

**MINUTES OF THE REGULAR MEETING OF THE  
LITTLE SILVER BOROUGH COUNCIL  
July 16, 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 July 1, 2009."

The salute to the flag was led by Mr. Levine 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-Clark and Mr. Biehl, Administrator/Clerk

Absent: None

Mr. Biehl read the following:

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

WHEREAS, the Mayor and Council of the Borough of Little Silver did heretofore advertise for public bids for the New Jersey Transit Parking Lot Improvements at the Little Silver Railroad Station in the Borough of Little Silver; and

WHEREAS, specifications for the same were prepared by the Borough Engineer; and

WHEREAS, the following bids were received by the Administrator/Clerk at 10:00 a.m. on May 28, 2009 opened and publicly read as follows:

Fiore Paving Company Oceanport, NJ	\$310,539.00
Garden State Sealing Long Branch, NJ	357,219.00
Berto Construction, Inc. Rahway, NJ	369,097.00; and

WHEREAS, the Borough Engineer and Administrator/Clerk have reviewed the bids and find that all bids exceed the available funding and therefore recommend to the Mayor and Council that all bids be rejected;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that all bids for the New Jersey Transit Parking Lot Improvements at the Little Silver Railroad Station in the Borough of Little Silver be and is hereby rejected; and

BE IT FURTHER RESOLVED the Borough Engineer is hereby authorized to review and amend the bid specification in accordance with the Borough's agreement with New Jersey Transit for the New Jersey Parking Lot Improvements at the Little Silver Railroad Station in the Borough of Little Silver and to re-advertise the bid; and

BE IT FURTHER RESOLVED that the Borough Administrator/Clerk be and is hereby authorized to return all bid bonds to the bidders.

Motion: Mr. Bitman  
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

Consideration of Minutes for Regular Meetings and/or Special Meetings:  
May 18, 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, June 18, 2009**

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	\$ 85,820.46
Operating – Prior Year	0.00
School Taxes	0.00
Contra	0.00
Capital	34,738.70
Grant	10,000.00
Various Trusts & Reserves	1,076.98
Escrow Projects	3,852.50
Payroll of 6/12/09	\$ 145,910.34
Void Checks:	\$ 0.00
Manual Checks:	
Postmaster Certified Check #12738	\$ 270.30
EFT Payments	\$ 0.00
Wire Transfers:	\$ 0.00
Total	\$281,669.28

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:

Roll Call:

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

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Check Disbursements	
Operating – Current Year	\$ 272,445.67
Operating – Prior Year	0.00
School Taxes	1,491,113.29
Refund Tax Overpayment	13,834.18
Contra	0.00
Capital	139,821.32
Grant	5,000.00
Various Trusts & Reserves	6,285.80
Escrow Projects	4,337.50
Payroll of 6/26/09, 7/10/09	\$ 331,909.08
Void Checks:	
Atlantic Detroit Allison Check #12739	-\$ 430.00
Manual Checks:	\$ 0.00
EFT Payments	\$ 0.00
Wire Transfers:	\$ 0.00
Total	\$2,264,316.24

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: None

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 Children's Reading Room at the Library is now open and extremely nice. He commended the people who worked hard to get this accomplished. He then reported that there were two severe fires in Shrewsbury, to which the Borough Fire Department responded, and did a commendable job. He said the Fire Company had 22 calls and 3 drills this past month, with year to date 81 calls and 8 drills, with 189 hours for the month and 447 for the year. The Fire Police had 22 calls, 3 drills for the month and 81 calls, 8 drills for the year. Mr. Levine noted that Bob Garrison was honored with a plaque and presentation for his years of service, and also noted that Mr. Garrison was instrumental in starting the Fire Police.

Mayor Castleman advised Mr. Levine that there had been a complaint about the fire siren. Mr. Levine said he had seen the letter (e-mail). Mayor Castleman said she called Frank Salerno to address the complaint.

