



# REGULAR TOWN COUNCIL MEETING

Monday, September 12, 2022 at 7:30 pm

1. CALL TO ORDER, PRAYER AND PLEDGE
2. ROLL CALL
3. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES
4. CONSENT AGENDA
  - a. Approve Minutes RTCM 08/15/2022 & Budget WS 08/22/2022  
Exhibit: Agenda Report Number 4a

**Attachments:**

- **Agenda Report Number 4a** (Agenda\_Report\_Number\_4a.pdf)

- b. Consideration for Professional Services for Surficial Pavement Assessment Proposal with EDC, Inc, a continuing contract for engineering services.  
Exhibit: Agenda Report Number 4b

**Attachments:**

- **Agenda Report Number 4b** (Agenda\_Report\_Number\_4b.pdf)

5. ATTORNEY REPORT
6. BCSO REPORT
7. BOARD / COMMITTEE REPORTS
  - a. T&G Committee
  - b. Park & Recreation Board
  - c. Planning & Zoning Board
8. STAFF REPORTS
  - a. Town Manager Matt Stinnett
  - b. Special Projects Manager Lisa Morrell (Written)  
Exhibit: Agenda Report Number 8b

**Attachments:**

- **Agenda Report Number 8b** (Agenda\_Report\_Number\_8b.pdf)

- c. Fire Chief
- d. Public Works Director Tom Miliore (Written)  
Exhibit: Agenda Report Number 8d

**Attachments:**

- **Agenda Report Number 8d** (August\_PW\_Report.pdf)

**e. Town Clerk Debby Franklin**

**9. PUBLIC COMMENTS**

Comments at this point may address items NOT on the Agenda. Comments related to subsequent Agenda Items may be made as those items come up. Public comments do not require a Council response. (Speaker Card is Required)

***Five (5) Minute Limit per Speaker***

**a. Agenda Request form - Wayne Abare - Speed Bump on Rocky Point Road**

Exhibit: Agenda Report Number 9a

**Attachments:**

- **Agenda Report Number 9a** (Agenda\_Report\_Number\_9a.pdf)

**10. PUBLIC HEARINGS: 3**

**a. Certify Storm Water Roll for Non-Ad Valorem Collection for FY 22/23 (Resolution 17-2022)**

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; PROVIDING CERTIFICATION OF ANNUAL STORMWATER UTILITY ASSESSMENT ROLL; ADOPTING AN ANNUAL BUDGET FOR THE TOWN'S STORMWATER UTILITY; PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 10a

**Attachments:**

- **Agenda Report Number 10a** (Agenda\_Report\_Number\_10a.pdf)

**b. First Reading: Approve Millage Levy for FY 2022/2023 (Ordinance 2022-07)**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; ADOPTING THE MILLAGE RATE OF 4.5001 FOR THE LEVY OF AD VALOREM TAX WITHIN THE TOWN FOR THE PERIOD FROM OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023, AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 10b

**Attachments:**

- **Agenda Report Number 10b** (Agenda\_Report\_Number\_10b.pdf)

**c. First Reading: Approve Budget for FY 2022/2023 (Ordinance 2022-08)**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; ADOPTING THE BUDGET OF \$6,963,824.00 FOR THE FISCAL PERIOD FROM OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 10c

**Attachments:**

- **Agenda Report Number 10c** (Agenda\_Report\_Number\_10c.pdf)

**11. UNFINISHED BUSINESS/GENERAL ORDERS MAY INCLUDE ITEMS DIRECTLY RELATED TO RESIDENTS PRESENT AT MEETING**

(RECOMMENDATIONS FROM BOARDS, HOA REQUESTS, RESIDENT GRIEVANCES)

**12. ACTION ITEMS**

ORDINANCES: 0

RESOLUTIONS: 1

MISCELLANEOUS: 3

**a. Approve Contract for Town Clerk (Resolution 18-2022)**

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; PROVIDING FOR THE APPOINTMENT OF RICHARD KOHLER AS THE MALABAR TOWN CLERK; PROVIDING FOR DUTIES, REMUNERATION AND BENEFITS; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 12a

**Attachments:**

- **Agenda Report Number 12a** (Agenda\_Report\_Number\_12a.pdf)

**b. Council Qualifies Council Candidates**

Exhibit: Agenda Report Number 12b

**Attachments:**

- **Agenda Report Number 12b** (Agenda\_Report\_Number\_12b.pdf)

**c. Council Direction on 2nd Round of Treasurer Advertising**

Exhibit: Agenda Report Number 12c

**Attachments:**

- **Agenda Report Number 12c** (Agenda\_Report\_Number\_12c.pdf)

**d. Consideration of Change Order for Wayfinding Signage with Southeast Lighting Solutions, Inc.**

Exhibit: Agenda Report Number 12d

**Attachments:**

- **Agenda Report Number 12d** (Agenda\_Report\_Number\_12d.pdf)

COUNCIL CHAIR MAY EXCUSE ATTORNEY AT THIS TIME

**13. DISCUSSION/POSSIBLE ACTION**

**a. Council Reviews of Clerk and Manager**

Exhibit: Agenda Report Number 13a

**Attachments:**

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**14. PUBLIC COMMENTS**

General Items (Speaker Card Required)

**15. REPORTS - MAYOR AND COUNCIL MEMBERS**

**16. ANNOUNCEMENTS**

(1) Vacancies on the Planning and Zoning Board

**17. ADJOURNMENT**

If an individual decides to appeal any decision made by this board with respect to any matter considered at this meeting, a verbatim transcript may be required, and the individual may need to ensure that a verbatim transcript of the proceedings is made (Florida Statute 286.0105).

The Town does not provide this service. In compliance with F.S. 86.26 and the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the Town's ADA Coordinator at 321-727-7764 at least 48 hours in advance of this meeting.

# TOWN OF MALABAR

## COUNCIL MEETING

**AGENDA ITEM NO: 4.a.**

**Meeting Date: September 12, 2022**

**Prepared By: Debby Franklin, C.M.C., Town Clerk/Treasurer**

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**SUBJECT: Meeting Minutes**

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**BACKGROUND/HISTORY:**

Summary of Council actions at the Town Council Regular Meeting Minutes

**ATTACHMENTS:**

- Draft Minutes of RTCM Minutes of 8/15/2022
- Draft Minutes of Budget WS of 8/22/2022

**ACTION OPTIONS:**

Council Action on Consent Agenda

**MALABAR TOWN COUNCIL  
REGULAR MEETING MINUTES  
AUGUST 15, 2022, 7:30 PM**

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road.

**1. CALL TO ORDER:**

Council Chair, Mayor Reilly called meeting to order at 7:30 pm. CM Vail led P&P.

**2. ROLL CALL:**

CHAIR:

MAYOR PATRICK T. REILLY

VICE CHAIR :

STEVE RIVET

COUNCIL MEMBERS:

MARISA ACQUAVIVA

BRIAN VAIL

DAVID SCARDINO

MARY HOFMEISTER

TOWN MANAGER:

MATT STINNETT

TOWN ATTORNEY:

KARL BOHNE

TOWN CLERK/TREASURER:

DEBBY FRANKLIN

**3. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES:** add reso 13-2022-A as 10.b.

**4. CONSENT AGENDA:**

**4.a. RTCM Minutes of 8/01/2022**

**4.b. Agreement for co-location between Brevard County Fire rescue and Town of Malabar. Place two Brevard units at Station 99 while they rebuild Station 88.**

**MOTION: CM Vail / CM Acquaviva to approve Consent Agenda. Vote: All Ayes.**

**5. ATTORNEY REPORT:** Re: the issue with County EEL there has been a hearing set for 11/21/2022 on the 'Motion to Abate' the Town filed to request mediation. Re: Faber issue, the time to respond has passed. He is filing and the next step will be to file for foreclosure. Re: Painted Acres issue, they will be going to trial next week

**6. STAFF REPORTS:**

**6.a. Town Manager –** Culvert collapse on Corey and will have to get a contractor to replace ASAP.

**6.b. Clerk –** There are candidates for all three council openings. Council will qualify on 11/12/22 agenda.

**7. PUBLIC COMMENTS:** Comments at this point may address items NOT on the Agenda. Comments related to subsequent Agenda Items may be made as those items come up. Public comments do not require a Council response. (Speaker Card is Required) **Five (5) Minute Limit per Speaker.**

**8. PUBLIC HEARINGS: 2**

**8.a. Second Reading of Ord 2022-08**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ESTABLISHING A TEMPORARY MORATORIUM ON THE SUBMITTAL, PROCESSING, AND APPROVAL OF PETITIONS REQUESTING ACCEPTED DIRT ROADS TO BE PAVED THROUGH SPECIAL ASSESSMENTS APPROVED BY COUNCIL PURSUANT TO ARTICLE II OF CHAPTER 13, SECTION 13-52 (2); PROVIDING FOR FINDINGS, INTENT AND THE DURATION OF THE MORATORIUM; PROVIDING FOR AN EXTENSION PERIOD; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

**Exhibit:**

**Agenda Report No. 8.a.**

Ordinance read by title only.

PH opened: no public. PH closed.

Atty Bohne said the title incorrectly states it will be codified and these types of ordinances don't get codified.

MOTION: CM Scardino / CM Vail to adopt Ord 2022-08.

Discussion: none

ROLLCALL VOTE: CM Acquaviva, Nay; CM Vail, Aye; CM Rivet, Aye; CM Scardino, Aye; CM Hofmeister, Aye. Motion carried 4 to 1.

**8.b. Second Reading of Ord 2022-09**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA EXTENDING THE WATER AND SEWER FRANCHISE WITH THE CITY OF PALM BAY AS ESTABLISHED IN ORDINANCE 2012-55; PROVIDING FOR CODIFICATION, PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit: Agenda Report No. 8.b.**

Ordinance read by title only.

PH opened: no public. PH closed.

MOTION: CM Rivet / CM Scardino to adopt Ord 2022-09.

Discussion: Franklin said this one will be codified in the "franchise" section of the code book.

ROLLCALL VOTE: CM Acquaviva, Aye; CM Vail, Aye; CM Rivet, Aye; CM Scardino, Aye; CM Hofmeister, Aye. Motion carried 5 to 0.

**9. UNFINISHED BUSINESS/GENERAL ORDERS MAY INCLUDE ITEMS DIRECTLY RELATED TO RESIDENTS PRESENT AT MEETING:**

- 10. ACTION ITEMS: 3**
- ORDINANCES for FIRST READING: 0**
- RESOLUTIONS: 2 (added Reso 13-2022-A)**

**10.a. NON-BINDING REFERENDUM QUESTION (Reso 16-2022)**

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY FLORIDA; CALLING AND SCHEDULING A NON-BINDING REFERENDUM ELECTION TO DETERMINE IF THE TOWN SHOULD ADOPT A MILLAGE RATE OF 5.0000 FOR FISCAL YEAR 2023/2024 TO FUND CAPITAL IMPROVEMENTS AND OPERATION; PROVIDING FOR THE MANNER IN WHICH SUCH ELECTION SHALL BE CONDUCTED; ESTABLISHING THE FORM OF THE BALLOT FOR SUCH ELECTION; PROVIDING AN EFFECTIVE DATE.

**Exhibit: Agenda Report No. 10.a.**

Resolution read by title only.

Chair asked for motion. Staff expressed need to determine millage for "blank" in resolution before that vote.

Discussion: CM Vail spoke about cost to rebuild roads and the responsibility of Council to maintain the Town. CM Rivet echoed CM Vail – they have responsibility to improve quality of life. Stated they have made a lot of progress in the last few years. He is fully in favor of increasing the millage in order to fund these needs. CM Scardino is ok with 5.0000 but questions maintenance. CM Vail stated that paved roadways reduce the maintenance. CM Acquaviva said we need an engineer to certify the roads, how long they will last and how much they cost. Mayor said we are only going up 2mil. TM said we need to consider that the millage Council discussed for this year was 4.5000. Council agreed the millage in the referendum question should be higher.

MOTION: CM Vail / CM Rivet to use 5.0000 mil in the blank in the resolution. Vote: All Ayes.



**MOTION:** CM Vail / CM Rivet to adopt Reso 16-2022.

Discussion: none

**ROLLCALL VOTE:** CM Acquaviva, Aye; CM Vail, Aye; CM Rivet, Aye; CM Scardino, Aye; CM Hofmeister, Aye. Motion carried 5 to 0.

**10.b. RESOLUTION PROVIDING DETAILED INFO ON VACATES  
APPROVED IN RESO 13-2022 ON JUNE 20, 2022**

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE ADDITIONAL DETAILED INFORMATION RELATED TO THE VACATES APPROVED ON JUNE 20, 2022, IN RESOLUTION 13-2022 AS REQUESTED BY THE BREVARD COUNTY PROPERTY APPRAISERS AND LAND RECORDS DEPARTMENTS; PROVIDING FOR AN EXHIBIT OF THE VACATES; PROVIDING FOR AN EFFECTIVE DATE.

**Exhibit: Agenda Report No. 10.b**

Resolution read by title only.

Chair asked for Clerk to address subject.

Franklin explained that the Property Appraiser and GIS Departments at the County wanted more detailed information on the vacates to properly assign the vacated rights-of-way. Going forward we will probably include an additional step in the application process to have a legal done of the vacate to include with the resolution for recording.

**MOTION:** CM Acquaviva / CM Hofmeister to adopt Reso 13-2022-A.

Discussion: none

**ROLLCALL VOTE:** CM Acquaviva, Aye; CM Vail, Aye; CM Rivet, Aye; CM Scardino, Aye; CM Hofmeister, Aye. Motion carried 5 to 0.

**MISCELLANEOUS: 1**

**10.c. Interview Potential Candidates for Clerk as directed at RTCM 8/1/2022**

**Exhibit: Agenda Report No. 10.b.**

Chair stated that Ms. Rinaldi had also been invited to interview and explained she had accepted another position. Chair called Mr. Kohler to podium.

Kohler read opening statement.

CM Vail – how do you effectively record ordinance? Kohler replied that after it is reviewed by Attorney and adopted by Council it is recorded at the Clerk of Courts if necessary.

CM Rivet is satisfied with knowledge he has of Kohler.

CM Acquaviva – the Deputy is the interim Clerk when Clerk is out. What excites you about being a clerk? Kohler stated its doing everything. He is excited about doing more. Was involved with hometown issues when he was little and learned how the issues are discussed; they were deciding on a library or a pool. Has always been interested. CM Acquaviva asked about college. Kohler stated he attended Fla Eastern college but was interrupted when he served on Council and worked fulltime; the second time he had dual issues with a new baby and his mom's health. He would like to continue his education when he can.

CM Hofmeister asked if he would still be secretary on T&G? Yes, he will continue unless his duties are too much.

CM Scardino is comfortable with Richard Kohler and has no questions at this time.

Chair asked Franklin to speak. Franklin said the experience will come by doing the job and there is a strong support system locally for him to call on with issues. She fully supports Richard filling this position. She came here from Harris and learned by reading and doing. Richard has met the requirements for certification and the paperwork is being processed. He will receive his certification at a ceremony at an upcoming Council meeting.

CM Vail said it is not just one job and stated he thinks Kohler is very diverse at that with special events and is active as a part of this community.



Chair asked SPM Morrell. She stated she had previously spoken to Richard about the time commitment and the additional hours the job would require.

Chair asked Atty Bohne. Atty state he has a good relationship with Richard and restated the need for communication between the Attorney and Clerk and much gets done or discussed after hours or on weekends. It is a necessity.

**MOTION: CM Scardino / CM Rivet to hire Richard Kohler as Malabar Clerk contingent on a negotiated contract.**

Discussion: CM Acquaviva wants him as an interim or Deputy and have a review after a period of time. Chair asked if motion maker wanted to amend motion. No.

**VOTE: All Ayes**

**MOTION: CM Vail / CM Acquaviva to appoint CM Rivet to negotiate with Richard Kohler. VOTE: All Ayes**

**Chair may excuse Attorney at this Point.**

**11. DISCUSSION/POSSIBLE ACTION: 1**

**11.a. Maintenance of ditches (CM Scardino)**

**Exhibit: Agenda report No. 11.a.**

CM Scardino stated he is called a lot about the ditches and wanted to know status of maintenance.

TM said he has contacted a vendor to clean the culverts. Town ROW culverts need clearing. He doesn't think it can be done this year. CM Acquaviva asked him to Mayor said equipment TM said we are down to Tom and one employee. Slope mower is also down again since Thursday. CM Vail said complements on Atz and on Marie by Carl's property. You can't get contractors. Need to get in line.

**12. PUBLIC COMMENTS: General Items (Speaker Card Required) (5 minutes limit)**

**13. REPORTS – MAYOR AND COUNCIL MEMBERS**

**CM Acquaviva:** nothing

**CM Vail:** nothing

**CM Rivet:** nothing

**CM Hofmeister:** berry season and the pickers are out

**CM Scardino:** nothing

**Mayor Reilly:** went to his first conference. It was a full event. Lots of towns in the same position we are. Can't keep employees. Went to the Mayor's meeting. Will use the next two years.

**14. ADJOURNMENT:** There being no further business to discuss and without objection, the meeting was adjourned at 8:40 P.M.

BY: \_\_\_\_\_  
Mayor Patrick T. Reilly, Council Chair

ATTEST:

\_\_\_\_\_  
Debby Franklin, C.M.C.  
Town Clerk/Treasurer

Date Approved: 09/12/2022

**MALABAR TOWN COUNCIL  
TOWN COUNCIL WORKSHOP MINUTES  
August 22<sup>nd</sup>, 2022, 7:30 PM**

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road.

**1. CALL TO ORDER:**

Council Chair Mayor Patrick T. Reilly called meeting to order at 7:30 pm. Mayor Reilly led P&P.

**2. ROLL CALL:**

CHAIR:	MAYOR PATRICK T. REILLY
VICE CHAIR:	STEVE RIVET
COUNCIL MEMBERS:	MARISA ACQUAVIVA
	BRIAN VAIL
	DAVID SCARDINO
	MARY HOFMEISTER
TOWN MANAGER:	MATT STINNETT
DEPUTY CLERK/TREASURER:	RICHARD KOHLER

**3. WORKSHOP ACTION:**

**a. Draft Budget Presentation**

TM Stinnett began by discussing the significant changes since the last budget. We have raised the millage rate to 4.5. We have increased 513 to include a new government accounting system, additional funds in 514, 541 to add 2 Million with a loan, but a longer loan can increase the payout. \$200k in 522 to pay off Engine 99 in the next Fiscal Year. There will be a need to replace the tender in a few years as well. The FD employees have received a 10% raise to match the rest of town staff. That leaves over \$200k to be allotted, he recommends streets and roads and stormwater. With the loan and ARPA funds, we can spend around \$2 million this coming year.

Mayor referenced that we have spent \$180k in this year, and now were going to 2 million. If we drop our millage, would we lose that money? TM states that is mostly from debt services. Mayor states we will use it on infrastructure projects.

CM Vail states that at the last meeting we discussed the surplus allotted from a 4.5 millage rate. We need shovel ready projects for grants, and we can accomplish some by cash. We are not in a hurry to close on a loan, but the additional \$600k would go towards repairing paved roads.

CM Acquaviva states she may support an increase, but only if it is used to get a roads assessment to improve our roads. CM Vail agrees.

CM Scardino asks how many years it will take to complete the repaving? CM Vail states it is unknown. Once we get the assessment, it will clear up the picture. The residents he has discussed this with have all supported putting the money into roads. CM Scardino asks if there is a cost per liner foot number?

CM Acquaviva states she discussed using ARPA funds to pay for the roads assessment. The plan is in the works. TM Stinnett states the biggest costs will be tonnage and mobilization. Grant Valkaria is planning to repave the southern portion of Corey Rd, but they have not received the estimate. CM Vail states the cost of asphalt is directly related to the cost of oil. CM Scardino asks when we could see an estimate? TM Stinnett states he has been told it was expected 2 weeks ago. He will update Council when it comes in. CM Rivet states it is likely to be a shockingly high number.

CM Scardino states we are years behind where we need to be. CM Acquaviva states the paving assessment SPM Morrell is working on will help. She is very please with the

progress she has seen. We won't raise the taxes to a point that we can pave all these roads today.

TM Stinnett states the amount in the budget is not enough to get it all done. This is a good kick start. Once we get the funds, we can have a workshop to plan the spending and implementation. This is a good start.

CM Rivet states when we get the assessment, we will likely learn we are 15 years from completion. We are so far behind, we need to raise the millage to the max.

Mayor states we have asked the people what they think with a referendum question.

CM Acquaviva states she has never been a part of a Council that is doubling peoples' taxes, but if we do this right, she believes the residents will support it.

CM Vail states everyone he has talked to has been in support of raising the millage. He estimates he has spoke to 15 people, and all supported it.

CM Acquaviva states she wishes to speak about personnel costs. We will negotiate a Clerk salary, a Treasurer salary, and a front desk person. She feels the TM position should be increased.

CM Scardino stated that many Town Halls he has been to don't have a front desk person.

Deputy Clerk Kohler stated that a Deputy Clerk can be a front desk person. He has acted in that role since the Administrative Assistant position was vacated several months ago.

CM Rivet states he agrees. He would like to shift the conversation to the TM salary.

CM Acquaviva states her appreciation for TM Stinnett, and all his dedication to our Nation and our Town.

CM Vail states employee retention is an important aspect, and we should pay accordingly.

CM Hofmeister asks why we don't do performance reviews?

Mayor stated Council voted in 2018 to stop reviews.

CM Hofmeister states she has an issue with the lack of reviews and feels the Clerk position should be readvertised.

CM Acquaviva states the fact that we don't review people is ridiculous. We don't know employee's attendance records and such. CM Rivet suggests it be brought forward as an agenda item.

CM Scardino asks what we should pay the TM. CM Vail suggests \$80k. CM Acquaviva suggests \$100k. Mayor states the pay is dedicated to experience. We can't judge our pay based on non-equal peer cities.

CM Acquaviva states we just hired a Clerk with no experience. Matt is the longest tenured employee behind Ms. Franklin and Ms. Sherear, having served since 2018. She doesn't understand it. We have given out high salaries to outside people coming in, and we should hold it true for our tenured employees.

CM Scardino suggests \$85k. CM Vail and Rivet agree.

CM Hofmeister suggests \$86k, and CM Acquaviva supports it. CM Hofmeister states depending on the Clerk and Treasurer salary maybe more. Consensus is reached at \$86k.

CM Scardino reminds Council that the review process happens every week, as these positions serve at Council's pleasure.

Mayor asks for more information on the 10% raise for FD. CM Scardino states it is realistic if they don't go higher. CM Vail states we gave everyone else 10%, its only fair. TM Stinnett states he has spoken to the FD, and we are on the same page. CM Vail states we have many dedicated Fire Fighters. They have been dedicated employees, often starting as volunteers. CM Rivet states he is pleased that the unionization has been a good change. CM Vail states it helped with training, supplies and comradery. CM Acquaviva states she remembers when we were a training ground, and its good to have long term dedicated employees. CM Vail states that 3 area big department chiefs started as volunteers here in Malabar.

CM Vail states this year we have \$600k set aside for paving projects, and he wants to see that continue year after year. CM Scardino agrees. CM Vail states we need shovel ready projects. We can earmark the increased ad valorem funds to build a bigger pot to pay for projects. Mayor noted that the CIP road paving line is 2.4 million, and without a loan, only 400k is left. That's not 600k. CM Vail states we can pay cash to do small projects while we get our projects and materials together. CM Scardino states there are shortages of materials which effect production. CM Acquaviva states she has told residents the millage increase will show an improvement in roads. CM Vail asks how well it was received? CM Acquaviva states once she explains it, it is well received. She doesn't want to see a switch and bait.

TM Stinnett asks if we should take the 2 million out?

CM Scardino and Vail state to take it out when we have shovel ready projects.

CM Acquaviva asks what having it would do? TM States it is a beginning. We are going to do a study, a financial plan, and other projects. We can have money from a loan in under 6 months, so we can certainly get the projects together first.

Mayor requests clarification of the \$2 Million dollar line item of the income. CM Rivet states we should leave it in and amend it out if we can't get it this year. TM Stinnett reiterated that the additional funds be allotted to streets and roads.

Mayor asks if Council has any requests for changes to the CIP.

CM Scardino asks about lighting in the park.

CM Acquaviva asks about the Slope Mower. TM Stinnett states the PW is eyeing a mowing head for the mini excavator, if we can fund it this year it will assist us in maintaining the ditches when the slope mower goes down. CM Acquaviva asks if Council wants to budget for this? Consensus is yes.

CM Scardino asks if we have a skid loader? CM Vail states we have a new loader, Gradall, and a bed on a dump truck. TM Stinnett states we are well ahead of where we

were in PW equipment. We have some equipment we would like, and a new employee starting Wednesday.

TM Stinnett asks Council if they are satisfied with the FD Budget? CM Vail states as long as it doesn't affect the \$600k going to streets and roads, he is fine with it. In the future we will need a new tender, so we should plan to put aside money for that.

CM Scardino asks how long 3500 gallons would flow? CM Vail explains that the tender would act as a hydrant and supply the pumper truck.

Mayor requests more information on the funds in Streets and Roads. TM Stinnett explained that we purchase product for the dirt roads out of line item 541.4610.

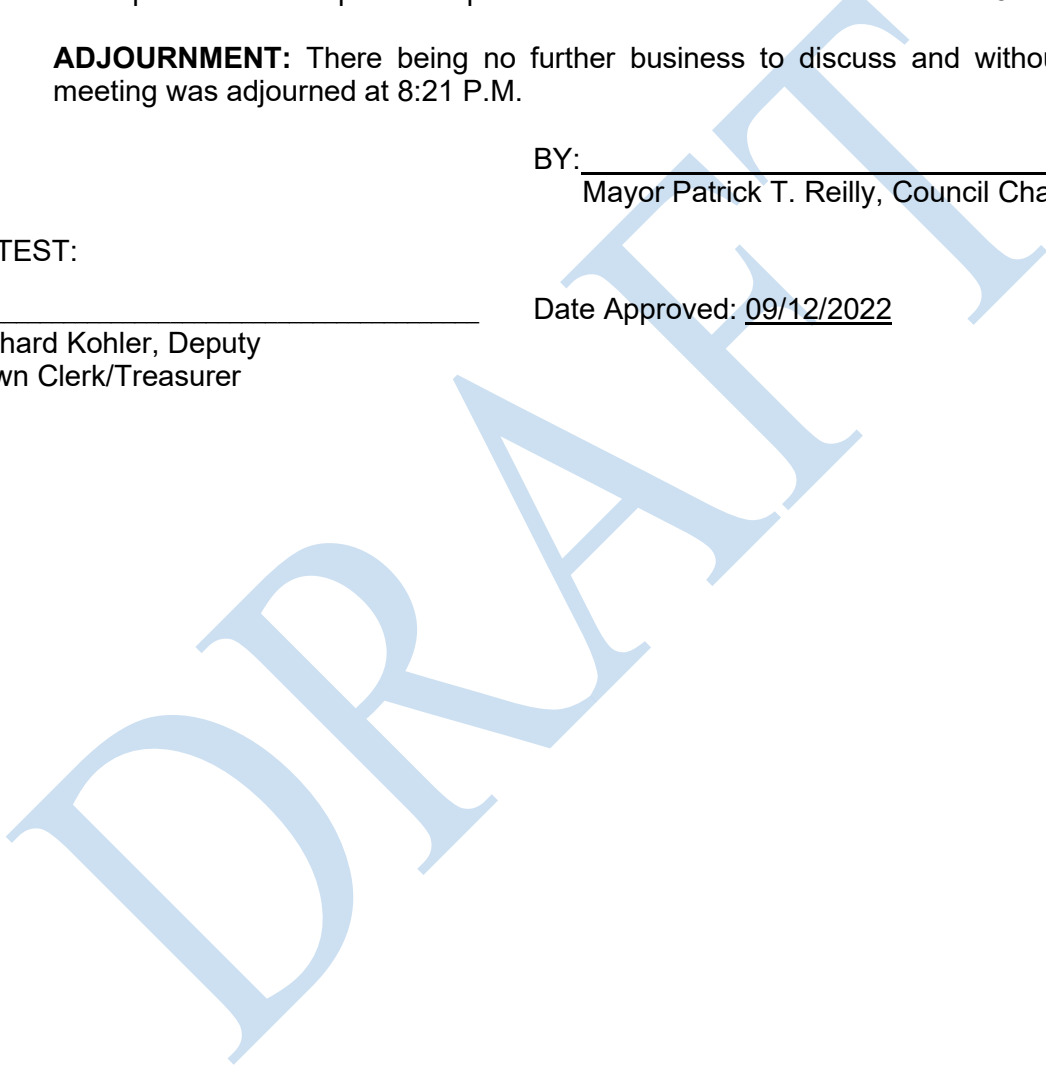
4. **ADJOURNMENT:** There being no further business to discuss and without objection, the meeting was adjourned at 8:21 P.M.

BY: \_\_\_\_\_  
Mayor Patrick T. Reilly, Council Chair

ATTEST:

\_\_\_\_\_  
Richard Kohler, Deputy  
Town Clerk/Treasurer

Date Approved: 09/12/2022



# TOWN OF MALABAR

## COUNCIL MEETING

AGENDA ITEM NO: 4.b.  
Meeting Date: September 12, 2022

Prepared By: Lisa Morrell, Special Projects Manager

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**SUBJECT: Consideration for Professional Services for Surficial Pavement Assessment Proposal with EDC, Inc, a continuing contract for engineering services.**

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### BACKGROUND/HISTORY:

Town Council directed staff at the June 20, 2022, council meeting approving the ARPA allocations pursuant to the public workshop held on June 13, 2022, to bring forth a proposal of professional services to evaluate the Town's existing paved roadways to provide analysis of the current condition, methods of repaving, and assist Town Council in prioritizing projects and funding based on the evaluation process.

Staff contacted EDC, Inc, a Town Council authorized contractor for continuing engineering services on July 7, 2022, to inquire for services. Town staff also researched and reviewed other agency contracts available for road pavement condition analysis and potential costs. Transmap was considered as a potential solution for the project with existing contracts across the State, from Hollywood to Panama City. This company is based in Ohio and provides services using a vehicle equipped with sensors and cameras to collect data and imagery to evaluate roadways. This process is complex and usually is provided to a professional engineer with paving and roadway expertise to review and formulate recommendations for improvement and repaving methods. The Town does not employ such expertise within the current staffing levels.

EDC has provided a Professional Services for Surficial Pavement Assessment proposal totaling \$28,500, with two project task order of field work and reporting totaling \$25,500. The proposal includes a not to exceed value of \$3,000 for the firm to present and attend a Council Meeting at the Town's request and discretion. The proposal is limited and defined assessment and is not meant be interpreted as a Pavement Condition Index (PCI) assessment. PCI Assessments are typically performed on smaller increments (5,000 SF) and would be a significant undertaking for 20 miles of road. This scope is a bit more streamlined with field work and cataloging the pavement condition.

### FINANCIAL IMPACT:

The ARPA funding has been allocated and approved for road infrastructure projects totaling \$329,010. Approval of the proposal would deduct \$28,500, with a remaining fund balance, \$300,510.

### ATTACHMENTS:

Professional Services for Surficial Pavement Assessment Proposal

### ACTION OPTIONS:

Motion to approve proposal for Professional Services for Surficial Pavement Assessment proposal and authorize the Town Manager to execute task order with EDC, Inc located at 10250 SW Village Parkway - Suite 201, Port Saint Lucie, Florida 34987





August 17, 2022

Lisa Morell, Special Projects Manager  
 Town of Malabar  
 2725 Malabar Road  
 Malabar, Florida 32950

via email: [LMorrell@townofmalabar.org](mailto:LMorrell@townofmalabar.org)

**Subject: Proposal for Professional Services for Surficial Pavement Assessment**

Ms. Morell:

We appreciate the opportunity to submit the following proposal for professional services regarding surficial pavement assessments on a number of roadways within the Town of Malabar.

