

**MINUTES OF THE ORGANIZATION MEETING  
OF THE LITTLE SILVER BOROUGH COUNCIL  
January 4, 2010**

The meeting was called to order and the Statement of Compliance with the Open Public Meetings Act given by Mayor Castleman at 7:30 p.m.

"Adequate notice of this meeting has been provided by the mailing of a notice to the Asbury Park Press and The Two River Times, by filing same with the Clerk of the Borough of Little Silver and by prominently posting said notice on the bulletin board of the Borough Hall, all since January 5, 2009."

The salute to the flag was led by Mr. O'Hern and followed by a moment of silence.

Roll Call:

Present: Mayor Castleman, Mr. Bitman, Mr. Gilmour, Mr. Levine, Mr. Neff, Mr. O'Hern, Mr. VanWinkle, Attorney Bennett and Mr. Biehl, Administrator/Clerk

Absent: None

Mr. Biehl read the following:

A statement of the determination of the Board of County Canvassers relative to an election held in the Borough of Little Silver on the 3rd day of November, in the year of our Lord, two thousand nine for the election of Municipal Officers for said

**LITTLE SILVER BOROUGH**

The said board to determine that at the said election,

**JONATHAN H. BITMAN AND DAVID E. GILMOUR. WERE DULY ELECTED MEMBERS OF THE BOROUGH COUNCIL.**

IN WITNESS WHEREOF, We have hereunto set our hands this 10<sup>th</sup> day of November in the year two thousand nine.

Leah Falk, Chairperson, Board of County Canvassers  
Norine Kelly, Member, Board of County Canvassers

Attest: M. Claire French, County Clerk, Bd. Of County Canvassers

J. Ann Dinor, Member, Board of County Canvassers  
Karen Haines, Member Board of County Canvassers

Attest: Bertha C. Sumick, Special Deputy Clerk

Borough Attorney John O. Bennett Esq. administered the Oath of Office to Council Members Jonathan H. Bitman and David E. Gilmour

Roll Call:

Present: Mayor Castleman, Mr. Bitman, Mr. Gilmour, Mr. Levine, Mr. Neff, Mr. O'Hern, Mr. VanWinkle, Attorney Bennett and Mr. Biehl, Administrator/Clerk

Absent: None

Mayor Castleman presented her message:

I would be remiss if I did not begin by thanking all of those who so unselfishly volunteered their expertise and time in service to our community in 2009 and sincerely hope they will continue to do so in the future. As I have stated numerous times our volunteers are without a doubt the backbone of our town and without them many programs and services would suffer greatly or quite possibly be non-existent.

I also wish to commend our entire work staff and professionals for their dedication in meeting the needs of our Borough and its' residents – many times going above and beyond the call of duty.

You've seen improvements throughout our town during this past and previous years. These accomplishments continue to be part of an on-going plan. Some of the projects which were addressed in 2009 and those which will continue into 2010 are as follows:

**Memorial Park** (across from the firehouse):

The initial plans which were reviewed and approved by the Shade Tree Commission and residents are completed and the project can now move forward.

Our County Open Space Grant acceptance notification recently came through in the amount of \$67,000 for this project.

**Markham Place Tennis Courts:**

Includes replacement of fencing and nets only. The old ones are in poor condition. Bids are in hand and the preconstruction meeting completed. Work will begin when weather permits.

**New Jersey Transit Parking Lot** (On west side of station next to southbound track):

Improvements are greatly needed as the lot is currently in poor shape. Bids have been received and awarded for Phase #1 which includes curbing, drainage and sidewalks.

**Howards' Beach and Silvermere Drainage Project:**

Bid has been awarded and the preconstruction meeting completed. Work will be done when weather permits. Inlets and drainage pipe will be installed on Silvermere and the inlets nearby on Little Silver Point Road will be connected to a headwall at the creek.

**Borough Hall:**

A bid for replacement of the entrance stairway and the addition of a handicapped ramp to the rear of the building has been awarded. The preconstruction meeting was held, however, construction has been delayed due to weather.

**2010****New Jersey Transit Parking Lot (On west side of station next to southbound track):**

Phase #2 – Installation of a new daily meter parking system and restriping and numbering of the spaces. This does not replace the permit parking but does allow for the use of the new multi-meter system.

**Department of Public Works Garage and Recycling Facility Upgrade:**

We are upgrading our current facility as needed. An office trailer has been purchased and installed, a new car lift installed, the door opening for a service bay for large trucks has been enlarged and an emergency generator installed. A new truck lift is also needed and planned for the future.

