

**MINUTES OF THE MEETING OF THE  
LITTLE SILVER BOROUGH COUNCIL  
March 27, 2023**

The meeting was called to order and the Statement of Compliance with the Open Public Meetings Act given by Mayor Neff at 7:05 pm.

“Adequate notice of this meeting has been provided by the mailing of a notice to the Asbury Park Press and The Two River Times on January 12, 2023, and 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, the Borough Website, the Borough Facebook Page, Borough Newsletter, Electronic Sign and Constant Contact. Notice about how to attend the meeting virtually was posted on the Borough website, Borough Facebook page, and Constant Contact.”

The salute to the flag was led by Councilman Brennan and followed by a moment of silence.

**Roll Call:**

Present: Mayor Neff, Councilpersons Brannagan, Brennan, Christensen, Galante, Holzapfel, Smith, Attorney John Glynn, and Administrator/Clerk Burke.

Absent:

**Communications:** Update of the 2023 Borough Budget by the Borough Chief Financial Officer

Craig Marshall, CFO: In February, the budget was \$11,775,000 with the tax levy of approximately \$8.4 million, which was up 4% from last year’s budget. At the February meeting, we were waiting on the cost of the new garbage bid, the potential of using Open Space Trust Fund for field maintenance and to add a position to take care of the fields. The 2022 budget started at \$12,167,000 and added \$204,000 to grants. The final budget was \$12,372,000 and tax levy was \$8.13 million. The updated proposed budget is \$12,065,000, which is \$290,000 more than at last month's meeting. \$195,000 of that is coming from the Open Space Trust Fund and does not affect the tax levy. We received the Recycling Tonnage grant of approximately \$13,000. The levy needed to be increased for garbage to 4.98% increase over last year. Interest has been negotiated and should be higher this year, but \$140,000 in interest was collected last year and is included in the budget. Mr. Marshall had a presentation showing the significant increases over the past year: Municipal Joint Insurance Fund went up from \$291,000 to \$311,000, state health benefits rates increased 22% (from \$1.1 million in 2022 to \$1.4 million in 2023). 2022 came in about \$135,000 under budget, which helps offset 2023’s budgetary increase. Pension state costs are being passed down due to mismanagement at the State level. Trash and recycling costs increased from \$268,000 to \$501,000 (87%), with another \$100,000 increase next year. Utilities increased from \$493,000 in 2022 to (projected) \$567,000 in 2023; utilities in 2022 cost \$30,000 more than what was budgeted for, most of which was fuel. Public Works has a lot of supply chain issues and a lot of tree issue expenses. Real expenditures cost \$3.6 million in 2022 and will cost \$4.3 million in 2023.

87% of the budget is fixed costs- employees, benefits, insurances, debt service.

**Ordinance Introduction: 866-23**

**ORDINANCE AMENDING §A-5.7 OF CHAPTER 16A “LAND USE AND DEVELOPMENT REGULATIONS’ OF THE CODE OF LITTLE SILVER, COUNTY OF MONMOUTH, AND STATE OF NEW JERSEY.**

**(Public Hearing April 10, 2023)**

Mayor Neff explained the amendment is just tightening up the language. Attorney John Glynn explained they are changing one word in the ordinance from “building” to “structure”. Structure is a broader term and will bring the language in line with the interpretation of the ordinance.

Motion: Councilman Brennan

Second: Councilwoman Brannagan

Discussion: None

Roll Call:

Ayes: Councilpersons Brannagan, Brennan, Christensen, Galante, Holzapfel, Smith

Nays: None

Abstain:

Motion carried.

**Ordinance Introduction: 867-23**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK. (N.J.S.A. 40A:4-45.14)**

**(Public Hearing April 24, 2023)**

Motion: Councilman Smith

Second: Councilman Galante

Discussion: Councilman Smith wanted to clarify that this ordinance means we can still do business while the budget is finalized.

Mr. Marshall answered that we have to operate under a cap for our appropriations and tax levy, so there are certain limits placed upon us. Statutorily, we’re allowed to go over 2.5%, which is an index rate the state set this year. If we pass this ordinance, we’re allowed to go up to 3%. Any part of that we don’t use, we can put into a proverbial bank for the following year’s budget.