The data table below identifies the roadways and details of those you've adopted for this purpose:

Roadway	Width (ft)	Length (ft)
Atz Road	23	13200
Atz Road	23	21
Bavwood Court	21	200
BenjaminRoa	18	3375
Blanche Street	20	1060
Bluff View Place	20	115
BriarCreek Blvd	23	2875
Briar Run Circle		85
Brookshir Circle	20	334
Century Oak Cr	20	1260
Coral Way	22	1550
Corey Road	22	14460
Coquina Ter	20	1350
Country Cove Circle	20	3085
Eva Lane	17	2640
Falls Trail	20	219
First	20	240
Florence	21	1060
Gilmore	15	220
Glatter	18	2890
Hall	20	13200
Hollow Brook	20	2045

Roadway	Width (ft)	Length (ft)
Holloway Trail	20	324
Homestead	20	1200
Huggins	22	808
Hunter Lane	15	1320
Jordan Blvd	70	1010
Lineberry	20	1200
Marie	22	5280
Nome	22	920
Oak Harbour	20	338
Oak Tree Place	20	389
Pemberton Trail	20	1053
Reef Place	20	510
Riverview	20	780
Rocky Point	22	7590
Smith	20	2244
Steeplechase	20	358
Township	20	1056
Weber	23	10560
W Railroad	20	1830
Totals	859	104,254

Based on the provided information we understand the total length of roads to be approximately 19.75 miles. The focus of the assessment is to evaluate the existing surficial pavement condition of these roadways such that the following can be accomplished:

- Catalog up-to-date evaluation of surficial pavement condition.
- Determine the recommended resurfacing, restoration, and or reconstruction methods of distressed roadways.
- Determine priority of roadway improvements based on factors such as roadway type, presence and extent of pavement distress, level of service, and magnitude of resurfacing and/or reconstruction required.
- Communicate the findings to Town Council

Enclosed are professional services associated with provided the requested assessment. If you agree with the proposed tasks please sign and return to our office as authorization to proceed. Thank you for the opportunity to serve as your civil engineering consultants.

Respectfully,

**ENGINEERING DESIGN & CONSTRUCTION, INC.**



David C. Baggett, P.E.  
Sr. Project Manager

\\server\EDC-Shared\EDC-2022\NEW PROJECT - Town of Malabar\ENGINEERING\Administration\Contracts\2022\_08-17\_Town\_of\_Malabar\_Roadway\_Pavement\_Analysis\_Proposal.docx

## SCOPE OF PROFESSIONAL SERVICES

For

### TOWN OF MALABAR - SURFICIAL PAVEMENT ASSESSMENT

1. **TEAM MEETINGS:** CONSULTANT will attend periodic development meetings with the Town of Malabar staff, Council members, or pertinent team members to discuss the schedule and progress of the work. As required, CONSULTANT will coordinate with the CLIENT and other professionals to collect and submit required documents. This includes attendance and presentation of findings at two (2) Town of Malabar Council Meetings.

**Lump Sum (Not to Exceed): \$3,000.00**

2. **ROADWAY SURFICIAL PAVEMENT FIELD ASSESSMENT:** CONSULTANT will perform a series of field inspections for the purpose of assessing and collecting data on the existing surficial condition of the contract roadways. The inspections will be a visual survey of the pavement. Inspector will collect photos and observations of the existing roadway pavement on increments sufficient to capture the type and extent of existing distresses as well as their severity level. This field assessment will catalog the relative density of pavement distresses. Findings of the field inspection will be used to develop the deliverable of Task 3 and will be limited to surficial observations only (no geotechnical or subsurface assessment).

**Lump Sum: \$10,500.00**

3. **ROADWAY SURFICIAL PAVEMENT ASSESSMENT REPORT:** CONSULTANT will prepare for the CLIENT a summary report that outlines the findings of the roadway surficial pavement field assessment. The report will provide photos of the contract roadways. Each roadway will be summarized with their length, width, roadway type, existing pavement type, observed intensity of use (no traffic counts), type of pavement distress, extent/severity of pavement distress, and relative density of distresses. The report will also provide the recommended resurfacing, restoration, and/or reconstruction methodology to address the observed distresses. The report will be provided to Town of Malabar staff in order to help communicate priority roadway projects. This task will be limited to surficial observations only. Based on the CLIENT's description it is assumed geotechnical and subsurface analysis will be provided for specific projects at time of construction plan development. This task does not include cost estimating for any proposed resurfacing, restoration, and/or reconstruction.

**Lump Sum: \$15,000.00**

## SCOPE OF PROFESSIONAL SERVICES

For

### TOWN OF MALABAR- SURFICIAL PAVEMENT ASSESSMENT

**1. Not Included:** The following bulleted items are not included in this proposal and must be provided by the CLIENT or agreed to under separate contract with the CONSULTANT.

- Application Fees.
- Preliminary Engineering Plans.
- Future Land Use Amendment.
- Comprehensive Plan Amendment.
- Architectural Review.
- Variance.
- Cut-Fill analysis.
- Drainage Pipe Calculations.
- Earthwork Calculations.
- Cost Estimates.
- Photometric Reporting.
- Color Renderings.
- Certified List of Property Owners.
- Construction bidding services.
- Utility Sketch & Descriptions.
- Floor plans / elevations.
- Construction staking and surveying services (Typically contracted through contractor).
- Only tasks shown are being provided.

**2. Invoices:** Billing shall be invoiced on the percentage complete of the lump sum elements or for services actually accomplished for hourly rate elements. Fees for professional services rendered are due and payable upon receipt of invoice. In the event the CLIENT has an objection to any portion of said invoice, the CLIENT must notify the CONSULTANT in writing within ten (10) business days of the date of the invoice. Such notice of objection shall be accompanied by payment of any undisputed portion of said invoice. If written objection is not received within ten (10) business days it shall constitute approval of invoice by the CLIENT. All money owed to CONSULTANT for services rendered is due and payable within thirty (30) days of CLIENT being submitted an invoice, regardless of whether Contractor has been paid by property owner. Payments not received within thirty (30) days of invoice issue will be subject to a 1+½ % interest charge per month eighteen percent (18%) per annum compounding interest. Retainers are forfeited if project activity ceases for a period of 180 days.

**3. Attorney's Fees and Costs / Dispute Resolution:** CLIENT agrees to pay all reasonable attorney's fees and costs associated with CONSULTANT enforcing any provision of this Contract, including, but not limited to, payment for services rendered. Notwithstanding principles of conflicts of law of any jurisdiction to the contrary, all terms and provisions of this Agreement are to be construed and governed by the laws of the State of Florida without regard to the laws of any other jurisdiction wherein any party resides or performs any duties hereunder or where any violation of this Agreement occurred. Any claim arising out of collection activities for monies due under this Agreement shall be brought exclusively in the circuit or county courts of St. Lucie County and the parties hereby submit to personal jurisdiction in the State of Florida and to venue in St. Lucie County.

**4. Contract Limits:** This proposal is valid for a period of 60 days from the date of the CONSULTANT's signature. A CLIENT signed response received after the 60-day time period will be considered void. The CONSULTANT will re-submit the proposal with any necessary revisions for consideration by the CLIENT before any work begins. Work begins when the CONSULTANT receives a complete, original, signed agreement and any required retainer. The captions contained in this Agreement are for informational purposes only and are of no legal effect. They shall not be used to interpret or construe the provisions of this Agreement.

**5. Documents:** All original work shall be the property of the CONSULTANT. All documents furnished by the CONSULTANT are instruments of this service. Reproducible copies will be given to the CLIENT, at his request, if the CLIENT has satisfied all of its obligations under this Agreement. Any use or reuse of the original, or altered computer files by the CLIENT or others without written verification by CONSULTANT or other adaptation for the specific purpose intended will be at the CLIENT'S risk and full legal responsibility. Any verification of such adaptation by the CLIENT will entitle CONSULTANT to additional compensation at the current time and expense rate.

**6. Limits of Liability:** The CLIENT shall, to the fullest extent permitted by law, and notwithstanding any other provisions of this Agreement or the existence of applicable insurance coverage, indemnify and hold CONSULTANT harmless from any and all claims, losses, damages, suits, liability, demands or costs arising out of or resulting there from. The CONSULTANT or his consultants, agents, representatives or employees shall not be liable to the CLIENT for indirect, special, reliance, incidental, consequential or exemplary, lost profits, other costs due to changing conditions, or for costs related to the failure of contractors to perform work in accordance with the plans and specifications, arising out of or concerning the performance of the services for this Agreement beyond the amount of fees paid for such services.

**7. Cost Estimates:** The CLIENT hereby acknowledges that the CONSULTANT cannot warrant that estimates of probable construction or operating costs provided by the CONSULTANT will not vary from actual costs incurred by the CLIENT.

**8. Construction Services:** Should Construction Administration Services be provided to the CLIENT by the CONSULTANT, it is understood that this service includes periodic observation of the contractor's work. The CONSULTANT does not, and shall not, act as a construction manager to direct and supervise the work being performed. Furthermore, the CONSULTANT shall not be held liable for specific construction errors or deficiencies not observed during any periodic observation of the contractor's work. In addition, the CONSULTANT will not be responsible for the Contractor's failure to perform the work in accordance with the contract documents.

The CLIENT also agrees to indemnify and hold the CONSULTANT harmless for unsafe construction practices performed by the Contractor.

**9. Severability:** If any provisions of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision it would become valid or enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

**10. Remedies Not Exclusive:** All rights, duties and obligations of the parties are in addition to, and not substitution of, all rights, duties and obligations provided by applicable law. No remedy provided in this Agreement, or otherwise confirmed upon or available to the parties, will be considered exclusive of any other remedy, but will be cumulative and in addition to every other remedy provided in this Agreement, or presently or hereafter existing. No delay or omission to exercise any right or remedy will impair the same or be construed as a waiver.

**11. Non-Waiver of Contractual Rights:** The failure of either party to enforce any provision of this Agreement shall not be construed as a waiver or limitation of that party's right to subsequently enforce and compel strict compliance with every provision of Agreement.

**12. Termination:** The obligation to provide further services under this agreement may be terminated by either party upon thirty (30) days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. However, CONSULTANT may, after giving seven (7) days written notice to the CLIENT, suspend services under this agreement for non-payment of invoices. CONSULTANT shall be compensated for all services performed to the termination date together with expenses then due and all termination expenses.

**13. Advice of Counsel:** Each party acknowledges that it has reviewed carefully all provisions contained in this Agreement prior to its execution. Each party acknowledges further that they have had the opportunity to seek advice of an attorney of their choice. Each party agrees that they have executed this Agreement freely and voluntarily and believes this Agreement to be fair, just and reasonable.

**14. Advertising:** The CONSULTANT retains the right to post a Company sign on the subject property once planning and civil design commence. The sign will be no larger than 3' by 4' and include the CONSULTANT's name, Company description, and phone number. All costs to create and install the design will be solely incurred by the CONSULTANT. The sign will be located in a convenient unobtrusive location and will be removed once the project is complete.

**15. Schedule of Hourly Charges:**

PRINCIPAL ENGINEER / PLANNER / ENVIRONMENTAL SCIENTIST / SURVEYOR .....	\$ 175.00
SENIOR PROJECT MANAGER .....	\$ 160.00
DRONE TECHNOLOGY .....	\$ 140.00
SURVEY CREW .....	\$ 135.00
PROJECT MANAGER (ENGINEERING, ENVIRONMENTAL, PLANNING, SURVEYOR) .....	\$ 135.00
PROJECT ENGINEER / PLANNER / ENVIRONMENTAL SCIENTIST .....	\$ 110.00
INSPECTOR / ENVIRONMENTAL FIELD/INTERIOR DESIGNER .....	\$ 90.00
CADD TECH .....	\$ 85.00
EXPERT WITNESS .....	\$ 300.00
ADMINISTRATIVE STAFF / CLERICAL .....	\$ 45.00

**16. Reimbursable Expenses:** Please note, submitted invoices will also include five (5%) service charge to cover items including mileage, postage, copies, and other administrative costs. Other direct expenses including out of region travel expenses, out-of-office reproduction or photographic services, special mailing or delivery services, contract services authorized by the CLIENT, sub-consultant fees, permit fees authorized by the CLIENT, legal advertisements and notices, and special materials will be the responsibility of the CLIENT. A fifteen percent (15%) handling and administrative charge will be added to the above mentioned "other direct expenses".

IN WITNESS WHEREOF, the CLIENT and CONSULTANT have executed this Agreement the day and year indicated below. By execution of this Agreement, both the CLIENT and the CONSULTANT agree to the conditions reflected in the attached proposal including the Special Provisions.

As to **CONSULTANT**  
Engineering Design & Construction, Inc.

As to **CLIENT**

  
\_\_\_\_\_  
**David C. Baggett, P.E. Senior Project Manager**

\_\_\_\_\_  
**Name/Title:**

**Dated:** August 17, 2022

**Dated:** \_\_\_\_\_

**Client Billing Name:** \_\_\_\_\_

**Client Billing Address:** \_\_\_\_\_

**Billing Email Address:** \_\_\_\_\_



# TOWN OF MALABAR

## COUNCIL MEETING

SPM Staff Report 8.b.  
Meeting Date: September 12, 2022

Prepared By: Lisa Morrell, Special Projects Manager

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**SUBJECT: SPM Report for September 1, 2022 Council Meeting**

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Updates from the May 31, 2022 staff report have been provided in bold for each topic with new topics added to the end of the report from the previous reporting period:

### **Cybersecurity Awareness Program - CS/HB 7055: Cybersecurity)**

The Town has initiated distribution of cybersecurity awareness training with 11% of the training material completed by employees. Two new training campaign has been launched called "the Inside Man" which enforces the principles outlined in the Security Awareness Foundation Training modules. The second campaign is Payment Card Industry Data Security Standard. (PCI-DSS) will launch on March 31, 2022.

**09/1/2022 – Ongoing, Employee Participation 11% complete**

### **Fixed Town Facility or Entrance Signage**

An RFP was awarded to Southeastern Lighting Solutions to replace (2) two fixed entrance signs: Malabar Community Park and Disc Golf Sanctuary. The contract was executed by both parties on March 22, 2022. A purchase order will be released soon for design, fabrication, installation, delivery, and warranty. Estimate this project will be completed in 90 days short of any delays (ex. Material availability, shipping, and labor shortages).

06/29/2022 – Colors proof, frame, and hardware approved, signs for Malabar Community Park and Disc Gold Sanctuary progress to production queue.

7/26/2022 – Inquiry on production and estimated timeframes for delivery.

**8/16/2022 – Attempted delivery and installation occurred with receipt of single sided signage; 9/12/2022 RTCM agenda item for consideration.**

### **Document Imaging and Scanning (SLFRF Funded)**

The contract has been executed by both parties and corresponding purchase orders have been issued with the payment of the annual software subscription license mailed on March 23, 2022. The deposit for the project will be mailed this week. After payments are received by MCCi, The Town will be scheduled for a project kickoff meeting. The Town Clerk staff will begin paper record retention review, pursuant to the Florida record retention schedule and guidelines, of documents to be scanned within the project to reduce the scanning of records that are no longer required to be retained.

**8/24/2022 – Scanning set complete for 53 boxes of parcel information scanned, batched, and uploaded awaiting Laserfiche database and file structure setup for importation of the electronically scanned documents.**

**8/31/2022 – Laserfiche project manager continues to configure 15 retention policies per Florida State Statues, Chapter 119, Public Records with a file structure.**



## Grants

I have been enrolled and registered with eCivis, a Florida League of Cities partner, to receive daily emails regarding new grant announcements and updates. I review these daily and share these with the Town Manager and Departments, highlighting any relevant opportunities.

### Volunteer Fire Assistance (VFA) Grant

The Malabar Fire Department is requesting to apply for the Volunteer Fire Assistance Grant available from Florida Department of Agriculture and Consumer Service to replace Fire Turnout Gear that has reached is approaching end-of-life use; this is 50/50 match grant.

7/26/2022 – Reflective material is delayed, estimated delivery is 2/13-6/13/2023; shared with VFA grant admin, Ralph Crawford at FDAC, stated that delays are occurring and the grant will still be valid due to the delay.

**8/31/2022 Acting Chief Hooker states that some gear has been delivered and received by the Fire Department from the vendor and provided partial invoices for payment.**

### Firehouse Subs Grant - Q3 2022

On April 7, 2022 The Fire House Subs quarterly grant portal opened for community public safety equipment grant requests. The Town of Malabar submitted at grant at 9:07 am after the portal opened at 6:00 am to requests financial assistance in procuring air lift bag kits totaling \$14,652.00 quoted by a vendor, Mutual Emergency Services. An email confirmation as received of the submission which only opens to 600 applicants each quarter. Currently awaiting a response to the grant application from Firehouse Subs Foundation, the confirmation states "All applicants will be notified of approval or denial within two months of the quarterly grant application deadline". The website grant portal notice currently states "Q3 2022 grant award notifications, will be emailed prior to July 7, 2022."

07/6/2022 – Received a denial letter for April Application.

**07/7/2022 – Resubmitted application, award notice expected by October 6, 2022**

### State & Local Fiscal Recovery Fund (SLFRF) formerly American Rescue Plan (ARPA)

5/25/2022 Single Audit alternatives, for expense of \$750,000 or more in one fiscal year, have been distributed to NEU's; Town Staff is consulting with the Town's Auditing Firm for costs to provide a full audit (\$2,000) or the alternative of opinion for expense eligibility (\$1,500).

6/20/2022 Town Council action approved the allocated all funding to standard allowance expenditures and capital infrastructure: Water, Roads, Stormwater.

### Public Safety Radios P25 Upgrade

8/26/2022 The Fire Department has received all portable, vehicle, and disk set radios from the vendor and has been distributing new radios and collecting legacy radios deployed. Inventory of new radios were complete prior to deployment with personnel assignment. Finance has received the invoice for payment processing

### Life Pak 15 (SLFRF)

A purchase order has been issued for the cardiac defibrillators and monitors to the contracting vendor, Stryker Medical. To date, upon inquiry, I have not received a confirmation or estimated shipping date for the equipment for Malabar Fire Department.

**7/7/2020, lead time has been updated to 32-36 weeks, or 8months for estimated receipt of order.**

### Park Restroom Remodel Plans

Design plans and scope of work are currently underway for vendor solicitation to perform the approved public facilities upgrades for sanitary components to include sinks with integrated facets to include automated soap, water, and drying functions, automated flush toilets, replacement partitions, epoxy coating for the floor, minor electrical upgrades for occupancy sensors with energy efficient LED lighting fixtures, addition of automated doors for open and close schedules, and a re-roof to secure the envelope and upgrades.

**8/30/2022 A mandatory pre-bid was held on Tuesday, August 30, 2022 for potential bidders to review the bid documents, project overview, and an on site visit to the facility at the Park. It was well attended with 12 contractors.**

### Procurement Cards

8/31/2022 – Implementation and setup with Bank of America is complete. Cards have been distributed to financial staff for use and documenting the process to train other departmental staff on policies, use, and monthly reconciliation process to receive their approved purchasing card and accepting the established program terms.

### Surficial assessment of Road Pavement Analysis as a service

**8/30/2022 – RTCM 9/12 Agenda item for Town Council consideration.**

### Employee Policy Handbook Review and Update

July 1, 2022 inquired with Florida League of Cities Employment Law Program for any resources for review and legal review of the existing policy handbook that could be provided to the Town. July 20, 2022 had a brief call with an attorney with the program and will provide more information of two options for the Town to consider: engagement letter for services to review and update or consultant services with a base template for a new policy handbook.

**8/30/2022 – Town Manager and I participated on a overview for proposal conference call with the Town's employment attorney, a proposal is forth coming for a future Town Council meeting for consideration.**

### FSS 380.093 Resilient Florida Grant Program

Brevard County requested a conference call on August 18, 2022 with all municipalities within the county, to discuss cooperative efforts to achieve compliance with Florida State Statute 380.093 entitled Resilient Florida Grant Program to achieve the State of Florida's goal of a Comprehensive Statewide Flood Vulnerability And Sea Level Rise Data Set And Assessment.

Brevard County has contracted with Singhofen & Associates for this task. The Town of Malabar contracted with same engineering firm for the Town's Stormwater Master Plan. The Town will be participating in this effort of sharing all applicable Town data available related to stormwater and critical assets as derived in the statute and summarized below:

Critical asset" includes:

1. Transportation assets and evacuation routes, including airports, bridges, bus terminals, ports, major roadways, marinas, rail facilities, and railroad bridges.
2. Critical infrastructure, including wastewater treatment facilities and lift stations, stormwater treatment facilities and pump stations, drinking water facilities, water utility conveyance systems, electric production and supply facilities, solid and hazardous waste facilities, military installations, communications facilities, and disaster debris management sites.
3. Critical community and emergency facilities, including schools, colleges, universities, community centers, correctional facilities, disaster recovery centers, emergency medical service facilities, emergency operation centers, fire stations, health care facilities, hospitals, law enforcement facilities, local government facilities, logistical staging areas, affordable public housing, risk shelter inventory, and state government facilities.

4. Natural, cultural, and historical resources, including conservation lands, parks, shorelines, surface waters, wetlands, and historical and cultural assets.

The State of Florida, through the Florida Department of Environmental Protection (FDEP) has provisioned funding for vulnerability assessments and projects entitled, Resilient Florida Grant Program. Vulnerability assessments are required to apply for future project funding.

All requirements have been provided within the statute:

1. The Chief Science Officer shall, in coordination with necessary experts and resources, develop statewide sea level rise projections that incorporate temporal and spatial variability, to the extent practicable, for inclusion in the data set. This subparagraph does not supersede regionally adopted projections.

2. The data set must include information necessary to determine the risks to inland and coastal communities, including, but not limited to, elevation, tidal levels, and precipitation.

(b) By July 1, 2023, the department shall complete a comprehensive statewide flood vulnerability and sea level rise assessment that identifies inland and coastal infrastructure, geographic areas, and communities in the state that are vulnerable to flooding and sea level rise and the associated risks.

1. The department shall use the comprehensive statewide flood vulnerability and sea level rise data set to conduct the assessment.

2. The assessment must incorporate local and regional analyses of vulnerabilities and risks, including, as appropriate, local mitigation strategies and postdisaster redevelopment plans.

3. The assessment must include an inventory of critical assets, including regionally significant assets, that are essential for critical government and business functions, national security, public health and safety, the economy, flood and storm protection, water quality management, and wildlife habitat management, and must identify and analyze the vulnerability of and risks to such critical assets. When identifying critical assets for inclusion in the assessment, the department shall also take into consideration the critical assets identified by local governments and submitted to the department pursuant to subsection (3).

(c) The department shall update the comprehensive statewide flood vulnerability and sea level rise data set and assessment every 5 years. The department may update the data set and assessment more frequently if it determines that updates are necessary to maintain the validity of the data set and assessment.

#### **Fire Department Fire Incidents & Patient Reporting**

The Town Council approval of the ESO software contract has been executed with the vendor; the project implementation queue is backlogged 90 days, staff is awaiting communication for a kickoff date for implementation and setup.

#### **Town Treasurer**

The posting for the position closes at 11:59am on September 2, 2022. And agenda item for 9/12/2022 RTCM will be included for application received for Town Council discussion and direction of next steps.

# **August 2022 Public Works Report**

## **Equipment Update**

- Pick up Slope Mower from Ft. Peirce
- Install new bearings on mini excavator mower head
- Drop off Sterling Dump Truck in Cocoa for repairs

**See attached pages for all Mowing, Road Grading and Slope Mowing accomplishments for the month.**

## **Streets & Roads Jobs**

- Mowed all ROWs in Town
- Install Stop Sign at Florence Street
- Trim trees for “Line of Sight” at Florence Street & Malabar Road
- Repair pipe on Corey Road
- Patch 2 Potholes on Briar Creek Blvd
- Repair 4 sections of Sidewalks in Brook Hollow
- Repair Potholes around Town
- Replaced Speed Limit sign on Weber Road

## **Parks and Recreation**

- Spray Ball fields

### Mowing & Weed Eating Checklist August 2022

Sanitation	8-1	8-8		8-22	8-29
Soccer Field	8-5				
Baseball Field	8-5	8-12	8-19		
Drag Infield	8-5	8-12	8-19		
<b>Town Property</b>					
Malabar Park	8-5			8-23	
Fire Department	8-1		8-20		
Disc Park	8-4			8-22	
Trail Park			8-20		
Eschenberg Park	8/2		8-19		
Public Works Yard					
Marie St. Yard				8-22	
Town Hall/ S. RR Ave			8/19		
<b>Town ROWs</b>					
Rocky Point Rd North & South			8-19		
Briar Creek Blvd & Bridge				8-23	
Corey Rd North End	8/2		8-19		
Marie St South East Side					
Marie St North West To Johnsnton					
Glatter Rd @ Malabar Rd			8-20		
Glatter Rd East to RR					
Data Managment			8-19		
Marie St Trail North and South Side			8-20		
Quaterman & Atz Rd				8-22	
Booth & Lette Intersection North				8-22	
Richard Rd Tillman Canal	8-2				8-31
<b>Bus Stops</b>					
Atz & Corey			8-19		
Weber & Old Mission			8-19		
Lacourt & Hall			8-19		
LaCourt & Atz			8-19		
Hall & Corey			8-19		
<b>Main Intersections (All Paved Roads w/ Stop sign, 50 Ft Each Direction)</b>					
Corey & Hall			8-19		
Corey & Atz			8-19		
Weber & Hall	8/2		8-19		
Weber & Atz			8-19		

Road Grading			Month: August 2022		
Road Name	Date	Machine Used	Loads	Materials	Comments
Rebel Ln	8/1	Mini Grader			
Reese Lane	8/1	Mini Grader			
Hardway Lane	8/1	Mini Grader			
Beran Lane	8/1	Mini Grader			
Kelly Lane	8/1	Mini Grader			
Duncil Lane (North)	8/30	Mini Grader			
Waring Lane (South)	8/30	Mini Grader			
Matthews Lane	8/30	Mini Grader			
McCain Lane North & South	8/29	Mini Grader			
Howell Lane North & South	8/29	Mini Grader			
Rivet Lane	8/29	Mini Grader			
Appleby Lane (South)	8/29	Mini Grader			
Ivey Lane	8/29	Mini Grader			
Sandy Creek Lane	8/27	Mini Grader			
Corey Road (North)	8/27	Mini Grader			
Malabar Comunity Park	8/27	Mini Grader			
<b>TOTALS</b>	<b>4 Days</b>	<b>1 Machine</b>	<b>18 Roads</b>		



## Slope Mowing / Flat Mowing August 2022

	Road Name	Date	Ditch Side (N, S, E, W)	Grass	Brush	Ditcher
1	Atz Road (East)		North/South	<b>X</b>	<b>X</b>	
2	Corey Road (Central)		East/West	<b>X</b>	<b>X</b>	
3	Atz Road (East)		North	<b>X</b>	<b>X</b>	
4	Corey Road (South)		East/West	<b>X</b>	<b>X</b>	
5	Weber Road		East/West	<b>X</b>	<b>X</b>	
6	Atz Road (Central)		North/South	<b>X</b>	<b>X</b>	
7	Hardway Lane		East/West	<b>X</b>	<b>X</b>	
8	Old Mission Road		North/South	<b>X</b>	<b>X</b>	
9	Beran Lane		East/West	<b>X</b>	<b>X</b>	
10	Nord Street		North/South	<b>X</b>		
11	Johnston Ave		North/South	<b>X</b>		
12	Marie Street (North)		East/West	<b>X</b>		
<b>TOTALS= 11 Roads</b>				<b>2 Machines Used</b>		

# TOWN OF MALABAR

## COUNCIL MEETING

AGENDA ITEM NO: 9.a.  
Meeting Date: September 12, 2022

Prepared By: Debby Franklin, C.M.C., Town Clerk/Treasurer

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**SUBJECT:** Agenda Item Request Form – Wayne Abare

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**BACKGROUND/HISTORY:**

Mr. Abare has submitted a request to speak to Council regarding adding speed bumps on Rocky Point Road. Council had discussed and acted on a similar request in 2012 within the Brook Hollow subdivision. Council at that time, adopted an ordinance setting speed limits on local streets. There was also a traffic study done to provide information regarding the request at that time. They remained in for several years, but the Town received numerous complaints and they were ultimately removed in 2015.

I have attached the ordinance, study and minutes.

**ATTACHMENTS:**

- Ordinance 2012-57
- Traffic Study September 2012
- Council minutes

**ACTION OPTIONS:**

Council Direction to Staff



*Agenda Item  
9.a.*

**AGENDA ITEM REQUEST FORM  
MALABAR TOWN COUNCIL**

**AUG 17 2022 PM 12:24**

Please mail completed form to:

Town of Malabar  
2725 Malabar Road  
Malabar, Florida 32950

NAME: Wayne Abare

ADDRESS: 2530 Rocky Point Rd.

TELEPHONE: 321-727-8559  
(Home) (Business)

**Please state the item you wish to have placed on the Town Council Agenda.**

Adding Speed Bumps on Rocky Point Road

**Please summarize pertinent information concerning your requested Agenda item and attach applicable documents.**

Many of the residents that live in the Coquina Point Subdivision, Rocky Point Subdivision or on Rocky Point Road walk or ride bicycles early in the morning and late in the afternoon along this scenic road. I ride my bike up and down Rocky Point Road each morning. On average I have had to run off the road or be run over from speeding vehicles at least twice a year.

**Please state desired action by Town Council.**

What needs to be done to add three speed bumps along Rocky Point Road.

Signed: Wayne Abare

Date: Aug 16, 2022

ORDINANCE 2012-57

**AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; AMENDING CHAPTER 13 OF THE CODE OF ORDINANCES OF THE TOWN; CREATING NEW SECTION 13-1; PROVIDING FOR A TOWN SPEED LIMIT ON CERTAIN STREETS AND ROADS IN THE TOWN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statutes, Section 316.183 (2) provides, in part:

*"On all streets or highways, the maximum speed limits for all vehicles must be 30 miles per hour in business or residence districts, and 55 miles per hour at any time at all other locations. However, with respect to a residence district, a county or municipality may set a maximum speed limit of 20 or 25 miles per hour on local streets and highways after an investigation determines that such a limit is reasonable. It is not necessary to conduct a separate investigation for each residence district"; and,*

**WHEREAS**, Florida Statutes, Section 316.189 (1) provides, in part:

*"MUNICIPAL SPEED. — The maximum speed within any municipality is 30 miles per hour. With respect to residence districts, a municipality may set a maximum speed limit of 20 or 25 miles per hour on local streets and highways after an investigation determines that such a limit is reasonable. It shall not be necessary to conduct a separate investigation for each residence district"; and,*

**WHEREAS**, The Town authorized an investigation to determine if setting a maximum speed limit of 20 miles per hour on certain local streets, roads and highways in residential districts is reasonable; and'

**WHEREAS**, The investigation provided support to set a maximum speed limit of 20 miles per hour on certain local streets, roads and highways in residential districts in the Town and the Town Council accepted the investigation on this date; and

**WHEREAS**, The Town Council finds that setting a maximum speed limit of 20 miles per hour on certain local streets, roads and highways in residential districts is reasonable.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, THAT:**

**SECTION 1.** A new Section 13-1 is hereby added to Chapter 13 of the Code of Ordinances of the Town to read as follows:

**"Sec. 13-1. Maximum Speed Limit on Certain Streets and Roads.**

There is hereby established in the Town of Malabar a maximum speed limit of 20 miles per hour on all residential streets located in the following residential zoning districts: RS-10, RS-15, RM-4, RM-6, RM-H and RLC."

