

# Eagleswood Township Regular Meeting Minutes September 25, 2013

## CALL TO ORDER

The Regular Meeting of the Township Committee of the Township of Eagleswood was called to order by Mayor James R. Pine at 07:00 p.m. Mayor Pine led in the Salute to the Flag.

**ROLL CALL:** Roll Call was administered by Acting Municipal Clerk as follows:

COMMITTEE	PRESENT	ABSENT	LATE
Deputy Mayor Wayne Thomas	x		
Committee Person Debra Rivas	x		
Mayor James R. Pine	x		

## STATEMENT - PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT

“Provisions of the Open Public Meetings Act have been met. Notice of this meeting, Resolution 2013-07, has been published in 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 14, 2013.”

## PRESS IDENTIFICATION

None

## APPROVAL OF MINUTES

- August 28<sup>th</sup> - Regular Meeting
- August 28<sup>th</sup> - Executive Session

COMMITTEE	MOTION	2 <sup>nd</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Deputy Mayor Thomas		x	x				
Committee Person Rivas	x		x				
Mayor Pine			x				
		VOTE	3				

- September 5<sup>th</sup> -Special Meeting

COMMITTEE	MOTION	2 <sup>nd</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Deputy Mayor Thomas		x	x				
Committee Person Rivas	x		x				
Mayor Pine					x		
		VOTE	2		1		

## PRESENTATION-None

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

**MOTION-** Debra Rivas made a motion to open the meeting to public comment, seconded by Wayne Thomas, and unanimously carried.

Peter Weinhorn from Eaglesnest Airport-

- He advised he will be at this year’s Country Fair providing handouts and giveaways
- He was unable to participate with this year’s 5K 10K Get fit stay healthy due to a conflicting schedule-however, next year he would like to work with the Committee with selecting a date. He would like to see that the event start and end at the Airport, he is willing to help with making the event a Community day.

- Mr. Weinhorn is aware that there have been some unhappy residents and some complaints with regards to his Airport. He has been working with the residents and he stands by his commitment to the community.

**MOTION** to close Public Participation was made by Debra Rivas and seconded by Wayne Thomas and unanimously carried.

**DISCUSSION**

There was discussion regarding the Mining Ordinance Draft. There is one change with regards to the number of days. Attorney Tom Monahan is going to change the Ordinance to reflect the change and it will be ready for introduction at the October Meeting.

There was discussion with the Memo from the Acting Chief Financial Officer pertaining to the sale of recent bonds for \$238,931.00. The Committee has asked that the Chief Financial Officer explain in detail what this was for. A full report will be provided to the Committee for the next committee meeting.

**RESOLUTIONS:**

**RESOLUTION 2013-101  
RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
REQUESTING THAT THE NEW JERSEY DEPARTMENT OF  
TRANSPORTATION ESTABLISH A CROSSWALK ON ROUTE 9**

**WHEREAS**, there is a post office located on Route 9 in the Township of Eagleswood; and  
**WHEREAS**, post office customers must cross Route 9 to access the post office; and  
**WHEREAS**, crossing Route 9, without a crosswalk, creates a hazardous, unsafe condition; and  
**WHEREAS**, the Township Committee desires that the New Jersey Department of Transportation investigate and thereafter establish a crosswalk in front of said post office.

**NOW, THEREOFRE, BE IT RESOLVED**, by the governing body of the Township of Eagleswood, County of Ocean, State of New Jersey as follows:

1. That the Township Committee hereby requests the New Jersey Department of Transportation investigate and thereafter establish a crosswalk in front of the post office on Route 9 in the Township of Eagleswood.
2. That this resolution shall become effective immediately
3. That a copy of this resolution shall be forwarded to the New Jersey Department of Transportation, Postmaster Raymond Faleska, and Reverend James Occhipinti.

