

**MINUTES OF THE REGULAR MEETING OF THE  
LITTLE SILVER BOROUGH COUNCIL  
October 19, 2009**

The meeting was called to order and the Statement of Compliance with the Open Public Meetings Act given by Mayor Castleman at 8:45 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 Mrs. Gormley 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 and  
Mrs. Gormley, Deputy Administrator/Clerk

Absent: None

Attorney Bennett explained that the following is the second bid of the NJ Transit Railroad Parking Lot project, under the direction of NJ Transit, the owner of the parking lot, the bid was broken down into three separate projects. He said it was NJ Transit's recommendation that the initial comprehensive bid (Project #1) be awarded, and the Borough Engineer would be authorized to negotiate the next two bids for striping and sealing. It is the intention of the Mayor and Council to have the parking fees pay for this, and that the negotiations will be complete on the first bid and will be acted upon within the next two weeks. He read the first Resolution as follows:

**RESOLUTION**

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 "Project No. 1"; and

WHEREAS, work for "Project No. 1" consists of new curbing, sidewalks, storm pipe, reconstruction of drainage inlet, storm pipe and other miscellaneous related work items; 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 September 2, 2009 opened and publicly read as follows:

Jads Construction Co., Inc. South River, NJ	\$103,355.95
Pioneer General Contracting Inc. Monroe Township, NJ	\$106,050.00
Lucas Construction Group, Inc. Morganville, NJ	\$106,995.20
R&B Builders, Inc South River, NJ	\$109,978.02
Seaview General Contracting Sayerville, NJ	\$115,092.51
L&L Paving Company, Inc. Tinton Falls, NJ	\$123,309.00
Earle Asphalt Company Farmingdale, NJ	\$126,613.13
Diamond Construction Brick, NJ	\$135,390.00
Al Neto Contractors, Inc. Bridgewater, NJ	\$138,069.00
B&B Construction, Co, LLC Howell, NJ	\$143,475.20
Petillo Flanders, NJ	\$148,918.00
Garden State Sealing Long Branch, NJ	\$159,584.00
A-Tech Concrete Co. Edison, NJ	\$185,576.00; and

WHEREAS, the Borough Engineer has reviewed the bids and recommends to the Mayor and Council that the low bid submitted by Jads Construction Co., Inc. be accepted; and

WHEREAS, adequate funding for said improvements has been provided in Bond Ordinance #674-09;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the low bid submitted by Jads Construction Co., Inc. in the amount of \$103,355.95 for the New Jersey Transit Parking Lot Improvements at the Little Silver Railroad Station in the Borough of Little Silver "Project No. 1" be and is hereby accepted; and

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

Motion: Mr. Neff  
Second: Mr. Levine

Council and Public Discussion: Mr. Bitman reiterated that the money for this project is not out of Borough tax revenue and will be paid out of parking fees.

Roll Call:

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

Attorney Bennett read the following:

## RESOLUTION

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 "Project No. 2"; and

WHEREAS, work for "Project No. 2" consists of new striping, seal coating, cleaning and sealing pavement cracks, HMA base and surface course, and other miscellaneous related work items; and

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

WHEREAS, the following bids were received by the Administrator/Clerk at 10:15 a.m. on September 2, 2009 opened and publicly read as follows:

L&L Paving Company, Inc. Tinton Falls, NJ	\$52,652.00
Lucas Construction Group, Inc. Morganville, NJ	\$78,525.20
Fiore Paving Company Oceanport, NJ	\$100,129.00

C.J. Hesse, Inc. Atlantic Highlands, NJ	\$107,055.00
Halecon, Inc. Bridgewater, NJ	\$87,640.00
Garden State Sealing Long Branch, NJ	\$113,325.00; and

WHEREAS, the Borough Engineer and Administrator/Clerk have reviewed the bids and find that all bids exceed the available funding and therefore recommends 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 “Project No. 2” be and are hereby rejected; and

BE IT FURTHER RESOLVED the Borough Engineer is hereby authorized to negotiate the contract prices with willing contractors to find the best price for the necessary goods and services for the New Jersey Transit Parking Lot Improvements at the Little Silver Railroad Station in the Borough of Little Silver “Project No. 2”; and

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

## RESOLUTION

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 “Project No. 3”; and

WHEREAS, work for “Project No. 3” consists of two multi-space parking pay stations and one hand-held ticketing device, together with miscellaneous other related work items; and

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

WHEREAS, the following bids were received by the Administrator/Clerk at 10:30 a.m. on September 2, 2009 opened and publicly read as follows:

