



THE MAILBOAT



VOLUME 16 NO. 1 1st QUARTER 2010

The Town of Malabar got its 1st official Post Office and name on December 24, 1883 when R.A. Ward was named Postmaster by President Chester A. Arthur. Two times a week, the boat that travelled down the intracoastal waterway from Jacksonville, would deliver the mail to the palmetto shack post office along the river bank at Malabar. The mail was dumped on the counter for the population of 25 to shuffle through. With the coming of the railroad, in 1893, the mail boat was no longer needed.

SAVE THE DATE FOR MALABAR

SPRINGFEST 2010

MALABAR SPRINGFEST is upon us once again. The Springfest Committee is busy planning for another successful day in the park. This year's event is being brought to you by the **Town of Malabar, Hometown News, Space Coast Marketing, Waste Management, FPL,** and our own **MIMA.** Mark Saturday, April 10th, on your calendars. The festivities will take place from 10:00 a.m. until 4:00 p.m. This will be another year of good food, live entertainment, raffle prizes, 50/50 raffles, games and puppet shows for the kids. Pick your favorite song; a Karaoke Contest will be held again, with monetary prizes for the best three singers. Come and show us what talent we have here!!!



The Springfest Committee would like to thank all of our sponsors, donors and volunteers for their continued support of the Town of Malabar. We appreciate all that you have done and continue to do for us throughout the year. We are excited that you are participating again this year and look forward to another memorable event.

We look forward to seeing everyone at Springfest in the Malabar Community Park (adjacent to Malabar Fire Department) on April 10, 2010 from 10 a.m. – 4 p.m.

MAKE SURE YOU ARE COUNTED THE 2010 CENSUS

The 2010 Census questionnaire will be sent out mid-March. Please take a few moments to answer the questions regarding your household; it's only ten questions, the shortest survey in the history of the Census. The Census survey is due back by the 1st of April. If it is not received, a reminder survey will be sent out to your home. If the reminder survey is not received, a Census worker will be knocking on your door to ask the questions that were sent out to you.

It is very important for each household in the community to complete the survey and turn it back in. The information that you provide is strictly confidential and cannot be released to anyone. This information will help the Federal Government determine how \$400 billion dollars will be spread out over the local governments in the country. More importantly, it will determine how much monies are distributed to your own local government and neighboring communities. These funds assist with recruiting new businesses; planning for future needs such as housing, transportation needs, drawing school district boundaries and developing community assistance programs. It will also determine the level of disaster assistance that can be received following declared disasters.

Did you know it's the law; all people living in Brevard County and the United States at least six months of the year are required to complete and return their census forms.



MALABAR TEEN COUNCIL

Mayor Thomas M. Eschenberg

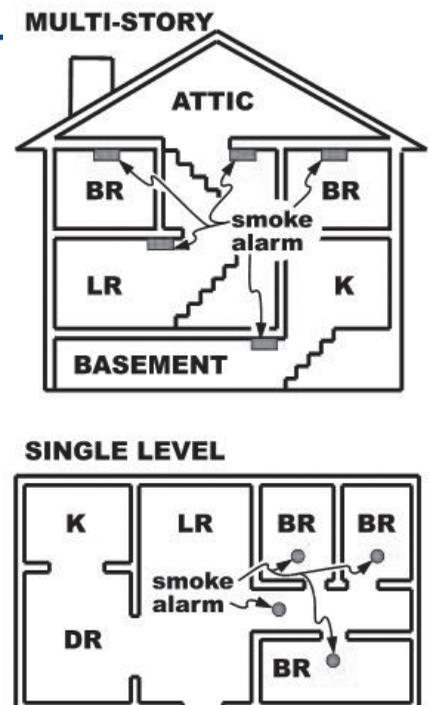
In 2008, teenagers learned first-hand what it is like to sit as a “mock” Town Council and make decisions. To increase teenager’s civics education, Mayor Tom Eschenberg has formed the Malabar Teen Council. The teens participate in a simulated Town Council meeting. Mayor Eschenberg chairs the meeting and follows Robert’s Rules of Order. As in a regular Town Council meeting, the Mayor does not vote except to break a tie. An agenda similar to regular Malabar Town Council meetings is used, starting with opening prayer and pledge and followed by roll call, approval of minutes from previous meeting, public input and action items. The action items are actual issues discussed and voted on previously by the Malabar Town Council. Parents are encouraged to make themselves familiar with the issues, attend the meetings and act as the public by coming up to the podium to address the issues and give their opinion on how the Council should vote. In the spring session, the Teen Council has dealt with issues such as fence heights, wild pigs, town employee layoff, building height, doggie dining and whether a town resident can raise a lion. The teens have lively discussions and are very innovative in coming up with conditions to apply before passing a motion. The teens always look forward to their next meeting. The Mayor announced a break for the summer and meetings would start