Roll Call:

Ayes: Councilpersons Brannagan, Brennan, Christensen, Galante, Holzapfel, Smith

Nays: None

Abstain:

Motion carried.

**Suspend regular order of business.**

Motion: Councilman Christensen

Second: Councilman Smith

Discussion: None

Roll Call:

Ayes: Unanimous

Nays: None  
Abstain:  
Motion carried.

### **Governing Body discussion of the Brickwall In-Pocket Liquor License**

Mayor Neff briefly explained they are looking for an update on the status on the license since it was issued years ago.

Attorney Skip Reale explained Little Silver issued a retail consumption license to Brickwall. Brickwall was not sited at the time because of ongoing land use issues. In the initial award, there was a special condition in the resolution stating that it be placed in use within a certain period of time. After, Resolution 173-17 issued an extension of the grace period for six months. Resolution 88-18 was a second six-month extension, which ran until May 2019. Resolution 072-19 was the third extension granted on May 6, 2019, which gave the licensee until June 30, 2021 to place the license into active use. The Borough was trying to prevent a license from sitting in pocket status. Thereafter, there was no action by the Borough. The license holder made an application for a special ruling on June 4, 2021, in which it applied for director of the Alcoholic Beverage Control permission to authorize a renewal. A license that's inactive for more than two license terms, you lose your authority to act on renewal, unless that director issues a special ruling. The original application plans in 2019 submitted by Mr. Kelly were rejected for location since an agreement with NJ Transit was unable to be obtained. A new location was noted as a possibility. The director of the ABC granted permission and Little Silver renewed the license for 2021-2022. A second special ruling was granted for 2022-2023 and ends June 30, 2023. Another special ruling will be required to renew the license again. Little Silver has authority as the license issuer to have the licensee appear before the Council voluntarily to answer questions.

Matthew Kelly, 163 Riverview Ave, Little Silver, and James Watt, 1 Deal Lake Court, Asbury Park, were sworn in.

Mayor Neff asked the status of the licenses, what the plans are, and if they plan on asking for another extension.

Mr. Kelly explained they originally applied for 51 Oceanport Avenue but couldn't come to an agreement with NJ Transit for using part of the parking lot. They found a new location on Willow Drive, but the owner decided not to sell. They are ready to resubmit an application for 51 Oceanport Avenue, which will be a renovation of the existing building instead of expanding it. It will be more about high-quality food with full bar service.

Councilman Galante asked if they are planning on asking for another license extension.

Mr. Kelly answered that he is.

Attorney Reale asked if it is Mr. Kelly's intention to just cite the license at that location with or without land use approval, just so it has a cited location?

Mr. Kelly answered that they will own the building. If the plan doesn't get approved, he doesn't know what the Board would require at that point.

Attorney Reale asked when the license is in use, who will be running the restaurant and alcohol?

Mr. Kelly answered he is partners with another operator from north Jersey, who is an experienced restaurant operator. It will be a corporate structure change, with the other person buying an interest in the existing entity.

Attorney Reale asked if the application is just a site plan review.

Mr. Kelly answered yes, it is a permitted use and the parking capacity will be just enough, possibly one or two spots short. There are pre-existing setback issues.

Councilman Christensen asked if anything came up about a traffic study since it is a busy intersection.

Mr. Kelly answered that the plan has been sent to the county already and they responded with a few points, but nothing major.

Attorney Reale asked if they will need a brief extension on the pocket license or a 2-year extension like in the past.

Mr. Kelly answered that they are just about ready to submit the application, so he thinks a one year extension should be ok.

Councilman Christensen asked what the timing will be going forward concerning construction, etc.

Mr. Kelly answered they will submit their application the end of April and hope to start construction by the end of summer, finishing about 6 months later.

Attorney Reale suggested waiting until the next meeting to pass a resolution for the liquor license extension.

### **Resume normal order of business.**

Motion: Councilman Christensen

Second: Councilwoman Brannagan

Discussion: None

Roll Call:

Ayes: Unanimous

Nays: None

Abstain:

Motion carried.