**Purchase of Jet Vac Replacement:**

Our current 1984 truck was purchased used from the Sewer authority about 10 years ago and has out lived its' usefulness and is too expensive to repair. For several years various avenues have been explored and finally a vehicle purchase was chosen as the best route to take. Under the New Jersey Municipal Stormwater Management Program the Borough is required to implement a stormwater facility maintenance program that includes a minimum of yearly catch basin inspection and cleaning to ensure proper functioning of all municipally owned stormwater facilities.

**Woodbine Avenue:**

Sidewalk replacement, new curbing and paving will be done utilizing a State grant. Prior to road repaving the water and gas lines were improved by the respective utilities. This project will encounter the unhappy thought of old tree removal as occurred on Silverton Avenue but, there will also be replacement trees planted by the Shade Tree Commission.

We are all very much aware of the economic situation throughout the Country and State. We will continue our practice of doing everything we possibly can to keep the financial condition of our Borough stable. Also we are continuing efforts to share services with other communities when it fiscally makes sense in order to hold down taxes without jeopardizing the services provided to our residents.

I hope I have been able to adequately share with you some of the major issues facing our Borough. All of us on the Governing Body are totally committed to working together to provide the very best for the residents of Little Silver in the most cost effective way.

Many thanks for your continued support and we wish one and all a very healthy, safe and happy New Year.

Mr. Biehl read the following:

## RESOLUTION

BE IT RESOLVED that Daniel J. O'Hern, Jr. be and is hereby elected President of the Council of the Borough of Little Silver for the year 2010.

Motion: Mr. Gilmour  
Second: Mr. VanWinkle

Council and Public discussion: None

Roll Call:

Affirmative: Mr. Bitman, Mr. Gilmour, Mr. Levine,  
Mr. Neff, Mr. O'Hern, Mr. VanWinkle  
Negative: None  
Abstentions: None

Mayor Castleman administered the Oath of Office to the following Fire Department Officers:

Chief	Francis Salerno
Assistant Chief	James Jiminaro
Captain	Andrew Smith
1 <sup>st</sup> Lt.	Peter Giblin
2 <sup>nd</sup> Lt.	Bruce McDonald

Mayor Castleman administered the Oath of Office to the following Fire Police Officers:

Captain	Lester Mathis
Lieutenant	Roger Dolan
Sergeant	Daniel Kelly

Mayor Castleman administered the Oath of Office to the following Emergency Medical Services Officers:

Captain	Peter Giblin
1 <sup>st</sup> Lt.	David Whittle
2 <sup>nd</sup> Lt.	Michael Very
Sergeant	Charles Sidun

Mr. Biehl read a Resolution to adopt the 2009 Temporary Budget (see copy attached).

Motion: Mr. VanWinkle  
Second: Mr. Neff

Council and Public Discussion: None

Roll Call:

Affirmative: Mr. Bitman, Mr. Gilmour, Mr. Levine,  
Mr. Neff, Mr. O'Hern, Mr. VanWinkle  
Negative: None  
Abstentions: None

**RESOLUTION - Payment of Bills and Claims**

Mr. VanWinkle offered this resolution in favor of the payment of the following vouchers which have been properly authenticated and presented for payment representing expenditures for which an appropriation was duly made in the budget adopted by the governing body, including any emergency expenditures in the said appropriation for this payment of said vouchers and which the Municipal Financial Officer has certified that sufficient funds are available to pay the same from each designated appropriation.

Check Disbursements

Operating – Current Year	\$ 204,414.21
Operating – Prior Year	70,680.23
School Taxes	1,327,937.94
Contra	0.00
Capital	930.00
Grant	0.00
Various Trusts & Reserves	666.00
Escrow Projects	0.00
Payroll of 12/31/09	\$ 147,056.43
Void Checks:	\$ 0.00
Manual Checks:	
Dilworth, Paxson, LLP ck#13385	\$ 445.50
Dilworth, Paxson LLP RR#1820	693.00
ACH Debit	\$ 0.00
Wire Transfers:	\$ 0.00
Total	\$1,752,823.31

I hereby certify that there are sufficient funds available to pay the above listed vouchers as submitted. Lynn Marie Gale, C.M.F.O., Chief Financial Officer.

Motion: Mr. VanWinkle  
Second: Mr. Gilmour

Council and Public Discussion: None

Roll Call:

Affirmative: Mr. Bitman, Mr. Gilmour, Mr. Levine,  
Mr. Neff, Mr. O'Hern, Mr. VanWinkle  
Negative: None  
Abstentions: None

**ORDINANCE INTRODUCTION**

Mayor Castleman introduced by title:

**AN ORDINANCE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF LITTLE SILVER, FOR THE YEAR 2010**

Mr. Biehl noted that upon introduction same would be advertised according to law, posted on the Borough bulletin board, and held over for a public hearing on January 25, 2010.