again in September 2009. The teens objected and said school starts in August and they wanted to have meetings start again in August 2009. The August meeting was held on the 25th and the teens dealt with parking of commercial vehicles, cutting down trees, a raceway in Malabar and an MSTU tax for Sheriff services. At the September meeting, the teens decided whether to support additional EEL’s land purchases, a land use & zoning change to allow a magic market with gas pumps, installing stop signs on Corey Road and they made a final decision on the Malabar Raceway. Teen Council minutes and agendas are posted on the town web site. The biggest problem the Mayor has is running out of contentious issues to bring before the teens. The teen’s decision would then be sent to the Town Council as an advisory opinion. I urge everyone to consider attending a Teen Council meeting. It is really enjoyable to listen to them discuss the issues and bring them to a vote. The meetings are usually held on either the third or fourth Tuesday of the month at 7:00 p.m. Check the Town web site for the date. The Teen Council has space available for 2 more members. If any teen is interested in learning how local government operates, call Town Hall at (321) 727.7764 and request an application by e-mail or stop in and fill one out.

INFORMATION ABOUT SMOKE ALARMS

Chief Joe Gianantonio

Two-thirds of home fires that kill children under age 5 occur in homes without a working smoke alarm. When fire breaks out, you have only seconds to escape its powerful heat, blinding smoke, and deadly gases. Families can dramatically increase their chances of surviving a fire simply by installing and maintaining working smoke alarms. Install and maintain smoke alarms on every level of your home and outside of sleeping areas. Test your smoke alarms monthly and replace the batteries at least once a year. If you keep the door of your baby’s bedroom closed, keep a working smoke alarm in the room and use a baby monitor so you can hear when the alarm sounds. As soon as your children are old enough to understand, familiarize them with the sound of the smoke alarm. Teach them that when one goes off, they must leave the home and go to the designated family meeting place outside. Cut your family’s chances of dying in a house fire in half by having a working smoke alarm.



Town Happenings . . .

TOWN OF MALABAR RETIREMENT

The Town of Malabar has had its first employee retirement. Stephen "Mike" Brown retired on January 27, 2010 after serving the Town for 19 years. Mayor Eschenberg made a presentation to him with a proclamation and plaque at the RTCM of February 1, 2010. We will miss him and his work but know that he will be enjoying his time with his wife and family; they plan to do a lot of traveling.

DO YOU KNOW WHAT A SWALE IS?

When land is converted from its natural state to other uses like roads and homes, many impervious surfaces are created. Rainfall becomes storm water when it can no longer soak into the ground and "runs off" the impervious surfaces. Many people think the ditches in Malabar have one primary purpose to carry off runoff and drain it "somewhere" and that is not correct. Malabar's stormwater runoff ends up in the Indian River Lagoon via Goat Creek in the south areas and Turkey Creek in the middle areas. Malabar's Stormwater system relies on the 'open ditch' drainage. We require new construction to hold the first inch of water from the developed area on the site. The ditches and swales then receive the remaining runoff and allow it to pond. This slows the rate of the flow and allows pollutants to settle out of the water. It is designed to hold water and allow it to filter runoff and reduce pollutants. Ditch blocks are actually installed in ditches to hold back water to allow for this filtering to take place. In times of high velocity and volume of rain water, the runoff would pass over these ditch blocks. These practices also minimize flooding, protect property and reduce pollution of water bodies. We need to all do our part to keep our swales clean. Don't throw yard debris into the swales and ditches. Don't take out the ditch blocks the Town installs. If you have a question about stormwater, please call Town Hall.

