

**TOWNSHIP OF EAGLESWOOD
REGULAR MEETING
AUGUST 22, 2012**

CALL TO ORDER

The Regular Meeting of the Township Committee of the Township of Eagleswood was called to order by Mayor Debra A. Rivas at 7:00 p.m. Mayor Rivas led in the Salute to the Flag.

ROLL CALL

Those members present upon roll call were Wayne Thomas, James Pine, and Debra Rivas. Also present were Thomas Monahan and a couple of residents.

STATEMENT ~ PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT

“Provisions of the Open Public Meetings Act have been met. Notice of this meeting, Resolution 2012-07, has been transmitted to the Asbury Park Press, the Times Beacon and the Sandpaper, given to those having requested and paying for same, and posted on the Bulletin Board in the Municipal Building on January 12, 2012.” Read by Mayor Rivas.

PRESS IDENTIFICATION

There was no one from the Press.

STATE POLICE COMMUNITY REPORT

The trooper gave a report regarding July. There were 4 motor vehicle accidents, 185 routine stops and 86 property checks. Mayor Rivas thanked the trooper and reminded her that the troopers should be checking on the skate park, as there are posted rules.

APPROVAL OF MINUTES

- July 25, 2012 ~ Regular Meeting
- July 25, 2012 ~ Executive Session

MOTION – James Pine made a motion to approve the above referenced minutes, seconded by Wayne Thomas. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

PUBLIC COMMENT ~ Five Minute Limit (Please state name and address)

MOTION – James Pine made a motion to open the meeting to public comment, seconded by Wayne Thomas, and unanimously carried.

Mae Wagner, 124 Dock Road said she had a problem with her grinder pump on August 11th. Tal came out and couldn't work on it because she purchased it herself. Talbert could not work on it as it was the newer version. Talbert did bring her a loaner pump. She called again on August 18th and was told by Talbert that he left Rich Lombardo a note to call her; however, he has not done so yet. Her understanding is that she is not responsible for the grinder pump. She wanted hers back. She feels that the maintenance should be with the Township as everyone else's is. She had not been paying a stub fee. Her pump is four years old. Wayne Thomas advised her that since she does have a loaner pump, they will have to do some research to ascertain who is responsible for that pump. Thomas Monahan asked if Mrs. Wagner had an agreement with the Township, to which she responded that she did not. If they are not going to work on hers, she asked to have a loaner. She was concerned that she hasn't heard anything for 10 days from Public Works. Wayne Thomas advised her that they would research it and have an answer for her next week. She will call Elaine on Tuesday.

Bill Gordon asked where the list was for the new ramp sites. They went down twelve feet and hit sand and then only went down three feet to put the ramp. The Clerk gave him a list of the places this very ramp is being utilized in New Jersey.

Mr. Gordon also asked about the public service bus. His son rode the bus from Atlantic City and noticed people getting on, paying. Then the bus stopped for Mexicans and they said they didn't have to pay. He asked why. Wayne Thomas explained that there is a bus card a person can purchase and not pay every time.

MOTION – James Pine made a motion to close public comment, seconded by Wayne Thomas, and unanimously carried.

RESOLUTION 2012-76 ~ PURCHASE FORD F250 FROM OCEAN COUNTY

Wayne Thomas made a motion to adopt Resolution 2012-76, seconded by Debra Rivas. Ayes – Thomas, Rivas. Nays – None. Abstain - Pine. Motion carried.

RESOLUTION 2012-77 ~ AMEND GENERAL PERSONNEL POLICIES TO SET MILEAGE POLICY

Wayne Thomas made a motion to adopt Resolution 2012-77, seconded by James Pine. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RESOLUTION 2012-78 ~ RELEASE PERFORMANCE BOND EAGLES NEST AIRPORT AERODROME, LLC

James Pine made a motion to adopt Resolution 2012-78, seconded by Debra Rivas. Ayes – Pine, Rivas. Nays – None. Abstain – Thomas. Motion carried.

