

**MINUTES OF THE REGULAR MEETING OF THE
LITTLE SILVER BOROUGH COUNCIL
April 20, 2009**

The meeting was called to order and the Statement of Compliance with the Open Public Meetings Act given by Mayor Castleman at 8:10 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. Levine and followed by a moment of silence, with special thought for Dom Santelle who passed away last week.

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

PUBLIC HEARING

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 16A, ENTITLED "LAND USE AND DEVELOPMENT ORDINANCE", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE SILVER, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

Mr. Biehl certified that same had been published in the Two River Times on March 20, 2009 , posted on the bulletin board, with copies available to the public.

Motion hearing be opened: Mr. Gilmour
Second: Mr. VanWinkle

Roll Call: Voice Vote - Ayes - Unanimous

Mayor Castleman declared the hearing open and called for comments. Mr. Biehl read a letter from the Planning Board (copy attached) recommending the proposed Ordinance. Bruce Shapiro, NJ Association of Realtors, thanked the Governing Body for considering the Ordinance. He further commented that in his recent letter he questioned the requirement to obtain a sign permit ten days in advance. Mr. Bitman replied that typically open house events are planned in advance. Glen Mills, president of Monmouth County Association of Realtors, noted that there are times when a listing is obtained on a Saturday, and the realtor wants to have an open house the next day, and this requirement prohibits that. He said there is no other town in Monmouth County that requires a ten-day notification

of an open house event. Mr. Bitman clarified that the ten-day permit is required for directional signs, and does not prohibit the open house from being held. Attorney Bennett further clarified the Ordinance. Mr. Biehl noted that the Ordinance is under the Zoning Ordinance, which generally have a ten day window in which the Zoning Officer can act on the permit. Mr. Biehl noted that just the past weekend there had been violations of the open house sign regulations. He further stated that the Borough can be flexible and will try to accommodate the needs of the realtors and homeowners. Mayor Castleman said this is a first step to resolving the problems of the realtors' signs, and that it can be addressed again if problems arise from it. Seeing no further comment, she called for a Motion to close the hearing.

Motion hearing be closed: Mr. Bitman
Second: Mr. Gilmour

Roll Call: Voice Vote - Ayes - Unanimous

Mayor Castleman declared the hearing closed and called for a second reading.

Mr. Biehl introduced for second reading by title only:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 16A, ENTITLED "LAND USE AND DEVELOPMENT ORDINANCE", OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE SILVER, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

Motion: Mr. Bitman
Second: Mr. Gilmour

Roll Call: Voice Vote - Ayes - Unanimous

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

Consideration of Executive Session Minutes: None

Communications: Mr. Biehl said Doug Glassmacher, Recreation Committee, has had a 3'x5' banner made with sponsors' names, that he would like to display on the back of the Library Field backstop and leave in place for a couple of months. After discussion, it was determined this would be permitted.

Student remarks and brief remarks on the Agenda from other members of the Public: 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	\$ 266,047.52
Operating – Prior Year	1,173.21
School Taxes	1,282,819.60
Contra	0.00
Capital	24,433.35
Grant	0.00
Various Trusts & Reserves	39,210.40
Escrow Projects	3,147.50
Payroll of 4/17/09	\$ 140,389.06
Void Checks:	\$ 0.00
Manual Checks:	\$ 0.00
EFT Transfer	
PERS Annual Payment	\$ 139,510.00
PERS Annual Payment	296,025.00
Wire Transfers:	
Monmouth County Taxes	\$1,057,176.94
Total	\$3,249,932.58

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. Bitman questioned the increase of PERS. Mr. Biehl replied that there was an actual increase of approximately \$40,000.

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 reported that the Fire Department should receive the new Chief's car in about four weeks. He added that Rich Foster has resigned and will be moving. A get-together was held for him Saturday night. Mr. Levine referred to the Minutes of a recent meeting of the Friends of the Library, and they are proposing a plan to redecorate the Children's area of the Library, using money raised over the last year to fund the project.

