PUBLIC NOTICE/AGENDA
TOWN COMMISSION MEETING
Tuesday October 22, 2019 at 10:00 a.m.

Town Commission
Keith Waters, Mayor
Simone Bonutti, Vice Mayor
Jack Doyle, Mayor Pro Tem
Clark Appleby, Commissioner
Hank Siemon, Commissioner
Stewart Satter, Commissioner
Richard Granara, Commissioner

Town Staff
Linda Stumpf, Town Manager
Carmen Mattox, Chief of Police
Lisa S. Petersen, Town Clerk
Tina Stinson, Deputy Clerk
Keith W. Davis, Town Attorney

CALL TO ORDER & PLEDGE OF ALLEGIANCE
AGENDA ADDITIONS, DELETIONS OR SUBSTITUTIONS
MAYOR’S COMMENTS

CONSENT AGENDA:
1. Minutes September 24, 2019 Town Commission Meeting and Final Budget Hearing
2. Police Department Report and Fire/Rescue Response Time Report for September
3. RES. 7-19 Adopting the 2020 Revised Palm Beach County Local Mitigation Strategy

REGULAR AGENDA:
1. Contract with Town Manager Stumpf
2. Dates for the November and December Town Meetings
3. Town Manager Stumpf’s Report

PUBLIC COMMENTS
OTHER BUSINESS

ADJOURNMENT

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Town Commission, Special Magistrate or any other Boards or Commissions of the Town with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings, and for such purpose may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The meeting/hearing will be continued from day to day, time to time, place to place, as may be found necessary during the aforesaid meeting. IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT (LARGE PRINT) UPON REQUEST AND SPECIAL ACCOMMODATIONS CAN BE PROVIDED UPON REQUEST WITH THREE (3) DAYS ADVANCE NOTICE. Please contact the Town Clerk at (561) 585-9477 - 600 South Ocean Blvd., Manalapan, FL 33462 - townhall@manalapan.org
TOWN OF MANALAPAN
AGENDA ITEM SUMMARY

Meeting Date: October 22, 2019
Agenda Item No.: CA.1
Agenda Item Name: September 24, 2019 Town Commission and Final Budget Hearing Minutes

ACTION REQUESTED: Discussion □ Approval ■

ATTACHMENT:

• September 24, 2019 Town Commission Meeting and Final Budget Hearing Minutes
Town Commission Meeting/Final Budget Hearing
Tuesday September 24, 2019 at 4:30 p.m.

IN ATTENDANCE

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<th>TOWN COMMISSION</th>
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<tr>
<td>Keith Waters, Mayor</td>
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<td>Carmen Mattox, Chief of Police</td>
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<td>Jack Doyle, Mayor Pro Tern</td>
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<td>Clark Appleby, Commissioner</td>
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<td>Hank Siemon, Commissioner</td>
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<td>Stewart Satter, Commissioner</td>
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PUBLIC:

Mary Kate Leming, Ron Bennett, Mr. DuBosar, Mr. Snellman and Bart Smith

TOWN COMMISSION MEETING

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Vice Mayor Bonutti called the Town Commission meeting to order at 4:31 p.m.

LPA-LOCAL PLANNING AGENCY

Ordinance #368- (Second Reading) Amending code in Zoning Districts R-C2 and C-3 to revise the regulations for permitted, special exception and prohibited uses and amending certain terminology and adding updated definitions.

Town Manager Stumpf explained that staff has been working on the review for the commercial uses to be sure the development regulations for these Districts provide for the development control and compatibility within the neighborhood. Staff provided a first draft of revisions for uses in R-C2 and C-3 which were discussed in June. Setbacks, lot coverage, parking, building heights and building separation were reviewed by staff. Ordinance #368 passed on first reading on September 5, 2019.

Town Attorney Davis read Ordinance #368 by title.

Commissioner Satter made a motion to recommend approval of Ordinance #368 on second reading to the Town Commission. Commissioner Siemon seconded the motion which prevailed by the following vote:
Vice Mayor Bonutti, Commissioner Appleby, Commissioner Siemon, Commissioner Granara and Commissioner Satter
Local Planning Agency adjourned at 4:31 p.m.

Town Commission was called to order at 4:32 p.m.

AGENDA ADDITIONS, DELETIONS OR SUBSTITUTIONS

There were none.

CONSENT AGENDA:

1. Minutes: September 5, 2019 Town Commission Meeting and 1st Budget Hearing
3. Easement between Town and Stewart and Susan Satter for their property at 1660 S. Ocean Blvd.
4. Signature cards for Flagler Bank

Commissioner Siemon made a motion to approve the Consent Agenda. Commissioner Granara seconded the motion which prevailed by the following vote:
YES: Vice Mayor Bonutti, Commissioner Appleby, Commissioner Siemon, Commissioner Granara


Ron Bennett of Nowlen, Holt & Miner presented the audit for 2017-2018. He explained that the Town of Manalapan financial statements are in agreement with the generally accepted accounting principles. He indicated that the town had received a clean opinion and commended Town Manager Stumpf and her staff for a job well done. There was only one comment and it concerned with the audit being late. The general fund balance is at $3,932,380.00 which is at or above a recommended level.