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

BUILDINGS, GROUNDS, EQUIPMENT, STREET LIGHTS (Recreation, Waterfront Committee, Downtown Development Committee, Little Silver Cross Acceptance Liaison): Mr. O'Hern reported that the Recreation Summer Playground Program has been extremely successful this year, with over 300 registered attendees and revenues over \$20,000. He commended Doug Glassmacher and his committee for their work on the program. Mr. O'Hern then reported that the summer Basketball Program was started for future Red Bank Regional High School players and was successful. He also reported that the Borough website is progressing. He said Mr. Neff and Mr. VanWinkle had been working on this, and have met with a representative from the website and discussed the information and updates, and that Mr. Biehl will be getting the information to her, with August 1 as a launch date. Mr. O'Hern suggested the Council Members on each Committee should talk to members about getting information on the website. Mayor Castleman suggested a Resolution be presented to Kathy Pearson, for her efforts in volunteering to start the original website. The Council also discussed the possibility of saving postage by posting the Newsletter online rather than mailing it. Discussion followed regarding general website policy.

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): Mr. Bitman reported the next scheduled Planning Board meeting is in a couple of weeks, and he can get copies of the Agenda.

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 asked Mr. Biehl to schedule moving items belonging to the Parker Homestead from the storage facility.

Other Reports:

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

Cash on Hand Beginning of the Month	\$ 9,320,030.00
Total Monthly Receipts	4,834,306.00
Total Monthly Disbursements	3,087,949.00
Cash on Hand End of Month	\$11,066,387.00

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 0.60%.

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

Cash on Hand Beginning of the Month	\$11,066,387.00
Total Monthly Receipts	407,488.00
Total Monthly Disbursements	1,966,689.00
Cash on Hand End of Month	\$ 9,507,186.00

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 0.51%.

Old Business: Mr. Biehl read the following:

**RESOLUTION OF THE BOROUGH OF LITTLE SILVER  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY  
TO AMEND APPROVED BUDGET  
IN ACCORDANCE WITH THE PROVISIONS OF 40A:4-9**

WHEREAS, the local municipal budget for 2009 was approved on June 1, 2009; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, the Borough Council desires to amend said approved budget;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Little Silver, County of Monmouth that the following amendments to the approved budget of 2009 be made:

CURRENT FUND

<u>REVENUES</u>	<u>From</u>	<u>To</u>
Miscellaneous Revenues – Section F:		
New Jersey Historic Trust	\$ 59,500.00	\$ 44,625.00
Total Miscellaneous Revenues – Section F	85,894.86	71,019.86
Total Miscellaneous Revenues	1,248,466.86	1,233,591.86
5. Subtotal General Revenues	4,120,010.89	4,105,135.89
6. Amount to be Raised by Taxes	6,209,329.97	6,210,403.18
7. Total General Revenues	<u>\$10,329,340.86</u>	<u>\$10,315,539.07</u>

APPROPRIATIONS

(M) Reserve for Uncollected Taxes	\$ 1,190,876.62	\$ 1,177,074.83
9. Total General Appropriations	<u>\$10,329,340.86</u>	<u>\$10,315,539.07</u>

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the office of the Director of Local Government Services for certification of the 2009 Local Municipal Budget as amended.

Motion: Mr. VanWinkle  
Second: Mr. Gilmour

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**

BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver, County of Monmouth, that the Budget hereinbefore setforth is hereby adopted and shall constitute an appropriation for the purposes stated and the sums therein setforth as appropriations and authorization of the amount of \$6,210,403.18 as the amount to be raised by taxation.

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

Roll Call:

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

New Business:

**CONSENT AGENDA:** Mayor Castleman announced that the following Resolutions had been discussed and would now be approved by Consent Agenda, omitting #13.

Motion: Mr. Gilmour  
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 Borough of Little Silver, in the County of Monmouth, New Jersey (The “Borough”) intends to seek judicial approval of a spending plan for the expenditure of development fees pursuant to the rules of the Council on Affordable Housing (“COAH”); and

WHEREAS, COAH’s regulations require the Borough to enter into an escrow agreement with COAH and the Borough’s Banking Institution to enable COAH to monitor the disbursement of collected development fees and to direct the expenditure of development fees if the Borough fails to comply with the terms of the Borough’s Development Fee ordinance, the COAH regulations, or the Borough’s spending Plan;

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

1. The Borough hereby authorizes all necessary actions to be taken by its Mayor, Administrator/Clerk and attorneys in connection with the execution and delivery of the Escrow Agreement in the form deemed acceptable by COAH, the Borough, and the Borough’s Banking Institution; and
2. This resolution shall take effect immediately.

