

# Eagleswood Township Regular Meeting Minutes June 23, 2014

**CALL TO ORDER**

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

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

COMMITTEE	PRESENT	ABSENT	LATE
Committee Member Pasternak	X		
Deputy Mayor Thomas	X		
Mayor Rivas	X		

Also present was Attorney Tom Monahan, Acting Municipal Clerk Lisa H. Hand and Acting Chief Financial Officer Kristen Manning

**STATEMENT - PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT**

“Provisions of the Open Public Meetings Act have been met. Notice of this meeting, Resolution 2014-07, 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 07, 2014.”

**PRESS IDENTIFICATION**

Liam McKenna- The Sandpaper

**APPROVAL OF MINUTES**

May 20, 2014 Regular Meeting

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

May 20, 2014 Executive Session

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

**PRESENTATION-**

- Virginia Rettig- Project Leader from the U.S. Fish and Wildlife Service addressed the Governing Body with an update to the Debris Clean-Up for the Forsyth Refuge. They are just a few weeks away from finishing the area north of Cedar Run Dock Road. The Current contract is wrapping up in the next month (it has reached its limit) and they are working on setting up a new contract. It is likely that the new contract will be starting sometime in September.

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

MOTION- To Open Public Comment

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

Mr. Gortner of Stone Road-

Mr. Gortner addressed the governing body with regards to the condition of the Stone road. He is asking the Township pave Stone Road to the original foot print of the road. The Deputy Mayor stated that this paving project was looked at some time ago and the residents decided against it when they found out that the road would have to be changed and there were some issues with the residents not willing to loose property. Mr. Thomas advised that they can not just go put down asphalt on private property.

Al Poling III- Route 9

Mr. Poling addressed the Governing Body with regards to his notice of violation from the Zoning Officer. Mr. Poling feels that this violation is incorrect because of the Right to Farm Act. He stated that he doesn't have to comply with the Township Fence Ordinance. Attorney Monahan is going to review the Right to Farm Act and will speak with the Zoning Officer.

Sandy Morris- Dock Road

Mrs. Morris addressed the Committee with regards to having Dumpsters placed on Route 9. Deputy Mayor Thomas stated that the DPW is short handed right now and once we get our man-power back we will look at having a dumpster placed at the Docks for debris.

Mrs. Morris stated that she had received the E-mail with attachment from Suzanne Dietrick and was looking for an update. Attorney Tom Monahan stated he is currently reviewing the document and once he has some information he will report back to the Committee.

Mrs. Morris asked the Committee if anything was heard back from DEP regarding the object that is submerged in the creek. Mayor Rivas advised Mrs. Morris that we have not received any word back from Mrs. Dietrick. The Mayor did advise that Deputy Mayor Thomas is attending a meeting with Senator Connors on Tuesday June 24th and one of the questions being asked is who do we contact when objects are identified in the creek that were not cleaned up during the initial creek clean-up.

Mrs. Morris stated she did see a copy of the letter stating that Atlantic City Electric responded to the condition of the poles.

Mrs. Debbie Murphy- Dock Road

Mrs. Murphy asked if we knew anything about marking of the channel. the Acting Clerk Mrs. Hand stated this is the first time she is hearing anything about the marking of the Creek, she will reach out to Aids to Navigation to see when this can be completed.

Mrs. Murphy also stated that someone has placed crab pots in the channel. Mayor Rivas asked the Acting Clerk to call U.S. Fish and game to have them look into.

Phil Biazzo- Dock Road

Mr. Biazzo addressed the Governing Body with regards to the correspondence that was received from Suzanne Dietrick. Attorney Monahan stated he was not going to speak on this until he has had a chance to review and get some answers. He stated once he has some information he will pass this on the Governing Body.

Mrs. Morris addressed the Governing Body with regards to the Grinder pumps on Dock Road. Mr. Thomas stated that we are working on going out to bid soon for this project.

Bruce Morris- Dock Road

Mr. Morris asked if we were on the bottom of the list again when it comes to the Clean up with the Wildlife Refuge. Mr. Thomas stated no it means we are next. They are finishing up on the North Side of Cedar Run and in September they will be moving from Cedar run Dock Road to West Creek Dock Road.