WELCOME TO OUR NEWEST COUNCIL MEMBER

Marisa Acquaviva was sworn into office on Thursday, November 5, 2009 as our newest Council Member. Since that time she has been working to learn of the issues of the Town. Prior to being sworn in, she attended a conference to help prepare her for her new role. Please make her feel welcome in her newest job. If you haven't met her yet, stop by one of our regularly scheduled meetings (1st and 3rd Mondays of each month) and introduce yourself. She is proud to be a Malabarian, having lived here 15 years, and would be very pleased to meet the residents of the Town.

VOLUNTEERS WANTED AND NEEDED FOR BOARDS AND EAGLE PATROL

We are accepting applications for all of our Boards. Anyone interested in being involved with the decision-making process of the Town, please feel free to submit an application. You could be part of Malabar's history. Call 321-727-7764.

Park & Recreation Advisory Board has one alternate position available – Meeting time is the 3rd Wednesday of each month.

Planning & Zoning Advisory Board is full at this time but applications are being accepted – Meeting times are the 2nd and 4th Wednesday of each month.

Board of Adjustment has two alternate positions available – Meeting time is on an "as needed" basis.

Greenways & Trails – volunteers needed for trail maintenance.

Eagle Citizen Patrol - citizen patrol Malabar during the day providing "extra" eyes while people work. Many openings available to fit your schedule. Call 321-727-7764.

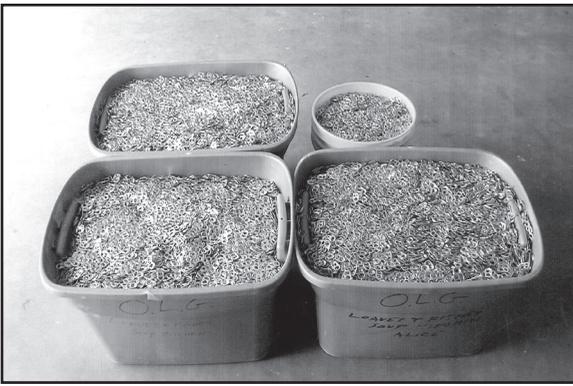
STIMULUS PROJECTS TO BEGIN IN MARCH

Town Administrator Bonilyn Willbanks

Within the next few weeks, you will notice roadwork beginning on Corey and Weber Roads at Atz & Hall intersections. These projects were awarded to us under the ARRP Stimulus Act. The work will require that from time to time, the roads will need to be closed and traffic redirected. The contractor has assured me that it will be kept to a minimum so as to not disrupt your travel routes unnecessarily. Notification Boards will be placed at the sites to give as much notice as possible.

MALABAR BUILDING OFFICIAL HELPS RONALD MCDONALD HOUSE

Roger Cloutier, Malabar Building Official, has been collecting aluminum tabs from drink cans since 1997 while working for Brevard County Building Department, then the City of Palm Bay Building Department and most recently in Malabar Building Department. People would drop off small pockets of tabs. The collections went from 50 pounds to 83 pounds to now approximately 160 pounds. This month they will be delivered to the Ronald McDonald House in Orlando. They sell them and use the money to support lodging for families of seriously ill children who are receiving care in nearby hospitals. Good Job Roger!



MALABAR WISH LIST:

Vickie Thomas, Malabar Parks & Recreation Board

Do you have something that you would consider donating that our Town would have a use for? Would you like to memorialize a loved one or an organization that you belong to? If you answered “yes”, please contact Vickie Thomas about what you have in mind. We have just begun to put together a Wish List that includes park benches, picnic tables, kiosks for the parks, recreational items, park signs, and luxuries that would require grant funds or more years of waiting that include but are not limited to a rest room, gazebo, and fence material and so on. If you have an item that we haven’t thought of yet that would benefit Malabar or creative ideas of how to make our Town better without using tax dollars, call me on my cell at 321.960.7446 or e-mail me at 321properties@gmail.com and we will discuss it. I am a member of the Malabar Park & Recreation Board and if you would like to share your ideas at one of our meetings, they are held on the third Wednesday of each month at 7:30 p.m.

TRASH BASH IS APRIL 17, 2010 FROM 8 a.m. – 12 NOON

Trash Bash is an annual event that is part of the Keep America Beautiful which evolved after the first Earth Day in 1970. Malabar has been participating in this event for over 15 years. Every April for the past 24 years, individuals and groups have joined Keep Brevard Beautiful in our community to help clean up unsightly litter. They help remove debris from neighborhoods, parks, roadsides, shorelines and wherever litter is found. By providing an example of positive behavior, volunteers help change attitudes about litter.