### **RESOLUTION**

WHEREAS the certification of tax rates throughout New Jersey have been delayed; and

WHEREAS there exists no date certain as to when rates will be certified; and

WHEREAS there will be a delay in the printing and receipt of the municipal tax bills which will result in a delayed mailing of the bills to the residents;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the grace period for the third quarter taxes be and is hereby extended to twenty five (25) days after the mailing of the bills.

### RESOLUTION

**WHEREAS**, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2010; and

**WHEREAS**, the Borough of Little Silver is desirous of submitting an application under this program for the following purpose:

- Woodbine Avenue from Prospect Avenue to Branch Avenue

**NOW, THEREFORE, BE IT RESOLVED** that the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

**FURTHER BE IT RESOLVED** by the Borough Engineer, Mayor and/or Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2010-Borough of Little Silver-00194 to the New Jersey Department of Transportation on behalf of the Borough of Little Silver; and

**FURTHER BE IT RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Little Silver and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

### CERTIFICATION

I hereby certify that this is a true copy of a resolution passed by the Borough of Little Silver Governing Body at their meeting held on July 16, 2009.

\_\_\_\_\_  
Michael D. Biehl  
Borough Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

Attest and Affix Seal

\_\_\_\_\_  
Michael D. Biehl  
Borough Clerk

\_\_\_\_\_  
Suzanne S. Castleman  
Mayor

**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 June 1, 2009)

Richard DeFazio	Fire Prevention Official	\$12,655.00
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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.

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

WHEREAS, the Borough of Little Silver Police Department is in need of Info-Cop Client Software and installation as part of a Shared Services System with the Borough of Fair Haven; and

WHEREAS, Sergeant Shaffery has solicited the following quote under NJ State Contract #A69834

Gold Type Business Machines, Inc./Info Cop	
East Rutherford, NJ	\$9,163.00; and

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

WHEREAS, the Borough Administrator/Clerk has reviewed the quote and finding it to be in order recommends the quote submitted by Gold Type Business, Inc./Info Cop;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the quote submitted by Gold Type Business Machines, Inc./Info Cop, in the amount of \$9,163.00 under NJ State Contract #A69834 be and is hereby accepted.

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

BE IT RESOLVED Stanley Sickels, Fire Official/Fire Safety Officer for the Borough of Red Bank is hereby appointed as acting Fire Official/Fire Safety Officer and Thomas Welsh as Acting Fire Inspector for the Borough of Little Silver effective June 8, 2009;

BE IT FURTHER RESOLVED that the Borough of Red Bank will bill the Borough of Little Silver monthly for work performed in accordance with the Borough of Little Silver's fee schedule.

## **RESOLUTION**

WHEREAS, Alfred and Frances Volpe, the owners of 11 Pine Drive in the Borough of Little Silver, Block 44, Lot 21, paid the second quarter 2009 taxes in the amount of \$13,834.18 as part of their refinance closing fees; and

WHEREAS, First American Real Estate Tax Service, on behalf of the Volpe's original mortgage company, US. Bancorp Service Providers, also paid the second quarter 2009 taxes causing on overpayment necessitating a refund; and

WHEREAS, the Tax Collector has a request from US Bancorp services for a refund of the duplicate payment;

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 \$13,834.18 payable to U.S. Bancorp Service Providers, LLC, 4801 Fredrica Street, Owensboro, Kentucky, 42301 as a refund of the overpayment of the second quarter taxes for 11 Pine Drive, Block 44, Lot 21 in the Borough of Little Silver.

## **RESOLUTION**

WHEREAS, the Borough of Little Silver did heretofore award a bid on August 28, 2008 to MECO, Inc, Clarksburg, NJ to perform the 2008 Road Improvement Program within the Borough of Little Silver in an amount not to exceed \$405,965.50 and amended on September 8, 2008 to \$409,400.00 and again on November 17, 2008; and

WHEREAS, the Mayor and Council of the Borough of Little Silver wish to further amend said Resolution as per the attached Change Order #2; and

WHEREAS, this Change Order falls within the legal limit established pursuant to N.J.A.C. 5:31-4.2; and

WHEREAS, adequate funding for this purchase is contained in Bond Ordinance #663-08;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the agreement with MECO, Inc. is hereby amended to \$427,547.95 from \$422,089.75, an increase of \$5,458.20, for the 2008 Road Improvement Program in accordance with Change Order #2.