COMMITTEE	MOTION	2 <sup>nd</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Deputy Mayor Thomas		x	x				
Committee Person Rivas	x		x				
Mayor Pine			x				
		VOTE	3				

**RESOLUTION 2013-102**

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY  
ADOPTING A CHAPTER 159**

**WHEREAS**, NJSA 40A:40-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget by any county or municipality when such item shall have been made available by Law and the amount therefore was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Eagleswood, in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2013 in the sum of \$37,000.00 for the Community Development Block Grant. This funding is now available as Revenue from U.S. Department of Housing and Urban Development.

**BE IT FURTHER RESOLVED** that the like sum of \$37,000 is hereby appropriated under the caption of the Community Development Block Grant.

COMMITTEE	MOTION	2 <sup>nd</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Deputy Mayor Thomas		x	x				
Committee Person Rivas	x		x				
Mayor Pine			x				
		VOTE	3				

**RESOLUTION 2013-103**

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY  
ADOPTING A CHAPTER 159**

**WHEREAS**, N.J.S.A. 40A:40-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget by any county or municipality when such item shall have been made available by Law and the amount therefore was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Eagleswood, in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2013 in the sum of \$180,000.00 for the New Jersey Department of Transportation Grant for the Downtown Improvement Project. This funding is now available as Revenue from the State of New Jersey, Department of Transportation.

**BE IT FURTHER RESOLVED** that the like sum of \$180,000 is hereby appropriated under the caption of the New Jersey Transportation Trust Fund Authority Act – 2013 Downtown Improvement Project.

COMMITTEE	MOTION	2 <sup>nd</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Deputy Mayor Thomas		x	x				
Committee Person Rivas	x		x				
Mayor Pine			x				
		VOTE	3				

**RESOLUTION 2013-104**

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY  
ADOPTING A CHAPTER 159**

**WHEREAS**, N.J.S.A. 40A:40-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget by any county or municipality when such item shall have been made available by Law and the amount therefore was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Eagleswood, in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2013 in the sum of \$40,500.00 for the Municipal Alliance Grant. This funding is now available as Revenue from the Ocean County Board of Health through the State of New Jersey, Governor’s Council on Alcoholism & Drug Abuse.

**BE IT FURTHER RESOLVED** that the like sum of \$40,500.00 is hereby appropriated under the caption of Municipal Alliance Grant.

COMMITTEE	MOTION	2 <sup>nd</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Deputy Mayor Thomas		x	x				
Committee Person Rivas	x		x				
Mayor Pine			x				
		VOTE	3				

**RESOLUTION 2013-105  
RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
SUBMITTING A GRANT APPLICATION TO THE DEPARTMENT OF TRANSPORTATION FOR THE CONTINUED RECONSTRUCTION  
AND RESURFACING IN THE AMOUNT OF \$300,785.37**

**WHEREAS**, the Governing Body of the Township of Eagleswood wishes to submit a grant application and execute a grant agreement with the Department of Transportation for the continued reconstruction and resurfacing of First Ave (Cedar Run Dock Road to Bayview Dr.); Cedar Lane (House #676 to House #662) and Headley Avenue (Mill Street to Birch Lane) in the amount of \$300,785.37; and

**NOW, THEREFORE BE IT RESOLVED**, by the Governing Body of the Township of Eagleswood, County of Ocean, State of New Jersey formally approves the grant application for the above stated project; and

**BE IT FURTHER RESOLVED** that the Mayor, Acting Municipal Clerk and the Township Engineer are hereby authorized to submit an electronic grant application identified as MA-2014- Eagleswood Township-00158 to the New Jersey Department of Transportation on behalf of the Township of Eagleswood Township; and

**BE IT FURTHER RESOLVED** that the Mayor and the Township Acting Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Eagleswood and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

COMMITTEE	MOTION	2 <sup>nd</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Deputy Mayor Thomas		x	x				
Committee Person Rivas	x		x				
Mayor Pine			x				
		VOTE	3				

**RESOLUTION 2013-106**

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY  
ADOPTING A CHAPTER 159**

**WHEREAS**, NJS 40A:40-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the Budget by any county or municipality when such item shall have been made available by Law and the amount therefore was not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Eagleswood, in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2013 in the sum of \$16,000.00 for the Municipal Alliance Grant-Special Project Fund. This funding is now available as Revenue from the Ocean County Board of Health through the State of New Jersey, Governor's Council on Alcoholism & Drug Abuse.

