

**MINUTES OF THE REGULAR MEETING OF THE  
LITTLE SILVER BOROUGH COUNCIL  
May 18, 2009**

The meeting was called to order and the Statement of Compliance with the Open Public Meetings Act given by Mayor Castleman at 8:00 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. Bitman and followed by a moment of silence.

Roll Call:

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

Absent: Mr. Gilmour

**PUBLIC HEARING**

**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 certified that same had been published in the Two River Times on May 8, 2009, posted on the bulletin board, with copies available to the public.

Motion hearing be opened: Mr. Neff  
Second: Mr. O'Hern

Roll Call: Voice Vote - Ayes - Unanimous

Mayor Castleman declared the hearing open and called for comments. Seeing none, she called for a Motion to close the hearing.

Motion hearing be closed: Mr. Neff  
Second: Mr. VanWinkle

Roll Call: Voice Vote - Ayes - Unanimous

Mr. Biehl introduced for second reading by title only:

**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**

Motion: Mr. O’Hern  
Second: Mr. Neff

Roll Call:

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

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

April 6, 2009

Motion: Mr. VanWinkle  
Second: Mr. Bitman

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. 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  | \$ 153,469.89 |
| Operating – Prior Year    | 0.00          |
| School Taxes              | 1,379,119.56  |
| Contra                    | 0.00          |
| Capital                   | 102,958.75    |
| Grant                     | 0.00          |
| Various Trusts & Reserves | 526.52        |
| Escrow Projects           | 880.00        |

Payroll of 5/15/09 \$ 144,323.34

Void Checks: \$ 0.00

|                       |    |                |
|-----------------------|----|----------------|
| Manual Checks:        |    |                |
| S. Castleman ck#12625 | \$ | 30.16          |
| Comcast ck#12626      |    | 116.03         |
| NJAWC ck#12627        |    | 254.01         |
| EFT Transfer          | \$ | 0.00           |
| Wire Transfers:       | \$ | 0.00           |
| Total                 |    | \$1,781,678.26 |

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. Bitman

Council and Public Discussion: None

Roll Call:

Affirmative: Mr. Bitman, 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 new Fire Chief’s truck had been received. He further noted that the Fire Department recorded 95 man hours this month.

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

BUILDINGS, GROUNDS, EQUIPMENT, STREET LIGHTS (Recreation, Waterfront Committee, Downtown Development Committee, Little Silver Cross Acceptance Liaison): 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): Mr. Bitman reported that the regularly scheduled Planning Board meeting for May 19 was cancelled due to lack of Agenda.

FINANCE AND BUDGET AND INSURANCE (Property Maintenance, Business and Professional Association, Finance Advisory): Mr. VanWinkle reported that the Business and Professional Association had made a \$1,000 donation for banners.

Council and Public Discussion: None

Mayor's Report: Mayor Castleman reported that she was working with students from the Peer Group at Markham Place School in planting the containers in the downtown business area. She further reported that Student Government Day had been successful, with a good group of students.

Other Reports: Chester Apy, 67 Rivers Edge Drive, appeared before the Mayor and Council to discuss the Parker Homestead and its historical significance to the Borough. He handed each person a packet with a copy of the contract for the Parker Home, a copy of the preservation plan, and a copy of the historical landscape plan. Mr. Apy spoke at length about the history of the Parker Home and family, and how the Borough has a valuable historical treasure in the Parker Home. He indicated that he felt that it was important for him to point this out to the Mayor and Council, to ensure that they understood. Mr. Apy also discussed the documents in the package he presented, and the background on how the Borough acquired the Parker Home. He further expressed his appreciation of the condition of the actual house and the preservation that has already been done. Mr. Apy also expressed his concern about further deterioration of the outbuildings, and of the necessity for utilizing the Citizens Committee to help further any future plans for the property and structures.

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

|                                     |                |
|-------------------------------------|----------------|
| Cash on Hand Beginning of the Month | \$9,919,536.00 |
| Total Monthly Receipts              | 1,979,329.00   |
| Total Monthly Disbursements         | 2,578,836.00   |
| Cash on Hand End of Month           | \$9,320,030.00 |

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 .90%.

Old Business: None

New Business:

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

Motion: Mr. VanWinkle  
Second: Mr. Bitman

Roll Call:

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

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

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

WHEREAS, the Borough of Little Silver Police Department is in need of new computer hardware with installation of same to provide said shared services; and

WHEREAS, Sergeant Daniel Shaffery has solicited quotes as per the following:

|   |                            |
|---|----------------------------|
| Enforsys Police Systems, Inc. Roseland, NJ 07068  | \$13,567.00                |
| Hewlett-Packard Financial Services Co., Omaha, NE 68154<br>installation, set-up or testing) | \$11,575.00 (not including |
| New World – did not quote; and  |                            |

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

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

WHEREAS, the quote from Hewlett-Packard Financial Services Co. did not include items necessary for the successful operation of the system for the Shared Services.