**RESOLUTION TO JOIN  
NEW JERSEY SUSTAINABLE ENERGY  
JOINT MEETING**

**WHEREAS**, Local Units of the State of New Jersey are authorized to enter into a joint contract to provide for the formation of a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by N.J.S.A. 40A:65-14 et seq.; and

**WHEREAS**, the statutes regulating the creation and establishment of a Joint Meeting contain a mechanism for local units to aggregate their collective energy consumption in order to negotiate and contract for energy in a cost-effective, environmentally sensitive manner, furthering the public interest entrusted to such a Joint Meeting; and

**WHEREAS**, the governing body of the Borough of Little Silver has determined that membership in the Joint Meeting is in the best interest of the Borough of Little Silver;

**NOW THEREFORE, BE IT RESOLVED**, that the governing body of the Borough of Little Silver does hereby resolve and agree to become a member in the New Jersey Sustainable Energy Joint Meeting (NJSEM) for the purpose of joining with other Local Units in the State to aggregate purchasing power of energy so as to achieve financial savings and to encourage Local Units to cooperate in seeking ways to jointly implement sustainable energy alternatives;

**BE IT FURTHER RESOLVED** that the Mayor is authorized to execute the Joint Contract Joinder Agreement, attached hereto, and that Michael D. Biehl, Administrator/Clerk is hereby designated to represent the Local Unit as a member of the State Management Committee of the NJSEM; and

**BE IT FURTHER RESOLVED** that the Mayor is authorized and directed to execute such other documents signifying their membership in the NJSEM, and make payment of the Initial Membership Fee of \$600 as required by the NJSEM's Bylaws and to deliver same to the Executive Director of the NJSEM.

AYES  
NAYS  
ABSTAIN

By: \_\_\_\_\_  
Date \_\_\_\_\_

**BOROUGH OF LITTLE SILVER  
R E S O L U T I O N  
FOR REGIONAL FEASIBILITY STUDY GRANT**

WHEREAS, the governing body of the township of Marlboro as Lead Municipality and the Township of Aberdeen, City of Asbury Park, Borough of Atlantic Highlands, Borough of Bradley Beach, Township of Colts neck, Borough of Eatontown, Borough of Englishtown, Borough of Freehold, Township of Freehold, Township of Hazlet, Borough of Highlands, Township of Holmdel, Borough of Keyport, Borough of Lake Como, City of Long branch, Township of Manalapan, Borough of Matawan, Township of Middletown, Borough of Monmouth Beach, Borough of Neptune City, Township of Ocean, Borough of Oceanport, Borough of Roosevelt, Borough of Sea Bright, Borough of Sea Girt, Borough of Shrewsbury, Township of Shrewsbury, Borough of Spring Lake Heights, Borough of Tinton Falls, Borough of Union Beach, and the Township of Wall, have agreed to apply for a SHARE (Sharing Available Resources Efficiently) regional Feasibility Grant through the State of New Jersey Local SHARE Program in the amount of \$417,831.00; and,

WHEREAS, Township of Marlboro has agreed to be the lead agency in this endeavor; and

WHEREAS, the Governing Body of the Township of Marlboro is acknowledging and accepting the responsibility of acting as applicant for this grant on behalf of the Township of Aberdeen, City of Asbury Park, Borough of Atlantic Highlands, Borough of Bradley Beach, Township of Colts Neck, Borough of Eatontown, Borough of Englishtown, Borough of Freehold, Township of Freehold, Township of Hazlet, borough of Highlands, Township of Holmdel, Borough of Keyport, Borough of Lake Como, Borough of Little Silver, City of Long Branch, Township of Manalapan, Borough of Matawan, Township of Middletown, Borough of Monmouth Beach, Borough of Neptune City, Township of Ocean, Borough of Oceanport, Borough of Roosevelt, Borough of Sea Bright, Borough of Sea Girt, Borough of Shrewsbury, Township of Shrewsbury, Borough of Spring Lake Heights, Borough of Tinton Falls, Borough of Union Beach, and the Township of Wall, and

