

**TOWNSHIP OF EAGLESWOOD
REGULAR MEETING
MARCH 28, 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 Howard Butensky.

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

Victoria Van Sans of the Sandpaper was in attendance.

STATE POLICE COMMUNITY REPORT

Sgt. Brady of the Tuckerton Barracks gave the February status report. The Committee discussed the Sarah Sands race being held on April 14th and 15th. Sgt. Brady advised the Committee that there would be visibility of the State Police at the two day event. The Committee welcomed Sgt. Brady back.

APPROVAL OF MINUTES

- February 22, 2012 ~ Special Meeting
- February 22, 2012 ~ Special Meeting Executive Session
- February 22, 2012 ~ Regular Meeting
- February 22, 2012 ~ Executive Session
- March 1, 2012 ~ Special Meeting

MOTION – Wayne Thomas made a motion to approve the above referenced minutes, seconded by James Pine. 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.

Howard Butensky, representing Eagles Nest Airport, gave a status report of the airport. They are going before the Land Use Board for an administrative change to the tanks and the lighting and the hangers, as well as a change in the stormwater. There is an application for signage along the Garden State Parkway. The engineer is working on runway improvements. Mr. Butensky asked to have Cedar Lane vacated and given to Mr. Weidhorn, with Mr. Weidhorn paying for the costs (engineer, advertising). Mr. Monahan asked why the lots were not consolidated. The Clerk will look into this. Mr. Thomas advised Mr. Butensky they would go over this request and the attorney would get back to him.

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

PUBLIC HEARING ~ ORDINANCE 2012-02 – TAXI CABS & LIMOS

James Pine made a motion to open the meeting to public hearing on Ordinance 2012-02, seconded by Wayne Thomas, and unanimously carried. There was none

MOTION - Wayne Thomas made a motion to close public hearing on Ordinance 2012-02, seconded by James Pine, and unanimously carried.

ADOPTION ~ ORDINANCE 2012-02

James Pine made a motion to adopt Ordinance 2012-02, seconded by Wayne Thomas. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

PUBLIC HEARING ~ ORDINANCE 2012-03 AMEND CHAPTER 199 “NUISANCE, PUBLIC HEALTH”

James Pine made a motion to open the meeting to public hearing on Ordinance 2012-03, seconded by Wayne Thomas, and unanimously carried.

MOTION - Wayne Thomas made a motion to close public hearing on Ordinance 2012-03, seconded by James Pine, and unanimously carried.

ADOPTION ~ ORDINANCE 2012-03

Wayne Thomas made a motion to adopt Ordinance 2012-03, seconded by James Pine. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

PUBLIC HEARING ~ ORDINANCE 2012-04 - AMEND CHAPTER 1, “GENERAL PROVISIONS”

Wayne Thomas made a motion to open the meeting to public hearing on Ordinance 2012-04, seconded by James Pine, and unanimously carried.

MOTION - Wayne Thomas made a motion to close public hearing on Ordinance 2012-04, seconded by James Pine, and unanimously carried.

ADOPTION ~ ORDINANCE 2012-04

James Pine made a motion to adopt Ordinance 2012-04, seconded by Wayne Thomas. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RESOLUTION 2012- RESOLUTION 2012-36 ~ RECYCLING TONNAGE GRANT APPLICATION

Wayne Thomas made a motion to adopt Resolution 2012-36, seconded by James Pine. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RESOLUTION 2012-37 ~ TAX REIMBURSEMENT CERTIFICATION (RECYCLING)

James Pine made a motion to adopt Resolution 2012-37, seconded by Wayne Thomas. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RESOLUTION 2012-38 ~ APPOINTMENT OF MAC PERSONNEL

James Pine made a motion to adopt Resolution 2012-38, seconded by Wayne Thomas. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RESOLUTION 2012-39 ~ AMEND TEMPORARY BUDGET

Wayne Thomas made a motion to adopt Resolution 2012-39, seconded by James Pine. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RESOLUTION 2012-40 ~ REFUND HOMESTEAD BENEFIT – BLOCK 26.01, LOT 7.01

James Pine made a motion to adopt Resolution 2012-40, seconded by Wayne Thomas. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RESOLUTION 2012-41 ~ REFUND HOMESTEAD BENEFIT - BLOCK 23, LOT 33.05

Wayne Thomas made a motion to adopt Resolution 2012-41, seconded by James Pine. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RESOLUTION 2012-42 ~ RELEASE ESCROWS BLOCK 25.01, LOTS 9.01, 9.02, 9.03

James Pine made a motion to adopt Resolution 2012-42, seconded by Wayne Thomas. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RESOLUTION 2012-43 ~ AWARD OF CONTRACT FOR I-BOAT PROJECT

Wayne Thomas made a motion to adopt Resolution 2012-43, seconded by James Pine. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RESOLUTION 2012-44 ~ MAC PROGRAM FUNDING FOR ‘GOOD BEHAVIOR GAME’

Wayne Thomas made a motion to adopt Resolution 2012-44, seconded by James Pine. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RESOLUTION 2012-45 ~ MAC PROGRAM FUNDING FOR ‘GUIDING GOOD CHOICES PROGRAM’

Wayne Thomas made a motion to adopt Resolution 2012-45, seconded by James Pine. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