**SECTION 2.** Codification. This ordinance shall be forwarded to the Municipal Code Corporation for incorporation into the Malabar Code of Ordinances.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4.** In the event a court of competent jurisdiction shall hold or determine that any part of this ordinance is invalid or unconstitutional, the remainder shall not be affected and it shall be presumed that the Town Council of the Town of Malabar did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the Town Council would have enacted the remainder of this ordinance without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

**SECTION 6.** This ordinance shall become effective immediately upon its adoption after the second public hearing.

This ordinance was moved for adoption by Council Member Acquaviva and was seconded by Council Member Beatty and, upon being put to a vote, the vote was as follows:

Council Member Carl Beatty	Aye
Council Member David White	Aye
Council Member Steven (Steve) Rivet	Excused
Council Member Jeffrey (Jeff) McKnight	Aye
Council Member Marisa Acquaviva	Aye

This ordinance was then declared duly passed and adopted this 24th day of September, 2012.

TOWN OF MALABAR

By: Phillip R. Crews  
Mayor Phillip R. Crews  
Council Chair

First Reading: 9/12/12  
Second Reading: 9/24/12

ATTEST:  
Debby K. Franklin  
Debby K. Franklin, C.M.C.  
Town Clerk/Treasurer

(seal)  
1962

APPROVED as to form and content:

Karl W. Bohne, Jr.  
Karl W. Bohne, Jr.  
Town Attorney

**Factors Regarding Proposal to Lower Briar Creek Boulevard Speed Limit to 20 mph  
Brook Hollow Traffic Investigation Summary\_With TOM Modifications (2).Doc  
September 6, 2012**

**FACTORS FOR CONSIDERATION FOR TRAFFIC INVESTIGATION:**

The following is a summary of current factors identified that support Town of Malabar lowering of the speed limit from 30 mph to 20 mph on Briar Creek Boulevard in the Brook Hollow subdivision. The primary objective in considering this lowering of speed limit is public safety.

**Character of Area (Residential versus Commercial)**

- Briar Creek Boulevard connects with Port Malabar Boulevard, in Palm Bay (with a stop sign for Briar Creek Boulevard only) and is blocked at locked gate in Brook Hollow, where the road runs unpaved to Malabar Road at a second locked gate
  - Briar Creek Boulevard is the only road in and out of Brook Hollow subdivision of Malabar
  - Brook Hollow
    - 100% residential zoning
    - individual properties = 130 (128 single family homes & 2 vacant lots)
    - no commercial properties require access via any road in Brook Hollow
    - most homes occupied year round (some seasonal) / few homes unoccupied
    - most homes have multiple household members
    - most occupants are home owners / some renters
    - residents comprised of diverse demographics (socio economic & age – young families and retired)
    - many residents have pets
    - homes all have driveways with two or three car garages
    - homes are at least 1600 sq. ft. and lots are typically ¼ acre
    - subdivision is bordered on all sides by park land and wildlife encounters are frequent along Briar Creek Boulevard
    - homes on the subdivision perimeter all border parkland
  - Environmentally Protected Parks Bordering or close to Briar Creek Boulevard\*
    - Palm Bay's Boundary Canal Trail (two mile paved trail, part of the South Brevard Linear Trail plan)
    - Palm Bay's Turkey Creek Sanctuary (a 117 acre park of diverse habitat that includes a 1.5 mile boardwalk, jogging trails, canoe decks and nature center)
    - A canoe / kayak launch site for Turkey Creek is located on Briar Creek Boulevard, near the intersection with Port Malabar Boulevard
    - Malabar's Cameron Wildlife Preserve (100 acre natural conservation area with existing equestrian and off-road bicycle and walking trails)
    - Brevard County's Malabar Scrub Sanctuary (395 acres of endangered Scrub Jay habitat with multi-use trails for biking, walking and bird watching)
- \* Trail information referenced from American Trails website:  
<http://www.americantrails.org/awards/CRT08awards/FLboundary08.html>

**Types of Vehicles Using Street**

- primary use via resident owned: cars, pickup trucks, SUVs, motorcycles
- motorhomes and boat / recreational trailers cannot be stored on properties unless stored within garage
- secondary use by service vehicles: FedEx, UPS, HVAC, lawn maintenance, pest control, pool maintenance, tree maintenance
- school buses

**Traffic Volumes and Type of Traffic** (is it mainly for residential uses as opposed to commercial uses);

- Heaviest traffic activity during work drive times (weekday mornings and afternoons)
- Commercial traffic (primarily between 9:00 AM & 5:00 PM, weekdays)



**Factors Regarding Proposal to Lower Briar Creek Boulevard Speed Limit to 20 mph  
Brook Hollow Traffic Investigation Summary\_With TOM Modifications (2).Doc  
September 6, 2012**

**Emergency Access**

- Law enforcement via Brevard County MSTU
- Fire & Ambulance via Malabar Fire Department (primarily via Port Malabar Blvd., Palm Bay
- Fire department emergency access is also available via unpaved portion of Briar Creek Blvd. – from Malabar Road, Malabar (with Malabar Fire Department having keys to locked gates at each end of unpaved road

**Anticipated Liability to Town of Malabar as Result of Proposed Speed Limit Reduction**

- No unreasonable liability is anticipated in the proposed 10 mph speed limit reduction
- Speed reduction anticipated to diminish likelihood of future traffic related fatalities experienced in the past
- Road length subject to speed reduction is less than ¼ of a mile - minimal impact to drive times

**Pedestrian Use**

- within Town of Malabar, along Briar Creek Blvd., sidewalk exists only on one side of road and only within Brook Hollow (pedestrians walking from Brook Hollow toward Port Malabar road must walk in road shoulders until reaching sidewalk at Glen Brook at Palm Bay (assisted living facility)
- numerous residents enjoy the rural residential atmosphere of Brook Hollow by walking along Briar Creek Boulevard
- many residents walk with their pets (especially early morning or evening)
- a community common area pond, picnic area and wooded buffer are centrally located Briar Creek Boulevard – this area is a frequent destination of pedestrians

**Farm Equipment Use**

- minimal - limited to lawn, road, or tree maintenance

**Bicycle Use**

- trail bikes – in the park areas bordering Brook Hollow are popular bike trails – cyclists frequent the area and often ride or cross Briar Creek Boulevard when heading from one trail to another
- touring bikes – many local residents enjoy cycling along Briar Creek Boulevard

**Non-pedestrian Use (primarily horse traffic);**

- many residents of Malabar enjoy horseback riding and Brook Hollow's proximity to Malabar's Cameron Wildlife Preserve and various trails result in equestrian activity along Briar Creek Boulevard

**Traffic to Other Residential Streets as Result of Proposed Speed Limit Reduction**

- No traffic is anticipated to be diverted as a result of the proposed speed limit reduction since no alternate roads exist

**Observation of Compliance with Current Speed Limits**

- Town of Malabar had Brevard County Sheriff's Department position speed display device along Briar Creek Boulevard, near intersection with Hollow Brook Lane
- Numerous events of vehicle speed exceeding the posted 30 mph were recorded

**Consideration of Special Attributes of Subdivision**

- As was evidenced by a traffic study done by the Town of Malabar regarding Atz Road and Hall Road, when the evidence shows that 87% of drivers are exceeding the speed limit, the traffic engineering study reported that the town may want to increase the speed limit. However, Malabar's position has been to say that due to the high density nature of the subdivision and the fact that it is a no outlet street, the reduced speed is warranted.

**Factors Regarding Proposal to Lower Briar Creek Boulevard Speed Limit to 20 mph  
Brook Hollow Traffic Investigation Summary\_With TOM Modifications (2).Doc  
September 6, 2012**

- Town of Malabar desires to have a common ordinance that addresses differences in residential zonings in higher densities

**Cost for New Speed Limit Signs**

- Town of Malabar has researched the cost of new speed limit signage to be \$100 (4 signs at \$25 each)

**Road conditions, including width, length, lighting, road grade, sight distance, nearness to intersections, through streets, dead ends; weather effect on the roads; and road material;**

- The Town of Malabar paved section of Briar Creek Boulevard is less than  $\frac{3}{4}$  of a mile in length
- Town of Malabar right of way is 100' (50' each side of center line)
- Road is paved, properly based and properly graded with sufficient drainage
- Storm water culverts under Briar Creek Boulevard are functional and are not known to have any structural issues at this time
- Briar Creek Boulevard effectively "dead ends" at its furthest paved point within Brook Hollow, at a locked gate to an unpaved section leading to another locked gate a Malabar Road
- Within Town of Malabar, intersections to streets intersecting with Briar Creek Boulevard are now addressed with multi-way stop signs at: Hollow Brook Lane, Holloway Trail, Falls Trail and Pemberton Trail. Steeplechase Circle, a shallow cul-de-sac servicing only three homes, is the only intersecting road without a stop sign

**Other Traffic Control Devices in Area**

- Town of Malabar recently authorized, Town purchased and installed a new "No Outlet" sign along Briar Creek Boulevard
- New signage is expected to accompany the new speed hump installation
- Town of Malabar recently authorized, Town purchased and will soon apply new reflective safety paint lines along Briar Creek Boulevard
- Town of Malabar recently authorized, pending full funding by Brook Hollow Community Association, Inc., the future municipal installation and associated signage of a speed hump to be centered at the Briar Creek Boulevard curve between the town border with City of Palm Bay and the entrance to Brook Hollow, near Hollow Brook Lane

**Other Traffic Related Observations**

- Park property bordering Briar Creek Boulevard is part of an otherwise significant contiguous wooded park area (greenway) close to the densely populated areas of Melbourne and Palm Bay – wildlife crossing Briar Creek Boulevard may otherwise be unaccustomed to vehicle traffic and more vulnerable at higher speed limits – lowering of the speed limit is expected to also have a positive environmental impact

# TOWN OF MALABAR

## COUNCIL MEETING

AGENDA ITEM NO: 10.a.  
Meeting Date: September 12, 2022

Prepared By: Debby K. Franklin, C.M.C., Town Clerk/Treasurer

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**SUBJECT: Certification of Assessment Roll and Approve Assessment (Reso 17-2022)**

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**BACKGROUND/HISTORY:**

The certification of the assessment roll for stormwater and the estimated amount to be assessed must be approved by Council at an advertised Public Hearing prior to the collection by the Tax Collector. The certification of the assessment roll and the estimated amount must be approved before Malabar holds the public hearings on the overall budget.

**FINANCIAL IMPACT:**

\$132,001.00 from 1722 parcels as provided by rate resolution adopted by Malabar Town Council and assessment roll provided by the Brevard County Property Appraiser's Office

**ATTACHMENTS:**

Resolution 17-2022

**ACTION OPTIONS:**

Action on Resolution 17-2022 Certifying the Assessment Roll and amount.

**RESOLUTION 17-2022**

**A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING CERTIFICATION OF ANNUAL STORMWATER UTILITY ASSESSMENT ROLL; ADOPTING AN ANNUAL BUDGET FOR THE TOWN'S STORMWATER UTILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on August 17, 2017, the Town Council held a public hearing and adopted a stepped increase for the calculation of the annual stormwater utility assessment roll for the operation and maintenance of the Town's Stormwater Management Program for the fiscal year beginning October 1, 2020; and

**WHEREAS**, an annual assessment roll has been prepared by Brevard County, a summary of which is attached to and made part of this Resolution by reference and labeled **Exhibit "A"**; and

**WHEREAS**, a copy of such Annual Stormwater Utility Assessment Roll has been sent to the Brevard County Tax Collector for collection in the same manner as ad valorem taxes are collected; and

**WHEREAS**, the Town Council is satisfied that the annual Stormwater Utility Assessment Roll has been prepared for fiscal year beginning October 1, 2022, in conformity with the Schedule of Rates adopted by the Town Council on August 4, 2017 and incorporating the rate increase in the per ERU from \$52.00 to \$64.00 per ERU (Equivalent Residential Unit).

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, that:**

**Section 1. Findings:** The above "WHEREAS" statements are true and correct.

**Section 2.** Those stormwater utility assessments imposed during fiscal year beginning October 1, 2022, shall be billed by the Town of Malabar or its authorized representative, pursuant to the provisions of Section 13.5-8 of the Code of Ordinances, Town of Malabar, and shall be due and payable on November 1<sup>st</sup> of each year, pursuant to law.

**Section 4.** That a certified copy of this Resolution shall be delivered to the Tax Collector of Brevard County, Florida along with the executed DR-408A.

**Section 5.** This Resolution shall take effect immediately upon its adoption. This Resolution was moved for adoption by Council Member \_\_\_\_\_. This motion was seconded by Council Member \_\_\_\_\_ and, upon being put to vote, the vote was as follows:

Council Member Marisa Acquaviva	_____
Council Member Brian Vail	_____
Council Member Steve Rivet	_____
Council Member David Scardino	_____
Council Member Mary Hofmeister	_____

This Resolution was then declared to be duly passed and adopted this 12th day of September 2022.

**TOWN OF MALABAR**

By:

(seal)

\_\_\_\_\_  
Mayor Patrick T. Reilly,  
Council Chair

ATTEST:

\_\_\_\_\_  
Debby K. Franklin, C.M.C.  
Town Clerk/Treasurer

Approved as to Form and Content:

\_\_\_\_\_  
Karl Bohne, Jr., Town Attorney



## 2022 Totals for Stormwater Billing

City Code	Count	District - City	Billing Amount
Z	1,722	Malabar	\$132,000.52
	<b>Total: 1,722</b>		<b>\$132,000.52</b>





### CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLL

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of Town of Malabar, located in Brevard  County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 12 day of September , 2022 year.

\_\_\_\_\_  
Chairman of the Board or authorized agent  
of Town of Malabar  
Name of local government  
Brevard  County, Florida

# TOWN OF MALABAR

## COUNCIL MEETING

AGENDA ITEM NO: 10.b.

Meeting Date: September 12, 2022

Prepared By: Debby K. Franklin, C.M.C. Town Clerk/Treasurer

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**SUBJECT: Setting Millage for Fiscal Year 2022 / 2023 (Ord 2022-06)**

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### **BACKGROUND/HISTORY:**

The Florida Statutes lay out the requirements for local governments on how the annual budget process is approved by each governing body. The process requires the following steps:

1. Announce the FY 2022 / 2023 proposed millage of 4.5001 to levy on property values
2. State this is an increase of 99.43% over the rolled back rate of 2.2565
3. The final millage rate of 4.5001% is to fund the expenses commencing October 1, 2022 and ending September 30, 2023.

The Malabar Town Manager submitted a balanced budget with a 99.43 percent increase over the rolled back rate to fund the operational costs of the Town, provide for funding for:

- Recalculated personnel costs for the Town portion of insurance, FICA, WC and FRS
- Provides a 10% COLA to all employees
- Provided for negotiated pay increase for union FD Lts. and D/E
- Funded Special Projects Manager position 50/50 with General Fund and ARPA
- Provided a bank loan payment for the paving of collectors
- Maintained legal at 60K

This will be advertised as required by law in the Florida Today newspaper on September 23, 2022.

### **FINANCIAL IMPACT:**

Council directed the millage be set at 4.5001 for ad valorem estimate of \$1,545,964.00 budgeted at 96% is 1,484,125.00.

### **ATTACHMENTS:**

- Ord. No. 2022-06

### **ACTION OPTIONS:**

Action on first reading of Ord 2022-06

**ORDINANCE 2022-06**

**AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ADOPTING THE MILLAGE RATE OF 4.5001 FOR THE LEVY OF AD VALOREM TAX WITHIN THE TOWN FOR THE PERIOD FROM OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, public hearings as prescribed by Florida Statutes have been duly held in accordance with the laws of the State of Florida;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, THAT:**

**SECTION 1.** The Town Council, in regular session duly assembled adopted the millage rate of 4.5001, to be levied for the General Fund upon all real and tangible personal property located within the boundaries of the Town of Malabar taxing authority.

**SECTION 2.** The final levy of 4.5001 mils will result in a 99.00% increase to the rolled back rate of 2.2565.

**SECTION 3.** This final millage rate of 4.5001 is to fund the general fund expenses for the fiscal year commencing October 1, 2022 and ending September 30, 2023.

**SECTION 4.** This ordinance shall become effective October 1, 2022, upon its adoption after the second public hearing.

This ordinance was moved for adoption by Council Member \_\_\_\_\_ and was seconded by Council Member \_\_\_\_\_ and, upon being put to a vote, the vote was as follows:

Council Member Marisa Acquaviva	_____
Council Member Brian Vail	_____
Council Member Steve Rivet	_____
Council Member David Scardino	_____
Council Member Mary Hofmeister	_____

This ordinance was then declared duly passed and adopted this 26th day of September 2022.

**TOWN OF MALABAR**

By: \_\_\_\_\_  
Mayor Patrick T. Reilly, Council Chair

ATTEST:

\_\_\_\_\_  
Debby K. Franklin, C.M.C.  
Town Clerk/Treasurer

(seal)

First Reading: 09/12/22 Vote to .  
Second Reading: 09/26/22

# TOWN OF MALABAR

## COUNCIL MEETING

**AGENDA ITEM NO: 10.c.**  
**Meeting Date: September 12, 2022**

Prepared By: Matthew R. Stinnett, Town Manager

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**SUBJECT: Budget for Fiscal Year 2022 / 2023 – Ord 2022-07**

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### **BACKGROUND/HISTORY:**

*The TRIM Notice mailed to all property owners in mid-August lists the dates and times for the first Public Hearings on the tentative millages and budgets for all agencies taxing property owners to provide them the opportunity to attend and be heard. This meeting date was selected by Malabar Council for that notice.*

The FY 2023 balanced budget proposal of \$6,968,624 is the result of public workshops where the Town Council discussed at length varying priorities and strategies for maintaining acceptable service levels for infrastructure and operations. The proposal denotes the Town Council's consensus to implement significant funding and expenditure increases providing for routine operational costs, and expanded allocations for infrastructure such as roads, stormwater, and water service.

Funding increases come from a variety of sources including the balance of the Town's State and Local Financial Recovery Funds (SLFRF) \$1.4 million, estimated loan proceeds for road paving of \$2.1 million, an increased property tax rate providing an additional \$750,000, and the use of previously unexpended funds for stormwater, building department, parks, and general fund.

Operational expenditures are primarily impacted by personnel, material, and contracted service costs. While expenditures for infrastructure make up the bulk of the budget increase with \$2.9 million being set aside for road paving and associated debt service, \$300,000 for stormwater, and \$300,000 for water service expansion. Other significant expenditures include early pay off of the Town's Gradall excavator, and funding set aside for the future pay-off of Engine 99 and/or the cash purchase of a replacement Tender/Tanker apparatus in subsequent budget years.

With the condition of paved roads being the primary priority, efforts are being made to produce a town wide pavement condition analysis which will provide a prioritized list of roads for resurfacing and recommended solutions. The analysis will then be used to develop a long-term financial plan for implementation.

In a similar fashion, the Town's stormwater master plan is nearing completion with final revisions as recommended by the Florida Department of Environmental Protection being incorporated. Once complete, residents will be invited to an open house for a presentation by the engineering firm Singhofen and Associates (SAI) as well as an opportunity for additional public input. Once adopted the Town Council can use the recommendations and engineering estimates to develop a long-term financial plan for implementation.

### **ATTACHMENTS:**

- Ord 2022-07 setting FY 2022/2023 Budget at \$6,968,624.00

### **ACTION OPTIONS:**

Action on first reading of Ord 2022-07.

**ORDINANCE 2022-07**

**AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ADOPTING THE BUDGET OF \$6,968,624.00 FOR THE FOR THE FISCAL PERIOD FROM OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Malabar has set forth the appropriations and revenue estimates for the budget for the period from October 1, 2022, through September 30, 2023; and in accordance with the laws of the State of Florida;

**WHEREAS**, The Town Council has held Public Hearings as required by F.S. 200.065.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, THAT:**

**SECTION 1.** The Town Council, in regular session duly assembled adopt the Fiscal Year 2022/2023 Budget of \$6,968,624.00.

**SECTION 2.** This budget may be amended during the year, if necessary, by ordinance.

**SECTION 3.** This ordinance shall become effective on October 1, 2022, upon its adoption after the second reading and public hearing.

This ordinance was moved for adoption by Council Member \_\_\_\_\_ and was seconded by Council Member \_\_\_\_\_ and, upon being put to a vote, the vote was as follows:

Council Member Marisa Acquaviva	_____
Council Member Brian Vail	_____
Council Member Steve Rivet	_____
Council Member David Scardino	_____
Council Member Mary Hofmeister	_____

This ordinance was then declared duly passed and adopted this 26<sup>th</sup> day of September 2022.

**TOWN OF MALABAR**

\_\_\_\_\_  
Mayor Patrick T. Reilly, Council Chair

ATTEST:

\_\_\_\_\_  
Debby K. Franklin, C.M.C.  
Town Clerk/Treasurer

(seal)

First Reading: 09/12/2022 Vote to  
Second Reading: 09/26/2022



## **Budget Fiscal Year 2022/2023**

**First Public Hearing on September 12, 2022**

**Second Public Hearing on September 26, 2022**

**Millage Adopted Ordinance 2022-06 4.5001 mil**

**Budget Adopted Ordinance 2022-07 \$6,968,624.00**



ACCT NO.	ACCOUNT DESCRIPTION	FYE 9/2020	FYE 9/1/2021	BUDGET FY 21/22	FY TD 9/7/22	Proposed Fy 22/23	Notes
	<b>Funding Sources</b>						
31	TAXES	1,117,341	1,228,255	1,296,891	1,255,243	2,055,083	
32	PERMITS, FEES, & SPECIAL ASSESSMENTS	465,210	435,373	432,038	497,634	481,900	
33	INTERGOVERNMENTAL REVENUE	260,604	299,335	1,086,509	1,889,487	303,802	
34	CHARGES FOR SERVICES	50,608	52,445	64,722	42,772	54,708	
35	FINES AND FORFEITURES	175	481	400	3,342	500	
36	MISCELLANEOUS	133,989	315,674	140,080	153,558	190,301	
38	OTHER SOURCES	44,905	132,623	163,833	16,562	2,118,294	incl \$2.1M loan est, \$200k payment, 15yrs 5%
	<b>TOTAL REVENUE</b>	<b>2,072,832</b>	<b>2,464,186</b>	<b>3,184,473</b>	<b>3,858,598</b>	<b>5,204,588</b>	
38 Cont.	RESERVED FUNDING/FINANCING	32,277	110,778	199,602	154,442	1,764,036	
	<b>TOTAL FUNDING</b>	<b>2,105,109</b>	<b>2,574,964</b>	<b>3,384,075</b>	<b>4,013,040</b>	<b>6,968,624</b>	

ACCT NO.	ACCOUNT DESCRIPTION	FYE 9/2020	FYE 9/1/2021	BUDGET FY 21/22	FY TD 9/7/22	Proposed Fy 22/23	Notes
	<b>EXPENDITURES</b>	FYE 9/2020	FYE 9/2021	BUDGET FY 21/22	FY TD 6/2022	Proposed FY 22/23	Notes
511	LEGISLATIVE	22,721	21,702	94,406	90,835	98,799	
512	EXECUTIVE	99,047	118,927	115,948	86,732	123,605	
513	FINANCE & ADMINISTRATIVE	194,266	208,877	197,735	168,616	277,557	
514	LEGAL	27,555	23,780	60,000	85,589	60,000	
515	COMPREHENSIVE PLANNING	3,475	892	3,500	0	1,500	
519	GENERAL GOVERNMENT	85,837	76,847	381,238	347,172	405,425	
522	FIRE CONTROL	656,711	618,283	643,242	504,008	779,102	
524	PROTECTIVE INSPECTIONS	152,578	140,726	235,942	131,460	234,390	
525	DISASTER RELIEF	220	1,101	797,610	246,668	1,462,003	
538	FLOOD CONTROL/SW MANAGEMENT	69,644	201,642	218,500	70,838	296,124	
541	STREETS AND ROADS	424,301	637,670	523,255	425,449	3,133,260	
572	PARKS AND RECREATION	68,590	178,980	96,386	52,851	93,360	
574	SPECIAL EVENTS	4,527	1,629	6,000	3,272	3,500	
	<b>TOTAL EXPENDITURES</b>	<b>(1,809,472)</b>	<b>(2,231,056)</b>	<b>(3,373,762)</b>	<b>(2,213,490)</b>	<b>(6,968,624)</b>	

GENERAL FUND FUNDING SOURCES							
Population per State for formulas - 2,993 (down from 3033) - a decrease of 40 persons from last year							
ACCT	ACCOUNT DESCRIPTION	FYE FY 19/20	FYE FY 20/21	BUDGET FY 21/22	FY TD 9/7/22	Proposed 22/23	Notes
<b>31</b>	<b>TAXES</b>	<b>2.2680</b>		<b>2.4899</b>		<b>4.5001</b>	
311.1000	Ad Valorem Taxes 2.4899	574,725	639,178	725,988	730,432	1,484,126	Total Taxable Value of \$343,540,014 at 96%
312.4100	Local Option Gas Tax	105,988	112,185	122,729	107,957	99,500	County Estimate
314.1000	Utility Tax - Electricity	300,959	339,172	310,296	285,783	330,000	Based on past receipts
314.4000	Utility Tax - Gas	10,710	14,771	13,265	13,931	14,000	Based on past receipts
315.1000	Communications Services Tax	103,996	103,436	104,613	97,314	107,457	State Estimate
316.1000	Business Tax Receipts - Malabar	20,963	19,513	20,000	19,826	20,000	Local Business
	<b>TOTAL TAXES</b>	<b>1,117,341</b>	<b>1,228,255</b>	<b>1,296,891</b>	<b>1,255,243</b>	<b>2,055,083</b>	
<b>32</b>	<b>PERMITS,FEES,&amp; SPECIAL ASSESS</b>						
322.1000	Building Permits	212,464	188,021	171,220	221,069	190,000	This Funds Dept 524,
323.1000	Electric - Franchise	203,972	192,868	210,000	226,896	240,000	30 yr contract
323.3000	Water - Franchise Fee	7,193	6,943	6,818	6,286	6,900	Based on past receipts
323.7000	Solid Waste Franchise	34,227	39,186	37,000	33,179	37,000	5% of Revenue Collection
329.1000	OPSA - Land Use Related	7,354	8,355	7,000	10,204	8,000	Land Uses Incl.
	<b>TOTAL PERMITS, FEES, &amp; SPECIAL ASSESS</b>	<b>465,210</b>	<b>435,373</b>	<b>432,038</b>	<b>497,634</b>	<b>481,900</b>	
<b>33</b>	<b>INTERGOVERNMENTAL REVENUE</b>						
331.5000	FEMA Reimbursement	2,381	0	0	0	0	
331.5100	SLFRF Allotment	0	0	797,610	1,595,220	0	Total balance received 8/2022
335.1250	State Revenue Sharing	77,939	92,519	90,757	108,551	95,865	State Estimate
335.1400	State Mobile Home Tax	1,975	2,837	2,951	2,086	3,000	Based on past receipts
335.1500	Alcoholic Beverage Licenses	1,468	1,562	1,700	1,468	1,700	Based on past receipts
335.1800	Local Gov't Half Cent Sales Tax	168,277	193,101	184,355	181,562	191,837	State Estimate
335.2100	State Supplemental FF Payment	0	0	0	0	4,800	
335.4900	Other General Government - Traffic Signal Maintenance	7,466	7,653	8,036	0	5,500	Contract Reimbursement
338.2000	Business Tax Receipts Brevard Ct	1,098	1,663	1,100	600	1,100	From Brevard Cty BTR receipts
	<b>TOTAL INTERGOVERNMENTAL REVENUE</b>	<b>260,604</b>	<b>299,335</b>	<b>1,086,509</b>	<b>1,889,487</b>	<b>303,802</b>	
<b>34</b>	<b>CHARGES FOR SERVICES</b>						
349.2000	Cell Tower Lease	28,980	28,710	28,980	24,150	28,980	\$2415 x 12
349.5000	Special Event Revenue	3,214	1,662	1,000	3,620	3,000	
349.7010	Background Check	0	185	600	120	200	Reimbursement

GENERAL FUND FUNDING SOURCES							
Population per State for formulas - 2,993 (down from 3033) - a decrease of 40 persons from last year							
ACCT	ACCOUNT DESCRIPTION	FYE FY 19/20	FYE FY 20/21	BUDGET FY 21/22	FY TD 9/7/22	Proposed 22/23	Notes
349.8000	Paving Assesment	12,239	14,238	26,442	8,382	16,228	Amount due, special assesments
349.8010	Golf Cart Registration Fee	525	300	200	300	300	1-time \$50 cost
349.9000	Lien Searches	5,650	7,350	7,500	6,200	6,000	Based on past receipts
<b>TOTAL CHARGES FOR SERVICES</b>		<b>50,608</b>	<b>52,445</b>	<b>64,722</b>	<b>42,772</b>	<b>54,708</b>	
<b>35</b>	<b>FINES &amp; FORFEITURES</b>						
351.5000	Fines & Forfeitures	175	481	400	3342	500	Traffic/Code Enforcement
<b>TOTAL FINES &amp; FORFEITURES</b>		<b>175</b>	<b>481</b>	<b>400</b>	<b>3,342</b>	<b>500</b>	
<b>36</b>	<b>MISCELLANEOUS REVENUES</b>						
361.1000	Interest	16,831	4,491	3,000	279	3,000	
325.2000	SW Assessment	95,702	122,324	128,780	123,514	132,001	\$64/ERU
363.2300	TIFT Allocation Request	12,000	0	0	0	50,000	Balance held by County
365.1000	Sale of Surplus Materials	4,500	185,630	5,000	28,038	2,500	
366.1000	Donations FD	110	1,475	1,500	1,000	1,000	
369.3000	Insurance Refund	3,175	1,493	1,500	562	1,500	Based on past receipts
369.9000	Miscellaneous Revenues	1,671	261	300	165	300	Based on past receipts
<b>TOTAL MISCELLANEOUS REVENUE</b>		<b>133,989</b>	<b>315,674</b>	<b>140,080</b>	<b>153,558</b>	<b>190,301</b>	
<b>38</b>	<b>OTHER SOURCES</b>						
389.3000	VFA State Grant	2,910	0	0	562	11,294	FD 50/50 match from VFA
389.5000	Debt Proceeds	41,995	132,623	16,000	16,000	2,107,000	incl \$2.1M loan est, \$200k payment, 15yrs 5%
389.9020	Use of TIFT Funding	0	0	147,833	0	0	
<b>TOTAL OTHER SOURCES</b>		<b>44,905</b>	<b>132,623</b>	<b>163,833</b>	<b>16,562</b>	<b>2,118,294</b>	
<b>38 Cont.</b>	<b>USE OF RESERVED FUNDING</b>						
389.9000	Park Rec Funds	0	96,252	45,160	0	45,160	
389.9520	Use of BD Restricted Funding	32,277	14,526	64,722	64,722	44,390	
389.9530	Use of General Fund Reserve	0	0	0	0	48,369	Gradall/ FD grant match
389.9540	Use of SW Reserved Funding	0	0	89,720	89,720	164,113	
389.9560	SLFRF Restricted Funding	0	0	0	0	1,462,004	
<b>TOTAL OTHER SOURCES</b>		<b>32,277</b>	<b>110,778</b>	<b>199,602</b>	<b>154,442</b>	<b>1,764,036</b>	
<b>TOTAL FUNDING</b>		<b>2,105,109</b>	<b>2,574,964</b>	<b>3,384,075</b>	<b>4,013,040</b>	<b>6,968,624</b>	

