

**MINUTES OF THE REGULAR MEETING OF THE  
LITTLE SILVER BOROUGH COUNCIL  
August 3, 2009**

The meeting was called to order and the Statement of Compliance with the Open Public Meetings Act given by Mayor Castleman at 8:13 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. Bennett and followed by a moment of silence.

Roll Call:

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

Absent: Mr. O'Hern, Mr. VanWinkle

Consideration of Minutes for Regular Meetings and/or Special Meetings:

June 1, 2009

Motion: Mr. Neff

Second: Mr. Gilmour

Council and Public Discussion: None

Roll Call: Voice Vote – Ayes – Unanimous

June 29, 2009

Motion: Mr. Bitman

Second: Mr. Gilmour

Council and Public Discussion: None

Roll Call: Voice Vote – Ayes – Unanimous

Consideration of Executive Session Minutes: None

Communications: None

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

**RESOLUTION - Payment of Bills and Claims**

Mr. Gilmour 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	\$ 184,005.66
Operating – Prior Year	744.26
School Taxes	0.00
Contra	0.00
Capital	25,995.44
Grant	0.00
Various Trusts & Reserves	5,672.98
Escrow Projects	875.00
Payroll of 7/24/09	\$ 145,657.99
Void Checks:	\$ 0.00
Manual Checks:	\$ 15,702.00
EFT Transfer	\$ 0.00
Wire Transfers:	\$ 0.00
Total	\$ 378,653.33

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. Gilmour  
Second: Mr. Bitman

Council and Public Discussion: None

Roll Call:

Affirmative: Mr. Bitman, Mr. Gilmour, Mr. Levine, Mr. Neff  
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 Police assisted at the Red Bank Fireworks and expended 50 man hours that evening.

**POLICE AND EMERGENCY PREPAREDNESS** (Traffic Safety Committee, Drug Alliance, Local Emergency Planning Council): Mr. Gilmour reported that the agreement with Fair Haven for the shared dispatch was set up by a point to point communication process, which was to go over the airwaves. He said there were some problems with the company contracted to do that and they were being addressed, so in the meantime the service would be conducted by landline. (It was later noted this is at no further expense to the Borough.) He further reported that prior to the Borough setting up the official website, the Police Department had already registered the name "Little Silver Police Department.org", and the Chief has recommended that the Police Department control that website from within the department, with a clickable link from the Borough website. It was noted that this would be done for security and sensitivity of content.

**BUILDINGS, GROUNDS, EQUIPMENT, STREET LIGHTS** (Recreation, Waterfront Committee, Downtown Development Committee, Little Silver Cross Acceptance Liaison): Mr. O'Hern, absent, no report.

Mr. Bitman noted that the Skateboard Sub-Committee will meet with residents on August 25 at 7:00 p.m. to discuss the elimination of Santelle Park as a potential site for a skateboard park. He noted that Mr. Biehl had sent a letter to residents advising them of this meeting.

**PERSONNEL** (Environmental Commission, Shade Tree Commission, Open Space): Mr. Neff reported that the revised Borough website is in operation, and that it is a work in progress, with new features to be added shortly. He noted that it looks good. Mr. Neff noted that Kathy Pearson had designed and implemented the original website, and commended her volunteer efforts.

**PUBLIC WORKS** (Planning Board, Americans With Disabilities Act Committee, Parker Homestead Liaison, Recycling): Mr. Bitman reported that the next regularly scheduled meeting of the Planning Board is scheduled for tomorrow (August 4, 2009) and copies of the Agenda were available.

**FINANCE AND BUDGET AND INSURANCE** (Property Maintenance, Business and Professional Association, Finance Advisory): Mr. VanWinkle, absent, no report. Mr. Biehl noted that the new employee health insurance plan has gone into effect.