RESOLUTION 2012-47 ~ RELEASE SEWER ESCROW BLOCK 4, LOT 9.03

James Pine made a motion to adopt Resolution 2012-47, seconded by Wayne Thomas. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

BILL LIST

James Pine made a motion to approve the bills from the bill list, with Mr. Pine abstaining on Ocean County bill for sewer #11, seconded by Wayne Thomas. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

CORRESPONDENCE

- OC Health Complain spill fr. Dump truck 942 Main St – cleaned up no further action.
- F. Little – I Boat bids to T. Monahan.
- FY 2013 State Aid released budget language for best practices incentive.
- Nat. Flood Insurance Program – 3/21 10-4. Air Port.
- EMC meeting 3/8 @ 1.
- NJCM conference 4/25.
- Reconstruction Rt. 9 to begin 3/8 until June 2013.
- Conference of Mayors 4/25-4/27 Borgata.
- Monahan letter re: re-bid I Boat.
- Rec'd Maintenance Bond for C.J. Hesse Cemetery Rd project. Good until 12/8/2012.
- Letter fr. Howard Butensky re: meeting to discuss Eagles Nest Airport. C: T. Monahan.
- League – leaves of absence in NJ – 3/21.
- Little Egg Harbor MUA approved Sea Pirate joining their sewer service. C: all.
- Shade Tree – need annual accomplishment report by 4/16/12.
- Manchester Twp res. Support S243 & A327 removes insurance obstacles for volunteer drivers for non-profits.
- DEP – southern pine beetle infestation – grant and cost-share program.
- South Toms River Res – support S243 & A327.
- OC Health Dept. minutes fr. 2/8/12.
- League – Executive Leadership training for Mayors & Council Presidents 3/24/12.
- Letter to H. Butensky re: next meeting of Committee 3/28 @ 7:00 p.m.
- NJDOT – Rt. 9 bridge (Westecunk Creek) being replaced.
- Public Hearings on draft Final State Strategic Plan done – can give written comments.
- Site Remediation Reform Act – must hire a licensed site remediation professional by 5/7/12.
- Kelly's Deli – fire protection inspection ok.
- Pinelands Commission meeting 3/9.
- R. Lombardo report on Barnegat Bay meeting.
- League – Permit extension bill held.
- League seminar – Leaves of absence in NJ 3/21 Holmdel Conflict res during shared service process – 5/8 Holmdel; Partnering for economic dev 5/3 Monroe.
- OC Mosquito commission – info on the control. C: RL

- Senate energy tax restoration follow up needed.
- OC Planning Bd minutes 3/7/12.
- DEP Freshwater Wetlands letter of interpretation/verification – B-4, L-52 & 52.01 w. denial of freshwater wetlands permit.
- US Army Corp of Engineers public notice re: dredging comment period by 4/17/12.
- DEP preserves forest in Barnegat Bay watershed – 385 Acres added to Stafford Forge Wildlife Mgmt area – purchased fr. International Recycling Systems.
- DEP proposes amended rules to enhance public access to beaches & waterways.
- Letter fr. S. Foran – Meglino performance bond for the sewer unacceptable.
- Recent study list NJ lease corrupt State in nation.
- League seminar – partnering w. municipalities for economic dev.
- Bid for Summer Along the Westecunk - \$385,000.

COMMITTEE REPORTS

Mayor Rivas reported that the Township birthday party was a huge success, with Chris Wilson and Dean Adam doing the cooking. It was held at the fire house and everyone enjoyed it. Tomorrow night recreation will be stuffing eggs for the hunt on Saturday at 10:00 a.m. The Sahara Sands is the 14th and 15th. It is a great fundraiser for the town.

James Pine reported that Eagleswood received third place in the safety awards from JIF, giving the Township \$500.00. Mr. Pine reported they are working on the budget and within a month or two should be ready to introduce it.

Mayor Rivas said that MAC invited the Township to a meeting at the Little Egg Harbor Library. The next meeting will be held June 6th.

Wayne Thomas reported there are no new applications before Environmental. The town-wide clean up is April 21st.

Mayor Rivas advised the Committee they have booked a timekeeper for the 5K/10K race. There is a map they could put the race on for \$125.00. Wayne Thomas felt that if they are not donating to a cause and just covering the cost of the race, they should not do the map. James Pine felt it was good for advertising. Mayor Rivas advised that the secretary wants to do just a 5K race. Mr. Thomas felt that some of the runners would not come if it was just a 5K.

RESOLUTION 2012-46 ~ EXECUTIVE SESSION (Litigation, Attorney-Client Privilege)

Wayne Thomas made a motion to adopt Resolution 2012-46, seconded by James Pine. Ayes – Thomas, Pine, Rivas. Nays – None. Motion carried.

The Committee, Thomas Monahan, and the Clerk entered executive session at 7:52 p.m.

RECONVENE TO REGULAR SESSION

Mayor Rivas reconvened to regular session at 8:45 p.m.

MOTION ON APPROVED BILLS

James Pine made a motion to rescind the approval of bill #015123 until back up documentation can be obtained, and only approving Bill #015122 if the party agrees to attend without the municipality paying for the spouse.

ADJOURNMENT

James Pine made a motion to adjourn, seconded by Wayne Thomas, and unanimously carried. The meeting was adjourned at 8:49 p.m.

Respectfully submitted,

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