POLICE AND EMERGENCY PREPAREDNESS (Traffic Safety Committee, Drug Alliance, Local Emergency Planning Council): Mr. Gilmour reported that the Traffic and Safety Committee announced the YMCA will present a Water Safety presentation at Point Road School. He then reviewed and clarified the skateboarding regulations and violations, as supplied by Lt. LaBruno. Mr. Gilmour also presented a letter from the Police Committee recognizing Ptl. Steven Solari as having the highest percentage of DWI arrests in the County for 2008. Mr. Gilmour further reported that the Shared Services agreement with Fair Haven is scheduled for implementation on July 1. He added that the School Resource Officer, Pete Gibson, will be conducting presentations for students and parents on traffic accidents and prom programs. He said a lockdown drill had recently been conducted in the high school.

BUILDINGS, GROUNDS, EQUIPMENT, STREET LIGHTS (Recreation, Waterfront Committee, Downtown Development Committee, Little Silver Cross Acceptance Liaison): Mr. O'Hern reported that the Recreation Committee meeting had been rescheduled to tomorrow night, due to the holiday. He further reported that the Opening Day Parade is scheduled for Sunday, May 3 at 11:00.

PERSONNEL (Environmental Commission, Shade Tree Commission, Open Space): Mr. Neff reported that there will be an Environmental Commission meeting on Wednesday night at 7:30 p.m.

PUBLIC WORKS (Planning Board, Americans With Disabilities Act Committee, Parker Homestead Liaison, Recycling): Mr. Bitman reported that he had met with the Two River Water Reclamation Authority and the Public Works supervisor, to discuss the jetvac options, with an upcoming meeting to be held with Borough administrator and Public Works to further discuss the jetvac solutions.

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

Council and Public Discussion: None

Mayor's Report: Mayor Castleman reported that Mr. Gilmour would be attending the Shrewsbury Drug and Alcohol Alliance Council meeting tomorrow night, with members of the Borough group, to obtain more information on the Borough forming its own group. She further noted there will be an Eagle Scout award on May 3. Mayor Castleman further noted there will

be a meeting on this Thursday at 2:00 p.m. with Ann Weber at the Parker Homestead, to review the barn replacement plans.

Other Reports:

Mr. Biehl gave the Financial Summary for the Month of March 2009:

Cash on Hand Beginning of the Month	\$11,410,929.00
Total Monthly Receipts	250,187.00
Total Monthly Disbursements	1,741,580.00
Cash on Hand End of Month	\$ 9,919,536.00

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 .98 %.

Old Business: None

New Business:

ORDINANCE INTRODUCTION

Mayor Castleman introduced by title:

A CAPITAL IMPROVEMENTS BOND ORDINANCE APPROPRIATING THE SUM OF \$220,000.00 AND AUTHORIZING THE ISSUANCE OF \$119,000.00 BONDS OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION

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 May 18, 2009.

Motion: Mr. Gilmour
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

Mr. Biehl read the following:

**RESOLUTION
TEMPORARY CAPITAL BUDGET**

WHEREAS, it is desired to adopt a temporary capital budget,

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Little Silver, County of Monmouth, that the following temporary capital budget be adopted:

<u>Project</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Amt Reserved in Prior Years</u>	<u>Capital Improvement Fund</u>	<u>Debt Authorized</u>	<u>To Be Funded in Future Yrs</u>
RR Lot Improvement	1	\$180,000.00	\$90,000.00	\$ 9,000.00	\$ 81,000.00	\$ 81,000.00
Police Equipment	2	\$ 40,000.00		\$ 2,000.00	\$ 38,000.00	\$ 38,000.00
Total All Projects		\$220,000.00	\$90,000.00	\$11,000.00	\$119,000.00	\$119,000.00