Motion: Mr. Gilmour  
Second: Mr. O'Hern

Council and Public Discussion: Mr. Biehl stated that this Ordinance is in accordance with the 2010 contract with the Police salaries.

Roll Call:

Affirmative: Mr. Bitman, Mr. Gilmour, Mr. Levine,  
Mr. Neff, Mr. O'Hern, Mr. VanWinkle  
Negative: None  
Abstentions: None

**CONSENT AGENDA:** Mayor Castleman announced that the following Resolutions had been discussed and would now be approved by Consent Agenda.

Motion: Mr. Neff  
Second: Mr. Gilmour

Roll Call:

Affirmative: Mr. Bitman, Mr. Gilmour, Mr. Levine,  
Mr. Neff, Mr. O'Hern, Mr. VanWinkle  
Negative: None  
Abstentions: None

**R E S O L U T I O N**

BE IT RESOLVED that the appointments made by the Mayor are hereby ratified and confirmed.

The Mayor appoints the following Borough Officials for the year 2010:

(The following Borough Officials are appointed for a term of one year, unless otherwise specified.)

Borough Clerk (3 Years)	)	
Borough Administrator	)	
Public Agency Compliance Officer	)	
Insurance Fund Commissioner	)	Michael D. Biehl
Qualified Purchasing Agent	)	
Alternate Deputy Registrar	)	
Municipal Housing Liaison	)	
Zoning Officer	)	
Deputy Borough Clerk	)	Helen Gormley
Recycling Coordinator	)	
Administrative Officer	)	
Planning and Zoning	)	Diane Ramsey
Tax Collector	)	
Chief Financial Officer	)	Lynn Marie Gale
Treasurer	)	
(January 1, 2010 – April 17, 2010)		
Deputy Tax Collector	)	
Deputy Chief Financial Officer	)	Laura Geraghty
Deputy Treasurer	)	
(January 1, 2010 – April 18, 2010)		
Tax Collector	)	
Chief Financial Officer	)	Laura Geraghty
Borough Treasurer	)	
(April 18, 2010 – December 31, 2010)		
Borough Attorney		John O. Bennett, Esq.
Borough Auditor		Hutchins, Laezza, Farrell, Meyer & Allison, P.A.
Borough Prosecutor		Michael I. Halfacre, Esq.
Alternate Borough Prosecutor		Gerald Massel, Esq.
Library Director		Susan Marie Edwards

Principal Library Assistant	Anita O'Brien
Recreation Director	Doug Glassmacher
Safe Neighborhood Program Co.	Chief of Police Giblin
Property Maintenance Code Enforcement Office	Thomas Welsh
Deputy Registrar	Pamela Hughes Borghi
Borough Planning Board Attorney	Michael Leckstein, Esq.
Borough Professional Planner	Richard Coppola of Coppola & Coppola Assoc.
Court Administrator/Violations Clerk (January 1, 2010 – February 16, 2010)	Jodi Foster
Deputy Court Administrator	Janice Swaggerty
Deputy Court Clerk	Kathryn Krause
Borough Public Defender) Special COAH Counsel)	Rick J. DeNoia, Jr.
Alternate Borough Public Defender	Stanley Werse
Director, Department of Public Works	James Gannon
Certified Public Works Manager	Gregory Blash
Clerk's Assistant	Sharon Kavendek
General Clerical Assistance	Patrice Lang
Newsletter Editor	Linda Goff
Two Rivers Water Reclamation Authority (5 Years)	Brian McTeak
Monmouth County Heritage Commissioner	David Griffiths
Borough Physician	Steven Swartz, M.D.

Borough Police/Fire Chaplain

Thomas Pallone

North Coast Regional Subwatershed  
Council (Area 12)

Dirk VanNest

Police Dispatchers:

Christopher Boyle  
Joseph Lauterwasser  
Richard Smith  
Peter Giblin

Relief Dispatchers:

Christopher Faherty  
James Jiminaro  
John McGuire  
John Mercun  
Andrew Smith

Special Officers:

Christopher Boyle, Class 1  
Peter Giblin, Class 2  
Joseph Lauterwasser, Class 1  
John McGuire, Class 1  
Richard Smith, Class 1

Crossing Guards:

Elizabeth Cain  
William Bergen  
Roger Dolan  
Quiana Farrow  
William Gibson  
Mamie Holmes  
Roland Jackson  
Lorriane Katz  
William Kennelly  
Susan Valerio

Relief Crossing Guards:

Amy Hirsch  
Gail Drawbaugh  
Mary Ann Ferrara  
Peter Giblin  
Joseph Lauterwasser

Railroad Parking Meter Coordinator:

Joseph Lauterwasser

John McGuire

Mayor Castleman appoints the following to serve on the designated Council Committees for the year 2010:

FINANCE AND BUDGET AND INSURANCE:

Stuart W. Van Winkle, Chairperson

Robert C. Neff, Jr.