Commissioner Satter moved to approve the 2017-2018 Annual Financial Report. Commissioner Appleby seconded the motion which prevailed by the following vote:
YES: Vice Mayor Bonutti, Commissioner Appleby, Commissioner Siemon, Commissioner Granara and Commissioner Satter

TOWN MANAGER’S STUMPF REPORT

-Code Enforcement: 1720 LER, 45 Audubon, 90 Curlew and 1420 S. Ocean all have issues with minimum standards and have been cited. Mr. Singh at 1890 S. Ocean was having problems with vibrations from the pile driving at 1940 S. Ocean. The contractor
has completed the driving and will provide the Town with the vibration monitoring reports. However equipment monitoring does show they were well under the limits that were set by FDOT.

-Pension Board is set to meet September 26, 2019.

-The lowest bid on the well rehabilitation was reduced to $245,000.

-Since Mayor Waters was out of the country, Town Manager Stumpf’s contract will be on the October agenda.

-Town Manager Stumpf has spoken to Ocean Ridge about providing them with water. Their contract with Boynton expires in 2020. They have approximately 1,500 meters, which belong to Boynton Beach and own their own lines. We are waiting on consumption numbers. Ocean Ridge has created a Citizens Advisory Committee and staff plans to attend their October meeting.

-Staff would like to remove dock plans from Architectural Commission (ARCOM) review. Similar code changes have been made in R1-A, R1-B and R1-C. Staff would like to review the other districts and ensure that our code addresses all issues that arise with docks so that they can be removed from ARCOM review. Town Commission agreed by consensus. Staff will begin the process and present to the Commission.

-Update on 1140 S. Ocean Blvd.-Due to safety concerns the permit was not extended for this property. They were asked to present a new application to ARCOM for review including a landscape plan. Previously existing sea grapes on the north property line were removed. They met with ARCOM on September 5th and showed the addition of ten sea grapes that were 15-20’ tall. They were then ordered to add another ten 6 to 8 foot sea grape trees among the larger sea grapes on the north side of the property. The taller sea grapes need to be at least 20’ tall. The trees need to be placed prior to the issuance of a permit. They will need to pay a new permit fee.

PUBLIC COMMENTS

Mr. DuBosar was the attorney for Mr. Doyle the neighbor to the north. Mr. Sherman stopped work as far back as August of 2018. This property has effectively been abandoned. The violations on this property include the removal of the sea grapes and dirt which was piled against Mr. Doyle’s wall. This is a trespass onto Mr. Doyle’s property. This dirt also compromised the integrity of the wall. The Town noticed Mr. Sherman for unsafe conditions. They are asking the Town to require a construction schedule, demonstrate financial responsibility and require Mr. Sherman to build within his own property line. This might necessitate the building of a retaining wall to keep Mr. Sherman’s dirt separate.

Mr. Snellman, the property manager of 1120 S. Ocean was concerned with the amount of fill that was brought in which damaged Mr. Doyle’s wall. He felt that planting the sea grapes should be done after the wall is repaired or a new one built.

Town Attorney Davis explained the wall is not a Town issue but a civil issue between the two owners.
OTHER BUSINESS—There was no other business.

Public Hearing #1

Ordinance #368

Town Attorney Davis read Ordinance #368 by title. Amending the Code of Ordinances in Zoning Districts RC-2 and C-3 in order to revise the regulations for permitted, special exception and prohibited uses and amending certain terminology and add updated definitions. (Second Reading)

The LPA made a recommendation to approve Ordinance #368.

Commissioner Appleby made a motion to approve Ordinance #368 on second and final reading. Commissioner Satter seconded the motion which prevailed by the following vote:

YES: Vice Mayor Bonutti, Commissioner Appleby, Commissioner Siemon, Commissioner Granara and Commissioner Satter

Meeting adjourned at 5:16 p.m.

FINAL BUDGET HEARING

Vice Mayor Bonutti called the Final Budget Hearing meeting to order at 5:16 P.M.

The Commission thanked Town Manager Stumpf and staff for all of the hard work that went into the budget process this year. Town Manager Stumpf stated that the proposed millage rate is 3.0280.

Town Manager Stumpf announced that the millage rate is .371% higher than the rolled-back rate of 3.0168 mills necessary to fund the budget.

The proposed millage rate is 3.0280 mills. The total budget is $12,375,489 for fiscal year 2019-2020. The general fund budget is $5,269,650.

Town Manager Stumpf announced that the specific purpose for the ad valorem revenues are to fund salaries, benefits, fire/rescue, capital equipment and insurances.