3 YEAR CAPITAL PROGRAM 2009-2011
Anticipated Project Schedule and Funding Requirement

<u>Project</u>	<u>Project Number</u>	<u>Estimated Total Cost</u>	<u>Estimated Completion Time</u>
Railroad Lot Improvement	1	\$180,000.00	2009
Police Equipment	2	\$ 40,000.00	2009
Total All Projects		\$220,000.00	

2009 YEAR CAPITAL PROGRAM
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

<u>Project</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Grants in Aid and Other Funds</u>	<u>General</u>
Railroad Lot Improvement	\$180,000.00	\$ 9,000.00	\$90,000.00	\$ 81,000.00
Police Equipment	\$ 40,000.00	\$ 2,000.00		\$ 38,000.00
Totals All Projects	\$220,000.00	\$11,000.00	\$90,000.00	\$119,000.00

BE IT FURTHER RESOLVED, that two certified copies of this Resolution be filed forthwith in the Office of the Director of Local Government Services.

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

CONSENT AGENDA: Mayor Castleman announced that the following seven Resolutions had been discussed and would now be approved by Consent Agenda. Mr. Biehl noted that certain amendments had been pointed out and made on Item #3.

Motion: Mr. Neff

Second: Mr. VanWinkle

Roll Call:

Affirmative: Mr. Bitman, Mr. Gilmour, Mr. Levine,
Mr. Neff, Mr. O'Hern, Mr. VanWinkle

Negative: None

Abstentions: None

RESOLUTION

WHEREAS, application has been made to the Borough of Little Silver by the Vincent S. Mastro Montessori Academy to hold an Off Premise 50/50 Raffle on May 30, 2009; and

WHEREAS, all requirements have been complied with for the holding of such Raffle;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the application for an Off Premise 50/50 Raffle by the Vincent S. Mastro Montessori Academy be and is hereby approved.

RESOLUTION

WHEREAS, Culmac Capital I, LLC bid and posted a premium of fourteen thousand five hundred dollars (\$14,500.00) for the purchase of a tax lien on Block 26, Lot 14 at the tax sale of June 12, 2008; and

WHEREAS, the lien was satisfied on April 3, 2009 and the Borough is required to return the premium;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Little Silver, that a check be drawn in the amount of fourteen thousand five hundred dollars (\$14,500.00) to Culmac Capital I, LLC representing the refund of the premium.

**RESOLUTION OF THE BOROUGH OF LITTLE SILVER, COUNTY
OF MONMOUTH, AUTHORIZING COMMODITY RESALE
AGREEMENT WITH THE COUNTY OF MONMOUTH.**

WHEREAS, N.J.A.C. 5:34-7.15 authorizes local contracting units to enter into Commodity Resale Agreements for the purchase of certain commodities from other contracting units; and

WHEREAS, the County of Monmouth (“County”) has authorized the creation of the Monmouth County Commodity Resale System; and

WHEREAS, it would be in the best interest of the Borough of Little Silver (the “Municipality”) to become a member of the Monmouth County Commodity Resale System.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body the Borough of Little Silver that the Mayor and Municipal Clerk be and they are hereby authorized to execute the attached Commodity Resale Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk forwarded a certified copy of this resolution, along with the executed Commodity Resale Agreement to the Clerk of the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 E. Main Street, Freehold, New Jersey 07728.

NOW THEREFORE, with the foregoing incorporated herein by this reference and in consideration of the mutual covenants contained herein the parties hereto, intending to be legally bound, hereby agree as follows:

The County and the Municipality enter into this agreement pursuant to the Rules governing cooperative purchasing, namely N.J.A.C. 5:34-7.15.

IT IS AGREED

1. Commodities Offered: The County will offer the commodities listed on Exhibit “A” to the Municipality through the Monmouth County Commodity Resale System.
2. Amendment to Services Offered: The County, in its discretion, may amend Exhibit “A” from time to time, upon approval by the Director of the Division of Local Government Services, if necessary, and written notice to the Municipality.
3. No Obligation by Municipality: The Municipality is under no obligation to purchase any commodities offered by the County.
4. No Obligation by County: The County is under no obligation to provide a commodity requested by the Municipality if the County is not then in a position to honor the request.