Daniel Levine

POLICE AND EMERGENCY PREPAREDNESS:

David E. Gilmour, Chairperson

Stuart W. Van Winkle

Jonathan H. Bitman

PUBLIC WORKS:

Jonathan H. Bitman, Chairperson

Stuart W. Van Winkle

Daniel J. O'Hern, Jr.

BUILDINGS, GROUNDS, EQUIPMENT AND STREET LIGHTS:

Daniel J. O'Hern, Jr., Chairperson

David E. Gilmour

Daniel Levine

FIRE, FIRST AID AND NEWSLETTER:

Daniel Levine, Chairperson

Robert C. Neff, Jr.

Jonathan H. Bitman

PERSONNEL:

Robert C. Neff, Jr., Chairperson

David E. Gilmour

Daniel J. O'Hern, Jr.

COUNCIL LIAISON:

Traffic Safety Committee, Drug Alliance, Local Emergency Planning Council	David E. Gilmour
Business and Professional Association and Finance Advisory, Waterfront Committee	Stuart W. Van Winkle
Environmental Commission, Shade Tree Commission and Open Space	Robert C. Neff, Jr.
Board of Health, Public Affairs and Library Trustees	Daniel Levine
Recreation, Property Maintenance, Downtown Development Committee	Daniel J. O'Hern, Jr.
Planning Board, Americans With Disabilities Act Committee, Parker Homestead Liaison, Recycling, Little Silver Cross Acceptance Liaison	Jonathan H. Bitman

The Mayor appoints the following to the Boards, Commissions and Committees for 2010:

<u>PLANNING BOARD</u>	<u>CLASS</u>	<u>TERM</u>
Suzanne S. Castleman, Mayor	1	4
Diane Ramsey, Borough Representative	2	1
K. Edward Jacobi, Chairman	4	4
George Drawbaugh	4	4
Richard Scott, M.D., Alt. #2		1
<u>SHADE TREE COMMISSION</u>		
Clayton Smith		5
<u>ENVIRONMENTAL COMMISSION</u>		
Rosemary Brewer		3
Gregory Flanagan		3
Willis Post		3
John Heidema, Alt #1		2
Corky Johnson, Alt #2		1
<u>BOARD OF HEALTH</u>		
Rita LaBrecque		4

WATERFRONT COMMITTEE

1 year terms

Robert McIntyre  
Charles Sidun  
Rosemary Brewer  
Dirk VanNest  
Greg Strand  
Michael Murray  
William Carlin  
Linda Brenner

THE AMERICANS WITH DISABILITIES ACT COMMITTEE

1 year terms

Ray Flockhart, Chairman  
Stanley Sickels, Construction Department  
John O. Bennett, III, Borough Attorney  
Carolyn McMullin, Secretary  
Kristine Nettleingham  
Jane Schmitt  
Robert Garrison

LOCAL EMERGENCY PLANNING COUNCIL

1 year terms

Mayor Suzanne S. Castleman  
Michael D. Biehl, Administrator-Clerk  
Sandra Van Sant, Health Officer  
Shannon Giblin, Police Chief, Emergency Mgmt. Coordinator,  
Pete Gibson, Emergency Management Police Coordinator, Deputy  
Emergency Management Coordinator  
James Griffiths, Deputy Emergency Mgmt. Coordinator  
Pete Gale, Fire & Rescue Coordinator  
Al Bennett, Assessment Damage Coordinator  
Thomas Pallone, E.M.S./Red Cross Coordinator/First Aid Coordinator  
James Gannon, Recycling/Road Director, Department of Public Works  
Jim Jiminaro, Fire and Rescue Coordinator  
Chip Connell, Fire Police  
Bob Hogan, Borough Resident  
Doug Ryder, Borough Resident  
Elaina Caldera, Borough Resident  
Jennifer Pardee, Borough Resident  
Roger Dolan, Borough Resident  
Vito Lentini, Borough Resident  
Mel Israel, Business Representative

TRAFFIC SAFETY COMMITTEE

1 year terms

Mayor Suzanne S. Castleman  
Lieutenant Gary LaBruno, L.S. Police Representative  
Frank Carmody, Chairperson  
Jim Norton