**Brief remarks on the agenda from members of the public:** None

### **REPORTS OF COUNCILMEMBERS:**

#### **TRAFFIC AND PEDESTRIAN SAFETY, PUBLIC WORKS AND INFRASTRUCTURE**

(Council President, Traffic Safety Committee, Municipal Court)

Council President Brennan reported on the following:

Infrastructure: A list of road jobs to be done with year- Silverside Avenue (paving & curbing), Winding Way (paving & curbing), Holly Drive, Megan Drive and White Road crosswalk, Holly Tree Lane (half paved and curbed; other half already done), Fox Hill Drive drainage. There has been a lot of start and stop of the Oceanport Avenue project at Fort Monmouth. Meeting with NJ Transit on Monday to discuss the train station and handicap accessibility.

Traffic & Safety: For about a month, speed boxes were placed on Silverside Ave. There were 36,000 vehicles going east. In 2018, it was 23,000 vehicles in the same time frame. There are a lot of complaints about speeding on Silverside, but the speed boards show that most cars are within the 35mph speed limit.

Sergeant Brian Miller got a \$7,000 grant through the state for distracted driving. This

allows officers to be assigned outside of their regular time to focus solely on distracted driving.

DPW:

### **POLICE AND EMERGENCY PREPAREDNESS:**

(Open Space, Capital Projects, Emergency Planning, IT, Cyber Security)

Councilman Galante reported on the following:

Police: About to enter into contract negotiations. They are awaiting the results of two candidates' psych results. There is now approval from RBR to install a repeater radio in April. The repeater in Markham is now live.

Fire: St. Patrick's Day fundraiser was very successful. The new truck construction will begin around November, with delivery around the end of summer 2024.

EMS: New ambulance should be delivered this June.

IT: Introductory meetings have occurred, with training next week.

OEM: Nothing to report.

Technology Committee: Nothing to report.

Fire Police: Nothing more to report.

### **BUDGET AND INSURANCE (aka Finance):**

(Shade Tree, Little Silver Schools, Little Silver Business Community and CFO)

Councilman Smith reported on the following:

Finance: Nothing more to report.

Schools: Budget increase through taxes

Little Silver Business Community: There was a meeting last month; trying to strengthen the group and plan regular meetings. Mayor Neff and Mr. Burke are trying to get County Commissioner Tom Arnone to come present to one of the board meetings and invite LS business members to come.

Shade Tree Commission: Nothing to report.

### **PLANNING AND ZONING, COAH, AND TELECOMMUNICATIONS:**

(COAH, Litigation, Planning Board, Assessor's Office and Environmental Commission)

Councilman Holzapfel reported on the following:

Planning Board: Dunkin Donuts is on the agenda for April 13<sup>th</sup>. Mr. Burke added that he spoke to the Police Chief about this and they are concerned about customers at Builder's General crossing the street to get to Dunkin.

Environmental Commission: Environmental Day was Saturday and had over 300 cars come through.

COAH: Nothing to report.

Litigation: Nothing to report.

Telecommunications: Nothing to report.

### **PERSONNEL:**

(Two River Water Reclamation Authority, Recycling, 100<sup>th</sup> Birthday Celebration)

Councilwoman Brannagan reported on the following:

Personnel: Borough office hours will be changed starting May 1<sup>st</sup> to Thursdays staying open until 7:30 pm and closing at 12 pm on Fridays. This will be a pilot program until

October 1<sup>st</sup>, continuing after if it is successful. There will be a change to the Employee Assistance Program, which will cover all 175 active employees and volunteers. It will provide a variety of services and the incidences do not have to occur while on the job. 100<sup>th</sup> Birthday Celebration: Over 100 people attended the champagne toast. There was an article in the Two River Times. The website, LittleSilver100.com, is live. Sponsorships and merchandise can be purchased on the website. The next meeting is Wednesday, March 29<sup>th</sup> at 7 pm at The Woman's Club. They got multiple resolutions from elected officials in NJ, recognizing Little Silver's 100 years. Councilwoman Brannagan also thanked DPW for setting everything up, the Parker Homestead Committee for giving tours, and the Antique Car Club that came.