5. Total Cost Undetermined: The total cost of the services to be rendered under this agreement cannot be estimated in advance, but will be determined by the extent to which the Municipality avails itself of the services available.

6. Effective Dates: This agreement shall be in effect from the date of its execution by both parties until September 20, 2013, unless sooner terminated by either party.

7. Early Termination: Either party may terminate this agreement, with or without cause, upon thirty (30) days written notice to the other party.

8. County's Representative: The County's Administrator or its Director of Public works and Engineering, or his/her respective designee, will act on behalf of the County with regard to the commodities available to the Municipality.

9. Municipality's Representative: The Borough Administrator and Clerk, or his/her designee, will act on behalf of the Municipality with regard to a request for commodities from the County.

10. Payment of Invoices: The Municipality will pay the County for commodities purchased under this agreement within thirty (30) days of the County's invoice for those commodities. If the Municipality disputes a County invoice, the Municipality will pay the undisputed portion in accordance with the article below, entitled "Disputes".

11. Disputes: If there is a dispute concerning either party's performance under this agreement, the parties will attempt to resolve the dispute amicably between them. If the parties cannot resolve the issue amicably, the parties will mediate the dispute before a third party mediator jointly agreed to by the parties. Each party will bear its own cost of participating in mediation and the parties will share the cost of the mediator equally. If the dispute is not resolved through mediation, either party may then pursue any available legal or equitable remedy to resolve the dispute.

12. Indemnification: Each party will indemnify the other party and hold the other party harmless for the negligent or intentional acts of the indemnifying party.

13. Authority to Execute Agreement: The execution of this agreement has been duly authorized by the governing bodies of the County and the Borough of Little Silver.

IN WITNESS WHEREOF, the parties have executed this agreement.

County:

COUNTY OF MONMOUTH

BY: LILLIAN G. BURRY

TITLE: Freeholder Director

DATE: _____

ATTEST:

JAMES S. GRAY

Clerk of the Board

Municipality:

BOROUGH OF LITTLE SILVER

BY: SUZANNE CASTLEMAN

TITLE: Mayor, Borough of Little Silver

DATE: _____

ATTEST:

MICHAEL D. BIEHL

Administrator/Clerk, Borough of Little Silver

EXHIBIT A

MONMOUTH COUNTY COMMODITY RESALE SYSTEM

Commodities Available:

- Gasoline
- Diesel Fuel
- Snow Removal Chemicals
- Public works materials and supplies, including road and roadway construction materials
- Such other materials as may be approved by the Director of the Division of Local Government Services

Pricing:

It is the intent that the County will recoup its actual costs, but no profit. Therefore, the cost of the commodities shall be the actual cost paid by the County for the commodities plus a modest administrative fee, as quoted by the County.

Procedure:

If the Municipality is interested in purchasing a commodity through the County's Commodity Resale System, the Municipality will submit a completed Request Form to the County. If the County is able to honor the request, the County will approve the request and issue a price quotation. The Municipality will then decide, at its option, whether or not to complete the requested purchase, at the price(s) quoted by the County.

RESOLUTION

AUTHORIZING THE EXECUTION OF A MUNICIPAL ASSISTANCE/SHARED SERVICE AGREEMENT WITH THE COUNTY OF MONMOUTH

WHEREAS, the "Shared Services and Consolidation Act" at N.J.S.A. 40A:65-1 et seq. (The "Act") allows a local unit to enter into an agreement with any other local unit or units to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating local units; and

WHEREAS, the County of Monmouth, a local unit, has offered to provide municipal assistance/shared service to the Borough of Little Silver (hereinafter the "Municipality"); and

WHEREAS, it is in the best interest of the Borough of Little Silver to enter into the proposed Municipal Assistance/Shared Service Agreement with the County of Monmouth.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Little Silver that Mayor and Municipal Clerk/Administrator are hereby authorized to execute the attached Municipal Assistance/Shared Services Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk/Administrator will forward a certified copy of this Resolution, along with the executed Municipal Assistance/Shared Services Agreement to the Clerk of the Board of Chosen Freeholders, County of Monmouth, Hall of Records, 1 East Main Street, Freehold, New Jersey 07728.