Deputy Mayor Thomas stated that within the next few weeks we are anticipating going to bid for the new bulkhead and Gazebo. Mr. Thomas has been speaking with the Township Engineer regarding the Flooding on Dock Road. The Township Engineer is working on getting the Grinder Pump bid ready to go out; this will include new pumps, tanks and electric.

**MOTION** to close Public Participation was made by Deputy Mayor Thomas and seconded by Committee Member Pasternak and unanimously carried.

**RESOLUTIONS:**

2014-079

**RESOLUTION 2014-079**

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE RELEASE OF SEWER SECURITY DEPOSIT POSTED BY CLIFFORD AND ANN WEININGER FOR BLOCK 5, LOT 20,21,22 ALSO KNOWN AS 435 CEDAR RUN DOCK ROAD.**

**WHEREAS**, the Township of Eagleswood required the posting of a Sewer Security Deposit for the installation of sewer improvements in regard to Block 5, Lot 20,21 & 22; and

**WHEREAS**, on January 25, 2013, Clifford Weininger posted a Sewer Security Deposit in the amount of \$3,000.00, by bank check number #1690; and

**WHEREAS**, the Public Works Supervisor Richard Lombardo has inspected the site and has determined that all work has been completed; and

**WHEREAS**, it is recommended that the Township release the Sewer Security Deposit in the amount of \$3,000.00, posted by Clifford Weininger for sewer improvements in regard to Block 5, Lot 20,21 & 22, conditioned upon the payment of all outstanding fees due the Township, including, but not limited to, engineering and attorneys' fees.

**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 the governing body does hereby authorize the release of the Sewer Security Deposit in the amount of \$3,000.00, posted by Clifford and Ann Weininger for sewer improvements in regard to Block 5, Lot 20,21 & 22, conditioned upon the payment of all outstanding fees due the Township, including, but not limited to, engineering and attorneys' fees.
2. That a certified copy of this resolution be provided to the Chief Financial Officer.

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

2014-080

**RESOLUTION NO. 2014 -080**

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING LISA H. HAND ACTING MUNICIPAL CLERK FOR ONE-YEAR COMMENCING ON JULY 1, 2014**

**WHEREAS**, the Governing Body previously appointed Lisa H. Hand Acting Municipal Clerk for a period of one-year which appointment expires on July 1, 2014; and

**WHEREAS**, Ms. Hand as taken the necessary courses towards completion of her education in order to sit for the examination of a Registered Municipal Clerk; and

**WHEREAS**, the Governing Body desires to appoint Ms. Hand for an additional one-year term commencing on July 1, 2014; and

**WHEREAS**, the Governing Body is aware that its appointment of Ms. Hand for an additional one-year period is subject to the approval of the Director of Local Government Services.

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

1. The Mayor is hereby authorized to forward a letter to the Director of Local Government Services requesting an extension of the appointment of Lisa H. Hand as Acting Municipal Clerk to commence on July 1, 2014.
2. The Government Body does hereby appoint Lisa H. Hand Acting Municipal Clerk to commence on July 1, 2014. This appointment is contingent upon receiving the approval from the Director of Local Government Services.

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

2014-081

**RESOLUTION 2014-081**

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING THE REFUND OF ESCROW MONIES  
POSTED BY ATLANTIC CITY ELECTRIC FOR  
BLOCK 29, LOT 8**

**WHEREAS**, the Township of Eagleswood required the posting of escrow monies in regard to An Application for Major Site Plan for Block 29, Lot 8; and

**WHEREAS**, the Land Use Professionals have determined that all work has been completed, and that all billing has been submitted and paid and no further billing is anticipated; and

**WHEREAS**, the Land Use Board Attorney has recommended the refund of escrow monies posted for Block 29, Lot 8.

**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 the governing body does hereby authorize the refund of escrow monies in the amount of \$938.38 posted by Atlantic city Electric in regard to Block 29, Lot 8.
2. That a certified copy of this resolution be provided to the Chief Financial Officer.