## **PUBLIC COMMUNICATION AND INFORMATION**

(Shared Services w/ Mayor, Library Trustees, Board of Health, Red Bank Regional High School, Recreation)

Councilman Christensen reported on the following:

On March 16<sup>th</sup>, Councilman Christensen went to the Municipal Elected Officials workshop, hosted by County Commissioner Arnone. They spoke about expanded shared services, Made in Monmouth, and Monmouth County as a tourism destination.

Board of Health: County Health Administrator Chris Merkel came to the meeting last week. He gave an update on the services they're providing. There will be a health app available.

RBR: Councilman Christensen will be meeting with the Fair Haven Council about traffic matters; there have been improvements.

Rec: The Easter egg hunts were yesterday, there is a blood drive on May 13, they did interviews for summer rec last week

Library: Nothing to report.

Two River Council Members Group: Nothing to report

Community Events: Nothing to report

## **MAYOR'S REPORT**

(Two River Council of Mayors, Monmouth County Commissioners, Governor's Office and local legislators, Parker Homestead and Shared Services in conjunction w/ Councilman Christensen)

There will a Two Rivers Council Mayors meeting Thursday, March 30<sup>th</sup>; he will be bringing up the cost of garbage/recycling collection to see what other towns are doing to lower costs.

**Administrator's Report:** Mr. Burke had the paper copies of proclamations and letters from Senator Booker, Commissioner Burry, Senator O'Scanlon and Assemblymen Scharfenberger and Flynn.

**Old Business:** None

**New Business:** None

**Public Comment:** Nothing on Zoom or from audience.

**Resolution:** Introduction of the 2023 Borough of Little Silver Budget (R-23-54)  
(Public Hearing on the 2023 budget will be held on April 24, 2023)

Motion: Councilman Smith

Second: Councilman Galante

Discussion: Councilman Smith shared his appreciation for all the work Mr. Marshall and Mr. Burke have done on the budget.

Roll Call:

Ayes: Councilpersons Brannagan, Brennan, Christensen, Galante, Holzapfel, Smith

Nays: None

Abstain:

Motion carried.

RESOLUTION

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2023;

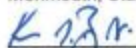
General Appropriations for:	
Appropriations within "CAPS"	
Municipal Purposes	\$ 9,548,063.00
Appropriations excluded from "CAPS"	
Municipal Purposes	\$ 1,826,100.57
Reserve for Uncollected Taxes	\$ 690,836.43
Total General Appropriations	\$12,065,000.00
Less: Anticipated Revenues other than Current Property Tax	\$ 3,530,000.00
Difference: Amount to be Raised by Taxes for Support of Municipal Budget	\$ 8,535,000.00

BE IT FURTHER RESOLVED, that said Budget be published in the Two River Times in the issue dated April 6, 2023

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Little Silver does hereby introduce and approve the following as the Budget for the year 2023.

BE IT FINALLY RESOLVED that a Hearing on the Budget and Tax Resolution will be held at Little Silver Borough Hall, 480 Prospect Ave., Little Silver, NJ on April 24, 2023 at 7:00 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons

I, Kevin J. Burke, Jr., Borough Administrator/ Borough Clerk of the Borough of Little Silver do hereby certify that the foregoing is a true copy of Resolution #054-23, passed by the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey, at a meeting held on March 27, 2023

  
\_\_\_\_\_  
Kevin J. Burke, Jr.  
Administrator/Borough Clerk

**Resolution:** Authorizing the certification of compliance by the governing body of the Borough with the US EEOC enforcement guidance on the consideration of arrest and conviction records in employment decision under Title VII of the Civil Rights Act of 1964. (R-23-55)

Motion: Councilwoman Brannagan



Second: Councilman Galante

Discussion: None

Roll Call:

Ayes: Councilpersons Brannagan, Brennan, Christensen, Galante, Holzapfel, Smith

Nays: None

Abstain:

Motion carried.

**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE  
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S  
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment  
Decisions Under Title VII of the Civil Rights Act of 1964"**

FORM OF RESOLUTION

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the *Mayor and Council* of the *Borough of Little Silver*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON March 27, 2023.

  
\_\_\_\_\_  
Borough Clerk Kevin J. Burke, Jr.