NOW THEREFORE, with the foregoing incorporated herein by this reference and in consideration of the mutual covenants contained herein the parties hereto, intending to be legally bound, hereby agree as follows:

The County of Monmouth and the Borough of Little Silver enters into this agreement pursuant to the New Jersey Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.).

IT IS AGREED

1. Services Offered: The County will offer the municipal assistance/shared services listed on Exhibit A to the Municipality.
2. Amendment to Services Offered: The County, in its discretion, may amend Exhibit "A" from time to time, upon written notice to the Municipality.
3. Request for Service: The Municipality will initiate a request for service by submitting a Request Form to the County.
4. Cost of Services: For those items on Exhibit "A" for which a fixed cost is not set, the estimated cost to the Municipality will be determined by the County in advance and shall be subject to the approval of the Municipality prior to the services being rendered.
5. Payments of Reasonable Cost: In the event that the Municipality requests a service and prior approval of the cost has not been obtained, whether because of an emergency or some other reason, and the County provides the requested service, with the understanding that the County will receive reimbursement for the County's costs in providing the service, including the cost of goods, expendables, labor and administrative costs.
6. No Obligation by Municipality: The Municipality is under no obligation to utilize any services offered by the County.
7. No Obligation by County: The County is under no obligation to provide a service requested by the Municipality if the County is not then in a position to honor the request.
8. Workmanlike Services: The County will render services to the Municipality in a workmanlike manner.
9. Care Required: The County will exercise ordinary care in rendering services to the Municipality.
10. Total Cost Undetermined: The total cost of the services to be rendered under this agreement cannot be estimated in advance, but will be determined by the extent to which the Municipality avails itself of the services available.
11. Effective Dates: This agreement shall be in effect from the date of its execution by both parties until September 30, 2018, unless sooner terminated by either party.
12. Early Termination: Either Party may terminate this agreement, with or without Cause, upon thirty (30) days written notice to the other party.

13. County's Representative: The County's Administrator or his or her respective designee, will act on behalf of the Municipality with regard to services available to the Municipality, the cost thereof and commitment to provide requested services.
14. Municipality's Representative: The Municipality's Administrator or his or her respective designee, will act on behalf of the Municipality with regard to a request for services from the County and approval of cost estimates provided by the County.
15. Payment of Invoices: The municipality will pay the County for services rendered under this agreement within thirty (30) days of the County's invoice for those services. If the Municipality disputes a County invoice, the Municipality will pay the undisputed portion and attempt to resolve the remaining portion in accordance with the article below, entitled Disputes.
16. Disputes: If there is a dispute concerning either party's performance under this agreement, the parties will attempt to resolve the dispute amicably between them. If the parties cannot resolve the issue amicably, the parties will mediate the dispute before a third party mediator jointly agreed to by the parties. Each party will bear its own cost of participating in mediation and the parties will share the cost of the mediator equally. If the dispute is not resolved through mediation, either party may then pursue any available legal or equitable remedy to resolve the dispute.
17. Indemnification: Each party will indemnify the other part and hold the other party harmless for the negligent or intentional acts of the indemnifying party.
18. Authority to Execute Agreement: The execution of this agreement has been duly authorized by the governing bodies of the County and the Municipality.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed by their respective officers duly authorized, and have caused this Agreement to be dated as of the day and year written above.