Bricktown Electrical Contractors Brick, NJ 08724	\$ 91,100.75
Lucas Construction Group, Inc. Morganville NJ	\$151,400.20; and

WHEREAS, the Borough Engineer and Administrator/Clerk have reviewed the bids and find that all bids exceed the available funding and therefore recommends 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 "Project No. 3" be and are hereby rejected; and

BE IT FURTHER RESOLVED the Borough Engineer is hereby authorized to negotiate the contract prices with willing contractors to find the best price for the necessary goods and services for the New Jersey Transit Parking Lot Improvements at the Little Silver Railroad Station in the Borough of Little Silver "Project No. 3"; and

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

PUBLIC HEARING

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 5-18, ENTITLED "RECYCLING", OF CHAPTER 5, "POLICE REGULATIONS", OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE SILVER, NEW JERSEY

Mrs. Gormley certified that same had been published in the Two River Times on September 25, 2009, posted on the bulletin board, with copies available to the public.

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

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. Gilmour  
Second: Mr. VanWinkle

Roll Call: Voice Vote - Ayes - Unanimous

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

Mrs. Gormley introduced for second reading by title only:

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 5-18, ENTITLED "RECYCLING", OF CHAPTER 5, "POLICE REGULATIONS", OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE SILVER, NEW JERSEY

Motion: Mr. Bitman  
Second: Mr. Gilmour

Roll Call:

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

## PUBLIC HEARING

AN ORDINANCE AMENDING CHAPTER XIII, "FIRE PREVENTION" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE SILVER, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

Mrs. Gormley certified that same had been published in the Two River Times on September 25, 2009 , posted on the bulletin board, with copies available to the public.

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

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. Gilmour  
Second: Mr. Bitman

Roll Call: Voice Vote - Ayes - Unanimous

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

Mrs. Gormley introduced for second reading by title only:

AN ORDINANCE AMENDING CHAPTER XIII, "FIRE PREVENTION" OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF LITTLE SILVER, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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 HEARING

AN ORDINANCE OF THE BOROUGH OF LITTLE SILVER AUTHORIZING AN AGREEMENT BETWEEN THE BOROUGH OF LITTLE SILVER AND BOROUGH OF RED BANK, TO PROVIDE FOR UNIFORM FIRE CODE SERVICES

Mrs. Gormley certified that same had been published in the Two River Times on September 25, 2009, posted on the bulletin board, with copies available to the public.

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

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. Gilmour  
Second: Mr. O'Hern

Roll Call: Voice Vote – Ayes – Unanimous

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

Mrs. Gormley introduced for second reading by title only:

AN ORDINANCE OF THE BOROUGH OF LITTLE SILVER AUTHORIZING AN AGREEMENT BETWEEN THE BOROUGH OF LITTLE SILVER AND BOROUGH OF RED BANK, TO PROVIDE FOR UNIFORM FIRE CODE SERVICES

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

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

Consideration of Executive Session Minutes: None

Communications: None

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

**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	\$ 177,057.05
Operating – Prior Year	194.98
School Taxes	0.00
Contra	0.00
Capital	49,901.00
Grant	2,140.00

Various Trusts & Reserves	1,110.90
Escrow Projects	642.50
Payroll of 10/16/09	\$ 149,952.37
Void Checks:	\$ 0.00
Manual Checks:	\$ 0.00
County Taxes	\$ 0.00
EFT Transfer	\$ 0.00
Wire Transfers:	\$ 0.00
Total	\$ 380,998.80

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, no report.

POLICE AND EMERGENCY PREPAREDNESS (Traffic Safety Committee, Drug Alliance, Local Emergency Planning Council): Mr. Gilmour reported that last week there had been an intrusion at Red Bank Regional High School, and that due to the awareness of the SRO Officer, it was stopped and four individuals were charged with trespassing. He further reported that the Traffic and Safety Committee meeting was attended by residents of the North Sunnycrest area in regard to the volume and speed of traffic cutting through from White Road. He noted that the group of residents was requesting help from the Borough to get speed bumps and stop signs to help control the increased traffic. He said this would be pursued with the Police Department. Mr. Levine suggested that, in regard to traffic also on Markham Place, there be more 25 mph signs placed and advise motorists of the school zone.

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

PERSONNEL (Environmental Commission, Shade Tree Commission, Open Space): Mr. Neff reported that Mr. Olimpi would be retiring in the next couple of weeks, and his position of Property Code Enforcement has been advertised a second time. He said a decision should be reached next week. Mr. Levine asked if guidelines and job description had been formulated. Mr. Neff replied that Mr. Olimpi had been consulted as to how he handled the job, and explained that it is somewhat different now, in that it was part of various positions Mr. Olimpi had held. He said expectations and responsibilities of the position were clearly explained to the applicants. He further explained the interview and hiring procedure.