Chip Connell  
William Yodice, Capt. NJ State Police (Retired)  
John Cheevers  
Eileen Mahoney  
Jennifer Pardee  
Edward Rumolo  
Karen Scharmann  
Karin Sidun  
Jean Kelly

PARKER HOMESTEAD BOARD OF TRUSTEES

1 year terms

Mayor Suzanne S. Castleman  
Nicholas Codispoti, Chairman  
Joyce Codispoti, Vice-Chairlady  
John Bennett, Borough Attorney  
Dr. Marjorie Heller  
Robert Sickles, Sr.  
David Griffiths  
Dale Leach  
Keith Wells  
Albert Doty  
Thayne Tessenholt  
Ann Mihlon  
John Measley  
Chester Apy  
Susan Quick  
Rosemary Brewer  
Marion Becker  
Jennifer Pardee  
Monte Edwards  
Erica Abella  
Elizabeth Hanson

DOWNTOWN DEVELOPMENT COMMITTEE

1 year terms

Mayor Suzanne S. Castleman  
Gregory Blash, Borough Engineer  
Michael D. Biehl, Administrator/Clerk  
James Bollerman  
Ben Lucarelli

FINANCIAL ADVISORY COMMITTEE

1 year terms

Roger Fitzsimmons  
William McKenna  
Donald Castleman

DRUG ALLIANCE COMMITTEE

1 year terms

Mayor Suzanne S. Castleman  
Police Department – Dare Representative, Sgt. Martin Scherzinger  
Police Department – Sgt. Daniel Shaffery, Detective  
Little Silver Board of Education Representative  
Red Bank Regional High School Board of Education Representative  
Juvenile Conference Representative – Barbara Cottrell  
Three Students – Little Silver RBR High School Representatives  
Middle School (Peer Leaders) One Male and One Female Rep.  
Dennis Morolda, Markham School Principal  
Guidance Counselor – Little Silver Schools- Dee Trillo  
Resident – Richard Canneto  
Resident – Kelly Senkeleski  
Resident – Macaire Osmont  
Resident – Patricia Nielson  
Resident – Karen O’Rourke

**RESOLUTION**

BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver:

That Michael D. Biehl be and is hereby designated Subdivision and Improvement Search Officer of the Borough of Little Silver.

**RESOLUTION**

BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver:

That Laura Geraghty be and is hereby designated Tax Search Officer of the Borough of Little Silver.

**RESOLUTION**

WHEREAS, NJSA 51:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for non-payment or late payment of taxes or assessments, subject to any abatement or discount;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Little Silver, County of Monmouth, State of New Jersey as follows:

1. Effective January 1, 2010 there shall be a ten (10) day grace period; no interest shall be charged on any tax payments made within 10 days of the due date for payment of property taxes; any payments not made within the ten (10) day grace period shall be charged interest from the due date as set forth in item three of this resolution;
2. If the tenth (10th) day after the due date falls on a weekend, Borough Holiday or any other day on which the Borough Tax Office is closed the grace period shall end at the close on the next working day at 4:30 p.m.;
3. The Tax Collector be and is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after the due date, 18% per annum on any tax in excess of \$1,500.00 becoming delinquent after the due date and an additional 6% penalty on any delinquency in excess of \$10,000 which extends beyond the end of the calendar year;
4. A certified copy of this resolution shall be provided by the Borough of Little Silver to the Tax Collector, Borough Attorney and Borough Auditor of the Borough of Little Silver.

### **RESOLUTION**

BE IT RESOLVED that all officers handling Borough monies shall present their bonds to the Mayor and Council, as required by law, and said bonds shall be filed with the Borough as also required by law.

### **RESOLUTION**

BE IT RESOLVED that the regular meetings (at which official action may be taken) of the Mayor and Council of the Borough of Little Silver for the year 2010 shall be held on the following dates at 8:00 p.m. at the Council Chambers, Borough Hall, Little Silver, unless otherwise noted except, the Organization Meeting on Monday, January 3, 2011, which will be held at 7:30 p.m. in the Council Chambers of the Borough Hall:

- |         |  |
|---------|--|
| Monday, | January 4 (Organization Meeting – 7:30 p.m.) |
| Monday, | January 25                                   |
| Monday, | February 1 and February 22                   |
| Monday, | March 1 and March 15                         |
| Monday, | April 5 and April 19                         |
| Monday, | May 3 and May 17                             |
| Monday, | June 7                                       |

Monday,	July 12
Monday,	August 2
Monday,	September 13 and September 20
Monday,	October 4 and October 18
Monday,	November 8
Monday,	December 6 and December 20
Monday,	January 3, 2011 Organization Meeting (7:30 p.m.)