RESOLUTION 2012-79 ~ ACCEPT PERFORMANCE BOND HABITAT FOR HUMANITY

James Pine made a motion to adopt Resolution 2012-79, seconded by Wayne Thomas. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RECEIPT OF 2011 AUDIT

The Municipal Clerk gave each Committee person the 2011 audit.

BILL LIST

MOTION - James Pine made a motion to approve the bills from the bill list, with the exception of #8 and #9, seconded by Wayne Thomas. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

MOTION – Wayne Thomas made a motion to approve Bill #8 and #9, seconded by Debra Rivas. Ayes – Thomas, Rivas. Nays – None. Abstain – Pine. Motion carried.

CORRESPONDENCE

- League – Affordable housing trust funds – case ongoing – should dispute.
- League – Gov signed solar leg. S1925/A2966.
- League – US Green bldg council NJ seeking nominations for 10th anniversary gala awards.
- League – Constitutional Amendment regarding judicial salaries – should be required to increase contribution of pension and health care.
- OPMA – executive session should be after public.
- Letter fr. H. Butensky requesting \$100 sign lease (our property) for unlimited years.
- DOT APPS for state aid, bikeways, safe streets.
- Legislative bulletin June 2012.
- League seminar – NJ pensions eligibility & common misconceptions 10/9.
- League opposes A2405/S1651 removing statute of limitations on civil actions for sexual abuse.
- League seminar – Fundamentals of Procurement Cards and Local Public Contracts Law 12/3 Holmdel; NJ Pensions Eligibility & common Misconceptions 10/9 Holmdel.
- I Boat in-kind expenditures as of 8/3/12.
- Resignation of Kathy Wells from Land Use Board.
- DOT apps for Transportation due 10/16/12 – F. Little suggested finishing Streetscapes.
- Affordable Housing can't be taken by Gov – COAH can demand it. Do not send money to COAH.
- League seminar – Taking the Mystery Out of Applying for Grants. Monroe Twp. 10/16.
- Ocean Co Health – 203 Headley Ave – odor from pigs – abated by property owner.
- OC Health – Cedar Assembly of God Church food ministry – satisfactory w. conditions.
- DDK Sleepy Hollow charged – drinking outside licensed area, did not have employee list complete, failure to maintain books of account, failure to file change in facts, did not have copy of application, nor 12 page app. Could face 29 day suspension.
- League audit.
- Berkley twp – oppose S1650/A2463 (emergency medical services).
- Phone conference OC Health & Ms. Raylman – good program.
- OC Health res – National Immunization Awareness Month (August) National Preparedness Month (Sept.)
- League Ethics, Conflicts of Interest, & OPRA seminar 10/12 Englewood, NJ.

- Letter fr. Kenneth Zaepfel – firm on the \$20,000 for the two lots on Dock Road (we offered \$10,000).
- OC Planning minutes 7/18/12.
- 220 South Creek Dr app to DEP for addition to home.
- DEP new interactive website available for NJ Boaters.
- Pinelands meeting 8/10.
- Ocean & Coastal wants the money they performed out of scope.
- League – A323/S2074 permits agricultural tourism activities on preserved farmland.
- Jackson Twp res support S380/A2027 increase penalties for sex crimes against minors & harbor or conceal sex offenders.
- DEP – infrastructure improvements wastewater service areas.
- Building monthly reports.
- DEP waiver rule of strict compliance with certain rules.
- OC advisory commission advocate of the year honoring Assemblywoman DiAnne Gove.
- League – Verizon personal property tax issue appeal (want to be exempt)
- Invite to join Mayor’s Wellness Campaign.
- Zoning, LUB monthly report
- Tax Collector report
- Table of Aggregates 2012.
- J.A. Montgomery – 2012 inventory (MSDS).
- Stafford Twp wants a regional shared service commission – meeting 9/20 @9:00 a.m. in Stafford.
- Close out documents fr. Wm. Mayer to USDA.
- OC Health – sanitary inspection report – Eagleswood Village satisfactory.
- Invite to join Mayor’s wellness campaign.
- NJ DEP Land Use Jurisdiction, violation res.
- Gov signs solar leg.
- US Green bldg council NJ seeking nominations.
- Mayor – constitutional amendment regarding judicial salaries.
- McGovern v. Rutgers – open part of meeting should be in beginning.
- Contractor’s reg. act.
- Warren Grove community council week of Sept. 11-13.
- League – utilize State museum’s 911 commemorative resources.
- Enacted by Gove – accident victims privacy protection; appts. of unemployed Fed firefighters to local fire depts.
- Upcoming sustainable Jersey webinar & workshop – 9/6/12.
- OC Health 7/11 minutes.
- Broadband and its role in our communities: preparing for a nationwide public safety broadband network.
- Appellate court restrains COAH fr. demanding or receiving housing trust funds.
- OC Planning Bd minutes 8/1/12.
- OC 2013 Solid Waste Control Program – copy to R. Lombardo for input.
- Pinelands plan review meetings – 8/22 @ 7; 9/14 @ 11 RJS Center; 9/24 @ 7 RJS center.