WHEREAS, the Borough Administrative Clerk has reviewed the quote and finding it to be in order recommends the quote be awarded to the low 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 \$13,567.00 for new computer hardware installation and maintenance be and is hereby accepted.

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

WHEREAS, the Little Silver Emergency Medical Services is in need of one new 2009 Chevrolet Tahoe SSV 4x4 vehicle with additional options as per the attached itemized list; and

WHEREAS, the Emergency Medical Services Captain has solicited the following quote under State Contract #A73849:

|                     |                  |
|---------------------|------------------|
| Day Chevrolet, Inc. |                  |
| Egg Harbor Township | \$28,774.00; and |

WHEREAS, adequate funding for said 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 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 one new 2009 Chevrolet Tahoe SSV 4x4 vehicle with additional options as per the attached itemized list from Day Chevrolet, Inc. in the amount of \$28,774.00 under State Contract #A73849.

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

### **GARDEN STATE HISTORIC PRESERVATION TRUST FUND ADMINISTERED BY THE NEW JERSEY HISTORIC TRUST**

WHEREAS, the Governing Body of Little Silver Borough desires to further historic preservation through a grant from the New Jersey Historic Trust, State of New Jersey, in the amount of \$44,625.00 for the following project: Parker Homestead

THEREFORE, the Governing Body authorizes Mayor Suzanne S. Castleman and Borough Clerk Michael D. Biehl to execute a grant agreement with the State in an amount up to that awarded for the proposed project, and to seal the grant agreement.

Introduced and passed May 18, 2009.

Approved:

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Suzanne S. Castleman, Mayor

Attested:

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Michael D. Biehl, Borough Clerk

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

WHEREAS, Little Silver Liquors, Inc., Prospect Avenue, Little Silver, N.J. has applied to the Mayor and Council of the Borough of Little Silver for renewal of their Plenary Retail Distribution License;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that License #1323-44-002-002 for Little Silver Liquors, Inc. is hereby granted for the period of July 1, 2009 through June 30, 2010.

**MAYOR'S PROCLAMATION  
PROCLAIMING MAY 23, 2009 AS  
JUSTICE DANIEL J. O'HERN DAY  
WITHIN THE BOROUGH OF LITTLE SILVER**

WHEREAS, the citizens of Little Silver wish to honor the life and contributions of Little Silver resident and former New Jersey Supreme Court Associate Justice Daniel J. O'Hern:

Justice O'Hern served in the United States Navy from 1951 to 1954 and was separated at the rank of Lieutenant, J.G. He was aboard the USS Essex during the Korean war.

Justice O'Hern's rich history of public service includes serving as a councilman in red bank and then as Mayor. He served as Borough Attorney for Little Silver from January 1, 1975 to January 31, 1975 during the term of Mayor Charles Rell. He was appointed in 1978 as Commissioner of the Department of Environmental Protection serving under Governor Brendan Byrne, and was appointed Counsel to the Governor the following year.

Governor Byrne announced his intention to appoint Justice O'Hern to the Supreme Court on April 20, 1981. The nomination was submitted to the Senate on May 4 and confirmed on May 20. He was sworn in on August 6, 1981.

In his timeserving the Court, Justice O'Hern authored 231 opinions, including *In Re Proportionality Review*, dealing with the state system of reviewing death sentences; *Williams v Department of Human Services*, on the rights of the homeless; and *Ford Motor v Edison*, on the valuation of industrial property.

Our community is forever grateful and indebted to Justice O'Hern for his decades of public service and his unwavering dedication to the protection and equal treatment of all people under the law.

NOW, THEREFORE, be it resolved that the Borough Council of the Borough of Little Silver expresses their most heartfelt and deepest sympathies to the loss of the O'Hern family and for the loss to all of those who were fortunate enough to call Daniel J. O'Hern friend, mentor, and Justice.

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Suzanne S. Castleman, Mayor

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Michael D. Biehl, Borough Administrator

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

Motion to Adjourn: Mr. Levine

Second: Mr. VanWinkle

Roll Call: Voice Vote - Ayes – Unanimous

The meeting was adjourned at 9:00 p.m.

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Michael D. Biehl  
Administrator/Clerk