Vice Mayor Bonutti opened the meeting to public comment. There was no comment. The public portion of the meeting was closed.

Town Attorney Davis read Resolution 5-2019 by title.

Commissioner Satter made a motion to adopt Resolution 5-2019 with the final millage rate of 3.0280. Commissioner Siemon seconded the motion which passed by the following vote:

YES: Vice Mayor Bonutti, Commissioner Appleby, Commissioner Siemon, Commissioner Granara and Commissioner Satter
Town Attorney Davis read Resolution 6-2019 by title.

Commissioner Appleby made a motion to **adopt** and approve Resolution 6-2019, for the fiscal year 2019-2020 budget. Commissioner Satter seconded the motion which passed by the following vote:

**YES:** Vice Mayor Bonutti, Commissioner Appleby, Commissioner Siemon, Commissioner Granara and Commissioner Satter

The meeting adjourned at 5:21 p.m.

**These minutes were presented to the Town Commission on Tuesday October 22, 2019 for approval.**

_________________________  _______________________
Keith Waters, Mayor                Date Signed

_________________________  _______________________
Lisa S. Petersen, Town Clerk      Date Signed
Meeting Date: October 22, 2019
Agenda Item No.: CA.2
Agenda Item Name: Police Department Chief's Report and Palm Beach County Fire Rescue Response Times for September

ACTION REQUESTED: Discussion

ATTACHMENT:
- The Police Department Chief's Report for September including Monthly Stats
- Palm Beach County Fire/Rescue response times for September
TO: Mayor and Town Commissioners
   Linda Stumpf, Town Manager
FROM: Chief Mattox
SUBJECT: Monthly Report for September
DATE: 10/10/2019

Staffing

Officer Orshowitz started on the 10th of October and is completing the FTO program. Officer Jacknowitz is still out due to an injury. We are using overtime and part time officers to ensure staffing levels.

Fleet

Since the approval of the new budget the new police vehicle has been ordered. I do not plan to order a new ATV until the middle of the fiscal year at the earliest.

Zone Coverage

Due to the current staffing situation we are in the process of utilizing personnel to maintain the best staffing levels.

Training

All officers have completed the monthly computer training and briefing training.

Miscellaneous

The 911 system is up and working. The 911 call data is included in the monthly stats. The last camera is scheduled to be installed by the end of October. Now that the budget has been approved, we are in the process of scheduling the following:

<table>
<thead>
<tr>
<th></th>
<th>Installation of Power DMS Software</th>
<th>A new Software system to provide, disseminate and manage training and improve training records accountability</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>Installation of Net Motion</td>
<td>VPN software designed to provide a more reliable connection for the mobile units in the field.</td>
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<tr>
<td>4</td>
<td>Installation of new radio equipment and replacing the old radio equipment</td>
<td>Replacing Antenna, Repeater and Console to improve radio coverage and meet new mandatory statutory requirements</td>
</tr>
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</table>
Listed below is the summary of finding from the finalized the Speed Study conducted by the FDOT in reference to the curve.

**Summary of findings:**

**Southbound:**
- 2,414 average daily number of vehicles registered during speed counts.
- 15% of total vehicles entering curve at or above 34 MPH, 9 MPH over advisory speed. The ball bank study indicated that the degree of deflection reading at 35 MPH was 15, which is higher than maximum recommended of 12.
- 5% of total vehicles approached and entered the curve at or above 37 MPH, which would have an unsafe degree of deflection significantly higher than maximum recommended.
- Daily average of vehicles entering the curve over 25 MPH advisory speed was 2,232 (92.4%)

**Northbound:**
- 2,409 average daily number of vehicles registered during speed counts.
- 15% of total vehicles entering the curve over 32 MPH, 7 MPH over advisory speed. The ball bank study indicated that the degree of deflection reading at 30 MPH was 14, which is equal to the maximum recommended for speeds between 25 and 30 MPH. At 32 MPH, the degree of deflection is assumed to be higher than this maximum.
- Daily average of vehicles entering the curve over 25 MPH advisory speed was 2,244 (92.1%)

**Conclusions:**
- In general, 92% of vehicles enter the curve at speeds over the advisory speed, and 50% enter at over 29 MPH, 4 MPH higher than the advisory speed.
- A significant number of daily vehicles (15%, 723*) are entering the curve at speeds which result in higher than recommended degree of deflection, therefore increasing the risk of run-off-road crashes.
- Readings from the ball-bank indicator showed that degree of deflections for NB traffic were higher than those of the SB traffic at the same testing speed. Thus, vehicles traveling NB in the curve present a higher risk of running off the roadway, as shown in the crash data where northbound run-off-road crashes were significantly higher than southbound crashes during the study period (9 vs. 1)
- During nighttime hours (8:30PM – 6:30AM):
  - 85th percentile speed was in the range of 31-35 for both NB and SB. 95th percentile speed was higher than day conditions for SB (36-40) vs NB that stood the same (31-35).
  - 97% of vehicles entered the curve at speeds over advisory speed of 25 MPH

As stated in the above findings, the 25 MPH road sign is an advisory speed sign and is not a mandatory speed limit sign. An advisory recommendation can not be enforced. I requested FDOT to replace the advisory signs with the mandatory speed limit sign and they explained they would not change the signs. When the data indicates the majority of traffic is travelling in excess of the advisory, FDOT will not change the signage to a mandatory limit.
To ensure they are complying with DEP regulations FDOT is currently working with the Environmental Management Office in regards to the sea turtles to ensure the flashers will not be detrimental to the sea turtles.