511 - LEGISLATIVE							
ACCT	ACCOUNT DESCRIPTION	FYE	FYE	BUDGET	FY TD	Proposed	Notes
NO.		9/2020	9/2021	FY21/22	9/7/22	22/23	FY 20/21
	<b>Personnel Services</b>						
511.1100	Special Projects Manager	0	0	50,000	48,576	50,000	1/2 of SPM Position in GF- 1/2 525 DR
511.2100	FICA Taxes	0	0	3,825	3,797	3,825	1/2 of SPM Position in GF- 1/2 525 DR
511.2200	Retirement Contribution - FRS	0	0	5,410	4,864	5,955	1/2 of SPM Position in GF- 1/2 525 DR
511.2300	Employee Benefits	0	0	13,072	13,145	16,919	1/2 of SPM Position in GF- 1/2 525 DR
	<b>Total Personnel Services</b>	<b>0</b>	<b>0</b>	<b>72,307</b>	<b>70,382</b>	<b>76,699</b>	
	<b>Operating Expenses</b>						
511.3400	Contractual Services -	16,216	16,776	14,600	15,350	14,600	Code, FLC, SCLC,
511.4000	Travel & Per Diem - Mayor	955	1,130	1,500	2,214	1,500	League of Mayors, Civ-Mil, SCLC
511.4010	Travel & Per Diem - Council	432	3,533	3,500	497	3,500	FLC Conf, IEMO, SCLC, Ethics
511.4100	Printing, Postage, PR	2,119	263	1,000	974	1,000	PR, Postage
511.5200	Operating Supplies	2,999	0	1,499	1,418	1,500	
	<b>Total Operating Expenses</b>	<b>22,721</b>	<b>21,702</b>	<b>22,099</b>	<b>20,453</b>	<b>22,100</b>	
	<b>Capital Outlay</b>						
511.6400	Machinery & Equipment	0	0	0	0	0	
	<b>Total Capital Outlay</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>TOTAL LEGISLATIVE</b>	<b>22,721</b>	<b>21,702</b>	<b>94,406</b>	<b>90,835</b>	<b>98,799</b>	

512 - EXECUTIVE							
ACCT	ACCOUNT DESCRIPTION	FYE	FYE	BUDGET	FYTD	Proposed	Notes
NO.		FY 19/20	FY 20/21	FY 21/22	9/7/22	FY 22/23	
	<b>Personnel Services</b>						
512.1100	Town Manager	65,000	11,950	53,002	54,389	86,000	
512.1100	ITM	0	63,813	0	12,280	0	
512.2100	FICA Taxes	4,208	5,674	4,055	5,374	6,854	
512.2200	Retirement Contribution - FRS	16,517	23,406	49,790	11,619	27,150	
512.2300	Employee Benefits	7,975	8,852	6601	0	0	Consolidated to GF 519
512.2400	Workers Compensation	480	505	0	0	0	Consolidated to GF 519
	<b>Total Personnel Services</b>	<b>94,180</b>	<b>114,200</b>	<b>113,448</b>	<b>83,662</b>	<b>120,005</b>	
	<b>Operating Expenses</b>						
512.4000	Travel, Train & Per Diem	4,867	4,400	2,500	3,070	3,600	car allowance
512.5200	Operating Supplies	0	327	0	0	0	Moved to 519 GF
	<b>Total Operating Expenses</b>	<b>4,867</b>	<b>4,727</b>	<b>2,500</b>	<b>3,070</b>	<b>3,600</b>	
	<b>Capital Outlay</b>						
512.6400	Machinery & Equipment	0	0	0	0	0	
	<b>Total Capital Outlay</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
	<b>TOTAL EXECUTIVE</b>	<b>99,047</b>	<b>118,927</b>	<b>115,948</b>	<b>86,732</b>	<b>123,605</b>	

513 - FINANCE & ADMINISTRATION							
ACCT	ACCOUNT DESCRIPTION	FYE	FYE	BUDGET	FY TD	Proposed	Notes
NO.		9/2020	9/2021	FY 21/22	9/7/22	FY 22/23	
	<b>Personnel Services</b>						
513.1100	Clerk	63,420	65,000	66,950	63,251	55,000	
513.1110	Treasurer	0	0	0	0	65,000	
513.1200	Deputy Clerk	33,438	36,036	37,117	34,292	34,900	38k annual for 11 months
513.1300	Reception/Clerical Asst to Clerk	15,625	17,160	23,566	9,606	0	
513.1400	Overtime	789	2,000	1,000	2,411	1,000	Board Duties for T&G and Parks
513.2100	FICA Taxes	8,523	9,073	9,764	7,868	11,926	
513.2200	Retirement Contribution - FRS	19,407	22,978	25,988	22,137	29,381	
513.2300	Employee Benefits	21,031	20,690	0	0	0	Consolidated to 519
513.2400	Workers Compensation	1,440	1,440	0	0	0	Consolidated to 519
	<b>Total Personnel Services</b>	<b>163,673</b>	<b>174,377</b>	<b>164,385</b>	<b>139,565</b>	<b>197,207</b>	
	<b>Operating Expense</b>						
513.3100	Election Expenses	0	2,000	350	0	350	2023 w/b Districts 4 & 5
513.3210	Auditing	19,500	21,000	21,500	20,500	22,000	Annual Contract expires after FY 23
513.4000	Travel & Per Diem	4,037	5,000	5,000	2,303	0	Consolidated to 519
513.4900	Charges & Obligations	4,041	5,000	5,000	5,182	7,000	Legal ads, Qbooks Bank Processing
513.5200	Operating Supplies	3,015	1,500	1,500	1,066	0	Consolidated to 519
	<b>Total Operating Expenses</b>	<b>30,593</b>	<b>34,500</b>	<b>33,350</b>	<b>29,051</b>	<b>29,350</b>	
	<b>Capital Outlay</b>						
513.6400	Machinery & Equipment	0	0	0	0	51,000	Accounting Software implementation
	<b>Total Capital Outlay</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>51,000</b>	
	<b>TOTAL FINANCE &amp; ADMIN.</b>	<b>194,266</b>	<b>208,877</b>	<b>197,735</b>	<b>168,616</b>	<b>277,557</b>	



514 - LEGAL							
ACCT	ACCOUNT DESCRIPTION	FYE	FYE	BUDGET	FY TD	Proposed	Notes
NO.		9/2020	9/2021	FY 21/22	9/7/22	22/23	
	<b>Operating Expenses</b>						
514.3100	Professional Services	27,555	23,780	60,000	85,589	60,000	Increased for Employee Manual Update, and or ongoing litigation
	<b>TOTAL LEGAL</b>	<b>27,555</b>	<b>23,780</b>	<b>60,000</b>	<b>85,589</b>	<b>60,000</b>	

515 - COMPREHENSIVE PLANNING							
ACCT	ACCOUNT DESCRIPTION	FYE	FYE	BUDGET	FYTD	Proposed	Notes
NO.		9/2020	9/2021	FY 21/22	9/7/22	FY 22/23	
	<b>Operating Expenses</b>						
515.3100	Professional Services	3,475	892	3,500	0	1,500	Reduced Comp Plan updates, LDC updates
	<b>TOTAL COMP PLANNING</b>	<b>3,475</b>	<b>892</b>	<b>3,500</b>	<b>0</b>	<b>1,500</b>	

519 - GENERAL GOVERNMENT							
ACCT	ACCOUNT DESCRIPTION	FYE	FYE	BUDGET	FY TD	Proposed	Notes
NO.		9/2020	9/2021	FY 21/22	9/7/22	FY 22/23	
	<b>Personnel Services</b>						
519.2300	Employee Benefits	0	0	162,897	160,454	169,580	H+ D+V+ life, Town portion no BD, no SPM
519.2330	OEB Liabilities	0	0	21,200	6,506	25,194	
519.2400	Worker's Compensation	0	0	40,835	40,835	42,980	BD separate \$48K total
519.2410	AD&D FFCD Premium	0	0	933	933	950	Consolidated from Departments
	<b>Total Personnel Services</b>	<b>0</b>	<b>0</b>	<b>225,865</b>	<b>208,728</b>	<b>238,704</b>	
	<b>Operating Expenses</b>						
519.3400	Contractual Serv: Pest Control	1,276	1,317	2,200	1802	3,000	Consolidated from Departments
519.3420	Contractual Serv: IT /Web	11,056	12,585	15,000	16,813	16,000	
519.3440	Contractual Serv: engineering	0	0	10,000	11,925	10,000	
519.3460	Contractual Serv: Cleaning	2,180	1,980	4,620	4,840	4,620	Consolidated from GF Depts
519.4000	Travel, Train & Per Diem	0	0	7,080	1,000	5,000	Conference, Training, Travel, Per Diem
519.4100	Comm & Freight - Tele/ISP	3,020	4,577	12,650	10,365	12,650	Internet, PhoneSystem, Cell phones
519.4300	Utilities - Electric	2,770	2,929	10,150	12,615	14,000	Consolidated from Departments
519.4400	Rentals & Leases	4,472	4,761	12,700	11,561	12,700	Dex MFP, H2o, CIT
519.4500	Insurance - Property Liability	35,694	35,330	50,000	45,416	56,077	property, liability & auto ins, exec travel, ADD
519.4600	Repair & Maintenance	18,040	4,469	10,000	8,489	10,000	Consolidated from Departments
519.4900	Other Current Chrgs & Oblig	2,605	3,704	5,000	4,546	5,000	Cty landfill, invest/bank fees, recording fees, FRS fees
519.4920	Contingency	200	0	5,973	948	7,674	
519.5200	Operating Supplies	4,524	5,195	9,000	7,924	9,000	
519.5400	Subscriptions	0	0	1,000	200	1,000	
	<b>Total Operating Expenses</b>	<b>85,837</b>	<b>76,847</b>	<b>155,373</b>	<b>138,444</b>	<b>166,721</b>	
	<b>TOTAL GEN GOVERNMENT</b>	<b>85,837</b>	<b>76,847</b>	<b>381,238</b>	<b>347,172</b>	<b>405,425</b>	

522 - FIRE CONTROL							
ACCT NO.	ACCOUNT DESCRIPTION	FYE FY 19/20	FYE FY 20/21	BUDGET FY 21/22	FY TD 9/7/22	Proposed FY 22/23	Notes
	<b>Personnel Services</b>						
522.1100	Executive - Fire Chief	39,884	47,000	48,410	33,067	53,251	
522.1200	Reg Salaries	232,825	238,393	247,981	240,464	277,023	FTE LT ( 16.26 x 2208hrs) = 35,902.08 x 4 = 143,608.32
							PTE AA 13.08 x 1300 hrs = 17,004/ State Supp FF Pay \$4800
							FTE DE ( 12.70 x 2208hrs) = 28041.60 x 4 = 112166.40
522.1300	Holiday	8,688	8,992	8,000	7,508	9,000	
522.1400	Overtime	10,278	5,452	5,000	5,152	6,000	
522.1500	Pay Per Call vol FF	12,477	6,658	7,500	2,230	4,000	PPC FD volunteers
522.2100	FICA taxes	22,542	19,886	23,248	20,446	25,353	
522.2200	FRS	67,852	68,175	74,407	72,071	96,090	
522.2300	Employee Benefits	73,760	46,024	0	0	0	Consolidated to 519
522.2400	Workers Compensation	10,579	10,101	0	0	0	Consolidated to 519
	<b>Total Personnel Services</b>	<b>478,885</b>	<b>450,681</b>	<b>414,546</b>	<b>380,938</b>	<b>470,717</b>	
	<b>Operating Expenses</b>						
522.3100	HFAdvent CentraCare	1,345	4,779	12,500	11,389	12,500	Annual Physicals - HF \$550/Member (9) + Med Dir
522.3420	IT, Cloud, Related	6,267	3,741	1,150	2,672	8,000	Fire Programs/ESO/Target Solutions/IAR Paging
522.3440	Training for MVFD members	2,854	10,570	3,000	1,934	3,000	
522.3470	ILA for 800 Mhz Sys	6,239	12,623	6,250	7,614	7,000	ILA MFD Per Radio Charge
522.3490	ILA 911 County Dispatch	9,500	9,500	9,500	9,500	9,500	ILA annual payment w/ County
522.4100	Com & Freight-Telephone	4,277	7,032	0	0	0	Consolidated to 519
522.4300	Utilities - Electric	8,510	8,551	0	0	0	Consolidated to 519
522.4400	Rentals & Leases	4,361	4,493	0	0	0	Consolidated to 519
522.4600	Repairs & Maintenance	35,713	28,019	25,000	17,108	20,000	bldg & vehicles Fire Specific
522.4615	Expend from Donations	7,103	4,910	0	0	0	
522.4620	Repairs Maint/Radio	4,069	6,611	1,500	3,371	1,500	
522.5100	Office Supplies	1,355	105	0	0	0	Consolidated to 519
522.5200	Operating Supplies - Fuel	6,451	6,518	7,500	9,164	12,000	
522.5210	Operating Expenses	18,677	9,999	12,000	10,033	12,000	FD Specific
522.5400	Books, Pub, Subscrip, Membership	485	455	600	589	600	
	<b>Total Operating Expenses</b>	<b>117,206</b>	<b>117,906</b>	<b>79,000</b>	<b>73,374</b>	<b>86,100</b>	
	<b>Capital Outlay</b>						
522.6300	Lease Purchase Eng 99	49,696	49,696	49,696	49,696	49,696	
522.6400	Machinery & Equipment	0	0	100,000	0	150,000	Add to reserves for pumper/tanker replacement
522.8300	Grants	10,924	0	0	0	22,589	Grant awarded, delivery delayed, 50/50 match

522 - FIRE CONTROL							
ACCT NO.	ACCOUNT DESCRIPTION	FYE FY 19/20	FYE FY 20/21	BUDGET FY 21/22	FY TD 9/7/22	Proposed FY 22/23	Notes
	Total Capital Outlay	60,620	49,696	149,696	49,696	222,285	
	TOTAL FIRE CONTROL	656,711	618,283	643,242	504,008	779,102	

524 - PROTECTIVE INSPECTIONS							
ACCT NO.	ACCOUNT DESCRIPTION	FYE 9/2020	FYE 9/2021	BUDGET FY 21/22	FY TD 9/7/22	Proposed 22/23	Notes
	<b>Personnel Services</b>						
524.1100	Executive - Building Official - P/T	17,924	11,248	17,280	9,945	0	Contracted Services as of 7/11/22
524.1110	Executive - ITM	0	10,313	0	0	0	Deleted Position FY22
524.1200	Building Department Manager	41,328	37,026	43,260	40,836	47,586	
524.1210	Permitting Clerk	2,229	9,792	25,709	8,464	11,000	20.39h/r
524.1400	Overtime	3,414	401	2,000	437	1,500	P&Z Board Duties
524.2100	FICA Taxes	4,941	3,841	5,276	4,226	4,597	
524.2200	Retirement Contribution - FRS	3,853	3,742	7,462	3,946	7,156	0
524.2300	Employee Benefits	7,461	5,339	16,675	12,392	9,332	H+D+V+ life
524.2400	Workers' Compensation	1,440	2,416	5,155	5,155	5,155	
	<b>Total Personnel Services</b>	<b>82,590</b>	<b>84,118</b>	<b>122,817</b>	<b>85,401</b>	<b>86,326</b>	
	<b>Operating Expenses</b>						
524.3100	Professional Services - Engineer	11,940	14,333	12,000	9,480	12,000	
524.3110	Professional Services - Planner	7,833	1,267	2,000	0	2,000	
524.3120	Professional Services - Legal	4,425	3,980	5,000	4,795	5,000	
524.3400	Contractual Serv: Pest Control	392	441	420	442	450	
524.3420	I.T. Services	5,448	7,951	7,943	7,985	8,500	
524.3440	Contractual Serv - BO, Reviewer, Insp	3,073	3,320	60,000	5,727	95,000	BO, Insp, Plan Review
524.3460	Contractual Serv -Cleaning	960	960	860	580	960	
524.4000	Travel & Per Diem	900	0	500	0	0	
524.4100	Communication/ISP	1,580	2,583	3,000	2,605	3,000	
524.4300	Electric	1,122	1,151	1,200	1,283	1,300	
524.4400	Rental and Leases	4,245	4,318	4,000	3,250	4,000	Copier, Record Storage
524.4500	Insurance/Prop Liab	1,533	6,854	6,854	5,140	6,854	
524.4900	Other Current Charges & Obligations	4,261	9,311	7,148	4,096	5,000	
524.5200	Operating Expenses	22,276	139	2,200	676	1,500	
	<b>Total Operating Expenses</b>	<b>69,988</b>	<b>56,608</b>	<b>113,125</b>	<b>46,059</b>	<b>145,564</b>	
	<b>Capital Outlay</b>						
524.6400	Machinery & Equipment	0	0	0	0	2,500	
	<b>Total Capital Outlay</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,500</b>	
	<b>Total Protective Services</b>	<b>152,578</b>	<b>140,726</b>	<b>235,942</b>	<b>131,460</b>	<b>234,390</b>	

525 - Disaster Relief							
ACCT	ACCOUNT DESCRIPTION	FYE	FYE	BUDGET	FY TD	Proposed	Notes
NO.		9/2020	09/2021	FY 21/22	9/7/22	22/23	
	<b>Personnel Services</b>						
525.1100	Special Projects Manager	0	0	50000	21154	50000	1/2 of SPM Position ARP -1/2 511 GF
525.2100	FICA Taxes	0	0	3825	855	3825	1/2 of SPM Position ARP -1/2 511 GF
525.2200	Retirement Contribution - FRS	0	0	5410	4281	5955	1/2 of SPM Position ARP -1/2 511 GF
525.2300	Employee Benefits	0	0	13072	13773	16919	1/2 of SPM Position ARP -1/2 511 GF
	<b>Total Personnel Services</b>	<b>0</b>	<b>0</b>	<b>72,307</b>	<b>40,063</b>	<b>76,699</b>	
	<b>Operating Expenses</b>						
525.1000	Hurricane Expenses	0	0	0	0	0	Emerg exp natural disaster recovery
525.3010	COVID-19 Expenses	220	1,101	0	0	0	
525.3020	ARPA - American Relief Plan	0	0	725,303	206,605	1,385,304	300K roads, 300k water, 300k stormwater
	<b>TOTAL DISASTER RELIEF</b>	<b>220</b>	<b>1,101</b>	<b>797,610</b>	<b>246,668</b>	<b>1,462,003</b>	

538 - Flood Control / Storm Water Management							
ACCT	ACCOUNT DESCRIPTION	FYE	FYE	BUDGET	FY TD	Proposed	Notes
NO.		9/2020	9/2021	FY21/22	9/7/22	FY 22/23	SW Assesment 128,780
	<b>Operating Expenses</b>						
538.3100	Cont Serv - Engineering	1,400	348	5,000	4,729	30,000	
538.3110	Cont Serv - VacTruck Services	0	0	50,000	0	20,000	Pipe Cleanout
538.3400	Administrative Fees/Costs	9,880	17,296	18,000	10,088	11,000	County Admin
538.4900	SW Projects related costs	16,369	27,483	50,000	9,057	57,440	SW maintenance projects
	<b>Total Operating Expenses</b>	<b>27,649</b>	<b>45,127</b>	<b>123,000</b>	<b>23,874</b>	<b>118,440</b>	
	<b>Capital Outlay</b>						
538.6300	Infrastructure - Stormwater	41,995	156,515	50,000	0	0	\$300k allocated from SLFRF
538.6400	Equipment	0	0	45,500	46,964	167,344	pay off gradall
538.7100	DEP loan payment	0	0	0	0	10,340	2 semi-annual payments of \$5,170.00
	<b>Total Capital Outlay</b>	<b>41,995</b>	<b>156,515</b>	<b>95,500</b>	<b>46,964</b>	<b>177,684</b>	
	<b>TOTAL FLOOD CONTROL</b>	<b>69,644</b>	<b>201,642</b>	<b>218,500</b>	<b>70,838</b>	<b>296,124</b>	



541 - STREETS & ROADS							
ACCT NO.	ACCOUNT DESCRIPTION	FYE 9/2020	FYE 9/2021	BUDGET FY 21/22	FY TD 9/7/22	Proposed FY 22/23	Notes
	<b>Personnel Services</b>						
541.1100	Public Works Director	49,879	53,319	51,984	49,165	57,182	
541.1200	Regular Salaries & Wages	89,096	87,005	113,526	90,947	116,729	1 HEO 20.12/ 2 MEO 18.00
541.1400	Overtime	169	66	500	1,854	8,000	
541.2100	FICA Taxes	10,583	9,608	12,662	10,189	13,916	
541.2200	Retirement Contribution - FRS	12,227	12,664	17,908	14,183	21,666	
541.2300	Employee Benefits	31,489	46,789	0	0	0	Consolidated to GF 519
541.2400	Workers' Compensation	10,000	10,048	0	0	0	Consolidated to GF 519
	<b>Total Personnel Services</b>	<b>203,443</b>	<b>219,499</b>	<b>196,580</b>	<b>166,338</b>	<b>217,493</b>	
	<b>Operating Expenses</b>						
541.4000	Travel & Per Diem	876	1,000	500	0	500	
541.4300	Electric St. Lights & Signals	12,467	11,000	11,000	9,533	11,000	Partially offset from FDOT 335.4900
541.4600	Repair & Main -vehicles	49,106	45,000	35,000	38,235	35,000	
541.4610	Repair & Main - roads	54,353	50,000	50,000	41,340	50,000	
541.4650	Repair/Main - RR Crossing	3,600	3,600	3,600	3,600	3,600	for Jordan RR xing per FEC
541.4900	Other Charges & Obligations	5,287	2,000	1,000	326	1,000	
541.5200	Operating Supplies - Fuel	12,027	12,430	12,000	21,585	25,000	
541.5210	Operating Supplies	18,428	6,000	7,000	6,790	7,000	
	<b>Total Operating Expenses</b>	<b>156,144</b>	<b>131,030</b>	<b>120,100</b>	<b>121,409</b>	<b>133,100</b>	
	<b>Capital Outlay</b>						
541.6300	Trans Impact Fee \$ - TIFT Projects	0	0	0	0	50,000	
541.6400	Machinery and Equipment	47,008	37,075	37,075	37,075	37,075	Gradall to be paid off from Stormwater/GF reserves
541.6410	Equipment Replacement	0	150,366	19,500	100,627	45,300	Pick up truck
541.6420	C.I.P. Road Paving	17,706	99,700	150,000	0	2,650,292	incl \$2.1M loan est, \$200k payment, 15yrs 5%
	<b>Total Capital Outlay</b>	<b>64,714</b>	<b>287,141</b>	<b>206,575</b>	<b>137,702</b>	<b>2,782,667</b>	
	<b>TOTAL STREETS &amp; ROADS</b>	<b>424,301</b>	<b>637,670</b>	<b>523,255</b>	<b>425,449</b>	<b>3,133,260</b>	

572 - PARKS AND RECREATION							
ACCT	ACCOUNT DESCRIPTION	FYE	FYE	BUDGET	FY TD	Proposed	Notes
NO.		9/2020	9/2021	FY 21/22	9/7/22	FY 22/23	
	<b>Personnel Services</b>						
572.1200	Parks Supervisor	36,005	37,440	38,563	30,638	0	Vacant position eliminated for budget year
572.1400	Overtime	0	68	300	181	0	
572.2100	FICA Taxes	2,723	2,864	2,950	2,209	0	
572.2200	Retirement Contribution - FRS	3,147	3,744	4,173	2,103	0	
572.2300	Health & Dental Insurance	7,210	8,809	0	0	0	Consolidated to GF 519
572.2400	Workers Compensation	480	495	0	0	0	Consolidated to GF 519
	<b>Total Personnel Expenses</b>	<b>49565</b>	<b>53420</b>	<b>45986</b>	<b>35131</b>	<b>0</b>	
	<b>Operating Expenses</b>						
572.3400	Cont Serv - Pest Control	392	510	0	0	0	Consolidated to GF 519
572.3460	Cont Serv - Pk Restroom Cleaning	960	3,080	0	0	0	Consolidated to GF 519
572.4300	Utilities - Electric	500	563	0	0	0	Consolidated to GF 519
572.4400	Rentals and Leases-Port-a-lets	4,245	1,236	1,300	1,911	2,600	
572.4600	Repairs and Maintenance	11,540	19,419	18,500	15,191	15,000	
572.4900	Other Current Charges & Obligations	458	466	600	600	600	Trail Head Lease (\$300), GF 519
572.4930	Greenways & Trails Develop	930	3,950	10,000	18	10,000	Eagles NestTH
	<b>Total Operating Expenses</b>	<b>19,025</b>	<b>29,224</b>	<b>30,400</b>	<b>17,720</b>	<b>28,200</b>	
	<b>Capital Outlay</b>						
572.6400	Machinery & Equipment	0	48,210	20,000	0	20,000	Mower replacement
572.6410	Infrastructure	0	48,126	0	0	45,160	Greenway Projects
	<b>Total Capital Outlay</b>	<b>0</b>	<b>96,336</b>	<b>20,000</b>	<b>0</b>	<b>65,160</b>	
	<b>TOTAL PARK AND RECREATION</b>	<b>68,590</b>	<b>178,980</b>	<b>96,386</b>	<b>52,851</b>	<b>93,360</b>	

574 - SPECIAL EVENTS							
ACCT	ACCOUNT DESCRIPTION	FYE	FYE	BUDGET	FY TD	Proposed	Notes
NO.		9/2020	9/2021	FY 21/22	9/7/22	FY 22/23	
	<b>Operating Expenses</b>						
574.4800	Expenditures	4,527	1,629	6,000	3,272	3,500	Fall Fest, Tree Lighting
	<b>Total Operating Expenses</b>	<b>4,527</b>	<b>1,629</b>	<b>6,000</b>	<b>3,272</b>	<b>3,500</b>	

# TOWN OF MALABAR

## COUNCIL MEETING

**AGENDA ITEM NO: 12.a.**  
**Meeting Date: September 12, 2022**

Prepared By: Debby Franklin, C.M.C., Town Clerk/Treasurer

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**SUBJECT: Contract for Town Clerk (Reso 18-2022)**

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**BACKGROUND/HISTORY:**

Council appointed Richard Kohler as the Town Clerk on August 15, 2022, contingent on an acceptable employment contract. CM Steve Rivet was selected by Council to negotiate with Mr. Kohler on the particulars of the contract.

The contract is for ongoing employment in the position of Town Clerk, beginning October 1, 2022 for the annual salary of \$55,000.00.

The benefits agreed upon are spelled out in the contract which is part of the Resolution.

**ATTACHMENTS:**

- Resolution 18-2022 with "Exhibit A" and "Exhibit B"

**ACTION OPTIONS:**

Council Action on Reso 18-2022

**RESOLUTION 18-2022**

**A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE APPOINTMENT OF RICHARD KOHLER AS THE MALABAR TOWN CLERK; PROVIDING FOR DUTIES, REMUNERATION AND BENEFITS; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Malabar Town Council has determined the benefit of hiring Richard Kohler as the Malabar Town Clerk to replace the retiring Clerk beginning on October 1, 2022; and

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, that:**

**Section 1.** The Town Council of Malabar, Brevard County, Florida, hereby approves the appointment of Richard Kohler as the Malabar Town Clerk to begin on October 1, 2022 as described in contract attached as "Exhibit A".

**Section 2.** The Town Council of Malabar, Brevard County, Florida, hereby authorizes and directs the contract for these services to be executed.

**Section 3.** All resolutions or parts of resolutions in conflict herewith are hereby repealed.

**Section 4.** This resolution shall take effect immediately upon adoption.

This Resolution was moved for adoption by Council Member \_\_\_\_\_. This motion was seconded by Council Member \_\_\_\_\_ and, upon being put to vote, the vote was as follows:

Council Member Marisa Acquaviva	_____
Council Member Brian Vail	_____
Council Member Steve Rivet	_____
Council Member Dave Scardino	_____
Council Member Mary Hofmeister	_____

This Resolution was then declared to be duly passed and adopted this 12th day of September 2022.

**TOWN OF MALABAR**

(seal)

By: \_\_\_\_\_  
Mayor Patrick T. Reilly, Council Chair

ATTEST:

\_\_\_\_\_  
Debby K. Franklin, C.M.C.  
Town Clerk/Treasurer

Approved as to form and content:

\_\_\_\_\_  
Karl W. Bohne, Jr., Town Attorney

“Exhibit A” of Reso 18-2022 Contract for Town Clerk

**EMPLOYMENT AGREEMENT FOR MALABAR TOWN CLERK**

THIS AGREEMENT made and entered into on the 12<sup>th</sup> day of September 2022, by and between the Town of Malabar, Florida, a municipal corporation of the State of Florida, Brevard County (hereafter the “Employer”), and Richard W. Kohler (hereafter the “Employee”).

**WITNESSETH:**

**WHEREAS**, Employer desires to employ the services of said Employee as the Malabar Town Clerk beginning October 1, 2022; and,

**WHEREAS**, it is the desire of the Town Council to provide certain salary and benefits, to establish certain conditions of employment, and to set working conditions of said Employee; and

**WHEREAS**, Employee desires to accept employment as Town Clerk of the Town of Malabar.

**ARTICLE I - Term of Employment**

1.01 The Town employs Employee, and Employee has accepted employment with Town upon the conditions set forth herein beginning October 1, 2022, with the title of Town Clerk, continuing until terminated under the provisions of Article V hereof. During the first 90 days of employment, the Employee shall be considered a probationary employee for the position of Town Clerk, and he shall accrue benefits under article IV; however, he may be terminated without cause during the said 90-day period with no entitlement to any severance except Employee shall be entitled to be compensated for work performed before the effective date of the termination under this article.

**ARTICLE II - Employee's Duties**

2.01 The Employee is hereby employed as the Malabar Town Clerk of the Town of Malabar, Brevard County, Florida as described in the job description advertised and discussed at the Council meetings in June, July, August and September of this year. The Employee shall be required to be a member of the Florida Association of City Clerks, International Institute of Municipal Clerks, and the Brevard County City Clerk's Association within the first 180 days of being employed by the Town if they are not already a member.

2.02 Employee agrees to perform the duties described and attached as “Exhibit B”, as well as such additional duties and functions as may be assigned to the Town Clerk by the Town Council to the best of his ability, and to perform those duties in a manner consistent with the best interests of the Town and in a professional and ethical manner.

2.03 The Employee shall devote substantially all of his productive time, ability, and attention to the business of the Town, both during normal business hours and outside normal business hours as the business of the Town may require, such as attending Council, Board and Committee meetings. To that end, it is agreed, that as compensation for time spent on Town business during non-business hours, the Employee shall be entitled to take compensatory time off as they shall deem appropriate during normal business hours within

same pay period. This compensatory time off shall have no cash value as outlined in the Employee Manual. Employee shall not be involved in non-employee connected business for remuneration without approval of the Town Council.

### ARTICLE III - Compensation

- 3.01 The Town agrees to pay Employee for their services rendered an annual base salary of \$55,000.00, payable in installments at the same time as other employees of the Town are paid. The Employee shall be required to keep a time sheet and submit it to the Treasurer each pay period to track regular, vacation, sick and compensatory time off.
- 3.02 After the 2022/2023 fiscal year and during continued employment, the Employee may be entitled to a salary increase as an adjustment to base salary at the discretion of Council.
- 3.03 The Town shall not at any time during the term of the agreement reduce the salary, compensation, or other financial benefits of Employee, except as part of an across-the-board reduction for all employees of the Town. In such event, the Employee's salary reduction shall be proportioned to the reduction for other Town employees.