I, Kevin J. Burke, Jr., Borough Administrator/ Borough Clerk of the Borough of Little Silver do hereby certify that the foregoing is a true copy of Resolution #055-23, passed by the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey, at a meeting held on March 27, 2023

  
\_\_\_\_\_  
Kevin J. Burke, Jr.  
Administrator/Borough Clerk

**Resolution:** Approving the self-examination of the 2023 budget submission of the Borough of Little Silver to the Department of Community Affairs, Local Finance Board. (R-23-56)

Motion: Councilman Smith

Second: Councilman Brennan

Discussion: None

Roll Call:

Ayes: Councilpersons Brannagan, Brennan, Christensen, Galante, Holzapfel, Smith

Nays: None

Abstain:

Motion carried.

R-56-23

SELF-EXAMINATION OF BUDGET RESOLUTION

*Borough of Little Silver*

March 27, 2023

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Little Silver has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2023 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Little Silver that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the temporary Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will

permit the exercise of the comptroller function within the municipality.

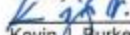
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Council	Motion	2 <sup>nd</sup>	Ayes	Nays	Abstain	Absent
Councilwoman Brannagan			X			
Councilman Brennan		X	X			
Councilman Galante			X			
Councilman Holzapfel			X			
Councilman Smith	X		X			
Councilman Christensen			X			
Mayor Neff						
		<b>VOTE</b>				

I, Kevin J. Burke, Jr. Borough Administrator/Acting Borough Clerk of the Borough of Little Silver do hereby certify that the foregoing is a true copy of resolution R-56-23 adopted by the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey, at a meeting held on March 27, 2023.

  
 Kevin J. Burke, Jr.  
 Administrator/Acting Borough Clerk

**Consent Agenda**

Motion: Councilman Galante

Second: Councilman Smith

Discussion: None

Roll Call:

Ayes: Councilpersons Brannagan, Brennan, Christensen, Galante, Holzapfel, Smith  
Nays: None  
Abstain:  
Motion carried.

1. RESOLUTION: Authorizing the payment of bills. (R-23-57)
2. RESOLUTION: Approving the renewal of the shared service inter-local agreement between the Boroughs Rumson and Little Silver for Uniform Construction Services for the period of January 1, 2023 until December 31, 2026. (R-23-58)
3. RESOLUTION: Approving the Memorandum of Understanding with the New Jersey State Police, Office of Emergency Management for disaster assistance. (R-23-59)
4. RESOLUTION: Authorizing a contract with quantum Health for an Employees Assistance Program for the Borough Workforce and the Volunteer First Responders of the Borough. (R-23-60)
5. RESOLUTION: Authorizing the release of escrow funds from previous project(s) for Block 23 Lot 2 in the amount of \$825.00. (R-23-61)

**BOROUGH OF LITTLE SILVER  
VOUCHERS PAYABLE  
March 27, 2023**

I offer this Resolution in favor of the payment of the following vouchers which have been authenticated and presented for payment. These payments represent expenditures for which an appropriation was duly made in the budget adopted by the governing body, including any emergency expenditures. The Chief Financial Officer has certified that sufficient funds are available to pay the same from each designated appropriation.

<b>CHECK DISBURSEMENTS</b>		
Operating-Current Year	\$	88,390.48
Operating-Prior Year		5,351.78
Capital		25,907.45
Grant		15,187.00
Various Trusts & Reserves		5,037.94
Escrow Projects		1,737.50
PAYROLL	3/17	158,247.32
<b>VOID CHECKS</b>		
MANUAL CHECKS	State Treasurer, Ck#36551	25.00
ACH DEBIT	Lincoln Nat. Life Insur.-Apr. 2023	298.00
WIRE TRANSFERS	School Taxes April 2023	1,803,270.17
	Retiree Healthcare Stipend Adjustment	89.02
<b>TOTAL</b>	<b>\$</b>	<b>2,103,541.66</b>

\_\_\_\_\_  
Craig R. Marshall, CFO

I, Kevin J. Burke, Jr., Borough Administrator/ Borough Clerk of the Borough of Little Silver do hereby certify that the foregoing is a true copy of Resolution #057-23, passed by the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey, at a meeting held on March 27, 2023.