**BE IT FURTHER RESOLVED** that the like sum of \$16,000.00 is hereby appropriated under the caption of Municipal Alliance Grant-Special Project Fund.

COMMITTEE	MOTION	2 <sup>nd</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Deputy Mayor Thomas		x	x				
Committee Person Rivas	x		x				
Mayor Pine			x				
		VOTE	3				

**RESOLUTION 2013-107**

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF  
NEW JERSEY REQUESTING CHANGE IN TITLE, TEXT, OR AMOUNT OF APPROPRIATION  
PURSUANT TO NJS 40A:4-85**

**WHEREAS**, NJS 40A: 4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text, or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any county or municipality,

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of NJS 40A:4-85, the Township of Eagleswood hereby requests the Director of the Division of Local Government Services to make the following correction in the 2013 budget:

Change in Text and Title of Funds:

From: Matching Funds for Future Grants - \$1,800.00  
 To: Municipal Alliance – Local Match - \$1,800.00

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute referred to above, and is necessary for the orderly operation of the Township of Eagleswood for the reasons set forth:

The Municipal Alliance grant that was awarded for 2013 specifically states that the Township of Eagleswood must have matching funds in the amount of \$1,800.00.

COMMITTEE	MOTION	2 <sup>nd</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Deputy Mayor Thomas		x	x				
Committee Person Rivas	x		x				
Mayor Pine			x				
		VOTE	3				

**RESOLUTION NO. 2013 -108**

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING A RETROACTIVE SALARY ADJUSTMENT TO EMPLOYEE**

**WHEREAS**, governing body of the Township of Eagleswood adopted Ordinance 2013-08 on August 28, 2013 authorizing additional compensation for any employee other than the Public Works Supervisor who performs the duties of the Public Works Supervisor for a period of more than two (2) consecutive work days; and

**WHEREAS**, it was the intention of the governing body that Ordinance 2013-08 be retroactive to January 1, 2013 although that intention was not explicitly stated in the Ordinance; and

**WHEREAS**, the Township Governing Body hereby approves a salary increase to employee in accordance with the terms of Ordinance 2013-08 which shall be retroactive to January 1, 2013.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Eagleswood, County of Ocean, State of New Jersey as follows:

1. That a retroactive salary increase for employee is hereby approved as of January 1, 2013 according to the terms of Ordinance 2013-08.

COMMITTEE	MOTION	2 <sup>nd</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Deputy Mayor Thomas		x	x				
Committee Person Rivas	x		x				
Mayor Pine			x				
		VOTE	3				

**BILL LIST**

**RESOLUTION 2013-109  
 RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,  
 COUNTY OF OCEAN, STATE OF NEW JERSEY,  
 APPROVING PAYING OF THE BILLS**

**WHEREAS**, The Chief Financial Officer has certified and submitted a consolidated bill list for the payment of claims; and

**WHEREAS**, all vouchers listed herewith have been encumbered and sufficient funds are available for payment; and

**WHEREAS**, the required signatures of the Department Head and/or the Finance Chairperson, the Vendor, and the Chief Financial Officer, have all been obtained on each voucher on the attached list.