### ARTICLE IV - Employee Benefits

- 4.01 Employee shall be entitled to participate in any Employee benefit plan established by the Town. Life insurance policy equal to (1X) the annual wages; and Short-term and Long-term Insurance as provided to all full-time employees at Town's expense. The Employee shall be entitled to enroll in the Town's accepted health insurance plan for family coverage paid 80% by the Town, with the employee paying the remaining 20%. Additionally, The Town will pay 100% of the monthly premium for Dental and Vision Insurance, up to family coverage.
- 4.02 The Town agrees to pay the required contribution for Senior Management of the Employer portion for inclusion in the Florida Retirement System. The employee shall be required to pay the employee portion just as other Town employees.
- 4.03 Employee shall annually accrue sick leave on the same basis and at the same rate as other Town employees and is held to the same limits per the Employee Manual. Employee may participate in any refunding program for sick leave offered to other employees.
- 4.04 Employee shall annually accrue vacation leave on the same basis and at the same rate as other Town employees and is held to the same limits per the Employee Manual. The Employee shall be required to take five consecutive days off each year per the Employee Manual. The Employee shall get Town Council approval of the taking of vacation time by the Employee
- 4.05 A. The Town hereby agrees to budget for and to pay the travel and subsistence expenses for travel outside Brevard County of Employee for official travel, meetings, conferences and seminars to adequately pursue the necessary official and other functions for the Town, based on the miles recorded for Town business on an Employer provided mileage log similar to what other employees complete based on Florida Statutes limits as currently set at .445 cents per mile and as defined in Florida Statutes 112.012, including but not limited to the Annual Conferences of the Florida League of Cities, GFOA, FCCMA and such other national, regional, state and local government organization groups and committees thereof which Employee serves as a member.
- B. The Town also agrees to budget and to pay for the registration fees of Employee for short courses, institutes and seminars that are necessary for their professional development and for the good of the Town.

- C. The Town shall pay 100% of the Employee's annual professional organizational dues.
- D. The Town shall offer the Employee 50% tuition reimbursement per semester at the cap rate of public college credit tuition rates. Employee shall submit paid tuition receipts and satisfactory completion of a "C" or better for reimbursement.
- 4.06 The Town shall defend, save harmless and indemnify Employee *pursuant to F.S. 111.07 and 111.071*. The Town shall be required to provide independent legal representation at the Town's expense to the Employee for any matter for which this indemnity shall apply. Legal representation, provided by the Town for Employee, shall extend until a final determination of the legal action including any appellate proceedings. Employee recognizes that the Town shall have the right to compromise and settle any claim or suit. Such payments shall continue beyond Employee's service to the Employer as long as litigation is pending.

#### ARTICLE V - Termination, Severance Pay, and Suspension

- 5.01 In the event employment of Employee is terminated at the pleasure of the Town or for any reason other than those set forth in paragraph 5.02 of this article, the Employee shall receive a lump sum cash payment equal to two (2) months aggregate salary computed as of the time of termination. Employee shall also receive full pay for unused vacation and accrued sick leave up to the caps provided in the Employee Manual.
- 5.02 In the event Employee is terminated for cause then the Town shall have no obligation to pay aggregate future salary but shall pay accumulated vacation above up to the caps provided in the Employee Manual. For purposes herein the Term "for cause" shall mean the grounds for removal from office in *F.S. 112.51*, misconduct as defined in *F.S. 443.036 (29)* and for misfeasance or malfeasance, or the conviction of any crime involving dishonesty, or the conviction of any crime designated as a felony under the laws of the jurisdiction imposing the penalty, breach of this Agreement, violation of the Town Charter, code of ordinances, resolutions and rules or employment policies of the town. For purposes of this section the term "conviction" shall mean a plea of no contest, a plea or adjudication of guilt or withholding guilt, or any plea involving entry into or participation in any diversion program. The Town Council may terminate the Employee without full pay and benefits at any time during the term of this Agreement based upon the grounds in this section, but only if after a public hearing a majority of the Council (3 members) votes to terminate Employee, "for cause", provided; however, that Employee shall have been given written notice setting forth any charges at least 10 days prior to such hearing.
- 5.03 In the event Employee voluntarily resigns their position with the Town, then Employee shall give the Town thirty (30) days written notice in advance, unless the parties otherwise agree. Employee will be entitled to full pay for all accumulated vacation and accrued sick leave at their then-current salary up to the caps as set forth in the Employee Manual. The employee shall be entitled to compensation for work performed before the effective date of their resignation.
- 5.04 Suspension: The Town Council may suspend the Employee without full pay and benefits at any time during the term of this Agreement, but only if after a public hearing a majority of the Council (3 members) votes to suspend Employee, "for cause", as defined in section 5.02 above, provided; however, that Employee shall have been given written notice setting forth any charges at least 10 days prior to such hearing.
- 5.05 Disability: If Employee is permanently disabled or is otherwise unable to perform their duties because of sickness, accident, injury, mental incapacity or health for a period of



four successive weeks beyond any accrued sick leave, The Town shall have the option to terminate this Agreement, subject to the severance pay requirements of Section 5.01. Nothing herein is intended to override the provisions of the Family Medical Leave Act.

ARTICLE VI - Performance Evaluation

6.01 The Town Council shall conduct a performance review of the Employee during the first 120 days of employment. The purpose of the review is to identify the Employee's progress during the first 120 days of the employment and is not intended to replace the annual review and evaluation required under sections 6.02 and 6.03 of this Agreement

6.02. The Council shall review and evaluate the performance of the employee at least annually. Said review and evaluation shall be in accordance with specific criteria developed jointly by the Town and Employee. Said criteria may be added to or deleted as the Council may from time to time determine in consultation with the Employee. Further, the Town shall provide the Employee with a summary written statement of the findings of the Council and provide an adequate opportunity for the Employee to discuss his evaluation with the Council. The evaluation shall be used as a consideration by the Council in its deliberations and determinations for salary increases or decreases.

6.02. Annually, the Council and Employee shall define such goals and performance objectives that they determine necessary for the proper operation of the Town and in the attainment of the Council's policy objectives and shall further establish a relative priority among those various goals and objectives, said goals and objectives to be reduced to writing. They shall generally be attainable within the time limitations as specified and the annual operating and capital budgets and appropriations provided.

ARTICLE VII - General Provisions

7.01 The text herein shall constitute the entire Agreement between the parties along with a copy of the current Employee Manual. This Agreement shall be binding upon and inure to the benefit of the Employee heirs at law and executors of Employee.

7.02 This Agreement shall become effective on the date of its approval by the Town Council.

7.03 If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable the remainder of the Agreement or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

**IN WITNESS WHEREOF**, this Agreement has been entered into the day and year first written above.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Richard Kohler, Town Clerk

\_\_\_\_\_  
Witness

**THE TOWN OF MALABAR**

By: \_\_\_\_\_  
Mayor Patrick T. Reilly

ATTEST:

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Debby K. Franklin, C.M.C. Town Clerk/Treasurer



# TOWN OF MALABAR

## Town Clerk

Position Description

Non-Exempt

Salary Range \$59,437 - \$77,274

A Charter Officer of the Town, appointed by and responsible to the Town Council. Receives policy direction from the Town Council. As member of the Town's Senior Management, is responsible for all activities related to the Town Council, Records Management, Legislative Actions, Supervising Elections. A final employment contract shall be executed by Town Council

### **ESSENTIAL DUTIES & RESPONSIBILITIES:**

**The following duties are normal for this position. They are not to be construed as exclusive or all-inclusive. Further description of details follows this section.**

- I. Develop, plan and implement department goals and objectives; establish and administer policies and procedures.
- II. Exercises direct supervision over assigned management, supervisory, technical, and clerical personnel.
- III. Supervises staff within the Clerk's Office.
- IV. Attests all contracts, bonds and other instruments as may be prescribed by law.
- V. Assists with the information technology (IT) functions of the Town.

### **General:**

- A. Must be able to manage and organize workload independently and comply with all Local, State and Federal requirements.
- B. Supervisor skills required to oversee and manage direct reports.
- C. Must possess the aptitude or knowledge of governmental software packages related to records management and public meetings and minutes.

### **Clerk:**

1. Serves as Clerk to the Town Council. Responds to Council direction in a timely manner. Attends Council meetings and workshops or assigns subordinate to act as a clerk. Reports Council actions to staff.
2. Prepares preliminary and final Council agendas and collects appropriate material for Council packets. Copies final packets and prepares packets for distribution.
3. Prepares proclamations and certificates of appreciation.
4. Oversees the road improvement process, accepted street list and road payback files.
5. Supervises the maintenance of all official records, minutes, resolutions, and ordinances. Supervises operation of records retention, archives, and microfilming.
6. Writes and/or prepares ordinances and resolutions according to protocol.
7. Oversees procedures for codification of Town Ordinances and Town Charter. Reviews all supplements after codification and prior to distribution, for accuracy and correctness.
8. Prepares and publishes all legal notices as required by law.
9. Attests to and/or supervises the recording of all official documents.
10. Verifies all travel requests for attendance at conferences, seminars, etc. for employees, management, and Council.
11. Oversees membership status of boards and committees to ensure compliance with code, processes vacancies and applications.
12. Responsible for bi-annual SCLC dinner in January as the host municipality.
13. Performs research and preparation of correspondence/responses for Town Council as requested and/or needed.

14. Responsible for various duties including scheduling monthly meetings, publishing monthly calendar, running errands, supervision of community service workers and volunteers working in the Clerk's Department.
15. Signs and review Business Tax Receipts; sends out renewals and keeps monthly reports on active BTRs.
16. Custodian of Town Seal.
17. Attests and signs agreements and documents.
18. Answer phone and route calls, respond to calls as necessary.
19. Public Relations and Community Outreach via various distribution methods to include the website, print material, and digital media.
20. Update and maintain procedures on Town Clerk related duties.
21. Serves as Chief Election Officer of the Town. Prepares and distributes candidate packets, qualifies candidates, prepares ballots, prepares advertisements, coordinates with Brevard County Supervisor of Elections.
22. Coordinates the filing of original financial disclosure forms.
23. Interacts with various groups and individuals, including employees, Town Manager, Town Attorney, news media, sales representatives, members of the Town Council and other Board members, as well as local, state, and federal officials.
24. Designee for disaster preparedness, response, and recovery

**Technology:**

25. Must have a solid working knowledge of Microsoft Office 365.
26. Be capable of performing general office maintenance.
27. Coordinator as the primary contact for information technology support.

**Additional:**

- Must be able to read and write English.
- Must be able to lift boxes up to 30 lbs.
- Possess a valid Florida Driver's License with reliable personal vehicle to perform business related travel, as required, with reimbursement.
- Available to perform evening meetings on various nights as directed by Town Council or necessary to perform the duties of Town Clerk.

**Education & Experience:**

Minimum of three (3) years of management experience, preferably in local government and possess or significantly completed the process as a Certified Municipal Clerk (CMC) certification, and/or local government experience preferred.

# TOWN OF MALABAR

## TOWN COUNCIL MEETING

AGENDA ITEM NO: 12.b.  
Meeting Date: September 12, 2022

Prepared By: Debby K. Franklin, C.M.C., Town Clerk/Treasurer

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**SUBJECT: Approval of Qualified Candidates for Office 2022 Election**

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### **BACKGROUND/HISTORY:**

Per the Charter, the Town Clerk is the Elections Officer for Malabar and handles the qualifying requirements of Malabar, Brevard County and the State of Florida. Once those requirements have been met, the Council formally "Qualifies" the candidates for Malabar elected offices after the close of the qualifying period.

In November 2016, Malabar Electors voted to approve Single District Voting, meaning not only do the Candidates live within the Five (5) Districts that make up Malabar, but only those electors living within those Districts may vote for their Candidate. Prior to 2017 there was at-large voting for both the Mayor and each District Seat.

Council District Seats 1, 2 and 3 were open during this two-week 2022 Qualifying period of 8/02/22 - 8/16/2022. CM Steve Rivet is completing his third term and is not eligible to run again.

The Candidates for District 1, District 2 and District 3 submitted qualifying paperwork required by the State Election Laws and the Town of Malabar and consisted of:

- Minimum Residency was stated
- Oath of Candidate - willingness to serve
- Statement of Candidate – receipt and understanding of the Election Laws of Florida (F.S. 106)
- Form 1 – Financial Disclosure
- DS-DE-9 naming their Campaign Treasury and Treasurer
- Petitions with a minimum of 15 registered voters from within the Candidate's District.

Candidate for District 1: incumbent Marisa Acquaviva is unopposed and will be sworn in on 11/10/22.

Candidate for District 2: incumbent Brian Vail is unopposed and will be sworn in on 11/10/22.

Candidate for District 3: candidate Jim Clevenger is unopposed and will be sworn in on 11/10/22.

Malabar Code, Chapter 7 states there shall be meeting held within three days of the Election for the Malabar Council to "certify" the Election results (unofficial) and swear in the new members. This meeting date is set for **Thursday, November 10, 2022.**

### **ATTACHMENTS:**

Candidate Oaths  
Charter Section 2.06

### **ACTION OPTIONS:**

Town Clerk Requests Council to "qualify" the candidates.



AUG 5 2022 AM 10:21

2725 Malabar Road  
Malabar, FL 32950

Tel: 321-727-7764  
Fax: 321-727-7779

### Sworn Statement 2022

Before me, an officer authorized to administer oaths, personally appeared MARISA ACQUAVIVA to me well known  OR produced identification \_\_\_\_\_, who being sworn that he/she is a qualified elector of the Town of Malabar, Brevard County, Florida, and that he/she is qualified under the Town Charter of the Town of Malabar, Florida, and the Florida Statutes to hold the office of COUNCIL MEMBER District 1, 2, 3 of the Town of Malabar, Florida, for which he/she desires to be elected/appointed. Said qualifications are as follows, to wit:

- He/She is eighteen (18) years of age or older.
- He/She is not presently adjudicated mentally incompetent under the laws of any state.
- He/She has never been convicted of a felony without having his/her civil rights restored.
- He/She has registered to vote in Brevard County, Florida.
- He/She is now and has been for at least six (6) months consecutively and immediately prior to this date, a resident of the Town of Malabar, Brevard County, Florida within the District the candidate is running.
- He/She is willing to serve if elected/appointed.

Marisa Acquaviva  
Signature of Candidate

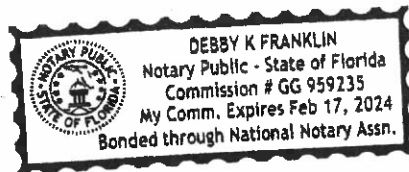
1120 Baywood Ct, Malabar FL  
Address 32950

Occupation: Pharmacy Owner

Sworn to and subscribed before me this 5 day of Aug, 2022.

Debby Franklin  
(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned name of Notary Public)



Personally Known  OR Produced Identification \_\_\_\_\_:

Type of Identification Produced : \_\_\_\_\_

AUG 12 2022

RECEIVED



2725 Malabar Road  
Malabar, FL 32950

Tel: 321-727-7764  
Fax: 321-727-7779

### Sworn Statement 2022

Before me, an officer  authorized to administer oaths, personally appeared BRIAN VAIL to me well known  OR produced identification \_\_\_\_\_, who being sworn that he/she is a qualified elector of the Town of Malabar, Brevard County, Florida, and that he/she is qualified under the Town Charter of the Town of Malabar, Florida, and the Florida Statutes to hold the office of COUNCIL MEMBER District 1, 2, 3 of the Town of Malabar, Florida, for which he/she desires to be elected/appointed. Said qualifications are as follows, to wit:

- He/She is eighteen (18) years of age or older.
- He/She is not presently adjudicated mentally incompetent under the laws of any state.
- He/She has never been convicted of a felony without having his/her civil rights restored.
- He/She has registered to vote in Brevard County, Florida.
- He/She is now and has been for at least six (6) months consecutively and immediately prior to this date, a resident of the Town of Malabar, Brevard County, Florida within the District the candidate is running.
- He/She is willing to serve if elected/appointed.

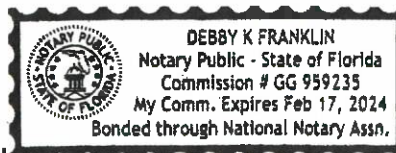
Brian Vail  
Signature of Candidate

2700 Smiths Ln  
Address

Occupation: Business Owner

Sworn to and subscribed before me this 12 day of August, 2022.

Debby K Franklin  
(Signature of Notary Public - State of Florida)



(Print, Type, or Stamp Commissioned name of Notary Public)

Personally Known  OR Produced Identification \_\_\_\_\_:

Type of Identification Produced : \_\_\_\_\_



ALG 11 2022 pm12:37

2725 Malabar Road  
Malabar, FL 32950

Tel: 321-727-7764  
Fax: 321-727-7779

### Sworn Statement 2022

Before me, an officer authorized to administer oaths, personally appeared Jim Clevenger to me well known , OR produced identification \_\_\_\_\_, who being sworn that he/she is a qualified elector of the Town of Malabar, Brevard County, Florida, and that he/she is qualified under the Town Charter of the Town of Malabar, Florida, and the Florida Statutes to hold the office of COUNCIL MEMBER District 1, 2, 3 of the Town of Malabar, Florida, for which he/she desires to be elected/appointed. Said qualifications are as follows, to wit:

- He/She is eighteen (18) years of age or older.
- He/She is not presently adjudicated mentally incompetent under the laws of any state.
- He/She has never been convicted of a felony without having his/her civil rights restored.
- He/She has registered to vote in Brevard County, Florida.
- He/She is now and has been for at least six (6) months consecutively and immediately prior to this date, a resident of the Town of Malabar, Brevard County, Florida within the District the candidate is running.
- He/She is willing to serve if elected/appointed.

[Signature]  
Signature of Candidate

1765 Elaine Lane Malabar FL 32950  
Address

Occupation: Buddies

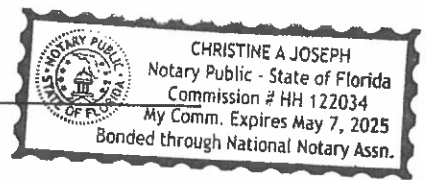
Sworn to and subscribed before me this 11 day of August, 2022.

[Signature]  
(Signature of Notary Public - State of Florida)

Christine A. Joseph  
(Print, Type, or Stamp Commissioned name of Notary Public)

Personally Known  OR Produced Identification \_\_\_\_\_:

Type of Identification Produced : \_\_\_\_\_





**Sec. 2.06. Judge of Qualifications.**

The Council shall be the judge of the qualifications in this Charter of the candidates for election to the Council and for the office of Mayor and for that purpose shall have the power to subpoena witnesses and require the production of evidence. The decision of the Council shall be subject to review by the courts. Review by the council of each candidate's qualifications shall be conducted at a council meeting after the candidate's qualifying papers are filed.

(Ord. No. 95-3, § 1, 7-17-95)

# TOWN OF MALABAR

## COUNCIL MEETING

AGENDA ITEM NO: 12.c.  
Meeting Date: September 12, 2022

Prepared By: Debby Franklin, C.M.C., Town Clerk/Treasurer

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**SUBJECT: Council Direction on 2<sup>nd</sup> Round of Treasurer Advertising**

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### **BACKGROUND/HISTORY:**

The second 30-day round of advertising for the Treasurer position was closed on September 2, 2022. We have received two additional resumes. There is no additional charge to continue the advertisement for another period.

### **ATTACHMENTS:**

- Applicant Minimum Qualifications Summary
- Resumes from Christopher Quirk, Virginia Raftery, Donald Croteau, Anissa Calhoun, Emmanuel Manu, (from 1<sup>st</sup> Posting) Gary Charles and Juli Pelletier (from 2<sup>nd</sup> Posting)

### **ACTION OPTIONS:**

Council direction to Staff

**Applicant Minimum Qualifications Summary  
Town Treasurer Position**

9/6/2022

<b>Applicant Last Name</b>	<b>Current/Last Position</b>	<b>Bachelors + 3 Years Experience</b>	<b>Associates +5 Years Experience</b>	<b>Professional Certificates</b>	<b>Local Government</b>	<b>State</b>
<b>Quirk</b>	Financial Services Director	Business Administration		Accountancy	Yes	FL, NY
<b>Rafferty</b>	Treasurer/Accounting Supervisor		Town of Newton, NJ 2001-Present	Government Accounting	Yes	NJ
<b>Croteau</b>	Project Team Manager/Market Sales Manager	Business Administration/Finance		N/A	N/A	N/A
<b>Calhoun</b>	Assistant Comptroller	Sociology	AA	FGFOA,SHRM, FAPPO	Satellite Beach, Brevard County	FL
<b>Manu</b>	CFO/Treasurer	Leadership & Sustainability, Accountancy		Chartered Accountant & Taxation	Africa, Asia-Pacific	N/A
<b>Charles</b>	Staff Accountant - Treasury	Masters Business Administration	MBA		N/A	N/A
<b>Pelletier</b>	Business Administrator IV - Director	Associates of Science: Business Management; Bachelor of Science: Economics & Finance; Managerial & Financial Accounting/MBA program; Masters: Forensic Accounting		Certified Public Supervisor & Manager, State of NH	State of New Hampshire (2018-present); Indian River County Schools(2018-2019); State of New Hampshire (2012-2017)	FL, NH

Treasurer

Christopher Quirk

JUN 26 2022

RECEIVED

5 pages

**CHRISTOPHER S. QUIRK, CPA, MBA, CGFO**  
3490 Martinique Trace #202  
Stuart, Florida 34997  
561/531-0499  
csq1017@gmail.com

Dear Madam or Sir:

The enclosed resume--which details my skills, abilities and accomplishments in general and financial management--is presented to your organization in anticipation of a need for experienced talent who can produce tangible results.

As reviewed within my resume, I bring experience in several areas deemed assets in management. I am a competent financial manager and a skilled general manager encompassing system, process, procedures, long/short term planning. Having served in a medium sized organization (Vellano Bros. Inc., Water, Sewer and Drainage pipe, valves and fittings distributor and contractor.) has afforded me the opportunity to be involved in most all phases of management. Serving for the City of Albany as CFO of its department of General Services, (\$50 million Capital budget) has given hands on experience in non-profit governmental organization. Responsibilities included programming internal control audits within a government entity. All budgeting, contract administration and department procurement. As CFO within a large City Department, I have had the opportunity to work with and supervise people from a wide range of culturally diverse backgrounds. This experience has helped me be a better employee and manager. After seven years with DGS, I was promoted to Assistant Treasurer of the City of Albany. With the promotion came the added duties of debt issuance, cash management and risk management. I also oversee tax billing and collection and automated payroll. I authored a new internal control manual, cash management and implemented them citywide. In January 2014, I was appointed CFO of the Albany Water and Water Supply. (NYS Authority) After several years of financial and administrative underachievement, the \$40 million department is now the model for the City. I have researched and implemented a new utility billing software (Accela) and an ERP system City wide... (New World Logos.net). Since May of 2017, I have been the finance Director for the Village of Tequesta, Fl. By August of 2017, I had successfully implemented a new ERP system (BS&A). I completed my first Village CAFR (Year ended 9/30/17) three months earlier than it has ever been completed and received the GFOA award for Excellence in Financial Reporting. This fiscal year (17/18), with proper cash management, I was able to increase interest income from under \$10,000 to \$150,000.

In 2020 I have been appointed Deputy Comptroller of Ulster County, NY with responsibilities of auditing financial, programmatic policy and procedures using risk assessments and reviews of internal controls of all departments of the \$350M county. We adhere to GAAS and GAGAS with the Yellow Book and GFOA best practices.

In 2021 I returned to the Florida warmth as the Financial Services Director of the Village of Indiantown, FL. The Village was incorporated in December of 2017 and I have been tasked to build an efficient and transparent finance and accounting department from the ground up.

In addition, I bring experience in public accounting, which provides a broad base of exposure to business operations and challenges, experience and solutions.

I am seeking a new opportunity not out of displeasure with my present employer. In contrast, the experience has been excellent and the City exceptional to work for. However, I feel I need a new challenge to pursue; therefore, I am exploring opportunities at this point in my career.

I can assure you of an attitude and conduct of professionalism, quality orientation and abilities as a leader. From 2000-2015, I have owned and operated a successful restaurant in the downtown Albany entertainment district. (Victory Café)

After reviewing my resume, perhaps we could meet to discuss my qualifications in further detail. I can be reached at the telephone number listed above and look forward to our discussion. Thank you for your time and consideration, of course, your confidentiality is appreciated.

Sincerely,

Christopher S. Quirk

Enclosure

TOWN OF MALABAR  
DLT

JUN 26 2022

RECEIVED

**CHRISTOPHER S. QUIRK, CPA, MBA, CGFO**  
3490 Martinique Trace #202  
Stuart, Florida 34997  
[csq1017@gmail.com](mailto:csq1017@gmail.com)  
561-531-0499

## PROFESSIONAL OBJECTIVE

Senior level appointment in Management utilizing skills in fiscal management, planning, administration, business development and staff management.

## EXECUTIVE SUMMARY

Significant experience in managing people, operations, administration of business concerns while implementing profitability, cash flow and operations improvement initiatives. Experienced in public accounting, business consulting, construction/contractor business accounting, non-profit and governmental accounting provides a wide range of background and expertise.

Highly motivated...professional in presentation and conduct...results-driven...excellent communicator...and articulate.

Seek opportunity to utilize ability to produce positive results in management.

## RELATED QUALIFICATIONS REVIEW

### Administrative Management

Recognized for achievement in analyzing operating and financial systems, determining appropriate resources, programs, and internal control policy, cash and investment management and human resource administration and policy.

Bottom-line, customer approach to operations. Understand prime importance of providing impeccable service and efficient accounting and distribution.

Skilled in operations analysis, fiscal planning, budgeting, expense control and staff supervision including off-site locations.

### General Management Demonstrated

Demonstrated ability to take-charge of operations, marketing/service functions and distribution systems resulting in improved account service, improved fiscal results and administrative accountability. Recognized for general management talent through appointment to Board of Directors.

## **EXPERIENCE REVIEW**

### **Financial Services Director, 2021-present**

#### **Village of Indiantown, Florida**

Village's financial management systems, accounting, treasury management, debt administration, utility billing, property tax, cash receipts and pension funds transactions.

Establish department goals, objectives and work plans; develop and maintain financial management systems, internal controls, and policies and procedures; develops and maintains department rules and regulations.

Establishes compliance with internal controls, policies and procedures, relevant Federal and State laws, ordinances and resolutions. Ensures financial activities adhere to generally accepted accounting principles (GAAP).

Supervise, direct, and evaluate assigned staff; provide guidance and direction to direct reports and staff regarding finance issues and concerns. Resolve employee concerns and problems, counseling and disciplining as appropriate.

Evaluate programs, services and operations; assess effectiveness and performance; identify and implement changes to maximize use of resources to improve the Village's finance needs; formulates and recommends ordinances and resolutions for adoption.

Oversees the selection, implementation, administration and maintenance of the Village's automated financial management system; ensuring proper employee training and availability of all tools needed to best utilize the system.

Direct the annual financial audit, preparation of the comprehensive annual financial report and the development and administration of the department budget and prepares monthly and other reports on the Village's financial and budgetary performance.

### **Deputy Comptroller, 2019-2020**

#### **Ulster County, New York**

Responsible for all auditing, risk assessment, finance and administration for the County with a budget of \$350M.

Preparation of Annual Report, cash management, procurement, contracts and independent auditors. I perform accounting/auditing work of a varied nature including maintenance of complex accounting records, preparation and analysis of financial statements and reports, or planning, coordinating and participating in auditing assignments to determine the adequacy of internal control, the efficiency and effectiveness of operations, as well as compliance with applicable laws and prescribed policies and procedures. Apply accounting controls and fiscal management principles to an area of accounting which has County-wide impact and is responsible for the development and implementation of financial practices for a department/agency.

### **Finance Director, 2017-2019**

#### **Village of Tequesta, Florida**

Directs the programs, operations and services of the Finance Department to include the Village's financial management systems, accounting, treasury management, debt administration, utility billing, property tax, cash receipts and pension funds transactions.

Establish department goals, objectives and work plans; develop and maintain financial management systems, internal controls, and policies and procedures; develops and maintains department rules and regulations.

Establishes compliance with internal controls, policies and procedures, relevant Federal and State laws, ordinances and resolutions. Ensures financial activities adhere to generally accepted accounting principles (GAAP).

Supervise, direct, and evaluate assigned staff; provide guidance and direction to direct reports and staff regarding finance issues and concerns. Resolve employee concerns and problems, counseling and disciplining as appropriate.

Evaluate programs, services and operations; assess effectiveness and performance; identify and implement changes to maximize use of resources to improve the Village's finance needs; formulates and recommends ordinances and resolutions for adoption.



Oversees the selection, implementation, administration and maintenance of the Village's automated financial management system; ensuring proper employee training and availability of all tools needed to best utilize the system. Direct the annual financial audit, preparation of the comprehensive annual financial report and the development and administration of the department budget and prepares monthly and other reports on the Village's financial and budgetary performance.

**Chief Fiscal Officer, 2014-2017**

**City of Albany Department of Water and Water Supply**

Under the direction of the Mayor, oversee all accounting, finance and administration, supervises staff; oversee the daily cash management program; manages banking structure and banking relationships; manages billing and collections; manages all payables and receivables due to the City. Develop and implement internal controls, and cash management policies. Manages all purchasing functions. Serves as liaison to outside audit firm.

**Assistant Treasurer, 2011-2013**

**City of Albany, NY**

Under the direction of the City Treasurer, oversees treasury and cashier operations; directly supervises staff; oversees the daily cash management program; manages banking structure and banking relationships; manages tax billing and collections; manages all receivables due to the City; works closely with City Treasurer to develop and implement internal controls, cash management policies and issuance of bonds, bond anticipation notes and revenue anticipation notes. Responsible for State mandated annual comprehensive financial report. Serves as liaison to outside audit firm.

**Christopher S. Quirk, CPA, MBA**

Page 3

**Chief Fiscal Officer, 2004-2011**

**Dept. of General Services**

**City of Albany, NY**

As CFO, I was responsible for all financial and administration for a \$40 million city department. Duties include budget preparation, management and analysis. Manages all purchasing contracts, bidding and payment approvals. Additionally, union contracts and negotiations, and capital project management and payroll/human resources. Also instituted internal control policies and procedures safeguarding cash and other city assets. Department liaison to outside audit firm.

**Finance Director, 2001-2004**

**SMG at the Palace Theatre**

Responsible for the management of corporate finance, box office operations, event settlements, Financial and tax reporting as well as budget preparation and management.

**Chief Financial Officer, 1997-2001**

**Northeast Solite Co., Saugerties, New York**

As CFO, I was responsible for the management of corporate finance, manufacturing accounting systems, financial and tax reporting, as well as, corporate administration. Northeast Solite Corp. is the parent company of 15 mining and manufacturing facilities located in the northeast, mid-west and southeast United States.