Council and Public Discussion: None

Mayor's Report: None

Other Reports: None

Old Business: None

New Business:

ORDINANCE INTRODUCTION

Attorney Bennett stated that this Ordinance deals with the donation of property known as Woodland Street, along Club Way, which had been recommended at the time of the subdivision. This was recommended by the Planning Board and subject to approval by the Mayor and Council. He further noted that this will now be discussed at Public Hearing by introduction of the Ordinance.

Mr. Biehl introduced by title:

ORDINANCE OF THE BOROUGH OF LITTLE SILVER, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY, AUTHORIZING THE ACCEPTANCE OF DEED OF CONSERVATION EASEMENT, BLOCK 30, LOT 21; DEED OF CONSERVATION EASEMENT, BLOCK 55, LOTS 51, 26 FROM CLUBWAY ASSOCIATES, LLC

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 September 14, 2009.

Motion: Mr. Neff  
Second: Mr. Gilmour

Council and Public Discussion: Mr. Bitman asked if maintenance of the property was included in the Ordinance. Mr. Bennett noted that conservation easements generally become the responsibility of the Borough, and that this property is considered wetland property to be preserved, that will not require maintenance. After discussion, Mr. Bennett agreed to look into the matter further.

ORDINANCE INTRODUCTION

Mayor Castleman introduced by title:

ORDINANCE AMENDING CHAPTER XXII (FLOOD DAMAGE PREVENTION) OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE SILVER, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY (1973)"

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 September 14, 2009 .

Motion: Mr. Gilmour  
Second: Mr. Neff

Council and Public Discussion: None

Vote: Voice Vote – Ayes – Unanimous

**CONSENT AGENDA:** Mayor Castleman announced that the following Resolutions had been discussed and would now be approved by Consent Agenda, with the exception of Resolutions #1 and #6 previously listed.

Motion: Mr. Gilmour  
Second: Mr. Neff

Roll Call:

Affirmative: Mr. Bitman, Mr. Gilmour, Mr. Levine,  
Mr. Neff  
Negative: None  
Abstentions: None

### **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:

ADD: (Effective July 16, 2009)

Christopher Faherty Relief Dispatcher Trainee 7.25/hr

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.

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

WHEREAS, the Little Silver Volunteer Fire Department is in need of various turn-out gear as per the attached quote; and

WHEREAS, adequate funding for this purchase is contained in Ordinance #678-09; and

WHEREAS, the Fire Department Chief solicited the following quote under State Contract #71050:

Skylands Area Fire Equipment and Training  
Butler, NJ \$18,243.52; and

WHEREAS, the Borough Administrator/Clerk has reviewed the quote and finds it to be in order recommends the quote submitted by Skylands Area Fire Equipment and Training;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the quote submitted by Skylands Area Fire Equipment and Training in the amount of \$18,243.52 for various fire turn-out gear as per the attached quote from Skylands Area Fire Equipment and Training be and is hereby accepted.

## RESOLUTION

### Authorizing Disposal of Surplus Property

WHEREAS, the Borough of Little Silver is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Borough of Little Silver is desirous of selling said surplus property in an “as is” condition without express or implied warranties;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver, County of Monmouth, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of surplus property to be sold is as follows:  
  
1993 International Packer with EZ Pack Body (20 CYD), GW 36180, 2 Axle, VIN # 1HTSDPCR2PH522899 and the odometer reading is 99,201 miles.
- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Mayor and Council reserves the right to accept or reject any bid submitted.

## RESOLUTION

WHEREAS, the Governing Body adopted a Resolution on May 18, 2009 authorizing the purchase of a new 2009 Chevrolet Tahoe SSV 4x4 vehicle from Day Chevrolet, Inc. in the amount of \$28,774.00 under State Contract #A73849 for the Little Silver Emergency Medical Services; and

WHEREAS, the purchase price should have included the extended warranty of 5 years and/or 125,000 miles in the amount of \$3,695.00; and

WHEREAS, adequate funding for said purchase is contained in Ordinance #661-08; and

WHEREAS, the Administrator/Clerk has reviewed the quote for the extended warranty and recommends purchasing the extended warranty;

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 extended warranty of 5 years and/or 125,000 miles from Day Chevrolet, Inc. in the amount of \$3,695.00 under State Contract #A73849 for the 2009 Chevrolet Tahoe SSV 4x4 vehicle.