Once this is completed FDOT will advise what changes they will make to the curve. I reviewed the FDOT literature Topic No. 750-010-002, Rule 14-15.012, F.A.C. Speed Zoning for Highways, Roads, and Streets in Florida Revised: August 2018. The material suggests that Electronic Speed Feedback signs may be used in conjunction with advisory signs. I believe this is the solution. Electronic speed feedback signs do not emit as much light as the flashers and are only activated when a vehicle approach. These devices and the way they are programmed will have less of an impact to the environment

I have drafted the attached letter to respond to FDOT and recommend the installation of the Electronic speed feedback signs.

I will continue to monitor the situation and keep the commission aware of the outcome.
October 16, 2019

Nadir Rodrigues, P.E., CPM
Florida Department of Transportation
District 4 Traffic Operations | Traffic Services Engineer

Dear Ms. Rodrigues,

This letter is written in response to the findings from the recent speed study and Curve Safety Analysis regarding the curve located in the 1500 and 1600 block of A1A in the Town of Manalapan. The Curve Safety to enhance the safety of roadway users primarily focusing on reducing run-off-road crashes and bicyclists. Proposed recommendations from this study included signage installation and enhancement with actuated flashing beacon approaching the curve. Indicated the need for improvements at this location.

The Speed Study indicates:

- In general, 92% of vehicles enter the curve at speeds over the advisory speed, and 50% enter at over 29 MPH, 4 MPH higher than the advisory speed.

- A significant number of daily vehicles (15%, 723) are entering the curve at speeds which result in higher than recommended degree of deflection, therefore increasing the risk of run-off-road crashes.

- Readings from the ball-bank indicator showed that degree of deflections for NB traffic were higher than those of the SB traffic at the same testing speed. Thus, vehicles traveling NB in the curve present a higher risk of running off the roadway, as shown in the crash data where northbound run-off-road crashes were significantly higher than southbound crashes during the study period (9 vs. 1).

- During nighttime hours (8:30PM – 6:30AM):
85th percentile speed was in the range of 31-35 for both NB and SB. 95th percentile speed was higher than day conditions for SB (36-40) vs NB that stood the same (31-35).
97% of vehicles entered the curve at speeds over advisory speed of 25 MPH.

In your email you requested that I provide you with a plan of action for enforcement of the speed at the curve. It was brought to your attention that the advisory signs the speed survey mentioned are non-enforceable speed advisory signs. FDOT literature Topic No. 750-010-002, Rule 14-15.012, F.A.C. Speed Zoning for Highways, Roads, and Streets in Florida Revised: August 2018 16.1 (5) Advisory speed warning signs are not to be used as enforceable speeds, although a violation of them is sometimes used by enforcement officers in support of other traffic violation charges. Probable Cause to conduct a traffic stop does not exist from a violation of an advisory speed sign. Therefore, there is no basis for initiating a traffic stop due to a motorist not adhering the advisory speed sign.

The easy solution based on the information of both studies would be to reduce the mandatory speed limit at the approach to the section of highway. This change would allow the Manalapan Police Department the ability to enforce the speed limit at the location. I was informed that reducing the speed limit was not an option.

Due to the finding of both studies and FDOT indication that reduction of the speed limit is not an option I am requesting that Electronic Feedback Speed signs are installed in place of the flashers. I base this request on the following factors. The curve is located on a state highway in a residential area. The roadway is frequented by vehicle, bicyclist and pedestrian traffic. There are no sidewalks or bike lanes in this area. The Electronic Speed Feedback signs do not produce as much light as the roadway flashers thus reducing the impact to the environment.