  
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Kevin J. Burke, Jr.  
Administrator/Borough Clerk

## RESOLUTION

WHEREAS, The Borough of Rumson is presently providing Uniform Construction Code services to the Borough of Little Silver; and

WHEREAS, the Borough of Rumson will continue to serve as the Interlocal Enforcing Agency pursuant to N.J.A.C. 5:23-4.6 et seq and said services shall include that of the Construction Code Official and of the Building, Electrical, Fire and Plumbing Subcodes; and

WHEREAS, the proposed agreement under the Interlocal Services Act, N.J.S.A. 40:8A-1, is in the best interests of the municipalities and will tend to promote economy and efficiency in government;

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 an agreement with the Borough of Rumson for the provision of Construction Code Services to the Borough of Little Silver for the period from January 1, 2023 through December 31, 2026.

resSharedeerviceconstructionRumson2023

I, Kevin J. Burke, Jr., Borough Administrator/ Borough Clerk of the Borough of Little Silver do hereby certify that the foregoing is a true copy of Resolution #058-23, passed by the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey, at a meeting held on March 27, 2023.



Kevin J. Burke, Jr.  
Administrator/Borough Clerk



RESOLUTION

WHEREAS the Borough of Little Silver wishes to be able to apply for grants under Federal Emergency Management Agency (FEMA) Public Assistance and/or Hazard Mitigation programs in the case of presidentially declared major disasters and;

WHEREAS the Borough wishes to enter into a Memorandum Of Understanding (MOU) with the State of New Jersey and they will if needed provide documentation that we have met our grant activities; and

WHEREAS the Mayor has designated Borough Administrator Kevin J. Burke, Jr. as the Borough's primary agent and to ask on its behalf.

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and Council of the Borough of Little Silver that the Borough is entering into a Memorandum Of Understanding (MOU) with the State of New Jersey for the good of the residents and town.

ResMOU

I, Kevin J. Burke, Jr., Borough Administrator/ Borough Clerk of the Borough of Little Silver do hereby certify that the foregoing is a true copy of Resolution #059-23, passed by the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey, at a meeting held on March 27, 2023

  
\_\_\_\_\_  
Kevin J. Burke, Jr.  
Administrator/Borough Clerk

## RESOLUTION

WHEREAS, the Borough is desirous to establish a formal employee's assistance program for the employees and volunteer first responders of the Borough of Little Silver; and

WHEREAS, a proposal was received on December 8, 2022 from Quantum Health interested in performing said services for the Borough for a period beginning on April 1, 2023 and ending April 1, 2024. These services include critical incident stress management and debriefing, 24-hour in the moment assessment and consultation, coordination for SAP services for CDL holders etc.; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that Quantum Health be appointed as the employee's assistance provider (three session model) for the Borough commencing on April 1, 2023 through, April 1, 2024 in accordance with their proposal that was submitted on December 8, 2022. The three session model contract is not to exceed \$4,800.00.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Borough Clerk, CFO and QPA.

Resappointmentemployeesassistance program

I, Kevin J. Burke, Jr., Borough Administrator/ Borough Clerk of the Borough of Little Silver do hereby certify that the foregoing is a true copy of Resolution #060-23, passed by the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey, at a meeting held on March 27, 2023

  
\_\_\_\_\_  
Kevin J. Burke, Jr.  
Administrator/Borough Clerk

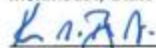
RESOLUTION

WHEREAS, the Borough Engineer has determined that the following projects have been completed and recommends that the following escrow balances and construction fees be released:

Nicholas Gazzola 92 Silverton Ave. Little Silver, NJ 07739 Block 23 Lot 2	Escrow:	\$825.00
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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the above escrow balances be and are hereby released.

I, Kevin J. Burke, Jr., Borough Administrator/ Borough Clerk of the Borough of Little Silver do hereby certify that the foregoing is a true copy of Resolution #061-23, passed by the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey, at a meeting held on March 27, 2023



Kevin J. Burke, Jr.  
Administrator/Borough Clerk

RESOLUTION: Approving the governing body to enter into executive session to discuss personnel matters and contract negotiations. (R-23-62)

Motion: Councilwoman Brannagan

Second: Councilman Holzapfel

Discussion: None

Roll Call:

Ayes: Councilpersons Brannagan, Brennan, Christensen, Galante, Holzapfel,  
Smith

Nays: None

Abstain:  
Motion carried.