As a result of the action taken by volunteers during Trash Bash, our community looks clean and beautiful and there is a sense of community pride. Sponsored by Florida Inland Navigation District and Waste Management of Florida, Inc., Trash Bash is an event supported by the Brevard County Commissioners and all municipalities in the county. A spirit of friendly competition prevails to recruit volunteers and reduce the most litter on April 17, 2010.

Please come out to Malabar Town Hall, 2725 Malabar Road, to sign up for an area of Town to pick up litter between 8 a.m. and 12 noon and then come back to Town Hall at noon to check the results. Town staff will monitor the collection of the litter picked up during this period. In the past, some of our volunteers have brought in some very unusual items. We also accomplish a great goal of cleaning up our Town. In the spirit of friendly competition, we compete with similar sized communities for overall litter collected and volunteers that participated and could again win a cash prize for one of our non-profit organizations. Please consider coming out to participate in the event. Call 321-727-7764 for more information or to pre-register.

Keep it Clean and Green



MALABAR OFFICIALS WANT YOUR INPUT!

Within the next few weeks, Council will be sending feedback to the P&Z Board regarding possible changes to the land use designations in our Comp Plan. Land Use designations are approved on a “Future Land Use Map” or FLUM and must be approved by the State. Once the designations are approved, the property owner can ask for the corresponding zoning change. The P&Z Board has been working on this for the last many months. There was a Joint meeting with Council on February 24, 2010 to review the preliminary recommendations from P&Z. Both the Council and the P&Z Board would like your participation and input on this effort. Should we have more commercial along Malabar Road? Should we provide more commercial along Babcock? Some say we should not allow commercial development until Malabar Road is widened. Some say we should widen Malabar Road so commercial development will come. Malabar Comp Plan and Land Use Regulations prohibit automobile car lots and gas stations along Malabar Road.

Our FLUM was approved in 1988 and extended out to 2010. It is being reviewed to determine if it should be updated. We have made three changes to the FLUM since 1988 but they each involved single properties.

RLC would allow mixed use – residential and limited commercial. It was created in the mid 1990’s to provide a method for existing home owners along Highway 1 to keep their residence but to allow their business to operate from it. Would you support a similar change along Malabar Road?

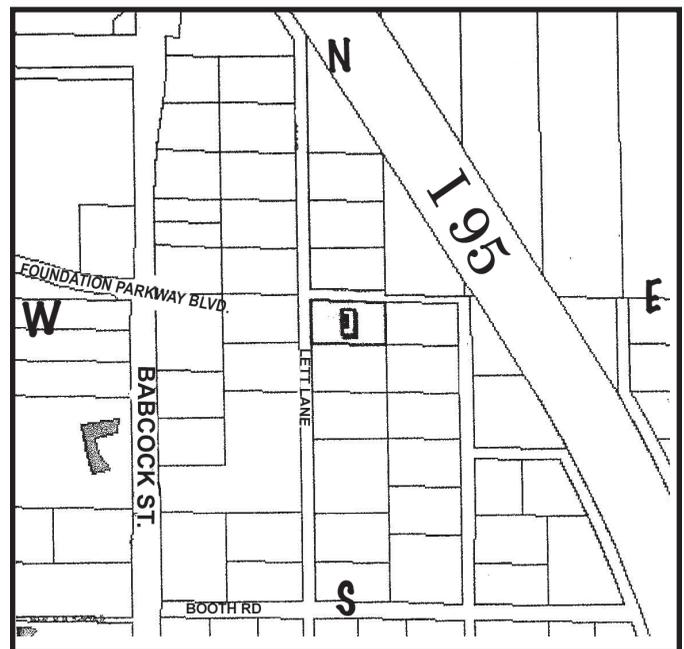
CL, commercial limited allows for limited commercial development up to 4,000 sf of retail. OI, office institutional, allows for office development. Most of this type of business would close up at 5PM so it is ideal as a buffer to residential.

Please check our website, www.townofmalabar.org for upcoming agendas for Council and P&Z meetings where this item will be discussed. After the Council and P&Z Board come to a consensus, we will be putting up signs and sending out information on the website to attend public hearings on these proposals. The last time we did this we had an outstanding response.