Sincerely

[Signature]

Carmen Mattox,
Chief of Police

CC: Gerry O’reilly, P.E.,
Secretary, District 4
# Manalapan Police Department
## Monthly Stats
### July 2019

### CALLS FOR SERVICE

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Manalapan Police Department  
Monthly Stats  
July 2019

### INCIDENT REPORTS

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<th>Case #</th>
<th>Incident Type</th>
<th>Zone</th>
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<th>Incident Type</th>
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### MONTHLY TRAINING

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<td>U.S. Supreme Court Decisions Reviews</td>
<td>911 N/A</td>
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<tr>
<td>Body Camera policy Review</td>
<td>Non-Emergency N/A</td>
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### MONTHLY DISPATCH CALLS

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<td>911</td>
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<td>Total</td>
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Palm Beach County Fire Rescue
Manalapan - # of Calls by Type
20190601 to 20190930

Type - Situation Dispatched                  # of Incidents
Medical Calls:                               29
Vehicle Accidents:                           4
Water Related Incidents:                    1
Fires:                                      1
Assists\Investigations:                     2
Alarms:                                     12
Total number of Events:                     49

Calls by Situation Dispatched

Created by Jill Gregory on 06/21/2013
H:\Alyssa\Monthly Response Time Reports\Municipal Call Type Report-pie chart.rpt
Palm Beach County Fire Rescue
Manalapan Response Time Report
20190901 to 20190930

<table>
<thead>
<tr>
<th>Event #</th>
<th>Station</th>
<th>Location of Event</th>
<th>Date</th>
<th>Received</th>
<th>Entered</th>
<th>Dispatch</th>
<th>Enroute</th>
<th>Onscene</th>
<th>Close</th>
<th>Disp Hand</th>
<th>Turnout</th>
<th>Travel</th>
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*Represents call received to arrival. If there is no received time, the County annual average call received to call entered time is used.
TOWN OF MANALAPAN
AGENDA ITEM SUMMARY

Meeting Date: October 22, 2019
Agenda Item No.: CA.3
Agenda Item Name: RES-7-2019 Local Mitigation Strategy (LMS) Plan Agreement with Palm Beach County

ACTION REQUESTED: Discussion [ ] Approval [ ]

BACKGROUND:

The Disaster Mitigation Act of 2000 established a national disaster mitigation program to reduce the loss of life and property by implementing hazard mitigation measures. The Town of Manalapan participates in a Federal Local Mitigation Strategy (LMS) administered by the Federal Emergency Management Administration (FEMA). The LMS Steering Committee recommended adoption of the 2020 revised Local Mitigation Strategy. The 2020 revised Local Mitigation Strategy has been approved by FEMA subject to adoption by the Palm Beach County Board of Commissioners. All municipalities must adopt a new resolution for each revision of the LMS. FEMA and FDEM will not allow an automatic adoption of revisions.

ATTACHMENT:

• RES 7-2019 LMS Strategy
RESOLUTION NO. 7-2019

A RESOLUTION OF THE TOWN COMMISSION OF THE
TOWN OF MANALAPAN, FLORIDA APPROVING AND ADOPTING
THE 2020 REVISED PALM BEACH COUNTY LOCAL MITIGATION
STRATEGY PLAN; PROVIDING AN EFFECTIVE DATE; AND FOR
OTHER PURPOSES.

WHEREAS, Palm Beach County is susceptible to a variety of natural, technological, and human-caused disasters, including but not limited to, severe weather, hazardous materials incidents, nuclear power plant emergencies, communicable diseases, and domestic security incidents as well as climate change impacts and sea level rise that causes increased inundation, shoreline erosion, flooding from severe weather events, accelerated saltwater contamination of ground water and surface water supplies, and expedited loss of critical habitats, and

WHEREAS, the Disaster Mitigation Act of 2000, was enacted to establish a national disaster hazard mitigation program to reduce the loss of life and property, human suffering, economic disruption, and disaster assistance costs resulting from disasters, and to assist state, local, and tribal governments in implementing effective hazard mitigation measures to ensure the continuation of critical services and facilities after a natural disaster, and

WHEREAS, the Disaster Mitigation Act of 2000, as a condition for qualifying for and receiving future Federal mitigation assistance funding as well as reimbursement for Presidentially Declared Disasters, requires such governments to have Federal Emergency Management Agency approved hazard mitigation plans in place that identify the hazards that could impact their jurisdictions, identify actions and activities to mitigate the effects of those hazards, and establish a coordinated process to implement plans; and

WHEREAS, Palm Beach County's Local Mitigation Strategy (LMS), in coordination with governmental and non-governmental stakeholders having an interest in reducing the impact of disasters, and with input from the private sector and other members of the public, developed and revised the Palm Beach County Local Mitigation Strategy; and

WHEREAS, the 2020 revised Local Mitigation Strategy has been approved by the Florida Division of Emergency Management and the Federal Emergency Management Agency subject to adoption by the County Board of County Commissioners; and

WHEREAS, the LMS Steering Committee recommends the formal adoption of the 2020 Revised Local Mitigation Strategy, including planned future enhancements described therein, by the County and all 38 participating municipalities.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE
TOWN OF MANALAPAN, FLORIDA, THAT:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.
Section 2. The Town Commission of the Town of Manalapan hereby approves and adopts the 2020 Revised Local Mitigation Strategy Plan (attached hereto as Exhibit A) in its entirety, as revised by the LMS Steering Committee as submitted to the Palm Beach County Board of County Commissioners, the Florida Division of Emergency Management and the Federal Emergency Management Agency.