**EDUCATION**

**Master in Business Administration**  
The Sage Colleges



Russell Sage Graduate School  
Concentration: Finance

**Bachelor of Business Administration**  
Siena College  
Loudonville, New York  
Concentration: Accounting; Certificate in Accountancy

Treasurer

Virginia Raftery

7 pages

TOWN OF MALABAR

JUN 25 2022

RECEIVED

**Virginia K. Raftery**

3 Glenn Terrace  
Newton NJ 07860  
(973) 529-3174  
[ginnymike2@yahoo.COM](mailto:ginnymike2@yahoo.COM)

Finance/Accounting/Numbers/Treasurer

**Experience**

July 2001 to Present

**Town of Newton**

*39 Trinity Street  
Newton NJ 07860*

Treasurer/Account Supervisor

- Multiple accounts using a fund accounting system.
- Bank reconciliation of all accounts.
- 1099's/Fixed asset accounting.
- Online Banking also using remote deposit capture
- Treasurer reports prepare analysis/spreadsheets.
- Deposits and post cash receipts.
- Process requisitions in compliance with the local public contracts law.
- Prepare bills list for governing body and print checks.
- Payroll functions cover/charge budgets and journal entries.
- Assist CFO/Tax Collector/Water Collector.
- Record destruction using Artimis
- Annual Budget

July 2015 to March 2020 (Covid closures)

**JCPenney**

**Rockaway Mall**

Cash Room/Enterprise

- Daily deposits from the previous day.
- Close/Open registers daily.
- Work with loss prevention if there are any shortages.
- Reconcile all cash drawers/tills.
- Send money using Dunbar.
- Order Money.
- Reconcile safe to \$25,000 each day.

Education

September 2008 to June 2014

Rutgers University



# Town of Malabar, Florida EMPLOYMENT APPLICATION

Equal Opportunity Employer/Affirmative Action Employer  
The State of Florida does not tolerate violence in the workplace.

**Where to Find Vacancy Information:**

- On the Internet: <https://www.townofmalabar.org>
- One Stop Career Centers - Consult your local telephone directory or visit <http://www.employflorida.com>
- Town of Malabar Human Resources

FOR OFFICIAL USE ONLY			
Agency Authorized Signature	Date	Broadband/Class Code	Status
POSITION APPLIED FOR			
Title: <u>Town Treasurer</u>			
Date Available: <u>August 1, 2022</u>		Interview Contact Dates: _____	
Application Review: _____			
Minimum Acceptable Salary: _____			

**GENERAL INSTRUCTIONS FOR COMPLETION OF APPLICATION:**

- Complete all information within this application in its entirety.
- Type or print in ink.
- All information provided will be a public record and will be released upon request, unless exempt or confidential.
- Specify the position for which you are applying. (Note: A separate application must be submitted for each vacancy. Photocopies are acceptable.)
- Submit application to the Town of Malabar, **fax:** (321) 727-9997, **email:** [hr@townofmalabar.org](mailto:hr@townofmalabar.org), **US MAIL** 2725 Malabar Road, Malabar FL 32950 no later than 11:59 PM (EST) on the announced deadline date.
- Sign your name in the Certification Section (page 4). All information you submit is subject to verification.

**HOW DO WE CONTACT YOU?**

Virginia Raftery  
Name

Town of Malabar Employee ID Number (if any) \_\_\_\_\_

3 Glenn Terrace  
Mailing Address

Fredon Sussex NJ 07860  
City County State Zip Code

(973) 529-3174  
Phone Alternate Phone

ginnymike2@yahoo.com  
E-mail Address

**EDUCATION**

**HIGH SCHOOL:**

NAME / LOCATION OF SCHOOL: Wallkill Valley High School

RECEIVED:  Diploma  Other (specify) \_\_\_\_\_  None

YOUR NAME, IF DIFFERENT WHILE ATTENDING SCHOOL: \_\_\_\_\_

**COLLEGE, UNIVERSITY OR PROFESSIONAL SCHOOL:** (TRANSCRIPTS MAY BE REQUIRED)

NAME OF SCHOOL	LOCATION	DATES OF ATTENDANCE (MONTH / YEAR)		CREDIT HOURS EARNED		MAJOR / MINOR COURSE OF STUDY	TYPE OF DEGREE EARNED
		FROM	TO	QTR	SEM		
<u>Rutgers University</u>	<u>New Brunswick, NJ</u>	<u>2008</u>	<u>2014</u>			<u>Government Accounting</u>	<u>Certifica</u>

YOUR NAME, IF DIFFERENT WHILE ATTENDING SCHOOL: \_\_\_\_\_

**JOB-RELATED TRAINING OR COURSE WORK:** (VOCATIONAL, TRADE, GOVERNMENTAL, BUSINESS, ARMED FORCES, ETC.)

NAME OF SCHOOL	LOCATION	DATES OF ATTENDANCE (MONTH / YEAR)		CREDIT HOURS EARNED		COURSE OF STUDY	TRAINING COMPLETED	
		FROM	TO	CLASS	CLOCK		YES	NO

YOUR NAME, IF DIFFERENT WHILE ATTENDING SCHOOL: \_\_\_\_\_

**LICENSURE, REGISTRATION, CERTIFICATION** (EXAMPLES: Teacher Certification, RN, LPN, PE, CPA, etc.)

LICENSE, REGISTRATION OR CERTIFICATION:	Number	Date Received	Expiration Date	State Licensing Agency

# PERIODS OF EMPLOYMENT

Describe all work experience in detail, beginning with your current or most recent job. Include military service (indicate rank), internships and job-related volunteer work, if applicable. Indicate number of employees supervised. Use a separate block to describe each position or gap in employment. If needed, attach additional sheets, using the same format as on the application. All information in this section must be completed. Resumes may be attached to provide additional information.

**1** Name of Present or Last Employer: Town of Newton  
Address: 39 Trinity Street Newton NJ 07860 Your Job Title: Treasurer/Accounts Supervisor  
Supervisor's Name: Dawn Babcock Phone No.: (973) 271-7551  
FROM: 7 / 1 / 2001 TO:      /      /      HOURS PER WEEK: 35 (      )  
MONTH DAY YEAR MONTH DAY YEAR YOUR NAME IF DIFFERENT DURING EMPLOYMENT  
Duties and Responsibilities: Daily deposits using online banking remote deposit capture. Post in fund accounting  
AP entering all requisitions in compliance with local public contract law. Bills List for Council approval run checks from a clearing account move money using online banking  
Payroll functions cover/charge and do the journal entries  
Bank Reconcillation of 18 to 20 accounts  
1099's/Fixed Assests/Treasurer reports/assist CFO/Tax collector/Water collector  
Reason For Leaving: I love and enjoy my job but ready to move back to Florida.

**2** Name of Next Previous Employer: JcPenney  
Address: Rockway Mall Your Job Title: Cash Room/Enterprise  
Supervisor's Name: Lauren Larkin Phone No.: (      )       
FROM: 7 / 1 / 2015 TO: 3 / 14 / 2020 HOURS PER WEEK: p/t (      )  
MONTH DAY YEAR MONTH DAY YEAR YOUR NAME IF DIFFERENT DURING EMPLOYMENT  
Duties and Responsibilities: Daily Deposits  
Close/openreconcile registers/tills daily  
Reconcile safe  
      
      
Reason For Leaving: Covid Close

**3** Name of Next Previous Employer:       
Address:      Your Job Title:       
Supervisor's Name:      Phone No.: (      )       
FROM:      /      /      TO:      /      /      HOURS PER WEEK:      (      )  
MONTH DAY YEAR MONTH DAY YEAR YOUR NAME IF DIFFERENT DURING EMPLOYMENT  
Duties and Responsibilities:       
      
      
      
Reason For Leaving:

**4** Name of Next Previous Employer: \_\_\_\_\_

Address: \_\_\_\_\_ Your Job Title: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_ Phone No.: (\_\_\_\_\_) \_\_\_\_\_

FROM: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ TO: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ HOURS PER WEEK: \_\_\_\_\_ (\_\_\_\_\_)  
MONTH DAY YEAR MONTH DAY YEAR YOUR NAME IF DIFFERENT DURING EMPLOYMENT

Duties and Responsibilities: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason For Leaving: \_\_\_\_\_

**5** Name of Next Previous Employer: \_\_\_\_\_

Address: \_\_\_\_\_ Your Job Title: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_ Phone No.: (\_\_\_\_\_) \_\_\_\_\_

FROM: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ TO: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ HOURS PER WEEK: \_\_\_\_\_ (\_\_\_\_\_)  
MONTH DAY YEAR MONTH DAY YEAR YOUR NAME IF DIFFERENT DURING EMPLOYMENT

Duties and Responsibilities: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason For Leaving: \_\_\_\_\_

**6** Name of Next Previous Employer: \_\_\_\_\_

Address: \_\_\_\_\_ Your Job Title: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_ Phone No.: (\_\_\_\_\_) \_\_\_\_\_

FROM: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ TO: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ HOURS PER WEEK: \_\_\_\_\_ (\_\_\_\_\_)  
MONTH DAY YEAR MONTH DAY YEAR YOUR NAME IF DIFFERENT DURING EMPLOYMENT

Duties and Responsibilities: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reason For Leaving: \_\_\_\_\_

If needed, attach additional sheets, using the same format as on the application. Resumes may be attached to provide additional information.

## KNOWLEDGE / SKILLS / ABILITIES (KSAs)

List KSAs you possess and believe relevant to the position you seek, such as operating heavy equipment, computer skills, fluency in language(s), etc.

Use of fund accounting system MSI

basic skills of excell word outlook

I am a numbers person

## EXEMPTION FROM PUBLIC RECORDS DISCLOSURE

ARE YOU A CURRENT OR FORMER LAW ENFORCEMENT OFFICER, OTHER COVERED EMPLOYEE\*\*, OR THE SPOUSE OR CHILD OF ONE, WHOSE INFORMATION IS EXEMPT FROM PUBLIC RECORDS DISCLOSURE UNDER SECTION 119.071(4)(d), FLORIDA STATUTES (F.S.)?

YES

NO

\*\*Other covered jobs include but are not limited to: correctional and correctional probation officers, firefighters, certain judges, assistant state attorneys, state attorneys, assistant and statewide prosecutors, personnel of the Department of Revenue or local governments whose responsibilities include revenue collection and enforcement or child support enforcement, and certain investigators in the Department of Children and Families [see§ 119.071.F.S.].

## BACKGROUND INFORMATION

HAVE YOU EVER BEEN CONVICTED OF A FELONY OR A FIRST DEGREE MISDEMEANOR?

YES

NO

If "YES", what charges? \_\_\_\_\_

Where convicted? \_\_\_\_\_

Date of Conviction: \_\_\_\_\_

HAVE YOU EVER PLED NOLO CONTENDERE OR PLED GUILTY TO A CRIME WHICH IS A FELONY OR A FIRST DEGREE MISDEMEANOR?

YES

NO

If "YES", what charges? \_\_\_\_\_

Where? \_\_\_\_\_

Date: \_\_\_\_\_

HAVE YOU EVER HAD THE ADJUDICATION OF GUILT WITHHELD FOR A CRIME WHICH IS A FELONY OR A FIRST DEGREE MISDEMEANOR?

YES

NO

If "YES", what charges? \_\_\_\_\_

Where? \_\_\_\_\_

Date: \_\_\_\_\_

NOTE: A "YES" answer to these questions will not automatically bar you from employment. The nature, job-relatedness, severity and date of the offense in relation to the position for which you are applying are considered [see §112.011, F.S.]

## CITIZENSHIP

The state of Florida hires only U.S. citizens and lawfully authorized alien workers. You will be required to provide identification and either proof of citizenship or proof of authorization to work in the U.S.

1. ARE YOU A U.S. CITIZEN?

YES

NO

2. IF NO, ARE YOU LEGALLY AUTHORIZED TO ACCEPT EMPLOYMENT WITH THE SPECIFIC HIRING AUTHORITY TO WHICH YOU ARE APPLYING?

YES

NO

## RELATIVES

TO YOUR KNOWLEDGE, DO YOU HAVE ANY RELATIVES WORKING IN THIS AGENCY?

YES

NO

## CERTIFICATION

I am aware that any omissions, falsifications, misstatements, or misrepresentations above may disqualify me for employment consideration and, if I am hired, may be grounds for termination at a later date. I understand that any information I give may be investigated as allowed by law. I consent to the release of information about my ability, employment history, and fitness for employment by employers, schools, law enforcement agencies, and other individuals and organizations to investigators, human resources staff, and other authorized employees of Florida state government for employment purposes. This consent shall continue to be effective during my employment if I am hired. I understand that applications submitted for state employment are public records. I certify that to the best of my knowledge and belief all of the statements contained herein and on any attachments are true, correct, complete, and made in good faith.

SIGNATURE: Virginia Raftery

DATE: June 25, 2022



YOUR NAME: Virginia Raftery

POSITION TITLE FOR WHICH YOU ARE APPLYING: Treasurer

**VETERANS' PREFERENCE INFORMATION: (Career Service positions only)** For the purposes of appointment, retention, reinstatement, reemployment and promotion, Veterans' Preference ensures that veterans and eligible persons are given consideration at each step of the selection process. However, preference does not guarantee that a veteran or other eligible person will be the candidate selected to fill the position. Section 295.07, Florida Statutes (F.S.) specifies who is eligible for Veterans' Preference. State of Florida residency is not required for Veterans' Preference. Completion of the Veterans' Preference section below is voluntary and will be kept confidential in accordance with the Americans with Disabilities Act. Listed below are the seven Veterans' Preference categories.

- a. A veteran with a service-connected disability who is eligible for or receiving compensation, disability retirement, or pension under public laws administered by the U.S. Department of Veterans' Affairs and the Department of Defense. [section 295.07(1)(a), F.S.]
- b. The spouse of a veteran who cannot qualify for employment because of a total and permanent service-connected disability, or the spouse of a veteran missing in action, captured, or forcibly detained or interned in line of duty by a foreign government or power. [section 295.07(1)(b), F.S.]
- c. A wartime veteran as defined in section 1.01(14), F.S., who has served on active duty for one day or more during a wartime period or who has served in a qualifying campaign or expedition. Active duty for training shall not qualify for eligibility under this paragraph. [section 295.07(1)(c), F.S.]
- d. The un-remarried widow or widower of a veteran who died of a service-connected disability. [section 295.07(1)(d), F.S.]
- e. The mother, father, legal guardian, or unremarried widow or widower of a member of the United States Armed Forces who died in the line of duty under combat-related conditions, as verified by the United States Department of Defense. [section 295.07(1)(e), F.S.]
- f. A veteran as defined in section 1.01(14), F.S., excluding active duty for training. [section 295.07(1)(f), F.S.]
- g. A current member of any reserve component of the United States Armed Forces or the Florida National Guard. [section 295.07(1)(g), F.S.]

All applicants claiming Veterans' Preference must submit a DD Form 214 (member copy #4) or comparable discharge, separation or current reserve documentation that indicates the character of service as honorable. In addition, all applicants claiming Categories a, b, d, or e above must also furnish supporting documentation in accordance with the provisions of Rule 55A-7 Florida Administrative Code. Please fax your supporting documentation to the Town of Malabar at (321) 727-9997, or scan to email: hr@townofmalabar.org, or mail to: 2725 Malabar Road, Malabar FL 32950 by the closing date of the job announcement. Be sure to include the position title for which you are applying on each page submitted. All required documents must be submitted no later than the closing date of the job announcement.

Under Florida law, preference in appointment shall be given first to those persons in Categories a or b and then to those in Categories c, d, e, f or g. If a qualified applicant claiming Veterans' Preference believes he/she was not afforded employment preference, he/she may file a complaint with the Florida Department of Veterans' Affairs, Veterans' Preference, P. O. Box 31003, St. Petersburg, FL 33731. A complaint must be filed within 21 days of the applicant receiving notice of the hiring decision made by the employing agency or within 3 months of the date the application is filed with the employer if no notice is given.

**VETERANS' PREFERENCE CLAIM:** IF ELIGIBLE, WHICH VETERANS' PREFERENCE CATEGORY ABOVE ARE YOU CLAIMING?

ARE YOU CURRENTLY EMPLOYED WITH THE AGENCY TO WHICH YOU ARE CURRENTLY APPLYING?  YES  NO

HAVE YOU RECEIVED A PROMOTIONAL APPOINTMENT IN A CAREER SERVICE POSITION,

SUBSEQUENT TO ACTIVE MILITARY SERVICE, WITH THE AGENCY TO WHICH YOU ARE CURRENTLY APPLYING?  YES  NO

**EEO SURVEY** Although the following information is not mandatory, it is requested to aid the State of Florida in its commitment to Equal Employment Opportunity, Affirmative Action and to meet federal reporting requirements. Refusal to answer will not result in adverse treatment of any applicant. Applicants who believe they have been discriminated against may file a complaint with the Florida Commission on Human Relations, 2009 Apalachee Parkway, Tallahassee, Florida 32301.

RACE/ ETHNICITY (Please identify both Race and Ethnicity)

**Race (CHECK ONLY ONE):**

- White
- Black/African American
- Asian
- Native Hawaiian/Other Pacific Islander
- American Indian/Alaska Native
- 2 or more races

**Ethnicity (CHECK ONLY ONE):**

- Hispanic or Latino
- Not Hispanic or Latino

SEX:  MALE  FEMALE

DATE OF BIRTH: December 2, 1970

POSITION NUMBER: \_\_\_\_\_

POSITION TITLE FOR WHICH YOU ARE APPLYING: Town Treasurer

Treasurer

Donald Croteau

3 pages

Debby Franklin

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**From:** Donald Croteau <dcroteaujr@yahoo.com>  
**Sent:** Tuesday, July 12, 2022 10:46 PM  
**To:** Debby Franklin  
**Subject:** Town of Malabar Treasurer Position  
**Attachments:** Croteau Cover Letter.doc; Croteau Resume 2022\_ToM.docx

Malabar Town Council,

I would like to be considered for the current vacant position of Treasurer and have attached my resume and cover letter for your review. I look forward to speaking with you and doing great things together in the future.

Best Regards,

Donald Croteau, Jr.

# ***DONALD CROTEAU, JR.***

(321) 288-6996 • DCroteauJr@yahoo.com

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Previously serving as Business Manager II for Brevard Coca-Cola, I have been repeatedly promoted to hold extensive responsibilities across financial and human resources functions. Consistently enhancing workflow efficiency, I managed hiring processes and direct report performance, provided team cross-training and development. Overseeing payroll and accounts receivable efforts while controlling operating expenses, I facilitated annual operating budget administration and provided insight regarding the implementation of internal controls.

Leveraging exceptional technical and administrative skills, I drive goal achievement with consistent success across multiple, concurrent projects. Please consider the following strengths and accomplishments:

- Excellent communicator and collaborator; liaise to support internal controls and consistently execute standard business processes while cultivating business partnerships.
- Adept in providing financial and distribution center volume forecasts, operational expenditure planning, and results analysis through key business indicators.
- Slashed operating expenses 15% by launching supply controls, standardizing ordering procedures, and streamlining warehouse inventories.
- Reliably fostered professional trust and built outstanding teams; adept in navigating issues and implementing highly successful solutions.

Technologically proficient and holding a Bachelor of Business Administration and a Bachelor of Finance from the University of Central Florida, my outstanding background across operations management and financial services will allow me to contribute significantly to the accomplishment of your objectives. The opportunity to discuss my candidacy would be most welcome; thank you for your consideration.

Sincerely,

Donald Croteau, Jr.

Enclosure

# DONALD CROTEAU, JR

1589 Las Palmos Drive SW, Palm Bay, FL 32908 • 321.288.6996 • DCroteauJr@Yahoo.com

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## Treasurer

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- Dedicated and technically skilled business professional with a versatile administrative support skill set developed through experience as an office manager
- Excel in resolving employer challenges with innovative solutions, systems and process improvements proven to increase efficiency, customer satisfaction and the bottom line.
- Collaborate with local and external corporate management, to include outside business professionals to invent unique selling and distribution opportunities to gain awareness around our programs and promotions.

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## Key Skills

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- Leadership
- Teambuilding & Supervision
- Staff Development & Training
- Policies & Procedures Manuals
- Warehouse Management
- Report & Document Preparation
- Spreadsheet & Database Creation
- Accounts Payable/Receivable
- Bookkeeping & Payroll
- Human Resources Responsibilities
- Records Management
- Inventory Management
- Expense Reduction
- Sales Experience
- Customer Service

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## Experience

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***Special Project Team Manager / Market Sales Manager***  
ANDERSON MERCHANDISERS, Melbourne, FL

08/2013 to Present

- Consistent high KPI scorecard performer within region on many programs and promotions
- Met all remodel deadlines, despite major staffing issues due to COVID-19 Pandemic
- Carried out Market wide product launches for key clients but not limited to Kraft, P&G, GSK/Pfizer, and Verizon
- Maintains a working relationship between several district managers from other companies to include Wal-Mart

***Business Manager II (with Human Resources Responsibilities)***  
BREVARD COCA-COLA, Cocoa, FL

08/2005 to 09/2012

- Coordinated all office functions and supervised teams of administrative professionals in different locations covering three separate Distribution Centers (Brevard, Fort Pierce, and Sebring)
- Lead localized daily operations conference calls while co-leading monthly Business Manager calls. Monthly calls focused on Internal Controls policies and practices, Safety, and KPIs for the month
- Decreased Operating Expenses 25.3% or \$1.46 million by implementing needed controls on supplies, standardized ordering procedures, streamlined warehouse inventories, among other controls
- Achieved a Payroll Error Rate of less than .001%

\*\*\* \*\* \*\*\* \*\* \*\*\*

*Additional experience includes Officer Candidate with the U.S. Army in Fort Benning, Georgia with focus on leadership, problem solving, team development, and communication from 2003 – 2004 and Overnight Store Manager for Wal-Mart Stores from 1997 – 2005*

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## Education

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UNIVERSITY OF CENTRAL FLORIDA, Orlando, FL

2001

***Bachelor Degree in Finance***

***Bachelor Degree in Business Administration***

Treasurer

Anissa Calhoun

JUL 06 2022

3 pages

RECEIVED

ANISSA CALHOUN

July 6, 2022

**Town of Malabar**  
2725 Malabar Road  
Malabar, FL 32950

**Attn: Town Clerk**

Dear Sir/Madam:

Please consider me an applicant for the position *Treasurer* as illustrated on your job postings for the position presented via website.

I have a Bachelor of Arts degree from University of Central Florida and I am currently available for full-time employment. In addition to my coursework in sociology, I have extensive experience in working for governmental organizations and various businesses in the private sector founded on both employer and employee service.

As a local Floridian, I would be able to provide you with any information and resources upon request. In adherence to impositions and duties, I maintain personal integrity, keen objectivity, attention to details, honesty, in addition too clear and concise communications. Collectively, I maintain the ability to carry out broad objectives/goals in a fiscally responsible manner.

After you have reviewed my enclosed résumé, I would deeply appreciate having an opportunity to discuss with you why I believe I have the right qualifications and personality to serve as your Assistant Human Resources Director. I can be reached at (321) 543-3757 or via email: [acalhoun0927@gmail.com](mailto:acalhoun0927@gmail.com)

Thank you.

Sincerely,

Anissa Calhoun  
2465 Bayhill Dr.  
Viera, FL 32940

Enclosure

Anissa Calhoun  
2465 Bayhill Dr  
Viera, Florida 32940  
Cell: (321) 543-3757 Work: (321) 773-4407 ext 116  
Acalhoun0927@gmail.com

I am experienced in working in fast-paced environments that demand, strong organizational, technical, and interpersonal skills. I am trustworthy, ethical, discreet, and committed to superior customer service. Confident and poised in interactions with individuals at all levels. I am detailed-oriented, resourceful in completing projects, and able to multi-task effectively. My work expertise and knowledge include:

Contract Specialist	Human Resources Manager	Project Manager
Customer Service and Relations	General Accounting to include Accounts Payable/Receivable	
Problem Solving	Computer Operations	Word Processing and typing

### **Employment Experience:**

#### **City of Satellite Beach – Support Services/Finance Department**

Assistant Comptroller:12/2019-Present

As the City's Assistant Comptroller, I back-up and assist the HR Manager with any functions necessary with new hires and benefits. I assist employees during open enrollment with their benefit selection. I sit on hiring/interview committees. I process the City's payroll. I reconcile timecards, process payroll general ledger entries and pay all employee related bills, as in insurance, and retirement payments. I also run W2s at year end. I provide support to our City Comptroller, with general ledger entries, bank account reconciliation, and budget prep. I am the City's procurement officer, handling RFPs and ITBs from start to finish. I also participate in the annual audits, assisting the auditors with any information they may need. I also kept all my Accountant jobs.(see below) I also helped to implement new ERP software for the city. The software is BS&A.

#### **City of Satellite Beach – Support Services/Finance Department**

Accountant: :09/2015-12/2019

I responsible for all Accounts Payable functions. I reconcile all bills to purchase orders and reconcile all expense reports according to City policy. I process all new vendor applicants against sunbiz.org and other agencies to ensure all vendors are properly licensed and also ensure we have proper general liability and workers comp insurance policies. I process all 1099s at the end of the calendar year. I also maintain all accounts payable records according to State of Florida guidelines. I write up purchase orders and also help assist in purchasing supplies and materials needed city wide. I also assist my Comptroller with reconciling general ledger accounts, and I also process reconcile and make city cash deposits. I maintain the City's capital asset inventory according to policy guidelines.

#### **Brevard County – Facilities Department**

Special Projects Coordinator II: 09/2012 – 09/2015

As a Special Projects Coordinator II, I open, maintain, and close maintenance and construction work orders. Provide administrative support to the Construction Managers by creating material requisitions, Change Orders, Orders and maintaining construction files using SAP. Manage Project Accounting and Building cost spreadsheets for accuracy and budget purposes through Excel and SAP. Maintain Capital purchase material requisitions and files. Work with the Facilities Manager on the fiscal year budget by providing annual costs. I bill customers through the receivables system and also the journal entry system. I work with Asset to make sure all building inventories are correct. I also maintain construction status reports. I perform Accounts Payable functions within the Facilities Department for Construction and Maintenance. I assist with payroll. Maintain Certificates of Insurance. Maintain the Central Services Facilities Contract Management system. Maintain all service contract files. Assist with contract writing and with bid preparations. Set-up and maintain the Facilities Construction and Maintenance website. Maintain lists with SAP (functional locations, equipment etc.) as well as configuration. Supported the SAP PM Module through the most recent upgrade by testing all the systems and functions to ensure all were working properly. I am the IT liaison for the facilities department. Along with Construction, I also maintain service contracts, with vendors like landscape, pest control and fire alarm companies to name a few. I help to answer the phones, and also take work control calls pertaining to maintenance issues county wide. I maintain all elevator certificates of operation county wide as well as radiation and x-ray certificates. I also maintain and help distribute fobs and badges to county wide employees as well as maintain the door security system.

#### **Brevard County – Facilities Department**

Accounting Technician: 07/2012 – 09/2012

Perform administrative support to the Facilities Department. Perform account payable within the Facilities Department as it relates to building costs through the SAP system. Maintain building cost spreadsheets within Excel. Initiate change orders and purchase requisitions within SAP. Assist with payroll in the SAP system. Provide customer service to internal and external customers of the Facility Department. Maintain Facility files, including service contract files.



**Construction Management Associates LLC**Office Manager: **02/2007 – 07/2012**

Provide Administrative support to the owner of the construction company. Coordinated and managed multiple priorities and projects. Performed accounting functions, not limited to multiple bank reconciliements, insurance account reconciliements and the various audits by those said insurance companies and accountants on a quarterly and annual basis. In addition, in the daily operations of the construction company, I did the vendor statement, billing, and employee account reconciliements and data entry work. I also provided administrative support to the construction teams at large, as well as, provided contract specialist support on all construction projects, from the initial contracts between the client and CMA, LLC to the contracts between CMA, LLC and their prospective subcontractors. I put together the RFQ/RFPs for the company, did the marketing research, and met with clients to ensure great customer service. I also enforced the insurance policies of our sub-contractors. I conducted all aspects of Human Resources for the construction company. These HR functions included the hiring, payroll functions, benefits administration, payroll taxes, and safety support to the construction site and office.

**PRG, LLC**Human Resource Manager/Accounts Payable Manager: **2004 – 02/2007**

I performed all Human Resource functions for multiple offices, over 200 employees, and contract staff. (Orlando, Nashville, and Miami) These functions were not limited to benefit enrollment, hiring and union negotiations. As the Human Resource Manager, I was also the Safety Officer for the Orlando 130,000 sq ft. facility. I dealt with the workers comp policy for the company, going through audits and dealing with OSHA standards. As the Accounts Payable Manager, I had one employee to manage. This position required vendor and employee expense account reconciliation, data entry, and the writing of bills each week.

**Education:** Camden County High, St.Mary's, Georgia  
Eastern Florida State College, Florida - A.A.  
University of Central Florida – Sociology B.A.

**Committees and Completed Training for Current Position:**

I am a member of the Florida Government Finance Officers Association (FGFOA)  
I am a member of the Space Coast Chapter of the FGFOA.  
I am a member of the Society for Human Resource Management (SHRM)  
I am a member of FAPPO and NIGP  
I am the President of the Brevard County Co-OP  
I have served on the Brevard County Employee Advisory Committee  
I was on the Brevard County Grievance Committee  
I have completed all the Employee Development Program classes at Brevard County.  
I have passed the Employee Development Program classes for Brevard County, which include, Budgeting, Ethics, Hiring, Supervision, and Writing  
I have completed SHRM Learning System at Eastern Florida State College for SHRM-CP/SHRM-SCP

Completed the following Purchasing Courses at Brevard County:

Requests for Proposals & Requests for Qualifications  
Contract Management/Monitor Training  
SAP Requisition Training

Completed the following computer courses at Brevard County:

SAP PLM310 Preventative Maintenance and Service  
SAP PLM315 Maintenance Processing: Operational Functions  
SAP PLM300 Business Processes in Plant Maintenance  
SAP Transport Tracking Systems (TRACK)  
Accounts Payable SAP Training

Treasurer

Emmanuel Manu

Debby Franklin

3 pages

JUL 18 2022 AM 8:53

**From:** Emmanuel Manu <manuesd@mail.com>  
**Sent:** Monday, July 18, 2022 1:57 AM  
**To:** Debby Franklin  
**Subject:** Fw: Treasurer  
**Attachments:** Manu Resume.pdf

**Sent:** Monday, July 18, 2022 at 12:54 AM  
**From:** "Emmanuel Manu" <manuesd@mail.com>  
**To:** townclerk@townofmalar.org  
**Subject:** Treasurer

Dear Members of the Recruiting Team,

Are you looking for someone:

- With skills in administration and budgeting
- With years of experience
- Internationally exposed
- Professionally qualified
- With integrity and service
- Good Customer Care
- Growth and Development oriented

If so, your search for such a person should stop here.

I have worked through the ranks of Assistant Accountant, Staff Auditor, and Director of Auditing Service involving several countries in Africa and Asia, and in states such as Singapore, Malaysia, Guam, Indonesia, Philippines, Thailand, South Africa, and several other countries. I have served in the past decade as the CFO of the Organization running hospitals, Publishing Houses, Universities, Guest Houses (Hotels) and several other entities in twenty-two countries of the West and Central Africa. I have chaired Board meetings and have been members of several Committees and Boards internationally. I have given training and have attended several training meetings world-wide. I have witnessed several success stories over the years. I have seen praise from employees and customers due to initiatives from my leadership. I hope your organization will allow me to demonstrate such skills to add value to your goals and objectives. I believe my resume will speak well of what I have accomplished in my life. If you need more proof, I am available for an interview in person or remotely to clarify issues in detail.

Currently, I live in Solon, Ohio, as my address indicates, but I am willing to relocate. Thank you for your time and consideration. I look forward to hearing from you soon.