Malabar’s Charter states that the Town shall remain a rural community. But we are also home to Harris Corporation, Digital Graphics, Data Management, Warrior Books, MIMA, Palm Bay Pediatrics, The Eye Institute, Callagy Tires, commercial storage facilities, and numerous small businesses and home businesses. Malabar Council and the P&Z Board would like to hear what you think.

MALABAR FEASIBILITY STUDY FOR FOUNDATION PK BLVD EAST:

The Town recently had a feasibility study done on extending Foundation Parkway Boulevard to the east side of Babcock Street in order to connect to the Lett Lane intersection and provide access to the parcels within the CG and CL zoning classifications. The study showed there were wetlands issues but with approaching the access as a curved road around the wetlands, it was very feasible. We are preparing a letter to all property owners north of Booth Road and west of I-95 to determine a level of interest. The area could be designated a PUD (planned unit development) for commercial purposes. We will be providing more information on the Town website.



Update on Adopted/Failed Ordinances & Resolutions

(last reported in first quarter 08/09 FY newsletter):

Ordinances:

- 2008-13**-Amend the LDC, Amending Article XX, Malabar Vernacular –**Adopted 10/20/08**
- 2008-14**-Amend Article XVII of Malabar LDC Code Relating to Use of Fees in Lieu of Land Dedication for Parks & Recreation-**Adopted 12/15/08**
- 2008-15**-Amend Article XIX of the LDC Code Relating to Political Signs-**Adopted 12/15/08**
- 2008-16**-Referendum on 2010 Ballot Election Relating to the Election & Term of Office of Town Council & Mayor & Section 2.09 Relating to the Filling of Vacancies-**Adopted 12/15/08**
- 2008-17**-Adopt Annual Updates to Capital Improvement Element with Town’s Comprehensive Plan-**Adopted 12/15/08**
- 2009-20**-Amend Special Activity Permit Regarding Deposits-**Adopted 02/02/09**
- 2009-21**-Amend Culvert Code to Mitered Endwalls-**Adopted 05/04/09**
- 2009-22**-Adopt ICC Codes – 2007-**Adopted 05/04/09**
- 2009-23**-Amend Bid Advertising – Internet-**Adopted 05/04/09**
- 2009-24**-Electric Franchise with Florida Power & Light-**Adopted 08/17/09**
- 2009-25**-Foreclosed Properties-**FAILED 09/09/09**
- 2009-26**-Millage Rate for 10/01/09-09/30/10 Fiscal Year-**Adopted 09/21/09**
- 2009-27**-Budget for 10/01/09-09/30/10 Fiscal Year-**Adopted 09/21/09**
- 2009-28**-Correct an Error in Chapter 13 of the Code of Ordinances; Removing Article III of Chapter 13 Due to an Error by the Town’s Codification Company; Amending Section 13-54 of Article II, Division 2 of Chapter 13-**Adopted 11/16/09**
- 2009-29**-Amend Section 13-39; Providing for an Exception; Adding a New Section 13-39.1; Providing for the Dedication of Easements Under Certain Circumstances-**Adopted 12/07/09**

Resolutions:

