work through this process, and only the applicant can decide to move forward with the application at this point.

Council Member Johnson asked about the annexation process and Town Attorney Foster explained the process and legal requirements.

Mayor Foy disclosed that he has been placed on the County DRO by one of his clients and asked if that would be a conflict in the future. Town Attorney Foster stated that he does not think this would go before the County DRO.

Town Attorney Foster stated that Mayor Weiss seemed to be in favor of this annexation and didn't have any objections when he spoke to him along with the applicant.

Vice Mayor Gordon asked that the indemnification agreement cover the town if any party sued, and not limit it to just the County. Attorneys Foster and Seymour both agreed.

Council Member Caranci moved to approve the concept of the applicant indemnifying the Town in the event of any litigation and authorize Town Staff to finalize the agreement and the Mayor to sign the agreement once it is finalized; seconded by Vice Mayor Gordon. Motion carried 5-0.

6. Discussion Regarding Building Official Position

Town Administrator Stevens noted that the Building Official will be phasing into retirement in January, and she had gathered prices for a replacement. She stated that Nova Engineering is her top pick even though their hourly rates are a little higher than the competition. She stated that she has experience working with their Building Official who has a lot of experience and is very knowledgeable. She stated he has assured her that they will be able to work efficiently and stay within budgeted amounts, even with the higher hourly rates. She stated the Building Official will be able to perform Building & Zoning Official duties and perform inspections, and they also have another inspector that will likely be assigned to Haverhill. She stated she has experience working with the other two companies that she gathered prices for as well, and Nova Engineering is recommended over the other two companies. She stated that she recommends contracting with Nova Engineering for a one-year period initially so the Town can ensure the company will be able to stay within budgeted amounts and offer the Town an increased level of service.

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Mayor Foy asked about the bid process, and Town Administrator Stevens stated that the annual budget for the Building Official is \$40,000 which is under the Town's threshold of \$65,000 for going out to bid.

Mayor Foy asked that a resolution be created for Bill Denison, thanking him for his years of service.

Discussion ensued and Town Administrator Stevens answered any questions that the Council Members posed.

There was consensus of the Council for the Town Administrator to work on a contract with Nova Engineering and bring it back to the Council at the next meeting.

7. Discussion Regarding Street Lighting Project

Mayor Foy mentioned that he addressed the potential street lighting needed on Belvedere and Haverhill Roads and it appears that 22 lights will be needed. He used the spacing of 200 feet, which is a little more than the standard 150 feet. Town Administrator Stevens provided the maps for the neighborhood areas that Council Member Caranci worked on, and the Council reviewed and discussed the maps. They were all in agreement with the suggested locations which amounted to 38 between the County roads and town roads.

Town Administrator Stevens stated that she checked with FPL, and there may be a way to do a lump sum payment from ARPA onto our FPL account for the infrastructure costs. She stated she would check with our ARPA Consultant to see if that would be allowed.

There was consensus of the Council to request the standard poles and fixtures, and to go with the same kelvins that are already provided by the County on Belvedere and Haverhill Roads, and the same kelvins that were recently installed on Ivory Lane for the neighborhood areas, and to direct Town Administrator Stevens to submit the maps to FPL for pricing.

8. Resolution No. 2023-09: A Resolution of the Town Council of the Town of Haverhill, Florida, Adopting Budget Amendments for Fiscal Year 2022-2023

Town Attorney Foster read Resolution No. 2023-09 into the record by title only.

Town Administrator Stevens stated that budget amendments are completed at the end of each fiscal year to true-up the expenditure line items. She noted that there is not an increase in overall expenditures of the town, as budget amendments simply move money from one line item that has a surplus to another line item to cover overages. She noted that the town collected more revenues than expenditures, so the balance will be forwarded to the reserves (fund balance) of the town at the end of the fiscal year once the year-end closing entries have been completed.

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

Council Member Johnson moved to adopt Resolution No. 2023-09, approving budget amendments as submitted; seconded by Vice Mayor Gordon. Motion carried 5-0.

9. Resolution No. 2023-10: A Resolution of the Town Council of the Town of Haverhill, Florida, Modifying the Day that Vegetation Can Be Left Curbside Prior to the Wednesday Pickup from Thursday to Friday at 4:00 P.M.

Town Attorney Foster read Resolution No. 2023-10 into the record by title only.

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Town Attorney Foster explained that this change may be made by Resolution as opposed to an ordinance due to the current code language.