Section 3. The Town Commission of the Town of Manalapan authorizes the appropriate Town Officials to pursue available funding opportunities for implementation of proposed mitigation initiatives described in the Local Mitigation Strategy, and upon receipt of such funding or other necessary resources, seek to implement the actions in accordance with the mitigation strategies set out by the Local Mitigation Strategy.

Section 4. The Town Commission of the Town of Manalapan will continue to support and participate in the Local Mitigation Strategy planning and implementation process as required by Federal Emergency Management agency, the Florida Division of Emergency Management, and the Palm Beach County Local Mitigation Strategy Steering Committee.

Section 5. The Town Commission of the Town of Manalapan will consider incorporating climate change concerns, sea level rise and natural hazards into the local comprehensive plan and into future reviews of flood prevention regulations and zoning codes.

Section 6. The Town Commission of the Town of Manalapan directs the Clerk to transmit an original of the executed Resolution to the Palm Beach County Division of Emergency Management, attention Local Mitigation Strategy Coordinator (712-6481), for filing in the Office of the Clerk & Comptroller.

Section 7. This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED this 22nd day of October, 2019.

TOWN OF MANALAPAN

KEITH WATERS, MAYOR

ATTEST: (Seal)

LISA S PETERSEN, TOWN CLERK
The Local Mitigation Strategy

The purpose of the Local Mitigation Strategy (LMS) is to develop, and execute an ongoing methodology for reducing a community’s vulnerability to identified natural, technological, and human caused hazards. The strategy provides a rational, managed basis for considering, and prioritizing hazard-specific mitigation options, and for developing, and executing sound, cost-effective mitigation projects. The LMS provides a basis for justifying the solicitation, and use of local, state, federal, and other funding sources to support hazard mitigation projects and initiatives.

LMS2020 – Why Do We Have an LMS

- We have the LMS in accordance with the Disaster Mitigation Act of 2000 and Title 44 of the Code of Federal Regulations.
- It allows communities to identify hazards and prioritize unfunded projects to mitigate those hazards when funding becomes available from local, state, and federal sources.
- It is required in order to receive Pre-Disaster Mitigation (PDM), Hazard Mitigation Grant Program (HMGP), and Flood Mitigation Assistance (FMA) funding from Federal Emergency Management Agency (FEMA) before, and after a disaster strikes.
- It puts local communities in control of projects and funding priorities.

LMS2020 – What Has Changed Since LMS2015

- Recent years have shown increased vulnerabilities as modeling, and mapping capabilities improve, and as more information is gathered on potential impacts of climate change, and sea level rise. This LMS integrates updated information on storm surge and sea level rise and climate change into our hazards, mitigation measures, mapping and project list.
- Collaboration with the Office of Sustainability and participation in the Southeast Florida Regional Climate Change Compact has increased the number of planning stakeholders we are working with for assessments.
- Analyses of local flooding conditions as it relates to PBC communities
- Update of Agricultural Pests and Diseases with specifics on the citrus industry
- Updates in severities of Pandemic/Communicable Diseases (mosquito borne diseases)
- Improved project tracking system through creation of a WebEOC internet based board, and encouraged participants to track projects; illustrates all of the mitigation work being done in Palm Beach County

Adoption of LMS2020

Your jurisdiction must adopt the LMS2020 in order to be eligible for any mitigation funding in the future (HMGP, PDM, and/or FMA grants). Adoption of LMS2020 is paramount to your community remaining a viable stakeholder in mitigation research, identification, and prioritization. Our communities utilize the LMS to include mitigation in their development, and redevelopment projects through inclusion in their Master Plans and Capital Improvement plans. Communities are proactively including mitigation projects into their internal funding, and capital improvement budgets. LMS2020 is your comprehensive approach to effectively reduce the impact of current, and future hazards, and risk faced within Palm Beach County.

Failure to adopt LMS2020 will negate your community hazard mitigation plans as a condition for receiving certain types of non-emergency disaster assistance, including funding for mitigation projects.
TOWN OF MANALAPAN
AGENDA ITEM SUMMARY

Meeting Date: October 22, 2019
Agenda Item No.: RA 1
Agenda Item Name: Contract with Town Manager Stumpf

ACTION REQUESTED: Discussion  Action

BACKGROUND:
The last three (3) year employment agreement between the Town of Manalapan and Town Manager Linda Stumpf expired on September 30, 2018. The Mayor has been negotiating a new agreement with Town Manager Stumpf. The proposed new five (5) year agreement is attached for Commissions review and discussion.

