

**MINUTES OF THE REGULAR MEETING OF THE
LITTLE SILVER BOROUGH COUNCIL
March 15, 2010**

The meeting was called to order and the Statement of Compliance with the Open Public Meetings Act given by Mayor Castleman at 8:11 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 4, 2010."

The salute to the flag was led by Mr. VanWinkle 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 Ackerman and Mr. Biehl, Administrator/Clerk

Absent: None

Consideration of Minutes for Regular Meetings and/or Special Meetings: None

Consideration of Executive Session Minutes: None

Communications: None

Student remarks and brief remarks on the Agenda from other members of the Public: None

Mr. VanWinkle read the following:

RESOLUTION

**EMERGENCY APPROPRIATION
EXTENDING THE TEMPORARY BUDGET FOR 2010
FOR THE PERIOD APRIL 1 TO JUNE 30, 2010**

WHEREAS, in the normal operation of the Borough of Little Silver, it will be necessary for making contracts, commitments and payments prior to the adoption of the regular budget for the Borough of Little Silver for the year 2010; and

WHEREAS, the 2010 Temporary Budget expires on March 31, 2010; and

WHEREAS, adoption of the 2010 Municipal Budget is anticipated on a date to be set during the second quarter of 2010; and

WHEREAS, in order to meet the obligations of the Borough for the period of April 1, 2010 to June 30, 2010, it becomes necessary to extend the Temporary Budget for 2010 to include additional appropriations; and

WHEREAS, the total amount of the appropriations made hereunder do not exceed fifty two and fifty hundredths percent (52.50%) of the budget for the year 2009, exclusive of the amount appropriated for capital improvements, interest and debt redemption charges;

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that, pursuant to N.J.S.A. 40A:4-20, the following Temporary Budget be and is hereby amended to include the following additional appropriations for the period April 1, 2010 through June 30, 2010; and

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Director of the Department of Community Affairs and the Borough Deputy Finance Officer.

Motion: Mr. VanWinkle
Second: Mr. Gilmour

Council and Public Discussion: Mr. Biehl noted that the total amount is \$4,654,548.00.

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 Deputy Municipal Financial Officer has certified that sufficient funds are available to pay the same from each designated appropriation.

Check Disbursements	
Operating – Current Year	\$ 169,250.87
Operating – Prior Year	55.00
School Taxes	1,325,182.66
Capital	9,554.65
Grant	0.00
Various Trusts & Reserves	8,000.40
Escrow Projects	2,250.00
Payroll	\$ 149,722.34

Void Checks:	\$	0.00
ACH Debit:		
Authorize.net, LLC	\$	41.80
Manual Checks:	\$	0.00
Wire Transfers:		
Annual PERS (4/1/10)	\$	164,144.00
Annual PERS (4/1/10)		331,512.00
Total		\$2,159,713.72

I hereby certify that there are sufficient funds available to pay the above listed vouchers as submitted. Laura M. Geraghty, C.M.F.O., Deputy Finance Officer.

Motion: Mr. VanWinkle
Second: Mr. Levine

Council and Public Discussion: Mr. Levine referenced bills from Coppola & Coppola in the amount of \$210.00 and Mr. DeNoia for \$627.00, total of \$837.00, for the Affordable Housing. He noted that the Governor has made a statement that he will be freezing this, and asked if there would be a Resolution presented to this effect so the Borough will not continue to get these monthly bills. Mr. Bitman replied that these bills should be paid, and a letter sent to Coppola & Coppola, and Mr. DeNoia, stating that the Borough is entertaining freezing the Affordable Housing program, and advance notification of any anticipated further billing should first be submitted for approval. Mr. Biehl stated that the courts have put a temporary stay on the Governor's freeze, so in the interim, the program must move forward as usual. Mr. Levine noted this will impact the budget, that the money spent last year could be used for other important expenditures. Mr. Biehl noted that the courts have determined that the COAH negotiations should continue to move forward until a decision has been made. Discussion followed regarding compliance with existing COAH regulations and negotiations. Mr. Levine stated that it should be made clear to both law firms as to specifics of expectations. It was decided to refer this back to the Borough Attorney.

Roll Call:

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

REPORTS OF COUNCIL MEMBERS:

FIRE, FIRST AID AND NEWSLETTER (Board of Health, Public Affairs, Library Trustees):
Mr. Levine, no report.