COMMITTEE REPORTS

Wayne Thomas reported that nothing went on at Environmental last evening. The I Boat project is moving along. He thanked the two township residents who not only donated time, but also materials to the ramp. The ramp is still settling and Butterick is working on the slips.

Debra Rivas said the 5K/10K is underway. Jersey Outdoor Media has put the event on the billboard on Rt. 72. The money from the proceeds will be going to the USO. The Recreation Committee is planning the Country Fair.

Wayne Thomas reported that we have the USDA approval to move forward on the sewer replacement. Mr. Thomas met with Rich Lombardo, Frank Little, and the Clerk to review it. The manholes must be rehabbed. We will have to find out how far the grant/loan will go as far as replacement of grinder pumps.

Thomas Monahan will contact Jack Mallon and Frank Little regarding the agreements for the grinder pumps’ maintenance. He remembers going to the State originally to prove the fees being charged for the grinder pumps were justified.

Mayor Rivas asked Mr. Monahan to bring back the mining license, which he did. She felt that today Mr. Silvi owns the mine; however, next week it could be someone else. Thomas Monahan advised the committed that his last update on the ordinance was April 20, 2012. He can tweak it. Mayor Rivas said it is a Township ordinance, not an individual. Wayne Thomas was concerned as the owner and his attorney are ill; to which Mayor Rivas again reiterated that this is not Mr. Silvi’s ordinance, it is the Township’s. Wayne Thomas asked if there is insurance on a bond company to which Mr. Monahan advised him there was not. Mr. Monahan said he would add to the ordinance for a time to fix any problems that might arise. This is not zoning, but a licensing issue. They are grandfathered by the

license not by the zoning. Mr. Monahan will bring it back next month.

Mayor Rivas discussed the resident concerned with the pigs at the neighbor's. The resident had given the Clerk a copy of Stafford Township's ordinance concerning livestock. James Pine did not think an ordinance was necessary for an isolated incident. Mayor Rivas felt, in her opinion, that an ordinance is not needed either. Wayne Thomas said that they need an ordinance.

RESOLUTION 2012-80 ~ EXECUTIVE SESSION (Litigation, Attorney-Client Privilege)

James Pine made a motion to adopt Resolution 2012-80, seconded by Wayne Thomas, and unanimously carried.

The Committee, Thomas Monahan, and the Clerk entered executive session at 8:20 p.m.

RECONVENE TO REGULAR SESSION

Mayor Rivas reconvened to regular session at 9:00 p.m.

Thomas Monahan advised the Committee they would need an ordinance to vacate the roads (by the airport) to sell them. He will have this ordinance for the next meeting.

RECONVENE TO EXECUTIVE SESSION

MOTION – Wayne Thomas made a motion reconvene to executive session, seconded by James Pine, and unanimously carried. The Committee, Thomas Monahan and the Clerk reentered executive session at 9:06 p.m.

RECONVENE TO REGULAR SESSION

Mayor Rivas reconvened to regular session at 9:10 p.m.

ADJOURNMENT

James Pine made a motion to adjourn, seconded by Wayne Thomas, and unanimously carried. The meeting was adjourned at 9:11 p.m.

Respectfully submitted,

Elaine B. Kennedy, RMC/CMC
Municipal Clerk/Administrator