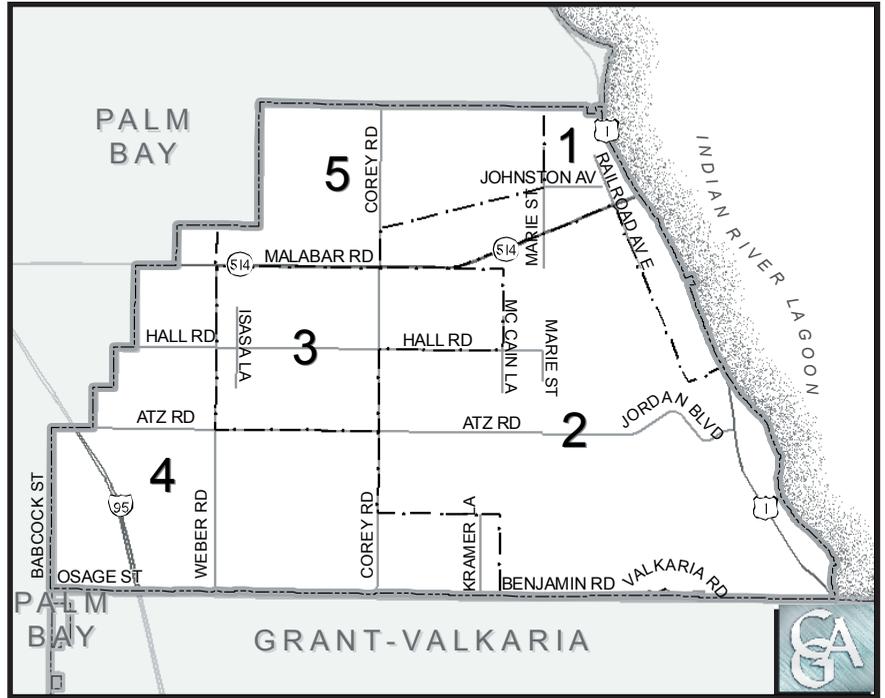
- 35-2008**-Budget Adjustment to 07/08 Fiscal Year-**Adopted 09/08/08**
- 35A-2008**-Interlocal Agreement with Brevard County for Stormwater Program-**Adopted 09/22/08**
- 36-2008**-Water/Sewer Utility Rates 08/09 FY-**Adopted 09/22/08**
- 37-2008**-Appointment of Liz Ritter to Planning & Zoning Board-**Adopted 09/08/08**
- 38-2008-Resolution Withdrawn**
- 39-2008**-Set Fees & Deposits for Use/Rental of Park-**Adopted 11/03/08**
- 40-2008**-Initiating Conflict Resolution Proceedings with the City of Palm Bay-**Adopted 10/06/08**
- 41-2008**-Recognizing the “Building of Citizenship in the Community”-**Adopted 11/03/08**
- 42-2008**-Budget Adjustment to 08/09 Fiscal Year-**Adopted 10/20/08**
- 43-2008**-Interlocal Agreement w/ Brevard County for use of Countywide Radio Network-**Adopted 01/05/09**
- 44-2008**-Theft Prevention Program Policy Protecting Against Establishment of False Accounts-**Adopted 10/20/08**
- 45-2008**-Appointment of Bridget Ports to the Planning & Zoning Board-**Adopted 11/17/08**
- 46-2008**-Adopting Policy for Investment Procedures-**Adopted 12/01/08**
- 47-2008**-Budget Adjustment to 08/09 Fiscal Year-**Adopted 12/15/08**
- 01-2009**-Amending Council Procedures-**Adopted 02/02/09**
- 02-2009**-Acceptance of Audit Report for 07/08 Fiscal Year-**Adopted 03/02/09**
- 03-2009**-Select Calvin Giordano & Assoc., Inc. for Foundation Park Boulevard Feasibility Study-**Adopted 04/06/09**
- 04-2009**-Budget Adjustment for 08/09 Fiscal Year-**Adopted 04/20/09**