PUBLIC WORKS (Planning Board, Americans With Disabilities Act Committee, Parker Homestead Liaison, Recycling, Little Silver Cross Acceptance Liaison): Mr. Bitman reported that the next regularly scheduled Planning Board meeting is tomorrow, and that he had copies of the Agenda. In response to Mr. Levine's question, Mr. Bitman noted the Dunkin Donuts application would not be heard until December 1 or the beginning of the year.

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

Council and Public Discussion: None

Mayor's Report: Mayor Castleman, no report.

Other Reports:

Mrs. Gormley gave the Financial Summary for the Month of September, 2008:

Cash on Hand Beginning of the Month	\$11,468,740.00
Total Monthly Receipts	514,117.00
Total Monthly Disbursements	1,973,8941.00
Cash on Hand End of Month	\$10,009,016.00

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 0.40%.

Old Business: None

New Business:

Mayor Castleman introduced by title:

AN ORDINANCE FOR SALARIES OF CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF LITTLE SILVER, FOR THE YEAR 2010

Mrs. Gormley 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 November 16, 2009.

Motion: Mr. Gilmour  
Second: Mr. VanWinkle

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.

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

**RESOLUTION**

WHEREAS, the Borough of Little Silver Emergency Medical Services is in need of two Reeves stretchers, two jump bags/02; one space saver-folding backboard; two pediatric backboards and three 02 flowmeters; and

WHEREAS, the Little Silver Emergency Medical Services Captain has solicited the following quotes:

V.E. Ralph & Son, Inc. Kearny, NJ	\$1,284.27
Moore Medical Farmington, Ct.	Incomplete Quote
Henry Schein Waretown, NJ	Incomplete Quote

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

WHEREAS, the Borough Administrator/Clerk has reviewed the quote and finding it to be in order recommends the quote submitted by V.E. Ralph & Son, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the quote submitted by V.E. Ralph & Son, Inc. for two Reeves stretchers, two jump bags/02; one space saver-folding backboard; two pediatric backboards and three 02 flowmeters in the amount of \$1,284.27 be and is hereby accepted.

### RESOLUTION

WHEREAS, the Borough of Little Silver Emergency Medical Services is in need of three Motorola Minitor V2 channel stored voice pagers with standard charger; 4 Minitor batteries; one A.R. NICAD battery for Minitor II Pagers; and four NICAD rechargeable batteries for Minitor III and Minitor IV pagers; and

WHEREAS, the Little Silver Emergency Medical Services Captain has solicited the following quotes:

A.R. Communications Eatontown, NJ	\$1,373.80
M&W Communications Flemington, NJ	\$1,593.00
P&W Sarasota, FL	\$1,429.30; and

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

WHEREAS, the Borough Administrator/Clerk has reviewed the quote and finding it to be in order recommends the quote submitted by A.R. Communications;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the quote submitted by A.R. Communications for of three Motorola Minitor V2 channel stored voice pagers with standard charger; 4 Minitor batteries; one A.R. NICAD battery for Minitor II Pagers; and four NICAD rechargeable batteries for Minitor III and Minitor IV pagers in the amount of \$1,373.80 be and is hereby accepted.

### RESOLUTION

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Program to provide Program Grant funds in connection with municipal recreational development of lands for park, recreation, conservation and farmland preservation purposes, as well as for recreation and conservation development and maintenance purposes within Monmouth County; and

WHEREAS, the Governing Body of the Borough of Little Silver desires to obtain County Open Space Trust Funds in the amount of \$67,400.00 to fund the recreational development of Memorial Park in the Borough of Little Silver, Block 48 Lots 22, 22.01, 22.02, 22.03; and

WHEREAS, the total cost of the project including all matching funds is \$134,800.00; and

WHEREAS, the Borough of Little Silver is the owner of and controls the project site; and

NOW, THEREFORE, BE IT RESOLVED BY the Borough of Little Silver that:

1. Michael D. Biehl, Administrator/Clerk is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the principal contact person and correspondent of the above named municipality; and
2. The Borough of Little Silver is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Suzanne S. Castleman, Mayor of the Borough of Little Silver is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This Resolution shall take effect immediately.

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

Motion to Adjourn: Mr. VanWinkle

Second: Mr. Levine

Roll Call: Voice Vote - Ayes – Unanimous

The meeting was adjourned at 9:10 p.m.

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Helen Gormley, Deputy Administrator/Clerk