Council Member Johnson asked why this change is being proposed, and Town Administrator Stevens explained that Public Works needs an extra day to mow the rights-of-way without obstruction from yard waste, and the change will also minimize the amount of vegetation that is blowing into the drainage systems by being left out too long.

Council Member Caranci mentioned that another change needs to be made to the ordinance section 30-119, as the right-of-way in some areas goes half-way up the driveway which means the yard waste needs to be placed in the right-of-way as opposed to on the street. Town Administrator Stevens stated that it should say “roadway and sidewalk” as opposed to right-of-way. Town Attorney Foster stated that he would look up the definition of curbside as well. **There was consensus of the Council to look into the changes.**

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

Council Member Caranci moved to adopt Resolution No. 2023-10 as submitted; seconded by Vice Mayor Gordon. Motion carried 5-0.

REPORTS

10. Town Attorney

Town Attorney Foster did not have anything to report.

11. Mayor

Mayor Foy reported that short term rentals were discussed at the PBCLOC District II & III meeting and ways you can regulate them. Town Administrator Stevens stated that it was also discussed at the last City Managers’ meeting; however, it would not apply in Haverhill, as the Town did not adopt short-term rental regulations prior to 2011 when the State Legislature preempted municipalities from regulating them. She stated that she and Town Attorney Foster have been discussing rentals and short-term rentals.

12. Town Administrator

Town Administrator Stevens reported that the Trunk-or-Treat event was a success and staff received many great comments from the participants who hoped the event would be held again next year as it provided a safe, fun event for the children.

The Club Road West drainage project will begin the week of November 27th. Town Staff held a pre-construction meeting with the contractor and an MOT was filed, as there will be lane closures during the construction. Notices were mailed to the affected residents and a notice was posted on the website for the public, and an alert will be sent out via the Civic Ready system. She noted that any questions regarding the project should be directed to Town Staff.

The Town received a public service announcement from the Department of Homeland Security which was posted on the website.

13. Treasurer

There was no Treasurer’s Report submitted since the Town Council met two weeks ago.

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14. Committee Delegates

Vice Mayor Gordon reported that he will be attending the FLC Legislative Conference at the end of the month.

Council Member Johnson asked if a letter can be sent to the County Administrator requesting funding in the FY2024-2025 budget for basketball court lighting in Haverhill Park. Town Administrator Stevens stated that she sent an email to Ms. Baker last month and has not received a response. **There was consensus of the Council to send a formal letter.**

Council Member Johnson reported that the Re-Entry Task Force met last month, and they are currently working with business owners to learn more about their hiring process so they can work on recruitment.

Council Member Johnson asked if the Council could hold a ground-breaking ceremony for the new townhomes project to get the word out about the project. Mayor Foy stated he thinks that may cross a line since we should not utilize taxpayer money to promote a private development. He stated it would be different if this was a project funded by the Town for workforce/affordable housing. Town Attorney Foster stated that D.R. Horton likely has a marketing plan, and we could check to see if they have something we could place in our next newsletter, along with contact information for D.R. Horton. Vice Mayor Gordon stated that we could ask for an invitation to the ribbon cutting ceremony when that is held, as that would not cost anything.

UNFINISHED BUSINESS

Council Member Johnson asked if there was a report on the number of septic systems we have in Haverhill, and Mayor Foy responded that the Department of Environmental Resources Management published a report regarding the density of septic tanks in our area. He noted that the Health Department may have the exact number of septic tanks in our Town. A brief discussion regarding septic to sewer conversion was held including potential funding. Town Administrator Stevens will reach out to ERM to inquire about funding.

Council Member Caranci mentioned that he met with FPL regarding the utility issues in his neighborhood and they were very helpful; however, he is still having issues with AT&T.

NEW BUSINESS

Council Member Caranci asked about semi-trucks that were parked in the church parking lot on Haverhill Road near the construction site, and Town Administrator Stevens stated that the church may have given D.R. Horton permission to stage in the parking lot. She stated she would have code enforcement check into it.

Vice Mayor Gordon asked about a fire hydrant in the Briarwood neighborhood that was damaged. He noted that the County already repaired it.

ADJOURNMENT

There being no further business to come before the Town Council, the meeting was adjourned at 7:52 p.m.

Minutes prepared by Town Administrator Stevens and adopted by the Town Council on December 14, 2023.

Approved: _____

Tracey L. Stevens, Town Administrator

Jay G. Foy, Mayor

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