Sincerely,

Emmanuel Manu  
440-318-9953  
manuesd@gmail.com

# Emmanuel Manu

37218 Wexford Dr, Solon, OH 44139

E-mail: [manuesd@gmail.com](mailto:manuesd@gmail.com) Tel: (440)-318-9953

Linkedin: [www.linkedin.com/in/emmanuel-manu-37298b54/](http://www.linkedin.com/in/emmanuel-manu-37298b54/)

## Objectives

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A growth-oriented leader, ready to turn organizations' financial condition around through worker motivation and team spirit. A leader with visions and internationally exposed to initiatives looking for opportunities to improve people's lives. An experienced CFO/Treasurer and Auditor with good track records in building up organizations.

## Education

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<b>University of Cumbria</b> MBA, Leadership and Sustainability	Carlisle, United Kingdom July 2015
<b>University of Professional Studies</b> Master of Professional Accountancy in Accounting and Auditing	Accra, Ghana May 1984

## Certifications and Licenses

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Chartered Accountant  
Chartered Taxation

## Professional Experience

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West-Central Africa Division of General Conference of SDA <i>CFO/Treasurer</i>	Abidjan, Cote D'Ivoire Nov 2008 – June 2022
-----------------------------------------------------------------------------------	------------------------------------------------

- Responsible for the financial leadership of the organizations and institutions in the 22 countries in West and Central Africa, including, but not limited to, receiving, safeguarding, and disbursing all funds in harmony with the actions and policies of the West-Central Africa Division.
- Reported twice every year to the worldwide Executive Committee of Seventh-day Adventists meeting in Silver Spring, Maryland, the financial conditions of the West and Central Africa regions.
- Reported twice every year to the Executive Committee of the West-Central Africa Division on the financial activities of the region.
- Presented annual financial reports to external auditors in accordance with the Generally Accepted Accounting Principles (GAAP)
- Doubled the Total Assets of the West-Central Africa Division between 2009 to 2020 from approximately 7.3 billion CFA (US\$11.7 million) to 14.5 billion CFA (US\$23.2 million).
- Constructed a US\$6 million project for capacity building of the organization.
- Developed the Heritage Funds systems (semi-financial institution) in Ghana, Togo, Cameroon, Liberia, and Nigeria for workers and organizational growth from scratch to a multi-million fund
- Turned non-performing assets to high-income generating projects within 2 years.
- Increased the Key Performance Indicators (KPIs) to about double in five years
- Established Microfinance Fund in six countries to the appreciation of staff and organizations.
- Supervised and trained Accountants and Business Managers of the region.
- Led staff training and development in budgeting and financial management areas.
- Monitored and evaluated performance of accounting and other financial staff
- Prepared budgets for approval, including those for funding and implementation of programs.
- Analyzed operations to evaluate company performance and to determine areas of potential improvement.
- Put up a four-star 50-bedroom hotel for revenue expansion
- Acquired three lands in strategic areas for development and upgraded existing structures into first-class accommodation for guests
- Built over eight (8) housing apartments for employees to expand the revenue base of the organization.
- Managed workers' retirement funds for the 22 countries.

Trans-Africa Indian Ocean of General Conference Auditing Service      Abidjan, Cote D'Ivoire  
*Director*      Nov 2005 - Nov 2008

- Supervised the audit team of more than 30 professional accountants working in about 42 countries of Africa and the Indian Ocean Area.
- Assigned audit responsibilities to the audit team members.
- Reviewed audit workpapers and audit reports received from the audit team members.
- Approved audit reports to release to client organizations.
- Held meetings with Clients for audits performed
- Initiated audit training for audit team members.
- Attended worldwide meetings at least once a year in Silver Spring, Maryland USA.
- Recruited and assigned audit teams to the various districts.
- Increased the annual audit rate of entities from 50% to 75%
- Improved Staff professional development rate by 70%

Southern Asia-Pacific Division of General Conference Auditing Service      Manila, Philippines  
*Director*      April 1997 - Nov 2005

- Supervised an audit team of about 24 professional accountants in 18 countries in the Asia-Pacific region from Guam, Micronesia, Philippines, Singapore, Thailand, and Indonesia to Colombo, Sri Lanka.
- Recruited and assigned audit teams to the various districts.
- Assigned audit responsibilities to the audit team members.
- Reviewed audit workpapers and audit reports received from the audit team members.
- Approved audit reports to release to client organizations.
- Held meetings with Clients for audit reports released
- Conducted audit training for the audit team.
- Attended worldwide meetings at least once a year in Silver Spring, Maryland, USA.
- Increased the annual audit rate of entities from 60% to 75%
- Improved Staff professional development rate by 80%

### **Skills**

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Microsoft Office (Word, Excel, PowerPoint, Outlook) / Trello / Business developments / FP&A / Financial Planning and Analysis / Risk and Mitigation Analysis / Financial Report Writing / Financial Analysis / Auditing / GAAP / Financial Statement Preparation / Strategic Direction / Business Strategy / Accounting / Internal Audits / Cash Flow and Reconciliation / Bank Reconciliation / General Ledger Reconciliation / Business Operations / Management Team Leadership / Executive Leadership / Effective Communicator and Public Speaker / Innovative and Visionary / Consulting / Investment

### **Hobbies**

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Evangelism/Bible/Reading/Tennis/Table Tennis/Jogging

**Motto:** Integrity and Service

References are available upon request.

**Gary Charles**

**Treasurer**

Debby Franklin

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**From:** Gary Charles <gcharles3685@gmail.com>  
**Sent:** Sunday, August 21, 2022 8:43 PM  
**To:** Debby Franklin  
**Subject:** Treasurer Employment Opportunity  
**Attachments:** G. Charles - Professional Reference.pdf; Barry Univ. - Master of Bus. Administration.pdf; G. Charles.pdf; G. Charles - Town of Malabar - Treasurer.pdf

Good Evening,

My name is Gary Charles and I am writing to you pertaining to the Treasurer employment opportunity as advertised on the Governmentjobs.com website.

Please note that I am willing to relocate for a career advancement in Accounting/Finance

Please find the following attachment:

- Cover Letter
- Resume
- MBA Degree - Barry University
- Reference

I look forward to speaking with you on how my education, skill sets, specialization and professional experience can be an asset to your organization.

Thank you for your time and consideration,

Gary Charles  
786.762.6564

Town of Malabar  
2725 Malabar Road  
Malabar, Fla. 32950

My name is Gary Charles, and I am writing you today pertaining to the *Treasurer* position with the Town of Malabar.

A highly motivated, detailed oriented, bilingual professional with progressive expertise in *Accounting/Finance; Bank Operations, Audit Mgmt., and Compliance; Event Mgmt. and Logistics; Hospitality and Tourism Mgmt.; and Operations/Project Mgmt.* Adept to manage multiple projects simultaneously and establish priorities to meet deadlines. Demonstrated ability to cultivate and maintain successful working relationships. Maintain a high level of professionalism and confidentiality with sensitive information. Team player with demonstrated ability to plan, organize and ensure work is completed efficiently and in a timely manner. An analytical thinker who takes the initiative and reacts calmly under pressure to arrive at sound conclusions.  
\*\*\* **Willing to relocate of a career advancement in Accounting/Finance** \*\*\*

#### SUMMARY OF QUALIFICATIONS

- Over 10 years of exemplified expertise in *Accounting/Finance; Bank Operations, Audit Management and Compliance*
  - o Over five (5) years of progressive experience in intra-company and multi-state accounting/finance work consisting of Accounts Payable/Receivable, Account/Bank Reconciliations, Commercial Property Accounting, Journal/GL Entries, ME/QE/YR Closing, Payroll Processing, and Treasury Management/Analysis
    - Proven track record to facilitate different accounting positions/roles through constant promotions within four (4) years at *Gulfstream Park Racing Association, Inc. (GPRA)*:
      - Started as a *Commercial Property Accounting Assoc.* for *The Village at Gulfstream Park*
      - Quickly promoted as a *Staff Accountant* in the *Accounts Payable* and the *Treasury Dept.*
      - Promoted as *Treasurer* for GPRA upon position vacancy by the *Treasury Mgr.*
  - o Over five (5) years of progressive experience in the banking industry, cross-trained as a *Bank Teller/Personal Banker* with thorough knowledge of bank policies and procedures consisting of audit/internal control, bank operations, cash management/forecasting, and fraud investigation
    - Frequent participant in bank webinars/seminars such as Anti-Money Laundering (AML), Bank Secrecy Act (BSA), Currency Transaction Report (CTR), Customer Identification Program (CIP), Office of Foreign Asset Control (OFAC), Know Your Customer (KYC), Monetary Instrument Log (MIL), Suspicious Activity Report (SAR), Risk/Regulatory Compliance topics, and other fraud related courses

#### PROFESSIONAL EXPERIENCE

##### *Gulfstream Park Racing Association, Inc. (GPRA)*

May 2018 – Present

##### **Staff Accountant – Treasury**

- Performs variety of technical, professional, analytical accounting/finance work for GPRA entities:
  - o *GSP Carousel Club, GSP Horsemen's Bookkeeper Corp. (GSP HBC), GSP Racing & Casino, Gulfstream Park West (Calder Racetrack), Orchid Concessions, Palm Meadows Training Center (PMTG), Pegasus Towers I & II, Pegasus Park, Pegasus World Cup Invitation (PWC), and the Village at Gulfstream Park (VGSP)*
- Oversees and initiates safe transmission of NACHA & check register files to banking institutions
- Updates/reconciles various Excel logs, reports, files, databases/spreadsheets for GPRA inter-companies
- Retains routine financial records and reports using automated accounting software and Excel spreadsheets
- Conduct financial analyses for short/long range financial and cash flow projections relative to GPRA's needs
- Posts JEs to the correct GL to balance/reconcile accounts as needed to maintain accuracy of financial reports
- Monitors the fiscal impact on the company's cash position; Processes adjusting JE accounts to correct error(s)
- Scans/files vendors' documents using electronic/manual filing systems to ensure appropriate document retention
- Research/resolve any accounting discrepancies using excel to show variance(s) with supporting documentation(s)
- Run a Smart List/Trail Balance in Great Plains to ensure GL accounts are in balance for M.E. closing/reconciliation
- Submit daily Cash Summary position to Corporate and VPF to show accurate financial balance for all GPRA entities
- Maintain accounting/financial records/transactions are allocated to the proper GL, CAPEX revenue, and B/S accounts
- Monitors GPRA's cash balances, receivables/payables daily and recording bank transactions in the Cash Control logs
- Analyzes GL accounts to determine if transactions are properly recorded; reverse/reclass GL accounts to correct errors
- Compute appropriate expense accruals, adjustments, ME/QE/YR Closing, and balancing/reconciling of GL/JE accounts
- Processes employees' reimbursement payments ensuring that expenses are properly coded to the correct expense A/Cs
- Prepare on avg. of 500 invoices weekly for all GPRA entities and upload batch file(s) from Great Plains/Artysl into WF CEO
- Supports in managing/coordinating cash flow and investments of a portfolio of approximately \$35M daily average balance
- Prepare JE/Account Reconciliations relating to GPRA Payroll, such as but not limited to: Bonus Accruals, Gratuity & Tips, Accrued Salaries – Vacation & Sick, Accrued Garnishments, Accrued 401K, FICA/FIT/FUI/SUI Withholdings, etc.
- Recording of all bank transactions for all GPRA entities such as cash/check deposits, ATMs, ATM Commissions, Casino/Racing Change Exchange Orders, Accounts Payable/Receivable, Settlements, Sundry, Automated Clearing House (ACH), Electronic Fund Transfers (EFT), Incoming/Outgoing Wires, GSP HBC Purse Payments etc.
- Utilizes *Wells Fargo Bank's* Commercial Electronic Office (CEO) platform to research transactions, process domestic/international wire transfers, ACH/EFT payments, decline fraudulent transactions, upload/release/voids/cancel and/or place stop payments on transactions, etc.; Serve as liaison between Wells Fargo and GPRA
- Maintenance of various accounting/finance projects consisting of Unclaimed Properties, Outstanding Payables/Payroll Check Lists, 1099 filings, ACH Vendor Enrollment, Purchasing Card (P-Card), Employee Reimbursement, Fixed Assets and Capital Expenditure (CAPEX), etc. Reconcile lockbox receipts avg. approximately \$100,000 daily
- Provides cash management including daily cash position and provides operational support for all transaction processing by developing cash activities such as, funding of disbursement/operating/payroll accounts to cover Checks/ACH/Wires/Draft payments and Money Exchange Orders associated with Racing/Casino Exchange/Taxes accounts, etc.
- Record of all GPRA's taxes/fees into the Cash Control and GLs, including but not limited to: Bank/Client Analysis Fees, Sales/Property Taxes, 945/1042 IRS Domestic/Foreign Winnings Taxes, Casino/Racing Percentage Taxes, Pari-Mutual Taxes, Casino/Racing Fla. Thoroughbred Owner's & Assoc. (FTBOA) Breeder's Awards, Credit Cards/PayPal, etc.

##### **Gary Charles**

**Master of Bus. Administration**

Gcharles3685@gmail.com • 786.762.6564

I welcome the opportunity to further elaborate how my professional experience, education, skill sets, and specialization can be an asset to the Town of Malabar in this pivotal role.



**Gary Charles**  
**Master of Bus. Administration**  
 Gcharles3685@gmail.com  
 786.762.6564

A highly motivated, detailed oriented, bilingual professional with progressive expertise in **Accounting/Finance**; **Bank Operations**, **Audit Mgmt.**, and **Compliance** who is adept to manage multiple projects simultaneously and establish priorities to meet deadlines. Demonstrated ability to cultivate and maintain successful working relationships. Maintain a high level of professionalism and confidentiality with sensitive information. Team player with demonstrated ability to plan, organize and ensure work is completed efficiently and in a timely manner. An analytical thinker who takes the initiative and reacts calmly under pressure to arrive at sound conclusions.  
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**SUMMARY OF QUALIFICATIONS**

- Over five (5) years of progressive experience in intra-company and multi-state accounting/finance work consisting of Accounts Payable/Receivable, Account/Bank Reconciliations, Commercial Property Accounting, Journal/GL Entries, ME/QE/YR Closing, Payroll Processing, and Treasury Management/Analysis
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    - Quickly promoted as a **Staff Accountant** in the **Accounts Payable**, then in the **Treasury Department**
- Over five (5) years of progressive experience and thorough knowledge of bank policies/procedures consisting of audit mgmt./internal control, bank operations and compliance, cash mgmt./forecasting, and fraud investigations
  - o Frequent participant in bank webinars/seminars such as Anti-Money Laundering (AML), Bank Secrecy Act (BSA), Currency Transaction Report (CTR), Customer Identification Program (CIP), Office of Foreign Asset Control (OFAC), Know Your Customer (KYC), Monetary Instrument Log (MIL), Suspicious Activity Report (SAR), Risk/Regulatory Compliance topics, and other fraud courses

**PROFESSIONAL EXPERIENCE**

*Gulfstream Park Racing Association, Inc. (GPRA)*

April 2020 – Present

**Treasurer**

- Performs variety of technical, professional, analytical accounting/finance work for GPRA entities:
  - o *GSP Carousel Club, GSP Horsemen's Bookkeeper Corp. (GSP HBC), GSP Racing & Casino, Gulfstream Park West (Calder Racetrack), Orchid Concessions, Palm Meadows Training Center (PMTC), Pegasus Towers I & II, Pegasus Park, Pegasus World Cup Invitation (PWC), and the Village at Gulfstream Park (VGSP)*
- Updates/reconciles various Excel logs, reports, files, databases/spreadsheets for GPRA inter-companies
- Retains routine financial records and reports using automated accounting software and Excel spreadsheets
- Conduct financial analyses for short/long range financial and cash flow projections relative to GPRA's needs
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- Monitors the fiscal impact on the company's cash position; Processes adjusting JE accounts to correct error(s)
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- Processes employees' reimbursement payments ensuring that expenses are properly coded to the correct expense A/Cs
- Prepare on avg. of 500 invoices weekly for all GPRA entities and upload batch file(s) from Great Plains/Artsy into WF CEO
- Supports in managing/coordinating cash flow and investments of a portfolio of approximately \$35M daily average balance
- Prepare JE/Account Reconciliations relating to GPRA Payroll, such as but not limited to: Bonus Accruals, Gratuity & Tips, Accrued Salaries – Vacation & Sick, Accrued Garnishments, Accrued 401K, FICA/FIT/FUI/SUI Withholdings, etc.
- Recording of all bank transactions for all GPRA entities such as cash/check deposits, ATMs, ATM Commissions, Casino/Racing Change Exchange Orders, Accounts Payable/Receivable, Settlements, Sundry, Automated Clearing House (ACH), Electronic Fund Transfers (EFT), Incoming/Outgoing Wires, GSP HBC Purse Payments etc.
- Utilizes *Wells Fargo Bank's* Commercial Electronic Office (CEO) platform to research transactions, process domestic/international wire transfers, ACH/EFT payments, decline fraudulent transactions, upload/release/voids/cancel and/or place stop payments on transactions, etc.; Serve as liaison between Wells Fargo and GPRA
- Maintenance of various accounting/finance projects consisting of Unclaimed Properties, Outstanding Payables/Payroll Check Lists, 1099 filings, ACH Vendor Enrollment, Purchasing Card (P-Card), Employee Reimbursement, Fixed Assets and Capital Expenditure (CAPEX), etc. Reconcile lockbox receipts avg. approximately \$100,000 daily
- Provides cash management including daily cash position and provides operational support for all transaction processing by developing cash activities such as, funding of disbursement/operating/payroll accounts to cover Checks/ACH/Wires/Draft payments and Money Exchange Orders associated with Racing/Casino Exchange/Taxes accounts, etc.
- Record of all GPRA's taxes/fees into the Cash Control and GLs, including but not limited to: Bank/Client Analysis Fees, Sales/Property Taxes, 945/1042 IRS Domestic/Foreign Winnings Taxes, Casino/Racing Percentage Taxes, Pari-Mutual Taxes, Casino/Racing Fla. Thoroughbred Owner's & Assoc. (FTBOA) Breeder's Awards, Credit Cards/PayPal, etc.

**STRENGTHS AND CORE COMPETENCIES**

Account/Bank Reconciliations and ME/QE/YR Closing  
 Accounts Payable/Receivable and Journal/GL Entries  
 AML/BSA/CTR/MIL/SAR Compliance/Regulations  
 Bank Operations, Audit Management and Compliance  
 Budget Analysis and Cash Management/Forecasting

Commercial Association Mgmt. and Property Accounting  
 Financial Management and Statements Analysis  
 Operations and Project Management  
 Payroll Processing and Income/Sales Tax Preparation  
 Procurement/Inventory Management and Internal Control

Adobe XI • ADP Workforce • Artsy/DocAlpha AP Automation • DocStar Document Mgmt. • Electronic Requisition (EREQ)

Food-Trak Food & Beverage Mgmt. • MRI Commercial Mgmt. • MS Dynamics – Great Plains • MS Office Suite • OnQ Prop. Mgmt.

Opera Hospitality • Peoplesoft • PDF Converter Enterprise • QuickBooks • Remote Deposit Capture

# Barry University

Upon the recommendation of the Faculty, the Board of Trustees  
has conferred on

**Gary Charles**

the degree of

**Master of Business Administration**

in recognition of the satisfactory fulfillment of the requirements  
pertaining to this degree.

Given this twenty-fifth day of June, two thousand and twenty-two  
in Miami Shores, Miami-Dade County, Florida.

*Mike Allen*

Mike Allen, Ph.D.  
President



*Deborah*

Deborah Baraban, Ph.D.  
Dean

**GARY CHARLES**

*Master of Business Administration*  
Gcharles3685@gmail.com • 786.762.6564

**PROFESSIONAL REFERENCE**

**Allen Kummer**

*Cash Operations Director*  
Gulfstream Park Racing Association  
901 South Federal Highway  
Hallandale Beach, Florida 33009  
Email: Allen.Kummer@gulfstreampark.com  
Phone: 954.621.5021

**Chandra Narine**

*Treasury Manager (Former)*  
Gulfstream Park Racing Association  
901 South Federal Highway  
Hallandale Beach, Florida 33009  
Email: cd.narine09@gmail.com  
Phone: 954.594.4609

**Lisa Sutor**

*Casino Controller*  
Gulfstream Park Racing Association  
901 South Federal Highway  
Hallandale Beach, Florida 33009  
Email: Lisa.Sutor@gulfstreampark.com  
Phone: 561.213.9156

**PERSONAL REFERENCE**

**Evens Bien-Aime**

*Human Resources Manager*  
Wal-Mart, Inc.  
206 Boatsman Way  
St. Marys, GA 31558  
Email: Bienaime186@gmail.com  
Phone: 786.454.6131

**Reno V. Pierre**

*Assistant State Attorney – Prosecutor*  
Broward County Courthouse  
201 Southeast 3rd Avenue  
Fort Lauderdale, Florida 33301  
Email: Rpierr19@gmail.com  
Phone: 786.838.8995

**Leinzs Vincent**

*Private Client Advisor*  
JP Morgan Chase – Wealth Management  
6399 West Commercial Boulevard  
Tamarac, Florida 33191  
E-mail: [Leinzs.Vincent@gmail.com](mailto:Leinzs.Vincent@gmail.com)  
Phone: 954.817.3147

**Juli Pelletier**

**Treasurer**

Debby Franklin

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**From:** Juli Pelletier <jpjules714@gmail.com>  
**Sent:** Thursday, August 25, 2022 8:48 PM  
**To:** Debby Franklin  
**Subject:** Town of Malabar - Treasurer  
**Attachments:** Pelletier - Malabar Treasurer.pdf; JP 8 21 2022.pdf

AUG 26 2022 4:09:18

Good evening,

Please find my resume and cover letter for the Town Treasurer position, attached for your review.

Thank you in advance for your consideration.

Please note that while my current residence is NH, I have housing available down the road in Vero Beach, and my home here is already on the market.

Have a lovely weekend!

Regards,

Juli Pelletier

----- Forwarded message -----

**From:** Pelletier, Julianne <[Julianne.Pelletier@energy.nh.gov](mailto:Julianne.Pelletier@energy.nh.gov)>

**Date:** Thu, Aug 25, 2022 at 8:39 PM

**Subject:** Town of Malabar

**To:** Juli Pelletier <[jjules714@gmail.com](mailto:jjules714@gmail.com)>

[townclerk@townofmalabar.org](mailto:townclerk@townofmalabar.org)

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## Julianne Pelletier

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5080 55<sup>th</sup> St • Vero Beach, FL 32976 • 31 First Ave • Goffstown, NH 03045 • 603-497-7923 • jppjules714@gmail.com

August 24, 2022

Human Resources Department  
Town of Malabar  
Town Hall  
2725 Malabar Road  
Malabar, FL 32950-4427

Dear Director,

I am writing to express my interest in your posting for the Treasurer position with the Town of Malabar. I will bring the level of expertise you are searching for to accomplish the desired financial and management objectives of the Town.

I have the educational background and years of professional experience in all desired areas of Administration, Management, Accounting and Finance. I have the fund accounting experience and can manage all phases of governmental accounting. I also possess extensive budget development at the Federal, State and local levels, financial reporting experience, excellent audit history experience, supervisory experience as well as the ability to collaborate with all stakeholders.

My contributions include problem solving and streamlining processes to improve efficiency. Through the completion of the Certified Public Supervisor and Certified Public Manager programs in the State of New Hampshire, I was fortunate to participate in many great courses that have strengthened my leadership abilities and broadened my knowledge of public sector operations.

While at SDIRC, I was able to quickly advance, gain quite a bit of knowledge, and gain responsibility rapidly as Director of Finance, I managed a team of 14, I filled in for the CFO frequently as needed, and gained many skills that added to my foundation.

I appreciate your time and I look forward to the opportunity to discuss with you how my qualifications can benefit the Town of Malabar, this role, and add strength to your team and achieve all our goals.

Warm Regards,

*Julianne Pelletier*  
Julianne Pelletier

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# Julianne Pelletier

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31 First Ave Goffstown NH 03045 603-497-7923 jpjules714@gmail.com

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## Professional Summary

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Dedicated and technically skilled manager with a versatile skill set developed through experience in business, finance and accounting as an Administrator and Director is seeking a challenging position with growth opportunities and longevity. Enjoy building a team environment with cross functional applications that collaborate with all departments within an Organization.

Excel in resolving employer challenges with innovative solutions, improve systems and processes for increased efficiency, and enhance customer satisfaction and the bottom line, a Manager, who is highly analytical, deadline-driven and completes accounting activities with accuracy. Member GFOA, FSFOA, Certified Public Manager, Certified Public Supervisor.

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### Key Skills

- Budget development
- Financial Reporting
- Financial Statements
- Cash flow analysis
- General Ledger
- Federal Grants Management
- Auditing & Monitoring
- Teambuilding & Supervision
- Month End / Year End
- Planning
- Inventory Management
- ACFR / AFR /SEFA
- Contract Implementation Management
- Benefits Administration
- Staff Development & LEAN Training
- Office Management
- Expense Reduction

### Computer Skills

- MS Office Suite  
Excel, Word, Access, PowerPoint
  - Google Doc,
  - ERP Systems  
NetSuite, Lawson, SAP, Deltek, FOCUS,
  - Accounting Apps  
QuickBooks, Peachtree, MYOB, TERMS
  - Payroll  
ADP, Paychex, QuickBooks
- 

## Experience

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### Business Administrator IV – Director –Business Office

12/2018 to 5/2022 &  
7/2022 to present PT

State of NH, Public Utilities Commission/ NH Department of Energy – Concord, NH

- Manage operating and grant budgets for the Commission, the Consumer Advocate and the SEC.
  - Implemented Online Payment System
  - Develop and implement policies, procedures and systems for all financial operations.
  - Interprets legislative, regulatory and accounting standards to comply with State and Federal accounting standards.
  - Prepares and monitors agency grants, requests for proposals and contracts, assessing needs and solutions.
  - Preparing submittals for Governor and Council and Fiscal Committee for the agency, testifying as needed.
  - Develops, assesses and implements human resource policies and procedures to ensure that such procedures are properly administered.
  - Advises agency officials and administrators on strategic, technical and procedural matters.
  - Oversees all aspects of the operations of the Business Office, utilizes broad discretionary judgment to manage all functions.
  - Utilizes the resources available to achieve the priorities and objectives of the organizations, ensures compliance with statewide, federal rules procedures, statutes, and internal policy and procedures.
  - Oversees all operational activities of the Commission and associated agencies, building logistics, maintenance, office space planning, fleet management, recycling and purchasing.
- 

### Director of Finance

School District of Indian River County, Finance Department, Vero Beach, FL

8/2017 to 1/2019

- Assist in managing the school district's monetary resources efficiently and effectively.
  - Safeguard district assets. Total Budget \$289M, General Fund \$170M, Assist in development, presentation and implementation of \$289m budget. Prepared and reported on AFR, TRIM
  - Ensure that all areas of responsibility are operated in an efficient and cost effective manner.
  - Provide timely and accurate information and make it available to the district and the School Board.
  - Union Negotiations; CEA and CWA.
  - Allocation of Florida Education Funding Program FEFP through the district wide public and charter schools.
  - Managed staff of 14, A/P, A/R, Payroll, Grants, Capital, Extended Day - Enterprise Fund, Insurance Fund and Internal Accounts-28 accounts.
  - Implementation of ERP system, development through implementation.
- 

### Senior Accountant

- Promoted to Director of Finance
  - Audited Insurance policies and invoices for accuracies and inaccuracies; leading to savings for the district of greater than 500K in less than 6 months.
  - Report findings of audits to Benefits Team and provided resolution.
  - Prepared and processed payments for Insurance fund. Approve journal entries of team.
  - Prepared Insurance Fund financials monthly for Assistant Superintendent of Finance and Employee Services, External Consultants, HIATF Committee and Stakeholders.
  - Reconcile accounts; vendor accounts, retiree and COBRA accounts.
  - Work with team to move the department forward in providing exceptional customer service to the employees of the district by helping to resolve problems and answer questions.
  - Wrote policies and procedures to move the department to efficiency.
-



9/2013 to 8/2017

**Fiscal Administrator II – Manager  
Business Administrator III**

State of NH, Department of Resources & Economic Development – Office of Workforce Opportunity – Concord, NH

- Promoted during tenure to Administrator II.
  - Federal grants manager. Economic Development agency budget preparation.
  - Prepared our divisions Schedule of Expenditures of Federal Awards (SEFA).
  - Administer, negotiate and prepared contracts and monitor through Governor and Council process.
  - Developed, implemented and managed budgets; Federal, State and Local Program (sub- awards).
  - Controlled disbursements and reimbursements; federal drawdowns.
  - Performed quarterly program reviews; Audited programs for fiscal and program performance on site.
  - Evaluated performance; financial and program.
  - Tracked many specific contract awards; WIOA, NEG, SCSEP.MSHA.
  - Completed quarterly financial and performance reports on time.
  - Finalized cost allocation, indirect cost application.
  - Wrote and implemented procedure manual.
  - Data Validation of programs for performance.
  - Facilitated Professional Development Team meetings and annual conference for 200 program staff.
  - Lead manager for the NH Job Training Fund; administered contracts & budgets for grant recipients.
  - Improved efficiency by successfully implementing LEAN to office programs.

**Accountant III – State Revolving Fund**

4/2012 to 9/2013

State of NH, Department of Environmental Services – Concord, NH

- Managed Drinking Water State Revolving Fund Program (DWSRF).
- Set up New Loans; Prepared loan amortization schedules and invoices for loan recipients.
- Streamlined process for invoicing from 5 days to 1.
- Managed current loans, maintained database for state aid grants, provided statistical and financial reports for year-end financial reporting, for program managers and the Drinking Water Administrator. Prepared federal reporting and federal draw. Prepared financials for divisions State ACFR.
- Executed bank reconciliations for six state bank accounts, successfully completed full state programs' reconciliation, monthly audit of expenditures of the DWSRF program to state accounting systems. Audited g/l, bank statements to ensure accurate grant records and proper authorization of expenses.
- Prepared transfer of expenditure documents and steps.
- Performed year-end audit, reconciliation of all program activities, as well as prepared for outside audits.
- State biennial budgeting process for Drinking Water programs and grants management.

**Accountant – Consultant (part-time)**

12/2011 to 6/2012

National Empowerment Center – Lawrence, MA

- Set up new accounting system QuickBooks Pro 2012 non-profit.
- Transferred all accounts over to QuickBooks & recaptured six months' accounting backlog.
- Prepared 1099 reports.
- carried out accounts payable and receivable, payroll,
- Complete multiple bank and credit card reconciliations monthly.
- Created efficient recording procedures.
- Launched online procedures for efficient accounts management.
- Tracked expenses for Federal Draw & contract reporting.

**Accountant & Office Manager (part-time)**

6/2009 to 6/2012

LSJ Electrical Contractors – Goffstown, NH

- Managed all office operations.
- Started accounting system in QuickBooks, upgraded to online for on the go office capabilities.
- Created website presence and marketing materials. Upgraded database management system.
- Developed customer relationships through networking and internet marketing research.
- Managed schedule for crew of six. Maintained code update schedules and licensure for New England.
- Updated accounting records for previous calendar years, prepared information for tax filings.
- Maintained all business insurance records and policy renewals, determining cost effective coverage.
- Managed all accounting related to the business, accounts receivable and payable, payroll.
- Issued and filed 1099 reports. Performed reconciliations of accounts. Produced financial statements.
- Implemented efficient time tracking and job costing. Improved collections, thereby decreasing outstanding accounts receivable.

**Senior Staff Accountant**

1/2007 to 4/2010

XOS Technologies – Billerica, MA

- Coordinated all accounting functions with all departments of the organization.
- Streamlined process improvements that made it possible to accommodate increasing responsibilities necessitated by staff reductions. Established efficiencies enhancing workflow.
- Reduced month-end close process from three weeks to one week.
- Decreased office expenditures. Established purchasing and payable procedures to utilize available discounts.