WHEREAS, the State of New Jersey has made SHARE grants available to assist local units study, develop and implement new shared and regional services; and

WHEREAS, the purpose of this grant is to promote shared services between our local units through the sharing of solid waste and recycling collection services that would be beneficial to all local units. This would include things such as technological advances, different methods of solid waste removal, waste flow analysis and data retrieval.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Little Silver, that the Borough of Little Silver does hereby join with the Township of Aberdeen, City of Asbury Park, Borough of Atlantic Highlands, Borough of Bradley Beach, Township of Colts Neck, Borough of Eatontown, Borough of Englishtown, Borough of Freehold, Township of Freehold, Township of Hazlet, borough of Highlands, township of Holmdel, Borough of Keyport, Borough of Lake Como, City of Long Branch, Township of Manalapan, Township of Marlboro as Lead Municipality, Borough of Matawan, Township of Middletown, Borough of Monmouth Beach, Borough of Neptune City, Township of Ocean, Borough of Oceanport, Borough of Roosevelt,

Borough of Sea Bright, Borough of Sea Girt, Borough of Shrewsbury, Township of Shrewsbury, Borough of Spring Lake Heights, Borough of Tinton Falls, Borough of Union Beach, and the Township of Wall, in applying for a grant for the purpose of a feasibility study.

#### CERTIFICATION

#### RESOLUTION

WHEREAS, the Borough of Little Silver previously awarded a three year contract on April 2, 2007 to Insomnia Coffeehouse for the Concession Stand at the Little Silver Railroad Station; and

WHEREAS; the tenant has not paid any rent since January 2009 and is currently \$10,350 in arrears; and

WHEREAS the Borough of Little Silver finds Insomnia Coffeehouse to be in violation of the terms of the contract;

NOW, THEREFORE, BE IT RESOLVED that the Borough Administrator/Clerk be and is hereby authorized to re-bid for a Concessionaire at the Little Silver Railroad Station.

#### RESOLUTION

WHEREAS, the Borough of Little Silver has applied to the Council on Affordable Housing for Substantive Certification for its Fair Share Housing Plan; and

WHEREAS, objections to the application were received on May 18, 2009 from Fair Share Housing Center; and

WHEREAS, the Borough of Little Silver is required to appoint an Arbitration Committee to meet with the Fair Share Housing Center and attempt to reconcile said objections to the plan;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that Mr. Rick J. DeNoia, Jr., Borough Counsel on Affordable Housing Attorney, Mr. Richard T. Coppola, Borough Affordable Housing Planner, Mr. Robert C. Neff, Jr., Councilmember and Dr. Richard Scott, Borough Planning Board Representative be and are hereby appointed as the Borough of Little Silver Council on Affordable Housing Arbitration Committee.

#### RESOLUTION

WHEREAS, Application has been made to the Borough of Little Silver by the Red Bank Regional Buccaneer Booster Club for On Premise 50/50 Raffles on the following dates:

September 11, 2009  
September 12, 2009  
September 13, 2009  
September 26, 2009  
October 10, 2009  
October 17, 2009  
November 26, 2009; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the application for On Premise 50/50 Raffles by the Red Bank Regional Buccaneer Booster Club be and is hereby approved.

### **RESOLUTION**

WHEREAS, the Borough of Little Silver and Cheshire Square Condominium Association have reached an agreement on the services which the Borough will provide and those for which Cheshire Square 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 Cheshire Square 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 Cheshire Square Condominium Association for compensation in the amount of \$4,089.83 in lieu of providing snow plowing and street lighting for the calendar year 2009.