ATTEST:

COUNTY OF MONMOUTH

BOROUGH OF LITTLE SILVER

BY: LILLIAN G. BURRY
TITLE: FREEHOLDER DIRECTOR

SUZANNE CASTLEMAN
TITLE: MAYOR

Date:

Date:

JAMES S. GRAY
CLERK OF THE BOARD

MICHAEL D. BIEHL
BOROUGH CLERK/ADMINISTRATOR

Date:

Date:

EXHIBIT A

COUNTY OF MONMOUTH

MUNICIPAL ASSISTANCE/SHARED SERVICES AGREEMENT

Services available:

The municipal assistance/shared services available from the County include, but are not limited to, the following:

- Catch basin cleaning
- Culvert repairs
- Diesel inspections
- Equipment use (with equipment operator)
- Guide rail installation
- Mowing
- Plowing
- Salting and sanding
- Street sign installation
- Street sweeping
- Towing
- Traffic signal installation
- Vehicle painting
- Vehicle repairs
- Vehicle washing

Pricing:

It is the intent that the county will recoup its actual costs in providing the service but not profit. Therefore, the cost of the services shall be the estimated actual cost to the County for the requested (a) equipment, (b) materials and (c) labor, as quoted by the County.

Procedure:

If the municipality is interested in procuring services through the Municipal Assistance/Shared Services Agreement, the Municipality will submit a completed Request Form to the County. If the County is able to honor the request, the County will approve the request and issue either a fixed or an estimated price quotation. The Municipality will then decide, at its option, whether or not to accept the services offered by the County.

RESOLUTION

WHEREAS, Steven Jay Schukin, as a member of the Boy Scouts of America, Troop 126 in Little Silver, New Jersey has achieved the rank of Eagle Scout, the highest rank in Scouting; and

WHEREAS, Steven Jay Schukin, for his Eagle Scout Project worked at Holy Trinity Lutheran Church in Red Bank with landscaping of the church grounds; and

WHEREAS, Steven Jay Schukin, organized scouts, volunteers and materials for landscaping various areas around the church by adding mulch, plants, trees and bushes, including refurbishing the stairs and building a countertop for the nursery school;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Little Silver does hereby recognize the achievement of Steven Jay Schukin in attaining the rank of Eagle Scout and further, congratulates and commends him for his service to the Boy Scouts of America and to his community.

RESOLUTION

WHEREAS, the Resolution presented and approved on March 16, 2009 for adoption of the Emergency Appropriation Extending the Temporary Budget for 2009 for the period April 1 to June 30, 2009 contained a clerical error; and

WHEREAS, said Resolution is required to be amended

WHEREAS, the total amount of the appropriations made hereunder do not exceed twenty-six and twenty-five hundredths percent (26.25%) of the budget for the year 2008, 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 correct the following appropriation for the period April 1, 2009 through June 30, 2009 as follows:

	<u>Original</u>	<u>Amended</u>
Municipal Court S&W 01-42-490-011	\$ 1,000	\$ 21,000
Total Extended Temporary Budget	\$1,961,670	\$1,981,670

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.

R E S O L U T I O N

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver, that the monies received by the Borough as a result the Dominick Santelle Memorial Recreation Fund be and are hereby dedicated by rider to the Little Silver Recreation Committee for purchasing recreation equipment subject to approval of the Director of the Division of Local Government Services.

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

Other Remarks: Mr. Neff referenced a letter from a resident (copy attached) noting she did not receive adequate notice of brush violation. Mr. Biehl noted that 48 hours is often not enough time for certain residents to make arrangements to comply. It was noted that the time the violation warning does not include the time it is issued, and there is nothing specified in the Ordinance requiring this. Mr. VanWinkle noted that the letter brings up the reasonable point regarding number of hours required. After discussion of the technicality of 48 hours, it was suggested that the specific time requirement be noted on the warning letter. It was determined that Mr. Neff would talk to Mr. Olimpi to suggest that the time of issuance and specific date or number of days to comply be noted on the warning letter.

Motion to Adjourn: Mr. VanWinkle

Second: Mr. Gilmour

Roll Call: Voice Vote - Ayes – Unanimous

The meeting was adjourned at 9:48 p.m.

Michael D. Biehl
Administrator/Clerk