- Increased customer satisfaction by establishing solid relationships between the customers, support and finance departments.
- Increased revenue by tracking and ensuring customer support contracts were paid to date before dispatching support personnel. Certified correct pricing was used.
- Created daily cash forecast & cash receipts report providing management with an important decision-making tool.
- Implemented inventory management system, decreased the amount of missing or lost inventory by 50%. Streamlined sales booking processing.
- Shortened receivable aging by updating customer contact information and establishing electronic communications through ERP system.
- Actively involved in month-end close, accruals, reconciliation, and pre-audit process.
- Eliminated errors through reviews and reconciliations.
- Supervised and trained junior accounting staff.

**Accountant /Sales Associate**

Re/Max Country Properties – Amherst, NH

6/2006 to 1/2007

- Successfully managed the complete real estate accounting process; payroll, accounts payable, receivable and benefits administration.
- Accurately managed escrow funds and commission accounts and disbursed on time.
- Closed real estate transactions for 60 agents, totaling \$5 to \$15 million monthly.
- Increased efficiency in agent profile transactions and reporting.
- Prepared monthly and year end regional reports. Organized for audit. Finalized reconciliations, financial statements. Managed cash flow analysis and forecast.

**Sales Associate**

William Raveis Real Estate – Westford, MA

4/ 2004 to 8/2006

- Listed and sold residential homes and condominiums. Assisted buyers with purchases as buyer’s agent.
- Negotiated high dollar sales. Implemented successful marketing campaign.
- Presidents Million Dollar Club – first year.

**Substitute Teacher Pre-K – 8th grade**

Carlisle Public Schools – Carlisle, MA

9/2002 to 6/2004

**Accountant: 501C**

Greyhound Friends – Hopkinton, MA

6/1999 to 12/2002

- Successfully managed all accounting functions; accounts payable, payroll, and cash receipts.
- Reconciled accounts. Coordinated fundraising events. Decreased cost by managing inventory of merchandise and reducing loss. Prepared financial statements for Board of Directors and grant proposal writer.

**Project Accountant from Staff Accountant**

John Snow, Inc. – Boston, MA

7/1991 to 1/1998

- Promoted during tenure to Project Accountant; served as sole lead accountant to the Program Director on the MA Labor Shortage Initiative
- Managed all accounting, negotiation of contracts, budgeting, auditing and funding for 55 grantees.
- Reduced benefits costs through meticulous recordkeeping; ensuring company did not pay for benefits for employees which were ineligible. Researched and reduced employee expense account balances.
- Implemented employee time keeping adhering to the federal government contract standards.
- Trustworthy assistant to the CFO, controller, executive staff and office manager and earned a reputation for maintaining a positive attitude and producing high-quality work.
- Supervised and trained new accounting staff.

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**Education**

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**Masters – Forensic Accounting - 3.97 GPA**

New England College - Henniker, NH

**Managerial & Financial Accounting courses / MBA program**

Boston University – Boston, MA

**Bachelor of Science; Economics & Finance**

Bentley College (Bentley University) – Waltham, MA

**Associate of Science; Business Management /Transfer - 3.96 GPA**

Middlesex Community College – Bedford, MA

\*\* High Honors allowing for academic scholarship to Bentley

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# TOWN OF MALABAR

## COUNCIL MEETING

**AGENDA ITEM NO: 12.d.**  
**Meeting Date: September 12, 2022**

**Prepared By: Lisa Morrell, Special Projects Manager**

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**SUBJECT: Consideration of change order for Park Entrance Signage with Southeastern Lighting Solutions, Inc, an awarded contract for sign services.**

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### **BACKGROUND/HISTORY:**

Town Council awarded RFP 2202-01 Parks Facility & Wayfinding Signs on March 7, 2022, to Southeastern Lighting Solutions, Inc, located at 821 Fentress Ct, Daytona Beach, FL 32117 with a contract total of \$35,571.16.

A purchase order 1007 was issued for (2) signs for production and manufacturing designated to replace Malabar Community Park and Disc Gold Sanctuary on March 31, 2022, totaling \$7500.00. The signs went through design and multiple personnel proofing tasks. To attain final proofs and approval for production.

The vendor coordinated for sign delivery and installation on Friday, August 18, 2022, between 9-10 am. Upon arrival, the signs have been produced as single side and require a change to the installation at the entrances as street facing. The Town refused the delivery to refer to documents and emails for a designation of dual side replacement. There is not written communication of producing dual sided signage for these locations. The sign locations in the RFP do not designate dual side, only replacement of existing signage with same height and length with updated information with the newly selected materials.

The vendor has provided a quote to produce dual sided signs as intended for a reduced at cost total of \$7830.99. The single sided signs will require payment in full and are non-returnable.

Staff seeks Town Council's desire to use the single sided signs and change the orientation/location at the park entrances or to order additional dual sided signs and use the single sided signs elsewhere at the two locations.

The only other dual sided sign in the contract is Town Hall. All other signs in the town are single sided.

### **FINANCIAL IMPACT:**

Change order cost is \$7,830.99 totals \$15,330.99 for the task and exceeds the budget.

### **ATTACHMENTS:**

Southeastern Lighting Solutions Dual Sign Proposal

### **ACTION OPTIONS:**

Motion to approve change order proposal for the two parks signs to be re-ordered as dual signs with a year end budget amendment from fiscal year-end balance.



8/26/2022

TO City of Malabar

ADDRESS: 2725 MALABAR RD MALIBAR FL 32950

FROM: ERIC SPARR

RE: MALIBAR COMMUNITY PARK / DISK GOLF SANCTURY

Southeastern lighting solutions is pleased to provide you with the following price proposal to:

Frame/ Sign Panel DISC GOLF SANCTUARY 30" X 51" X 1/2" Double Sided with slotted upright pedestal for contour cut panel, post 3" x 3" x 96" \$1976.008

Frame / Sign Panel MALABAR COMMUNITY PARK 48 x" 75" X 1/2" Double Sided and 24" x 75" x1/2" double sided with slotted upright pedestal for contour cut panel, post 3" x 3" x154" \$4968.60

Shipping \$:868.31

Total: \$7830.99

PO Required.

NOTES:

1. Engineering and Permit fees are additional if required.
2. Prices are effective for 30 days from date of Proposal.
3. Subject to additional terms and conditions to be agreed upon by the parties.
4. A 25% restocking charge will apply to cancellations and changes to original order.

Authorized signature and date of acceptance below:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Thank you for giving Southeastern lighting solutions an opportunity to service your lighting needs.

# TOWN OF MALABAR

## COUNCIL MEETING

**AGENDA ITEM NO: 13.a.**

**Meeting Date: September 12, 2022**

**Prepared By: Debby Franklin, C.M.C., Town Clerk/Treasurer**

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**SUBJECT: Council Reviews of Clerk and Manager**

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**BACKGROUND/HISTORY:**

The Performance Evaluation form and guidelines have been updated and are attached. I have provided a blank two-page form for both the Manager and me. Please complete them and then you can schedule a one on one with the Manager and me to go over. If there are any outstanding issues they can be discussed at the 9/26/2022 meeting.

It is the responsibility of the Manager and me to review the folks who report to us.

Ms. Morrell is in a unique position of a contracted position, reporting to Council, for a set period of time, to accomplish a specific list of tasks. If you want to complete a Performance Evaluation on her as well, I have attached the form.

**ATTACHMENTS:**

Performance Evaluation Manual and forms

**ACTION OPTIONS:**

Council action



## EMPLOYEE PERFORMANCE EVALUATION FORM

LAST NAME	FIRST NAME	POSITION	DEPARTMENT	EVALUATION DATE
			Town Clerk	
DATE OF HIRE	EVALUATION PERIOD		TIME IN CURRENT POSITION	NEXT REVIEW DATE

PERFORMANCE EVALUATION TYPE:					
ANNUAL	<input type="checkbox"/>	PROBATIONARY	<input type="checkbox"/>	SPECIAL	<input type="checkbox"/>

PERFORMANCE FACTOR SCORES:				
OUTSTANDING	EXCEEDS REQUIREMENTS	MEETS ACCEPTABLE REQUIREMENTS, SATISFACTORY	DOES NOT MEET MINIMUM ACCEPTABLE REQUIREMENTS	FAR BELOW ACCEPTABLE REQUIREMENTS
5	4	3	2	1

PERFORMANCE AREA	PERFORMANCE FACTOR:	EVALUATION SCORE	(X) WEIGHTED AREA	= PF SCORE
<b>QUALITY</b>	ACCURACY		5	0
	THOROUGHNESS		3	0
	JUDGMENT		5	0
	ADAPTABILITY		3	0
	LEADERSHIP		5	0
	ORAL EXPRESSIONS		3	0
	WRITTEN EXPRESSION		3	0
<b>JOB KNOWLEDGE</b>	SKILLS/APPLICATION OF KNOWLEDGE		5	0
	MASTERY OF TECHNICAL AND/OR PROFESSIONAL TECHNIQUES		5	0
	POLICY AND PROCEDURES		5	0
<b>WORK HABITS</b>	INTEREST AND ENTHUSIASM		5	0
	ATTITUDE AND LOYALTY		5	0
	PERSONAL RELATIONS		4	0
	COURTESY		4	0
	COOPERATION		3	0
	GROWTH POTENTIAL		3	0
	AMOUNT OF WORK PERFORMED		5	0
	ON SCHEDULE		5	0
<b>SUPERVISOR CAPABILITY (SUPERVISORY ONLY)</b>	PLANNING		5	0
	ORGANIZATION		3	0
	DELEGATING		3	0
	CONTROLLING		4	0
	DECISION MAKING		5	0
	TRAINING OTHERS		4	0
	DEVELOPING EMPLOYEES		3	0
	ECONOMY		3	0
<b>TOTAL WEIGHTED SCORE (TWS)</b>				<b>0</b>
<b>NON-SUPERVISORY (TWS) /76</b>				<b>0.00</b>
<b>SUPERVISORY (TWS) /76</b>				<b>0.00</b>



## EMPLOYEE PERFORMANCE EVALUATION FORM

**EVALUATOR'S COMMENTS OF PERFORMANCE AREAS (QUALITY, JOB, KNOWLEDGE, WORK HABITS:**

**AREAS OF SUCCESS (CONTAIN AT LEAST 3 EXAMPLES OF STRENGTHS)**

**AREAS OF IMPROVEMENT (CONTAIN AT LEAST 3 EXAMPLES OF WEAKNESSES)**

**COACHING & COUNSELING FOR GROWTH POTENTIAL/CAREER DEVELOPMENT**

**EVALUATOR'S SIGNATURE**

**DATE**

**EMPLOYEE'S SIGNATURE**

**DATE**

**TOWN MANAGER SIGNATURE**

**DATE**

**IN SIGNING THIS REPORT, I DO NOT NECESSARILY AGREE WITH THE CONCLUSIONS OF THE RATER. I UNDERSTAND THAT I MAY WRITE MY COMMENTS ON A SEPARATE PAGE ATTACHED HERETO.**

**EMPLOYEE'S SIGNATURE**

**DATE**

**EMPLOYEES COMMENT SHEET ATTACHED**

**EVALUATOR INITIALS**

YES

NO





## EMPLOYEE PERFORMANCE EVALUATION FORM

LAST NAME	FIRST NAME	POSITION	DEPARTMENT	EVALUATION DATE
			Town Manager	
DATE OF HIRE	EVALUATION PERIOD		TIME IN CURRENT POSITION	NEXT REVIEW DATE

PERFORMANCE EVALUATION TYPE:					
ANNUAL	<input type="checkbox"/>	PROBATIONARY	<input type="checkbox"/>	SPECIAL	<input type="checkbox"/>

PERFORMANCE FACTOR SCORES:				
OUTSTANDING	EXCEEDS REQUIREMENTS	MEETS ACCEPTABLE REQUIREMENTS, SATISFACTORY	DOES NOT MEET MINIMUM ACCEPTABLE REQUIREMENTS	FAR BELOW ACCEPTABLE REQUIREMENTS
5	4	3	2	1

PERFORMANCE AREA	PERFORMANCE FACTOR:	EVALUATION SCORE	(X) WEIGHTED AREA	= PF SCORE
<b>QUALITY</b>	ACCURACY		5	0
	THOROUGHNESS		3	0
	JUDGMENT		5	0
	ADAPTABILITY		3	0
	LEADERSHIP		5	0
	ORAL EXPRESSIONS		3	0
	WRITTEN EXPRESSION		3	0
<b>JOB KNOWLEDGE</b>	SKILLS/APPLICATION OF KNOWLEDGE		5	0
	MASTERY OF TECHNICAL AND/OR PROFESSIONAL TECHNIQUES		5	0
	POLICY AND PROCEDURES		5	0
<b>WORK HABITS</b>	INTEREST AND ENTHUSIASM		5	0
	ATTITUDE AND LOYALTY		5	0
	PERSONAL RELATIONS		4	0
	COURTESY		4	0
	COOPERATION		3	0
	GROWTH POTENTIAL		3	0
	AMOUNT OF WORK PERFORMED		5	0
<b>SUPERVISOR CAPABILITY ( SUPERVISORY ONLY)</b>	ON SCHEDULE		5	0
	PLANNING		5	0
	ORGANIZATION		3	0
	DELEGATING		3	0
	CONTROLLING		4	0
	DECISION MAKING		5	0
	TRAINING OTHERS		4	0
DEVELOPING EMPLOYEES		3	0	
	ECONOMY		3	0
<b>TOTAL WEIGHTED SCORE (TWS)</b>				<b>0</b>
<b>NON-SUPERVISORY (TWS) /76</b>				<b>0.00</b>
<b>SUPERVISORY (TWS) /76</b>				<b>0.00</b>



## EMPLOYEE PERFORMANCE EVALUATION FORM

**EVALUATOR'S COMMENTS OF PERFORMANCE AREAS (QUALITY, JOB, KNOWLEDGE, WORK HABITS):**

**AREAS OF SUCCESS (CONTAIN AT LEAST 3 EXAMPLES OF STRENGTHS)**

**AREAS OF IMPROVEMENT (CONTAIN AT LEAST 3 EXAMPLES OF WEAKNESSES)**

**COACHING & COUNSELING FOR GROWTH POTENTIAL/CAREER DEVELOPMENT**

**EVALUATOR'S SIGNATURE** **DATE**

**EMPLOYEE'S SIGNATURE** **DATE**

**TOWN MANAGER SIGNATURE** **DATE**

**IN SIGNING THIS REPORT, I DO NOT NECESSARILY AGREE WITH THE CONCLUSIONS OF THE RATER. I UNDERSTAND THAT I MAY WRITE MY COMMENTS ON A SEPARATE PAGE ATTACHED HERETO.**

**EMPLOYEE'S SIGNATURE** **DATE**

**EMPLOYEES COMMENT SHEET ATTACHED** **EVALUATOR INITIALS**

YES	<input type="checkbox"/>	NO	<input type="checkbox"/>	
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# EMPLOYEE PERFORMANCE EVALUATION MANUAL

HUMAN RESOURCES  
TOWN MANAGER

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## PURPOSE OF EMPLOYEE PERFORMANCE EVALUATIONS

Managers must perform annual evaluations to inform and counsel a direct report's performance in the workplace. An annual evaluation is an important communication tool to recognize an employee's achievements, areas for improvement during the next year by setting performance goals and providing supervisory assistance in their achievement.

The Town's greatest assets is the quality of service provided to constituents by the professional and talented employees, agents, and contractors. Talent and their institutional knowledge must be developed with care with the established policies and procedures for efficient day to today operations. Through annual reviews and timely moments of coaching and counseling, employees are mentored for improvement and recognizing for their intelligence, ability, skills, experience, integrity, and dedication.

Performance evaluations focus on the specific tasks and behaviors in the workplace. A standard form is used to provide a scale of performance levels for all employees to deriving and objective and acceptable performance. The four universal aspects of performance evaluations are:

- A performance goal, standard or plan
- Measurement of job-related performance
- Comparison of employee performance with the goal, standard or plan
- Use corrective action

Management believes that an objective and fair performance evaluation system enriches the relationship between the supervisor and the subordinate. The real objective of a performance evaluation should inform the employee about the quality of their work so they might strive to improve their own performance.

Management has determined that performance evaluations are necessary to:

- Allocate resources
- Reward competent employees
- Provide valuable feedback to workers
- Maintain fair relationships and communication bonds

Decisions involving compensation and meritorious compensation of all town employees should be based on objective factors. These factors may establish an appropriate foundation for future judgments regarding an employee's career as it pertains to:

- Promotions
- Pay increases
- Assignments
- Discipline

The performance evaluation process will enable an employee to understand whether their behavior meets or exceeds expected standards, and to correct or discourage below- standard performance. The object is to maintain or improve the high-quality rate of the performance of the town employee. It should provide timely feedback to employees about their performance and what they can do to improve.

## SUPERVISOR'S ROLE

Supervisors should approach the performance evaluation process with positive reflection and an opportunity to praise accomplishments and develop an employee to reach their most potential. Supervisors shall assess a subordinate's job performance in a timely manner, at least annually. A good evaluator remains objective of each individual employee's performance evaluation, reflecting on how the employee accomplished directives and tasks with the resources available and the guidance of the supervisor.

A supervisor's role in the performance evaluations is vital to the success each employee. The evaluation offers the opportunity to provide substantive feedback on both the quality and form of the work of subordinates. The evaluations offer positive reinforcement to personnel as well as guidance on how to correct deficiencies that might otherwise lead to adverse actions. The three common objectives of personnel evaluations are to:

- Assess each employee's contribution to the organization
- Give employees valuable feedback concerning their job performance
- Develop a plan for correcting problem areas upon which both the supervisor and employee agree

## APPROACHING THE ANNUAL REVIEW

An effective supervisor must remain impartial as an evaluator. The integrity of the personnel assessment process is directly linked to the ability and skill of the supervisor. The following are the common areas where supervisors must be balanced and stable and remain impartial to the personality or traits that are associated with human behavior.

**Conflict Avert:** The human tendency to give people the benefit of the doubt and occurs to avoid interpersonal conflicts. Effective supervisors have to guard against allowing personal considerations to affect their evaluation of the subordinate.

**Meeting the Task:** Places the employees into an artificial category of "average" or a standard satisfactory review to complete the annual task. This method fails to provide a meaningful dialogue and plan for both, the supervisor and employee, in areas of praise, improvement, resources and growth. The effect on the organization detracts employees from being highly motivated due to the lack of enthusiasm of the supervisor and the manager to make each employee's review unique and meaningful as an opportunity to praise the year's accomplishments and where continual improvement(s) or professional growth are established for the future.

**Halo/Horn Effect:** It is when a supervisor allows one significant event or characteristic of that employee to be the basis for the overall rating of the employee. A reviewer's subjective feelings about the quality of an employee's performance, based on a positive or negative event, overshadows the overall performance of the employee being reviewed for specified period.

**Relative Traits:** Occurs when the evaluator assumes that an employee who exhibits one strength will automatically possess other and is devoid of monitoring an employee's performance under a variety of workplace activities related to the job function.

**Over weighting:** Arises when a critical incident unduly influences the supervisor (positively or negatively near the end of the evaluation period). Supervisor should avoid this occurrence with

coaching and counseling when these types of incidents occur, rather than wait for the annual evaluation.

**Bias:** Supervisors evaluate the person rather than the on-the-job performance. Even when a supervisor does not like the individual employee, they should be fair and base it on the objective data. Supervisor's must remain objective and avoid social values, prejudices, and operational stereotypes

**Prophecy:** Transpires when the supervisor judges the employee based on their own expectations and aspirations than the actual job performance by the employee. They usually base this on emotion and therefore it is subjective. The error if detected by the employees usually forces employees to guess what qualities or traits the supervisor is looking for and to gain their approval through win-at-all-cost competitiveness, or outright deception.

## **VALIDITY OF THE PERFORMANCE EVALUATION**

The objective of the performance assessment is to develop an accurate profile that will determine the competency of the personnel. It should identify individual capabilities and the employee's worth to the organization. Therefore, the use of the standard evaluation form and the supervisor's effective ability to perform an objective review of the employee's job performance with employee feedback validates the annual review process and critical to the success of the process. The annual review shall not replace the methods of progressive discipline in the Town's employee handbook policies and procedures.

A valid performance evaluation should accurately measure the traits, applied problem solving, or goal attainment of the individual. The evaluation is the time for supervisors to rate the specific accomplishment to a specific performance standard.

To overcome problems with a performance evaluation the following actions may help to the reliability of the process:

- Educate and train supervisors in gathering and interpreting evaluated data.
- Active participation by the supervisor and the employee being evaluated.
- A commitment by management to make personnel decisions based on the data obtained from the formal performance evaluations

## **THE EVALUATION INTERVIEW**

Once the employee's evaluation has been completed, supervisors shall schedule a one-on-one meeting with the employee and review each area scored. It should result in a collaborative problem-solving and mutual goal-setting meeting. For it to be productive, the supervisor must be open and honest with the subordinate while actively listening to ensure a supportive environment of success. The employee must be receptive and be willing to accept the advice and direction from the supervisor. The evaluation interview should allow the employee's strengths and weakness to be discussed, career goals, and a plan for success. The annual review shall not replace progressive discipline policies and procedures.

The process will inform the employee how the scored was derived and areas where they are doing well and how they can become better in other areas. For the supervisor, it is an opportunity to praise the employee and understand where the employee needs more support or resources to perform their

job better and develop their future career goals. For the organization, the workplace standards are clear and equitably rated across all job junctions and positions within the Town.

A productive and collaborative meeting includes:

- Time & Place: set a meeting time, date, and place in advance.
- Ensure the evaluation is complete with a copy of their job description.
- Provide a blank form to the employee for a self-evaluation prior to review meeting, optional.
- Tone & Tenor: the tone of voice should be balanced with an encouraging delivery.
- Emphasis should be on the employee's strength to build on.
- Promote and restate acceptable job performance standards.
- Stress opportunities for career development and growth potential.
- Support with wellness, education, webinar, and or other training resources.
- Assist the employee in attainable goal setting with a few specific objectives within a reasonable time period, while considering the available resources.

The interview should involve 4 key concepts the following.

1. Evaluating
2. Teaching
3. Coaching
4. Counseling

The success of the interview depends largely on the supervisor's ability to establish rapport, empathize, and talk effectively with subordinates. The supervisor should conduct the interview helping the subordinate to have an enthusiastic attitude about returning to work and a desire to improve their on-the-job performance.

## **DEVELOPMENT**

One of the basic goals of any performance evaluation system is to identify opportunities for advancement and promotion. The multiple segments of the Performance Evaluation Report provide the supervisor and the employee with the information each needs to make informed decisions about future work activities in the current job and in other job opportunities. Promotion and advancement are not merely the result of seniority. Working together, the employee and the supervisor can identify the personal and professional development and-training needs of an employee to give that employee a realistic chance for advancement.

Based upon the goals established by the supervisor and employee development opportunities should be included in the goal-setting meeting. The development goals of employees may be addressed in any combination of the following ways:

- Training to enhance performance in the current, or a future position
- Educational opportunities through certifications or degree programs
- Attendance at workshops and seminars

## **RETENTION**

An annual performance review can go a long way in promoting staff satisfaction, which in turn leads to higher retention rates and continual service to the Town. Annual reviews, when offered in a timely fashion and combined with quarterly appraisals, keep employees informed and on the right track to valued service.

Institutional knowledge can foster retention by providing employees with the information and training required to facilitate their success and promote engagement. Employees who understand how to perform their job spend less time on activities that can lead to frustration, such as locating essential information.

A thoughtful quarterly or annual review can be a tremendous tool for managers interested in increasing employee retention rates. However, reviews that are poorly done, delayed or not accompanied by year-round feedback could actually reduce employee engagement and satisfaction.

Retention of well performing employees:

- Reduce staff turnover, recruitment, and on boarding
- Increases growth and productivity of work teams and activities
- Enhances morale, builds trust, and strengthens institutional knowledge.

## **FOLLOW-UP**

It is the supervisor's responsibility to monitor the subordinate's progress toward reaching the mutually agreed upon goals established during the performance interview. Performance evaluations lose value and relevance when management/supervisors fail to coach, encourage nor monitor set goal progress with an employee. This monitoring should result in a quarterly meeting with the employee. This meeting should be reduced to a written document for file or a memo for record that includes the date, time, persons present, and progress updates. The written updates can be useful in the next annual review for both the employee and supervisor for progress review and the steps taken for achieving the set goals set the progress towards reaching their agreed upon goals.

Evaluations should be a daily responsibility of the supervisor as a continual process of leadership, the supervisor should maintain any supportive documentation such as commendations, special incidents that indicated use of teamwork, good/bad judgment, peer help, adaptability, flexibility, etc. so .it may be used when preparing the annual evaluation. Management is responsible to monitor the supervisors, to ensure this file material is being retained and utilized. This will ensure the professionalism of the Performance Evaluation Report that is annually submitted. It also affords the employee an opportunity to understand what made up the scoring they received and transparency to the process.

## GUIDELINES FOR SCORING PERFORMANCE FACTORS

The performance evaluation provides for assigning weighted numerical scores to 18 performance factors for all employees and an additional 8 performance factors for supervisors only. The evaluator should use a balance approach of if every employee was performing at this level, Management is satisfied with the quality of the work product for the department.

The evaluator should assign the scores based on the following criteria:

Score	Criteria	Definition
5	Outstanding Performance	The employee nearly always performs at a level well above acceptable standards. The employee routinely demonstrates noteworthy or exemplary performance.
4	Exceeds Requirements	The employee frequently exceeds performance standards. The employee occasionally demonstrates noteworthy or exemplary performance.
3	Meets Acceptable Requirements, Satisfactory	The employee routinely meets standard requirements for acceptable performance with only occasional exceptions.
2	Does Not Meet Acceptable Requirements	The employee needs improvement. They frequently fail to meet standards of satisfactory performance.
1	Far Below Acceptable Requirements: Unsatisfactory	The employee seldom or never meets performance standards

## PERFORMANCE AREA AND FACTORS DEFINED

### QUALITY:

Accuracy	The degree to which work is completed without significant errors. A satisfactory rating should be assigned to the employee who generally produces work without errors that affect the goals and objective of the department and the Town.
Thoroughness	Following through on tasks without significant omissions. A satisfactory rating should be assigned to the employee whom they can generally count on to complete all aspects of assigned and required tasks
Judgment	Ability to think clearly and arrive at logical conclusions. A satisfactory rating should be assigned to the employee who routinely demonstrates this ability consistent with job requirements and accomplishes the goals and objectives of the department and the Town.
Adaptability	Flexibility in adjusting to change and new requirements. A satisfactory rating should be assigned to the employee who demonstrates adequate adaptability consistent with the job and goals and objectives of the department and the Town.
Leadership	Ability to influence people to strive willingly and enthusiastically to accomplish the goals and objectives of the department and the Town. A



	satisfactory rating should be assigned to the employee who regularly demonstrated the capacity.
Oral Expression	Ability to use the spoken word to convey thoughts and information in an effective manner consistent with the requirement of the job.
Written Expression	Ability to convey thoughts and information in writing effectively. A satisfactory rating should be assigned to the employee who routinely demonstrates the ability to do so consistently with the requirement of the job

**JOB KNOWLEDGE:**

Skills/Application of Knowledge:	Physical ability to employ technical and professional knowledge effectively on the job. A satisfactory rating should be assigned to the employee who routinely demonstrates acceptable knowledge level that contributes and does not detract from the goals and objectives of the department and the Town.
Mastery of Technical and/or Professional Techniques:	Mastery of the specific technical knowledge and tasks associated with the job. A satisfactory rating should be assigned to the employee who routinely demonstrates acceptable mastery at a level that contributes and does not detract from the goals and objectives of the department and the Town.
Policy and Procedures	Employee's knowledge of the policies and procedures associated with the job. A satisfactory rating should be assigned to the employee who routinely demonstrates such knowledge at a level that contributes and does not detract from the goals and objectives of the department and the Town.

**WORK HABITS**

Interest and Enthusiasm	Demonstrating genuine energy and willingness in the performance of assigned tasks. A satisfactory rating should be assigned to the employee who routinely demonstrates this trait with only infrequent lapses.
Attitude and Loyalty	Following through on tasks without significant omissions. A satisfactory rating should be assigned to the employee whom they can generally count on to complete all aspects of assigned and required tasks
Personal Relations	Ability to establish and maintaining cordial relations with associates.
Courtesy	A satisfactory rating should be assigned to the employee who routinely demonstrates politeness and consideration in dealing with others.
Cooperation	A satisfactory rating should be assigned to the employee who routinely demonstrates the ability and desire to work in harmony with others.
Growth Potential	Employee's capacity for professional development. A satisfactory rating should be assigned to the employee who has adequate professional development for the demands of the current position. When the employee demonstrates the ability to handle positions of higher complexity and responsibility merits a higher rating.
Amount of Work Performed	Quantity of work performed. A satisfactory rating should be assigned to the employee whose work production is at a level that makes an acceptable contribution to accomplishing the goals and objectives of the department and the Town
On Schedule	Timeliness in completing assigned and required tasks. A satisfactory rating should be assigned to the employee who routinely meets the required schedule and only occasionally fails to meet the standard.

## SUPERVISORY CAPABILITY

Planning	Appropriately selecting objectives, goals, and courses of action and determining the effective, appropriate means to achieve them. A satisfactory rating should be assigned to the supervisor who regularly demonstrates this performance factor.
Organizing	Ability to assign tasks and roles effectively to accomplish department objectives. A satisfactory rating should be assigned to the supervisor who regularly demonstrates this performance factor
Delegating	Regularly demonstrates the appropriate and effective vesting of decision-making authority in subordinates
Controlling	Measuring and correcting the performance of subordinates to ensure that they are accomplishing objectives. A satisfactory rating should be assigned to the supervisor who regularly demonstrates effective control.
Decision Making	Rationally demonstrates the ability to select from among alternative courses of action should receive a satisfactory rating.
Training Other	Demonstrates the ability and willingness to imparting necessary skills and knowledge to subordinates should receive a satisfactory rating.
Developing Employees	Promoting and facilitating the professional growth of subordinates. A supervisor who regularly demonstrates this trait should receive a satisfactory rating.
Economy	Demonstrates the efficient use of personnel, money, and materials should receive a satisfactory rating.

## EVALUATOR'S COMMENTS

The evaluator's comment section should provide a brief descriptive work picture of the employee, which helps the reader readily understand why the evaluator assigned the numerical scores. The basis for scores 2 and below or 5 should be addressed in the narrative. The narrative should not be a mere repetition of the assigned scores but should amplify and support them. There shall be at least three (3) examples of the employee's areas of strengths and weaknesses with examples during the review period. These areas are for recognition and praise with continual improvement of areas that are weaker, not necessarily poor, but an area to improve for mastery.

## REVIEW PROCESS

Upon completion of the Evaluation Form and **before** the employee is interviewed, the evaluator will forward the form to the Town Manager, to be reviewed and signed. The Town Manager will review the document for accuracy in completion and review the narrative section to determine that it provides a brief descriptive explanation of the scoring.

The evaluated employee will sign on the appropriate signature lines within the Performance Evaluation Report. The employee may write any comments regarding the evaluation on a separate page. The evaluator will have the employee check the appropriate response at the bottom of page 2, initial and date the statement. This is a safeguard that shows that the employee wishes to have another document sheet attached to the Performance Evaluation Report. The comment sheet should be completed by the end of shift and signed by the employee. It will be attached to the entire evaluation packet for placement in the employee's personnel file.