ATTACHMENTS:

- Contract with Town Manager Stumpf
THIS FOURTH TOWN MANAGER EMPLOYMENT AGREEMENT, (the "Agreement"), is made and entered into this ___ day of October, 2019, as approved by official action of the Town Commission at its regular meeting held on October 22, 2019, to become effective October 1, 2019, by and between the Town of Manalapan, Florida, a municipal corporation, with offices located at 600 South Ocean Boulevard, Manalapan, Florida 33462, hereinafter called the "Town" and "Linda A. Stumpf", hereinafter referred to by name or as the "Town Manager" and sets forth the terms and conditions by which both parties agree to be bound which are fully set forth as follows:

SECTION 1: DUTIES

The Town hereby appoints Linda A. Stumpf as Town Manager effective October 1, 2019 (the "Effective Date") for a term of five (5) years with an expiration date of September 30, 2024 to coincide with the Town’s fiscal year. This appointment as Town Manager of the Town is made in accordance with Article IV, Sec. 4.02. of the Town Charter and requires the performance of the functions and duties specified at Sec. 4.03 of the Town Charter. Additionally, the Town Manager shall be responsible to ensure that of all functions and duties of the Town Finance Director as described in the Town’s personnel policies are fulfilled. The Town Manager shall perform such other legally permissible and proper duties and functions as the Town Commission shall from time to time assign.

SECTION 2: TERMS OF EMPLOYMENT

A. The term of this Agreement shall commence on the 1st day of October, 2019 and remain in effect for a term of five (5) years, or until the end of the day on September 30, 2024, subject to an annual review at which time the terms of this Agreement may be modified by mutual consent of the parties.

B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Town Manager to resign at any time from her position with the Town, subject to the provisions set forth in Section 3, paragraph C of this Agreement.

C. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Town Commission to terminate this Agreement at any time subject to the provisions of the Town Charter set forth at Sec. 4.02 C. and Section 3 of this Agreement.

D. The Town Manager agrees to employment with the Town as set forth in detail herein.
SECTION 3: TERMINATION; RESIGNATION; SEVERANCE PAY

A. In the event this Agreement with the Town Manager is terminated at any time while this Agreement is in effect, for any reason other than misfeasance, malfeasance or nonfeasance in the performances of her duties as set forth herein and in the Town Charter, during which time the Town Manager is willing and able to perform her duties under this Agreement, then the Town agrees to pay the Town Manager severance pay in the amount of four (4) months base salary.

B. In the event that this Agreement with the Town Manager is terminated for misfeasance, malfeasance or nonfeasance by the Town Manager in the performance of her duties, there shall be no severance pay, whatsoever, due to the Town Manager.

C. In the event the Town Manager voluntarily resigns her position with the Town, then the Town Manager shall give the Town sixty (60) days written notice in advance, unless the parties otherwise agree.

SECTION 4: COMPENSATION

During the first year of this Agreement, and through September 30, 2020, the Town agrees to pay the Town Manager for services rendered pursuant hereto an annual base salary of One Hundred Forty Thousand Twenty Seven Dollars and Eighty Cents ($140,027.80), paid in installments at the same time as other employees of the Town are paid, effective with the Effective Date.

During the second through fifth years of this Agreement, in addition to the annual base salary stated above, as may be increased based on the cost of living adjustment stated above, the Town agrees to pay the Town Manager for services rendered the same additional cost of living adjustments that may be given to other Town employees for fiscal years 2020/2021 through 2023/2024, paid in installments at the same time as other employees of the Town are paid.

For all five (5) years of this Agreement, the Town shall consider additional compensation for the Town Manager, which may or may not be provided in the sole discretion of the Town. The Town may provide such additional compensation if, in the sole discretion of the Town Commission, the Town Manager’s performance of her duties during the preceding year justifies additional compensation above that year’s base salary.

SECTION 5: VACATION; SICK LEAVE; PERSONAL LEAVE; AND HOLIDAYS

The Town Manager shall accumulate sick leave and personal leave benefits that are granted to other full-time employees of the Town. The Town Manager shall enjoy the same paid holidays as all other full-time employees of the Town. The Town Manager is entitled earn vacation, sick leave and personal leave at the same rate as all other employees of the Town. The Town Manager is entitled to accumulate up to Three Hundred Sixty (360) hours of vacation leave.
SECTION 6: HEALTH; DENTAL AND LIFE INSURANCE

The Town agrees to provide health/major medical, dental and life insurance coverage for the Town Manager on the same basis as such insurance coverage is provided for other full-time employees of the Town. The provision of life insurance coverage contemplated by this Agreement shall continue beyond the conclusion of this Agreement for the life of the Town Manager, unless the Agreement is terminated for misfeasance, malfeasance or nonfeasance by the Town Manager in the performance of her duties, in which case the provision of life insurance coverage shall terminate in the same manner as all other benefits, pursuant to Section 3. B. above. Likewise, the provision of health/major medical and dental insurance coverage contemplated by this Agreement shall continue beyond the conclusion of this Agreement for a period of six (6) months, unless the Agreement is terminated for misfeasance, malfeasance or nonfeasance by the Town Manager in the performance of her duties, in which case the provision of health/major medical and dental insurance coverage shall terminate in the same manner as all other benefits, pursuant to Section 3. B. above.