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

2014-082

**RESOLUTION 2014-082**

**A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY  
AUTHORIZING THE RETAIL RENEWAL APPLICATION FOR 2014-2015 PLENARY RETAIL CONSUMPTION LICENSE NO#1508-33-004-009  
THE STEAKMASTER INC  
CALLOWAY'S RESTAURANT AND BAR**

**BE IT RESOLVED** by the Township Committee of the Township of Eagleswood, County of Ocean, State of New Jersey that the application of The Steakmaster, Inc., a Corporation, names and addresses of all officers and stockholders are: Donald Rossiter, President, and Joan H. Rossiter, Secretary, 325 Bay Parkway, Waretown, NJ, for a Plenary Retail Consumption License for the sale of alcoholic beverages for the license ear beginning July 1, 2014, for the premises known as The Steakmaster, Inc. t/a Calloways Restaurant and Bar, situated at 597 Route 9, Staffordville, in the Township of Eagleswood, County of Ocean, State of new Jersey, is hereby approved; and

**BE IT FURHTER RESOLVED** that Lisa H. Hand, Acting Municipal clerk of the Township of Eagleswood, County of Ocean, State of New Jersey, is directed to issue and sign Plenary Retail Consumption License #1508-33-004-009 on behalf of the Eagleswood Township Committee, and deliver the same to the above named Steakmaster, Inc.

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

2014-083

**RESOLUTION 2014-083**

**A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF RETAIL APPLICATION FOR 2014-2015 PLENARY RETAIL CONSUMPTION LICENSE NO# 1508-33-001-009 DDK SLEEPY HOLLOW CORP / SLEEPY HOLLOW RESTAURANT & PUB**

**BE IT RESOLVED** by the Township Committee of the Township of Eagleswood, County of Ocean, State of New Jersey that the application of D.D.K. Sleepy Hollow Corp., a Corporation, names and addresses of all officers and stockholders are Kathleen R. Santella, Lewis Court, Wall NJ, for a Plenary Retail Consumption License for the sale of alcoholic beverages for the license year beginning July 1, 2014, for the premises known as D.D.K. Sleepy Hollow Corp. t/a Sleepy Hollow Restaurant & Pub, situated at 475 Route 9, in the Township of Eagleswood, County of Ocean, State of New Jersey, is hereby approved; and

**BE IT FURHTER RESOLVED** that Lisa H. Hand, Acting Municipal clerk of the Township of Eagleswood, County of Ocean, State of New Jersey, is directed to issue and sign Plenary Retail Consumption License #1508-33-001-009 on behalf of the Eagleswood Township Committee, and deliver the same to the above named D.D.K. Sleepy Hollow Corp.

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

2014-084

**RESOLUTION 2014-084**

**A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE RENEWAL OF RETAIL APPLICATION 2014-2015 FOR PLENARY RETAIL DISTRIBUTION LICENSE NO# 1508-44-002-005 KAMP J INC / WEST CREEK LIQUORS**

**BE IT RESOLVED** by the Township Committee of the Township of Eagleswood, County of Ocean, State of New Jersey, that the application of Kamp J. Inc., a Corporation, names and addresses of all officer and stockholders are Richard Janiszewski, President, Patricia Janiszewski, both of 9 Deer Run Road, Parkertown, NJ, and Mark Janiszewski, 112 W. new Jersey Ave Beach Haven, NJ, for a Plenary Retail Distribution License for the sale of alcoholic beverages for the license ear beginning July 1, 2014 for the premises known as Kamp J. Inc. t/a West Creek Liquors situated at 321 Route 9 South, West Creek, in the Township of Eagleswood, County of Ocean, State of New Jersey, is hereby approved; and

**BE IT FURHTER RESOLVED** that Lisa H. Hand, Acting Municipal clerk of the Township of Eagleswood, County of Ocean, State of New Jersey, is directed to issue and sign Plenary Retail Consumption License #1508-44-002-004 on behalf of the Eagleswood Township Committee, and deliver the same to the above named Kamp J. Inc.