BE IT FURTHER RESOLVED that the regular agenda meetings (at which no official action will be taken) of the Mayor and Council of the Borough of Little Silver for the year 2010 shall be held at Borough Hall, Little Silver on the following dates at 6:30 p.m.:

(COUNCIL WILL CONVENE at 6:00 P.M. FOR SIGNING OF VOUCHERS)

Monday,	January 25
Monday,	February 1 and February 22
Monday,	March 1, March 15
Monday,	April 5 and April 19
Monday,	May 3 and May 17
Monday,	June 7
Monday,	July 12
Monday,	August 2
Monday,	September 13 and September 20
Monday,	October 4 and October 18
Monday,	November 8
Monday,	December 6 and December 20

SPECIAL BUDGET MEETING - 6:30 P.M.

Thursday, February 25 (General Discussion)

**RESOLUTION**

BE IT RESOLVED that The Asbury Park Press, The Two River Times and The Star Ledger are hereby designated as the official newspapers for the advertising of legal notices for the Borough of Little Silver.

**RESOLUTION**

WHEREAS, from time to time it becomes necessary for the Borough of Little Silver to make payment of certain bills on or before a specific date; and

WHEREAS, said bills are of a contract, utility or insurance nature and have been incurred as the result of previous actions of the Mayor and Council; and

WHEREAS, failure to make payment on a timely basis would result in additional interest cost and/or cessation of services vital to the public health, safety and welfare of the Borough of Little Silver; and

WHEREAS, the regular meetings of the Mayor and Council of Little Silver are, at times, not frequent enough to insure approval of certain bills on or before their due date; and

WHEREAS, properly authenticated vouchers will have been submitted to the Chief Financial Officer before the bill will be paid;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Little Silver that the Chief Financial Officer, with the approval of the Mayor and Borough Clerk, be and is hereby authorized during the year 2010 to pay invoices for insurance premiums, public utility services and public contracts, notwithstanding that the vouchers for the same have not been previously approved by the Council.

**RESOLUTION**

BE IT RESOLVED that all monies belonging to the Borough of Little Silver shall be deposited in:

VALLEY NATIONAL BANK

WACHOVIA BANK

CENTRAL JERSEY BANK

NEW JERSEY CASH MANAGEMENT FUND

BANK OF AMERICA

SOVEREIGN BANK

TD BANK

which are hereby designated as official depositories for the Borough of Little Silver for the year 2010.

## **RESOLUTION**

BE IT RESOLVED that the order of business for regular meetings of the Mayor and Council for the year 2010 shall be as follows with the Council and public discussion following each item of Committee Reports and Borough Business:

1. Meeting called to order - Statement of Compliance with Open Public Meetings Act.
2. Salute to the Flag.
3. Moment of Silence - Tributes.
4. Roll Call.
5. Receipt of bids on contracts, when required.
6. Public Hearing on Ordinances, if any advertised.
7. Approval of Minutes as circulated.
8. Communications.
9. Student remarks and brief remarks on the Agenda from other members of the public.
10. Payment of Bills and Claims.
11. Reports of Councilmembers.
12. Mayor's Report.
13. Other Reports.
14. Unfinished Business.
15. New Business.

16. Good of the Borough - Remarks of the Public.

17. Adjournment.

## **RESOLUTION**

WHEREAS, there exists a need for specialized legal services in connection with the authorization and the issuance of bonds and other obligations and other matters relating to capital financing by the Borough of Little Silver, County of Monmouth, New Jersey (herein the “Borough”); and

WHEREAS, such specialized legal services can be provided only by a recognized Bond Counsel firm, and the law firm of Dilworth Paxson LLP, Wall, New Jersey, are so recognized by the financial community; and

WHEREAS, the services to be performed are “professional services” as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-2(6), and therefore are excepted from the Local Public Contracts Law requirements for competitive bidding, pursuant to N.J.S.A. 40A:11-5(1)(a)(i); and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), requires the public advertisement of notice with respect to contracts for professional services awarded without competitive bids; and

WHEREAS, funds are or will be available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Little Silver, in the County of Monmouth, New Jersey as follows:

1. That the Borough Council hereby appoints the firm of Dilworth Paxson LLP, Attorneys at Law, Wall, New Jersey, to serve as Bond Counsel to the Borough in connection with the financing of capital projects, and awards the contract which is annexed hereto and made a part hereof (the “Contract”), in accordance with N.J.S.A. 40A:11-1 et seq.
2. That the Mayor or other appropriate official of the Borough, on behalf of the Borough, is hereby authorized and directed to execute the Contract and the Clerk is hereby authorized and directed to attest to the execution of said Contract for professional services in connection with the preparation of all bond ordinances and the authorization and issuance of all bonds, bond anticipation notes, tax anticipation notes or similar obligations and related matters of capital and debt financing by the Borough.
3. That no appropriation of funds is required at this time, payment coming from the proceeds of the sale of bonds, bond anticipation notes and tax anticipation notes or similar obligations or from capital authorizations or other appropriate budgeted items in accordance with the attached Contract.