**Resolution**  
**Borough of Little Silver**

**WHEREAS**, the Borough Council of the Borough of Little Silver is subject to certain requirements of the Open Public Meetings Act (N.J.S.A. 10:4-6, et seq.); and

**WHEREAS**, the Open Public Meeting Act (N.J.S.A. 10:4-12) provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Borough Council of the Borough of Little Silver to discuss in a session not open to the public certain matters relating to the item or items authorized by law (N.J.S.A. 10:4-12b) and designated as personnel matters and contract negotiations.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Little Silver, assembled in public session on March 27, 2023, that an Executive Session closed to the public shall be held on March 27, 2023 at 7:00 p.m. at Little Silver Borough Hall, 480 Prospect Ave., Little Silver, NJ for matters relating to the specific items designated above.

**BE IT FURTHER RESOLVED** that formal action may be taken after the Executive Session.

I, Kevin J. Burke, Jr., Borough Administrator/ Borough Clerk of the Borough of Little Silver do hereby certify that the foregoing is a true copy of Resolution #062-23, passed by the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey, at a meeting held on March 27, 2023



Kevin J. Burke, Jr.  
Administrator/Borough Clerk

**RESOLUTION:** Authoring the Borough of Little Silver to execute a contract with Suburban disposal for a contract term of three years. (R-23-63)

**Motion:** Councilwoman Brannagan

Second: Councilman Holzapfel

Discussion: None

Roll Call:

Ayes: Councilpersons Brannagan, Brennan, Holzapfel, Mayor Neff

Nays: Councilpersons Christensen, Galante, Smith

Abstain:

Motion carried.

## RESOLUTION

WHEREAS, the Mayor and Council of the Borough of Little Silver did heretofore advertise for public bids for a base bid for a three year contract with an option for two one year extension(s) for the collection and disposal of garbage and refuse material collection with an alternative for collection and disposal of single stream Class A recyclables for the Borough of Little Silver; and

WHEREAS, the following bid was received, opened and publicly read by the Borough Administrator/Clerk at 11:00 a.m. on March 15, 2023;  
Suburban Disposal, Inc., Fairfield, NJ

(Garbage Collection)

Total lump sum amount: \$1,329,000.00 (Three years)  
\$504,000.00 (Year four if extended)  
\$554,000.00 (Year five if extended)

Total: \$2,387,000.00

(Alternative #1; Recycling Collection)

Total lump sum amount: \$473,000.00 (three years)  
\$179,000.00 (Year four if extended)  
\$197,000.00 (Year five if extended)

Total: \$849,000.00

WHEREAS, the Borough Administrator/Clerk and Qualified Purchasing Agent have reviewed the bid and recommend to the Mayor and Council the approval of this bid at this time;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Little Silver that the bid received for a three year contract with an option for two one year extension(s) for the collection and disposal of garbage and refuse material collection with an alternative for collection and disposal of single stream Class A recyclables for the Borough of Little Silver is hereby approved; and

BE IT FURTHER RESOLVED that the Borough Administrator/Clerk be and is hereby authorized to execute the contract with Suburban disposal for a contract term of three years as described above.

Resgarbageandrecyclingbidapproval

I, Kevin J. Burke, Jr., Borough Administrator/ Borough Clerk of the Borough of Little Silver do hereby certify that the foregoing is a true copy of Resolution #063-23, passed by the Borough Council of the Borough of Little Silver, County of Monmouth, State of New Jersey, at a meeting held on March 27, 2023



Kevin J. Burke, Jr.  
Administrator/Borough Clerk

AJOURNMENT: There being no further business, the meeting was adjourned at 9:09 pm with a motion from Councilwoman Brannagan and a second from Councilman Christensen, followed by a unanimous voice vote.

Respectfully submitted,

Kevin Burke  
Administrator/Borough Clerk