### **RESOLUTION**

WHEREAS, the Governing Body adopted a Resolution on May 18, 2009 authorizing the purchase of a new 2009 Chevrolet Tahoe SSV 4x4 vehicle from Day Chevrolet, Inc. in the amount of \$28,774.00 under State Contract #A73849 for the Little Silver Emergency Medical Services; and

WHEREAS, the purchase price should have included the extended warranty of 5 years and/or 125,000 miles in the amount of \$3,695.00; and

WHEREAS, adequate funding for said purchase is contained in Ordinance #661-08; and

WHEREAS, the Administrator/Clerk has reviewed the quote for the extended warranty and recommends purchasing the extended warranty;

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 extended warranty of 5 years and/or 125,000 miles from Day Chevrolet, Inc. in the amount of \$3,695.00 under State Contract #A73849 for the 2009 Chevrolet Tahoe SSV 4x4 vehicle.

Mr. Biehl read the following:

### **RESOLUTION**

WHEREAS, application has been made to the Borough of Little Silver by the Little Silver Parent Teacher Organization (P.T.O.) to hold an Off Premise 50/50 Raffle on October 11 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 Little Silver Parent Teacher Organization (P.T.O.) be and is hereby approved.

Motion: Mr. Gilmour  
Second: Mr. Neff

Council and Public Discussion: None

Vote: Voice Vote – Ayes – Unanimous

Mr. Biehl noted that a request for use of the Women’s Club Building had been received for September 13, noting that the next meeting of the Mayor and Council is on September 14, so asked if a decision would be made regarding the group’s request. After discussion and Mr. Bennett’s explanation regarding policies pertaining to use of the building, it was determined that these policies would pertain to any group requesting use of the building, but should be reviewed at a future time. It was determined that Mr. Biehl should grant permission to the group applying for use of the facility to do so under the current use policies.

Mr. Biehl further stated that a request for a block party on Silverton Avenue for September 13, 3:00 to 11:00 p.m. had been received. He noted that 10:00 p.m. is the noise ordinance, so it was decided to grant permission with the 10:00 p.m. closing time.

Mr. Biehl then stated that the League of Municipalities Meeting is scheduled for November 17 – 19, noting that Borough attendance is usually on the Wednesday of the meeting, which would be November 18. He requested the Mayor and Council check their schedules and let him know so that registration can be submitted by October 1.

Public Portion: Remarks of the public for the good of the Borough: Amanda Brockwell, 133 Silverton Avenue, stated that she is concerned about the affordability of living in the Borough. She asked if measures can be taken to reduce taxes, and that more consideration can be given in budget planning to helping residents deal with the increasing cost of living. Mr. Bennett noted that 40% of the local taxes go to the local district schools, and 21% goes to the regional high school, both of which are not controlled by this Governing Body. He further noted that 14% of the taxes go to the County, so that the Borough is responsible for 22% of the entire property taxes. He stated that State Aid to municipalities had been reduced in the last years, making it necessary for the town to make up that difference in local taxes, and that to reduce those taxes would require a reduction in services provided. Mr. Bennett further noted that health insurance and pension fund costs also cause higher taxes. Mr. Levine assured Ms. Brockwell that the Governing Body makes every attempt to keep operating costs at a minimum but efficient cost. Ms. Brockwell further commented that she appreciates the efforts made to keep the budget cost effective, but that state planning laws are deeply flawed, and that she hopes this can be addressed for the benefit of the residents who choose to live in the Borough. The Council encouraged her to continue to express her views and that residents’ helpful remarks and suggestions are always welcome.

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

Roll Call: Voice Vote - Ayes – Unanimous

The meeting was adjourned at 9:02 p.m.

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Michael D. Biehl  
Administrator/Clerk