4. That this Contract is awarded without competitive bidding as a professional service under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), because legal services are a recognized profession licensed and regulated by law.
5. That a notice in accordance with the resolution and the Local Public Contracts Law, shall be published in the official newspaper or newspapers of the Borough.
6. That an executed copy of the Contract between the Borough and Dilworth Paxson LLP and a copy of this resolution shall be filed in the Office of the Clerk and be available there for public inspection in accordance with the law.

## **RESOLUTION**

### **CASH MANAGEMENT PLAN**

WHEREAS, P.L. 1983, Chapter 8, Local Fiscal Affairs Law; N.J.S. 40A:5-14, has been amended to require that each municipality designate a Cash Management Plan for the deposit of each local unit's monies;

NOW, THEREFORE, BE IT RESOLVED that the attached Cash Management Plan of the Borough of Little Silver be and hereby is adopted subject to the approval of the Borough Attorney.

A. DESIGNATION OF OFFICIAL DEPOSITORIES:

The financial institutions are designated as official depositories by Resolution of the governing body annually at the organization meeting in January of each year, and may be updated by Resolution as needed.

Designated official depositories are required to submit to the Chief Financial Officer of the Borough of Little Silver a copy of the State of New Jersey, Department of Banking, Governmental Unit Deposit Protection Act Notification of Eligibility, which must be filed semi-annually in the Department of Banking as of June 30th and December 31st of each year. Said Notices must be available for annual audit.

B. DEPOSIT OF FUNDS:

All funds shall be deposited within forty-eight (48) hours of receipt in accordance with N.J.S.A. 40A:5-15, to maximize interest earnings.

Operating funds shall be deposited into interest bearing accounts to maximize interest earnings.

Capital and Debt service funds may be deposited into interest bearing accounts. Non-interest bearing accounts shall be regularly monitored for the availability of funds for investment.

Trust funds may be deposited into interest bearing accounts in accordance with the State statutes regulating the deposit of developers escrow deposits. Non-interest bearing accounts should be regularly monitored for availability of funds for investment except where either State or Federal Laws prohibit the earning of interest on such funds.

Payroll and agency remittance funds shall be maintained in regular checking accounts, only insofar as they serve to compensate the bank for payroll data processing services, should the bank not offer said services free of charge.

C. DESIGNATION OF ALLOWANCE INVESTMENT INSTRUMENTS:

The Borough may permit deposits and investments in such depositories as permitted in Section 4 of P.L. 1970, Chapter 236 (C.17:19-44) and other instruments specified below:

United States Treasury Bills (T-Bills)  
Commercial Bank Deposits and Certificates of Deposit (CD's)  
Repurchase Agreements  
State of New Jersey Cash Management Fund

D. DEFINITION OF ACCEPTABLE COLLATERAL AND PROTECTION OF BOROUGH ASSETS:

All designated depositories must conform to all applicable State statutes concerning depositories of Public Funds.

All depositories shall obtain the highest amount possible F.D.I.C. coverage of all Borough assets (Demand and Certificate of Deposit).

Collateral will be required for all deposits and investments of the Borough, except for those in the State Cash Management Fund; collateral must have a market value of not less than 100 percent of all deposits and investments.

For pledges by depositories on Borough funds, the following securities will be considered acceptable for pledges:

- a. Any security backed by the U.S. Government
- b. Any direct obligation of any taxing authority within the Borough of Little Silver

E. COMPENSATING BALANCE AGREEMENTS:

Where compensating balances are used to offset bank expenses, an agreement between the bank and the Borough shall be executed, specifying the charge for each service. Said agreement shall be reviewed annually.

F. REPORTING PROCEDURES:

The Chief Financial Officer shall prepare for the Mayor and Council of the Borough of Little Silver the following:

MONTHLY REPORTING:

- a. Financial Summary detailing the receipts, disbursements, investments, and cash on hand
- b. Revenue Status Report
- c. Budget Control Status Report

QUARTERLY REPORTING:

- a. Cash Performance Bond Summary
- b. Engineering Review Fees Summary
- c. Professional Review Fees Summary

G. DIVERSIFICATION REQUIREMENTS:

The Chief Financial Officer shall closely examine investments to guard against the effects of a financial institution going into default. This may be accomplished through the practice of spreading the investments among the various designated official depositories when feasible.