### **RESOLUTION**

WHEREAS, the Borough of Little Silver and Fair Haven Police Department have agreed to enter into an Interlocal Services Agreement for Dispatch Services under the Shared Services and Consolidation Act; and

WHEREAS, the Mayor and Council previously purchased new computer hardware with installation of same to provide said shared services; and

WHEREAS, the Borough is also in need of the licensing for the Enterprise Edition of the Enforsys Police Systems; and

WHEREAS, Sergeant Daniel Shaffery has solicited the following quote:

Enforsys Police Systems, Inc. Roseland, NJ 07068                      \$38,200.00; and

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

WHEREAS, Enforsys Police Systems, Inc. is the sole supplier of the software which is compatible with the hardware selected by Little Silver and Fair Haven for the purpose of effectuating the terms and conditions of the Interlocal Services Agreement; and

WHEREAS, the Borough Administrative Clerk has reviewed the quote and finding it to be in order recommends the quote of Enforsys Police Systems, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the quote submitted by Enforsys Police Systems, Inc. in the amount of \$38,200.00 for software licensing fees be and is hereby accepted.

Attorney Bennett-Clark read the following:

### **RESOLUTION**

WHEREAS, the Mayor and Council of the Borough of Little Silver is desirous of eliminating the Traditional coverage provided under its Employee Group Health Benefits Plan with Horizon Blue Cross/Blue Shield of NJ;

WHEREAS, the Borough's broker has presented a plan called Horizon Blue Cross/Blue Shield of NJ Direct Access 7; and

WHEREAS, certain employees and retirees are covered by pre-existing contracts or agreements and this benefit plan can not be changed by the Mayor and Council at this time;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Little Silver hereby authorizes and directs Horizon Blue Cross/Blue Shield of NJ and their Broker, Ted Wardell of Grinspec Consulting to effectuate a change of those employees and permitted retirees designated on the attached current provider (Horizon Blue Cross/Blue Shield of NJ Traditional coverage) to the Horizon Blue Cross/Blue Shield of NJ Direct Access 7, effective August 1, 2009.

Motion: Mr. Neff  
Second: Mr. Gilmour

Council and Public Discussion: Mr. Bitman commended Mr. VanWinkle and Mr. Biehl for initiating this new plan, and their hard work on executing it. He noted this plan is a great cost savings for the Borough. Mr. Neff added that there were employess that were not happy with the plan, but noted that it was not done just for cost savings. He further noted that it was chosen rather than take more drastic budgetary action on employee health benefits. He said the new plan will not impact any of the health care received under the former plan.

Mr. Biehl read the following:

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

WHEREAS, the Borough of Little Silver Police Department is in need of a Kenwood TK-7180HK VHF 50 Watt/512 Channel Mobile Radio with programming, power supply, 8 pin desk microphone, 100' antenna cable, base antenna and installation for back up base for the front desk dispatcher station; and

WHEREAS, the following quote has been solicited under State Contract #A53764

A.R. Communications  
Eatontown, NJ                      \$1,735.87; and

WHEREAS, adequate funding for said purchase is contained in Ordinance #674-09; and

WHEREAS, the Borough Administrator/Clerk has reviewed the quote and finding it to be in order recommends it to the Mayor and Council;

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 in the amount of \$1,735.87 under State Contract #A53764 from A.R. Communications.

Motion:        Mr. Gilmour  
Second:        Mr. Bitman

Roll Call:

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

Public Portion: Remarks of the public for the good of the Borough: Robert Steers, Rumson Road, asked if the Governing Body would consider amending the property maintenance ordinance regarding parking vehicles on lawns. He said there was no time limit specified regarding when a car could be parked on a lawn. He noted in his circumstances there is an extra car at his home and not enough space to park it. He noted he had received a summons for parking the car on the lawn, which had been done temporarily to make room for all the cars. He said the existing Ordinance allows residents to call in when it is necessary to park in the street overnight, but there is no specification for parking on lawns, as might be the case if the resident has guests or similar temporary situations. He asked if the Council would entertain a discussion on changing to Ordinance to allow residents a time limit or exceptions to the issue of parking on lawns. Mayor Castleman noted that there has been a problem with people parking on lawns. It was noted that perhaps residents could notify police when circumstances caused parking on lawns in order to avoid overnight parking on streets. Council members said Mr. Steers' request would be discussed and considered at a future Workshop Meeting.

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

Roll Call: Voice Vote - Ayes – Unanimous

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

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Michael D. Biehl  
Administrator/Clerk