**NOW, THEREOFRE, BE IT RESOLVED**, by the governing body of the Township of Eagleswood, County of Ocean, State of New Jersey that the voucher list submitted is hereby approved for payment in the total amount of:

**Grants \$16,000.00**  
**Escrow \$58.00**  
**Dog \$2.40**  
**Sewer \$ 14,561.63**  
**Current Fund \$769,352.67**  
**TOTAL BILLS=\$799,974.70**

COMMITTEE	MOTION	2 <sup>nd</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Deputy Mayor Thomas		x	x				
Committee Person Rivas	x		x				
Mayor Pine			x				
		VOTE	3				

**CORRESPONDENCE**

None

**COMMITTEE REPORTS**

Deputy Mayor Thomas- Public Works is busy all the boat slips are full, and the Bathrooms are now open 7 days a week between the hours of 07:30 a.m. and 03:00 p.m. Deputy Mayor Thomas has asked to have the Acting C.F.O. review the USDA grant along with the FEMA reimbursement with regards to the Sewer system, he would like to see us move forward with this project, beginning with the Engineer.

Committeeperson Rivas- 5K 10K went well, the numbers were down some but we were still able to make a donation of \$327.00 to the U.S.O. The Timing Company was very good and we hope to use them next year. The Country Fair is scheduled for October 5th we have expanded since last year it should be a great time for all the residents. Rich will take down the Flags after the Country Fair. Ms. Rivas would like us to revisit the I-Boat project, she stated that over the Weekend she was down on Dock Road and the number of people using the area for Kayaking, paddle boarding and crabbing was incredible (pictures were distributed) there is a bulkhead that needs to be repaired along with a small beach area that she would like to see expanded so it can be utilized as a launching area. While she was down there she met a man by the name of Dennis Reinknecht (609-273-5719) who works for the State of NJ and he would be willing to assist us with looking for some type of grant or funding for this project. She has requested Lisa to look into seeing if there are any grants out there that could possibly help fund this.

Mayor Pine- A memo was distributed to all Employees regarding the use of Township Equipment. The Loss control report was completed and we did fine.

**RESOLUTION 2013-110 EXECUTIVE SESSION (PERSONNAL)**

**TOWNSHIP OF EAGLESWOOD**  
**RESOLUTION 2013-110**  
**RESOLUTION AUTHORIZING EXECUTIVE SESSION**  
**PURSUANT TO N.J.S.A. 10:4-12**

**BE IT RESOLVED** by the township Committee of the Township of Eagleswood, County of Ocean, State of New Jersey, that pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., it is necessary to convene an executive session to discuss items authorized by N.J.S.A. 10:4-12 (b), specifically:

(Categories to be checked when relevant)

1. Matters required by State of Federal Law or Rules of Court to be Confidential

2. Matters when Release of Information would Impair the Right to Receive Funds from the U.S. Government
3. Matters Involving Individual Privacy
4. Matters Relating to Collective Bargaining Agreements
5. Matters Relating to the Purchase , Lease, or Acquisition of Real Property or the Investment of Public Funds
6. Matters Relating to Public Safety and Property
7. Matters Relating to Litigation, Negotiation, and the Attorney - Client Privilege
8. Matters Relating to Employment Relationship
9. Matters Relating to the Potential Imposition of a Penalty

**BE IT FURTHER RESOLVED**, it is anticipated that the deliberation conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality and if not then legally privileged.

COMMITTEE	MOTION	2 <sup>nd</sup>	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Deputy Mayor Thomas		x	x				
Committee Person Rivas	x		x				
Mayor Pine			x				
		VOTE	3				

The Committee, Attorney Thomas Monahan and the Acting Clerk entered executive session at 07:50 p.m.

**RECONVENE TO REGULAR SESSION**

Deputy Mayor Pine reconvened to regular session at 08:08 p.m.

**ADJOURNMENT**

Without further comment and no more action necessary for this evening, Mayor Pine called for a motion to adjourn. Committeeperson Rivas made a motion to adjourn at 08:09 p.m., seconded by Deputy Mayor Thomas and unanimously carried. The meeting was adjourned.

Respectfully submitted,

Lisa H. Hand  
Acting Municipal Clerk