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

2014-085

**RESOLUTION 2014-085  
RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY  
CANCELLING 2014 TAXES AND AUTHORIZING A REFUND**

**DUE TO A 100% DISABLED VETERAN EXEMPTION  
PURSUANT TO N.J.S.A.54:4-3.32**

**WHEREAS**, the Tax Collector has requested authorization for the cancellation of real estate taxes for persons receiving 100% Disabled Veteran's Exemption; and

**WHEREAS**, the Tax Collector has requested to refund and cancel taxes on Block 29 Lot 4.04 in the amount of \$3,564.68 for the first and second quarters of 2014 and cancel taxes going forward as long as the current owners, Raymond L. and Marylou Mishler are the assessed owners, and:

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

- 1.) That the Mayor and Township Committee do hereby authorize the Tax Collector for the Township of Eagleswood to cancel taxes for 2014 due to 100% disabled veteran's exemption.
- 2.) That the Mayor and Township Committee do hereby authorize the Tax Collector for the Township of Eagleswood to cancel the balance of 2014 taxes once known.
- 3.) That the Mayor and Township Committee do hereby authorize the Tax Collector for Eagleswood Township to refund taxes in the amount of \$3,564.68 for the first and second quarters in 2014 to Raymond L and Marylou Mishler.
- 4.) That a certified copy of this resolution shall be forwarded to the Tax Collector and CFO of Eagleswood Township and Raymond L and Marylou Mishler.

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

2014-086

**RESOLUTION 2014-086**

**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 2014 in the sum of \$4,155.31 for the Clean Communities Grant. This funding is now available as Revenue from the State of New Jersey, Department of Environmental Protection.

**BE IT FURTHER RESOLVED** that the like sum of \$4,155.31 is hereby appropriated under the caption of the Clean Communities Grant.

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

2014-087

**RESOLUTION 2014- 087**

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

**WHEREAS**, NISA 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 2014 in the sum of \$165,000.00 for the New Jersey Department of Transportation Grant for First Avenue, Cedar Lane & Headley Avenue. 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 \$165,000.00 is hereby appropriated under the caption of the New Jersey Transportation Trust Fund Authority Act – First Avenue, Cedar Lane & Headley Avenue.

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

Mayor Rivas congratulated our Acting Chief Financial Officer for successfully completing her state Exam for Chief Financial Officer. Kristen will be appointed as the Township C.F.O. at the July meeting.

2014-088

**RESOLUTION 2014-088  
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, THEREFORE, 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:

**Current Fund \$222,225.36**

**Sewer \$1,147.88**

**Grants \$27,682.73**

**Escrow \$3,553.13**

**Dog \$6.00**

**Grand Total \$254,615.10**

**Bill Number 18 P.O. 14-00314**

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

**Remainder of Bill List**

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

**COMMITTEE REPORTS**

Committee member Pasternak gave a review of this month's zoning numbers. Mr. Pasternak spoke with the Tax Assessor and advised that all the appeals are done with the exception of one. The Tanker for the Fire Department is fixed and has been returned to the Fire Department. Mr. Pasternak stated he expects to be meeting the Fire Department shortly and will be discussing some items that need to be addressed.

Mayor Rivas stated that the Fire Department will be receiving a check for \$800.00 for helping at the Sahara Sands Motor Cross for 2014. The Recreation Committee held the 5K this

year on June 21st in conjunction with the Open House at Eagles Nest Airport. There were a total of 67 runner/walker this year. We are proud to present to the USO after all expenses a check for \$848.00. The next major event will be the Country Fair which is scheduled for October 4th. Mr. Pasternak and the Acting Clerk has arranged to have a gas line run to the Township Garage, installation is scheduled to take place sometime in July. The Township will receive a call prior to installation. Mayor Rivas and the CFO have discussed looking into getting a more local IT person. The CFO will be reaching out to surrounding Towns to discuss how they handle their IT.

**NEW BUSINESS:**

Township Attorney Tom Monahan provided the Acting Clerk with what appears to be the last chapter for Codification. The Acting Clerk will begin working on getting on the documents to General Code so we can wrap up codification for Eagleswood Township.

**ADJOURNMENT**

Without further comment and no more action necessary for this evening, Mayor Rivas called for a motion to adjourn. Deputy Mayor Thomas made a motion to adjourn at 08:00 p.m., seconded by Committee Member Pasternak and unanimously carried. The meeting was adjourned.

Submitted By:

Lisa H. Hand, Acting Municipal Clerk