- 05-2009-Budget Adjustment for 08/09 Fiscal Year-**Adopted 04/20/09**
- 06-2009-Budget Adjustment for 08/09 Fiscal Year-**Adopted 05/19/08**
- 07-2009-Repeals Resolution 05-2009 Budget Adjustment for 08/09 Fiscal Year-**Adopted 05/04/09**
- 08-2009-Approval for Temporary Building Official to Fill In-**Adopted 05/04/09**
- 09-2009-Prioritize Intercity Rail Component of the FEC Corridor Project (from Jacksonville to Miami)-
Adopted 05/15/09
- 10-2009-Malabar Support of 10th Amendment to the Constitution-**Adopted 05/18/09**
- 11-2009-McKinney Commercial Construction Group, Inc. for Garage Doors at Fire Department-
Adopted 06/01/09
- 12-2009-Providing for Council Approval of Local Agency Program Agreement with FDOT-**Adopted 06/15/09**
- 13-2009-Non-binding Referendum on 2010 Ballot Election to Determine if Town of Malabar Should Continue to
Support Purchase of Commercial & Residential Real Property by EELs-**Adopted 07/06/09**
- 14-2009-Budget Adjustment for Fiscal Year 2008-2009-**Adopted 07/20/09**
- 15-2009-Adopting Green Building Standards for the Construction & Major Renovations of Town Buildings-
Failed 07/20/09
- 16-2009-Supporting the City of Weston and Other Local Governments in a Lawsuit Challenging Senate Bill 360
as Being Unconstitutional-**Adopted 07/20/09**
- 17-2009-Supporting & Endorsing the Principles of Home Rule & Adopting Policies Set Forth Below to Support
the Premise that the Town Should Have the Authority to Govern within its Jurisdiction; Further Providing
that Such Authority Should Not be Eroded-**Adopted 08/03/09**
- 18-2009-Adopting Annual Budget for Town's Stormwater Utility-**Adopted 09/09/09**
- 19-2009 – Adopting Malabar Utility Rates – **Adopted 9/21/09**
- 20-2009-Amending Resolution 04-2009 in its Entirety & Providing for a Budget Adjustment in the Fiscal Year
2008-2009-**Adopted 09/21/09**
- 21-2009-Pertaining to a Budget Adjustment in the Fiscal Year 2008-2009-**Adopted 09/21/09**
- 22-2009-Setting Fees and Deposits for Use and Rental of Park-**Adopted 10/19/09**
- 23-2009-Replacing Section 5.8 of Employee Manual Providing for FMLA-**Adopted 11/16/09**
- 24-2009-Addressing Recent Trend of Violent Criminal Offenses-**Adopted 11/16/09**
- 25-2009-Naming of Right-of-Way South of Hall Road for a Distance of 1000' as Gator Way Lane-
Adopted 11/16/09
- 26-2009-Acceptance of Portion of Marie Street for Operation/Maintenance-**Adopted 12/07/09**
- 27-2009-Providing for Budget Adjustment in 2009-2010 FY-**Adopted 12/07/09**
- 28-2009-Providing for Budget Adjustment in 2009-2010 FY-**Adopted 12/21/09**
- 29-2009-Approval of Proposal from CMA for Project 1, ARRA-215 FPN 426268 for \$18,375-**Adopted 12/21/09**
- 30-2009-Approval of Proposal from CMA for Project 2, ARRA-229 FPM 426268-1 for \$4,775-
Adopted 12/21/09
- 31-2009-Approval of Proposal from CMA for Project 3, ARRA-304 FPM 426268-2 for \$20,105-
Adopted 12/21/09
- 32-2009-Approval of Proposal from CMA for Project 4, ARRA-239 FPM 426304 for \$9,525-**Adopted 12/21/09**
- 33-2009-Approval of Proposal from CMA for Project 5, ARRA-241 FPM 426306 for \$10,525-**Adopted 12/21/09**
- 34-2009- Approval of Proposal from KCF for Project 6, ARRA-245 FPM 426310 for \$7,446.90-
Adopted 12/21/09
- 35-2009-Council Approval of the Local Agency Program Supplemental Agreement with FDOT-
Adopted 01/04/10
- 36-2009-Budget Adjustment in 2009-2010 FY-**Adopted 01-04-10**
- 37-2010-Opposing any Legislation for the 2010 State Legislative Session that Releases Dangerous Felons
Early or Places any Additional Constraints on the Sentencing of Convicted Felons-**Adopted 02/01/10**
- 38-2010-Appointment of Charles Frazee to Serve on BOA-**Adopted 02/01/10**

Know Your Representatives on Council

The Council members to the left represent these districts:

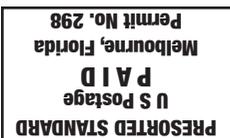
- District 1:** Nancy Borton
724-1540 141 Riverview Dr.
- District 2:** Brian Vail
952-9110 2700 Smith Lane
- District 3:** Steve Rivet
956-6551 2005 Rivet Lane
- District 4:** Jeffrey McKnight
722-1243 2005 Flashy Lane
- District 5:** Marisa Acquaviva
768-1127 1120 Baywood Court
- Mayor:** Tom Eschenberg
724-1007 2835 Beran Lane
- Town Administrator** Bonilyn Wilbanks
Town Hall 727-7764 x13
- Town Clerk/ Treasurer** Debby Franklin
Town Hall 727-7764 x12
- Town Fax** 722-2234
- County Comm.** Trudie Infantini, Dist. 3
952-6300



St. John's River Water Mgmt District www.sjrwmd.com

Editor - Debby Franklin www.townofmalabar.org

The printing of this newsletter was generously donated by Data Management



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