SECTION 7: RETIREMENT

The Town agrees to annually contribute the same percentage of Town Manager’s salary into the pension/retirement plan provided by the Town as contributed for all other full-time employees. The contribution from the Town shall be made at the same time as for other full-time employees of the Town.

At the conclusion of this Agreement (unless the Agreement is terminated for misfeasance, malfeasance or nonfeasance by the Town Manager in the performance of her duties), the Town Commission may consider an appropriate “retirement bonus” for the Town Manager based on her years of service and the accomplishments achieved by the Town during her service to the Town. The provision of, and the amount of any such retirement bonus shall be in the sole discretion of the Town Commission.

SECTION 8: CELLULAR PHONE

The Town agrees to provide a cellular phone stipend of $80.00 per month for each month of this Agreement to the Town Manager for use of her personal cellular phone for Town Business.

SECTION 9: DUES; SUBSCRIPTIONS; TRAVEL EXPENSES

The Town agrees to pay for reasonable and customary professional dues and subscriptions of the Town Manager necessary for the performance of her duties and for her continued professional participation, growth and advancement. The Town agrees to budget for and pay the reasonable necessary travel and subsistence expenses of the Town Manager for professional and official travel, meetings and occasions adequate to continue the professional development of the Town Manager, and to adequately pursue necessary official and other functions for the Town, including, but not limited to, the annual conference of the ICMA, the Florida City/County Managers’ Association and the Florida Government Finance Officers’ Association and such other regional, state and local governmental groups and committees thereof which the Town Manager serves as a member.
SECTION 10: AUTOMOBILE ALLOWANCE

The Town agrees to provide the Town Manager with a Town issued vehicle for use in conducting the business of the Town.

SECTION 11: REIMBURSEMENT FOR BUSINESS RELATED EXPENSES

The Town agrees to reimburse the Town Manager for all ordinary and necessary business-related expenses incurred by the Town Manager in the performance of her duties hereunder upon presentation to the Town Clerk of duly executed expense or petty cash vouchers, receipts, statements or personal affidavits, as applicable. In the event that the Town Commission chooses to provide the Town Manager with a Town issued vehicle for use in conducting the business of the Town, then and in that case, the Town shall also provide vehicle insurance as required by state law, fuel, and maintenance for such vehicle at no cost to the Town Manager.

SECTION 12: GENERAL PROVISIONS

A. The text herein shall constitute the entire agreement between the parties.
B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Town Manager.
C. This Agreement shall become effective as stated herein.
D. This Agreement may not be modified or changed in any way whatsoever except by written agreement of the parties.
E. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.
F. Should either party deem it necessary to institute legal action to enforce the terms and conditions of this Agreement, the prevailing party shall be entitled to attorneys' fees, including fees on appeal.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the Town of Manalapan has caused this Fourth Employment Agreement to be signed and executed on its behalf by its Mayor and duly attested by its Town Clerk, and the Town Manager has signed and executed this Fourth Employment Agreement, in duplicate, the day and
year first above written.

ATTEST:

Lisa S. Petersen, Town Clerk, CMC
(Town seal)

TOWN OF MANALAPAN

Keith Waters, Mayor

TOWN MANAGER

Linda A. Stumpf

Witness

Witness
TEMP OF MANALAPAN
AGENDA ITEM SUMMARY

Meeting Date: October 22, 2019
Agenda Item No.: RA 2
Agenda Item Name: Dates for the November and December Town Meetings

ACTION REQUESTED: Discussion ❑ Action ❑

BACKGROUND:

At the October 22, 2019 Town Commission Town Manager Stumpf discussed the possibility of changing the dates for the November and December Town Commission meetings due to the holidays. Thanksgiving is on Thursday, November 28th and Christmas is on Wednesday, December 25th. The normally scheduled meetings for these months are Tuesday, November 26th and Tuesday, December 23rd. Historically, the meetings dates are changed to not conflict with the holidays.

If there is to be a change in the meeting dates, it should be done at this Town Commission meeting. Staff is proposing holding the November meeting on Tuesday the 12th and the December meeting on the 10th.
TOWN OF MANALAPAN
AGENDA ITEM SUMMARY

Meeting Date:          October 22, 2019
Agenda Item No.:      RA 3
Agenda Item Name:     Town Manager Stumpf’s Report

ACTION REQUESTED:     Discussion  Action

BACKGROUND:
  • Code Enforcement
  • Update from Pension Board
  • Update from Ocean Ridge Septic to Sewer Citizens Advisory Committee meeting
  • Update from Mock Roos Town wide Utilities Program
  • Library Read for the Record November 7th at 3:30
  • Library Season Opening party December 5th at 6:00
  • Update on FEMA reimbursement increase