H. MAXIMUM MATURITY POLICY:

Investments shall be limited to a maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of regulation promulgated by either the Federal or State Governments.

I. INVESTMENT PROCEDURES:

Bids for Certificates of Deposit and Repurchase Agreements will be solicited of at least three (3) designated depositories only if the amount is \$100,000 or greater.

Telephone bids will be solicited of designated depositories by the Chief Financial Officer or designated staff member.

The depository shall specify the principal amount of the investment bid on, interest rate and number of days used to calculate the interest to be paid upon maturity.

Interest paid shall be from the date the bid was awarded to the day of maturity.

All bidders may request the results of the bid after the bid is formally awarded.

A check or wire transfer of funds will be made available to the winning bidder on the same business day the bid is awarded.

Each quotation shall be documented to record the date and time of quote, the parties in the discussion, the instrument(s), maturities and rates. A bid form of the Borough may be used.

J. RETURN ON INVESTMENT:

Where the return on a proposed investment does not exceed the cost of making said investment by a minimum amount the Chief Financial Officer will not make the investment. The Chief Financial Officer shall have the discretion to award an investment to the bank wherein the

funds reside, should that bank's quoted rate be less than other quoted rates received in the event that the differential in interest rates is less than 25 basis points, and providing that the term of the investment is less than fifteen (15) days.

K. CONTROLS:

When possible, the internal controls should provide for separation of the investment placement functions and the accounting activity. Controls must be designated for telephone orders, wire transfers and securities safekeeping. Only specifically designated personnel shall be allowed to conduct this part of the transactions, and all activity should be subject to immediate written confirmation by the designated depository.

L. BONDING:

The following officials shall be covered by surety bonds; said surety bonds to be examined by the independent auditor to insure their proper execution:

Borough Clerk  
Chief Financial Officer  
Tax Collector  
Municipal Court Judge  
Municipal Court Administrator

Staff members of the Department of Finance not covered by separate surety bonds shall be covered by the Borough's blanket bond.

M. COMPLIANCE:

The Cash Management Plan of the Borough of Little Silver shall be subject to the annual audit conducted pursuant to N.J.S. 40A:5-4.

N. CUSTODY OF MONIES:

The Official charged with the custody of the monies of the Borough of Little Silver shall deposit them as designated by the Cash Management Plan and shall thereafter be relieved of any liability or loss of such monies due to the insolvency or closing of any depository designated in the Cash Management Plan pursuant to N.J.S. 40A:5-15.

O. CONFLICT:

Where a conflict exists between this Cash Management Plan and State statute, the applicable State statute shall apply.

## **RESOLUTION**

WHEREAS, changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$29,000.00; and

WHEREAS, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, N.J.A.C. 5:34-5 et seq. establishes the criteria for qualifying as a Qualified Purchasing Agent; and

WHEREAS, Michael D. Biehl possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

WHEREAS, the Governing Body of the Borough of Little Silver desires to take advantage of the increased bid threshold;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Little Silver, in the County of Monmouth, in the State of New Jersey hereby increases its bid threshold to \$29,000.00; and

BE IT FURTHER RESOLVED, that in accordance with N.J.A.C. 5:34-5.2 the local unit Clerk is hereby authorized and directed to forward a certified copy of this Resolution and a copy of Michael D. Biehl's certification to the Director of the Division of Local Government Services.

### R E S O L U T I O N

BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that a resolution designating 2009 salaries for employees of the Borough of Little Silver adopted on June 29, 2009 be and is hereby amended as follows:

DELETE: (Effective December 31, 2009)

Peter Giblin	Relief Police Dispatcher	\$ 16.95/hr
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ADD: (Effective January 1, 2010)

Peter Giblin	Jr. Police Dispatcher	\$41,469.00
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BE IT FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the Borough Deputy Chief Financial Officer to make the necessary payroll adjustments.

Public Portion Remarks of the citizens for the good of the Borough:  
Assemblyman Declan O'Scanlon congratulated the Mayor and Council and wished everyone a happy  
New Year.

Motion to Adjourn: Mr. Bitman  
Second: Mr. Gilmour

Vote: Voice Vote – Ayes – Unanimous

The meeting was adjourned at 7:56 p.m.

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Michael D. Biehl., Administrator/Clerk