POLICE AND EMERGENCY PREPAREDNESS (Traffic Safety Committee, Drug Alliance, Local Emergency Planning Council): Mr. Gilmour, no report.

BUILDINGS, GROUNDS, EQUIPMENT, STREET LIGHTS (Recreation, Property Maintenance, Downtown Development Committee): Mr. O'Hern, no report.

PERSONNEL (Environmental Commission, Shade Tree Commission, Open Space): Mr. Neff, no report.

PUBLIC WORKS (Planning Board, Americans With Disabilities Act Committee, Parker Homestead Liaison, Recycling, Little Silver Cross Acceptance Liaison): Mr. Bitman, no report.

FINANCE AND BUDGET AND INSURANCE (Business and Professional Association, Finance Advisory, Waterfront Committee): Mr. VanWinkle, no report.

Council and Public Discussion: None

Mayor's Report: Mayor Castleman reported that Student Government Day is Wednesday, May 5, 9:30 a.m. to 12:00 noon, and that students would be attending meetings prior to that.

Other Reports: Mr. Biehl reminded the Finance Committee of the meeting tomorrow night with the Board of Education regarding the budget.

Mr. Biehl gave the Financial Summary for the Month of January, 2010:

Cash on Hand Beginning of the Month	\$ 9,389,127.00
Total Monthly Receipts	5,510,304.00
Total Monthly Disbursements	3,030,829.00
Cash on Hand End of Month	\$11,868,602.00

He noted that the majority of the Borough's invested funds are in the New Jersey Cash Management Fund at an average rate for the month of 0.26%.

Old Business: None

New Business:

CONSENT AGENDA: Mayor Castleman announced that the following Resolutions had been discussed, with the exception of Resolution #2 pending further information, and would now be approved by Consent Agenda.

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

Roll Call:

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

RESOLUTION

WHEREAS, the Little Silver Police Department is in need of ammunition for their firearms qualification; and

WHEREAS, adequate funding has been provided for said purchase in the 2010 Police Operating Budget; and

WHEREAS, the Chief of Police has obtained the following quote under State Purchase Contract #A73991:

Atlantic Tactical of NJ, Inc.	
Somerset, NJ	\$3,484.19; and

WHEREAS, the Borough Administrator/Clerk has reviewed the quote and finding it to be in order recommends the quote submitted by Atlantic Tactical of NJ, Inc. be accepted;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the Borough Administrator/Clerk be and is hereby authorized to purchase the aforementioned under State Purchase Contract #A73991 in the amount of \$3,484.19.

RESOLUTION

WHEREAS, the Mayor and Council believe the interests of the public and the officers and dispatchers of the Little Silver Police Department, the Little Silver Volunteer Fire Department, the Little Silver Volunteer Emergency Medical Services and the other employees of the Borough may best be served by providing critical response counseling services and an Employee Assistance Program (E.A.P.) to the members; and

WHEREAS, said critical response service includes "on-call" support counseling during incidents which may be emotionally or physically charged;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the Mayor and Borough Clerk be and are hereby authorized to enter into an agreement with Ms. Stephanie Samuels, MA, MSW, LSW to provide critical response services and an Employee Assistance Program (E.A.P.) to the Little Silver Police Department, the Little Silver Volunteer Fire Department, other Borough employees and the Little Silver Volunteer Emergency Medical Services, the duration of said agreement to run from February 1, 2010 to January 31, 2011 at a cost to the

Borough not to exceed three thousand seven hundred seventy five dollars (\$3,775.00) plus mileage and telephone calls.

RESOLUTION

WHEREAS, the Borough of Little Silver and Alderbrook Condominium Association have reached an agreement on the services which the Borough will provide and those for which Alderbrook will be compensated in lieu of providing the services; and

WHEREAS, the Borough provides and will continue to provide garbage, leaf and branch collection and will compensate Alderbrook Condominium Association for street lighting and snow plowing in lieu of providing the services;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the Mayor and Borough Clerk be and are hereby authorized to enter into agreement with Alderbrook Condominium Association for compensation in the amount of \$7,569.93 in lieu of providing snow plowing and street lighting for the calendar year 2009.

Public Portion: Remarks of the public for the good of the Borough: None

Motion to Adjourn: Mr. VanWinkle

Second: Mr. Neff

Roll Call: Voice Vote - Ayes – Unanimous

The meeting was adjourned at 8:33 p.m.

Michael D. Biehl
Administrator/Clerk