

Eagleswood Township Regular Meeting Minutes September 29, 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 07:03 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

August 25, 2014 Minutes

The minutes were approved with making one correction; the date should be noted as August 25, 2014.

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

PRESENTATION-

None

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

MOTION- To Open Public Comment

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

Seeing there was no one from the public wishing to speak a motion to close Public comment was requested.

MOTION to close Public Participation was made by Committee Person Pasternak and seconded by Mayor Rivas and unanimously carried.

DISCUSSION

The recent sale of General Improvement anticipation Bond note was held, the new principal amount will be \$178,931 with an interest rate of 1.06% and will mature on September 11, 2015.

PUBLIC HEARING ORDINANCE:

2014-006

ORDINANCE NO. 2014- 006

AN ORDINANCE OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING SECTION 92-34.1 ENTITLED "FEES" OF THE EAGLESWOOD TOWNSHIP MUNICIPAL CODE

A motion to open the meeting for Public comment for Ordinance 2014-006

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

Seeing there was no one present from the public wishing to speak on Ordinance 2014-006, MOTION to close Public Participation was made by Committee Person Pasternak and seconded by Mayor Rivas and unanimously carried.

ORDINANCE FOR ADOPTION

ORDINANCE NO. 2014- 006

AN ORDINANCE OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING SECTION 92-34.1 ENTITLED "FEES" OF THE EAGLESWOOD TOWNSHIP MUNICIPAL CODE

BE IT ORDAINED, by the governing body of the Township of Eagleswood, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township Code of the Township of Eagleswood entitled Section 92-34.1 N Tax Map Revision Fees is hereby amended and supplemented to add Section 2 as follows:

SECTION

(2) Any person or entity seeking to file a deed of consolidation necessitating a revision to the Eagleswood Township Tax Map shall deposit with the Eagleswood Township Municipal Clerk an escrow fee in the amount of \$500.00 which funds are to be used by the Township Engineer in effectuating the change to the tax map based upon the deed of consolidation. The tax assessor will not designate the property with a new lot and block until such time as the escrow fee has been paid and acknowledged by the Municipal Clerk.

(3) All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

(4) If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

(5) The ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HERBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Eagleswood held on the 25th day of August, 2014, and the above entitled Ordinance was finally adopted by the Township of Eagleswood, County of Ocean, State of New Jersey at a meeting of said Committee held on September 29, 2014, after a public hearing was held.

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

RESOLUTIONS

2014-113

RESOLUTION 2014-113

A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING A REFUND OF REGISTRATION FEE FOR THE 2014 COUNTRY FAIR

WHEREAS, Martin Cohen AKA Accent, 5 Marigold Lane, Little Egg Harbor, NJ 08087, paid the registration fee on August 3rd 2014 CK# 1090 for participation as a vendor for the 2014 Country Fair to be held on October 4, 2014 in the amount of \$50.00; and

WHEREAS, Martin Cohen has requested a refund of the fee paid in the amount of \$50.00 due to the need to withdraw from the event; and

WHEREAS, it is recommended that the Township of Eagleswood refund the registration fee in the amount of \$50.00.

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 registration fee in the amount of \$50.00, received from Martin Cohen
2. That a certified copy of this resolution be provided to the Chief Financial Officer

COMMITTEE	MOTION	2 nd	AYES	NAYS	ABSTAIN	ABSENT
Committee Person Pasternak	x		x			
Deputy Mayor Thomas						x
Mayor Rivas		x	x			
		VOTE	2			

2014-114

RESOLUTION 2014-114

A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, FORMALLY REQUESTING A WAIVER FROM THE DEPARTMENT OF COMMUNITY AFFAIRS FROM EMPLOYING A CERTIFIED PRINCIPAL PUBLIC WORKS MANAGER FOR THE TOWNSHIP OF EAGLESWOOD

WHEREAS, it is necessary that the Mayor and the Township Committee make certain appointments for a Certified Principal Public Works Manager pursuant to N.J.S.A. 40A:9; and

WHEREAS, it is the desire of the Mayor and Township Committee to request a waiver from appointing a Certified Principal Public Works Manager pursuant to N.J.S.A. 40A:9-154.6g due to the lack of Public Works activities which will be performed by the municipality;

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 Township of Eagleswood hereby requests a waiver from the requirement to appoint a Certified Principal Public Works Manager.
2. That a copy of this Resolution together with the Application for Municipal Exemption from Requirement to Appoint a Principal Public Works Manager be forwarded to the Department of Community Affairs.

COMMITTEE	MOTION	2 nd	AYES	NAYS	ABSTAIN	ABSENT
Committee Person Pasternak	x		x			
Deputy Mayor Thomas						x
Mayor Rivas		x	x			
		VOTE	2			

2014-115

RESOLUTION 2014-115

A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY
 APPROVING THE
 2014 BEST PRACTICES INVENTORY

WHEREAS, the Department of Community Affairs requires municipalities to complete a 2014 Best Practice Inventory; and

WHEREAS, the members of the governing body have personally reviewed the 2014 Best Practice Inventory as submitted by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Eagleswood hereby accepts the 2014 Best Practice Inventory as completed.

COMMITTEE	MOTION	2 nd	AYES	NAYS	ABSTAIN	ABSENT
Committee Person Pasternak	x		x			
Deputy Mayor Thomas						x
Mayor Rivas		x	x			
		VOTE	2			

2014-116

RESOLUTION 2014-116

A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN STATE OF NEW JERSEY
 AUTHORIZING THE REEVALUATION OF THE PROJECT LIMITS FOR THE 2014 ROAD RECONSTRUCTION/IMPROVEMENT PROJECT

WHEREAS, the Township of Eagleswood submitted an application to the NJDOT, in the amount of \$300,785.37 for paving three roads; Headley Ave, First Ave and Cedar Lane; and

WHEREAS, the NJDOT approved an allotment in the amount of \$165,000.00; and

WHEREAS, the Township of Eagleswood must therefore reduce the scope of work for this project to a portion of two (2) streets; and

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Township of Eagleswood does hereby authorize the change/reduction to the original application to the NJDOT Local Aid Program MA FY 2014 requesting the reconstruction of two (2) Streets, First Ave. and Headley Ave

COMMITTEE	MOTION	2 nd	AYES	NAYS	ABSTAIN	ABSENT
Committee Person Pasternak	x		x			
Deputy Mayor Thomas						x
Mayor Rivas		x	x			
		VOTE	2			

2014-117

RESOLUTION 2014-117

RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,
 COUNTY OF OCEAN, STATE OF NEW JERSEY,
 SUBMITTING A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE DOWNTOWN AREA IMPROVEMENTS FROM THOMAS AVE TO WILLETS AVE IN THE AMOUNT OF \$242,937.50

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 continuation of improvements for the Downtown area from Thomas Ave to Willets Ave in the amount of \$242,937.50; 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 2015MA- Eagleswood Township-00052 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 nd	AYES	NAYS	ABSTAIN	ABSENT
Committee Person Pasternak	x		x			
Deputy Mayor Thomas						x
Mayor Rivas		x	x			
		VOTE	2			

2014-118

RESOLUTION NO. 2014-118

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A SHARED
SERVICES AGREEMENT WITH THE TOWNSHIP OF STAFFORD FOR
BUILDING INSPECTION SERVICES**

WHEREAS, the Township of Stafford employ a Building Inspectors and other staff to perform building inspection services; and

WHEREAS, the Township of Eagleswood has need of Building Inspectors and other staff for building inspection services; and

WHEREAS, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes the Township of Eagleswood to enter into a contract for the provision of certain governmental services with the Township of Stafford; and

WHEREAS, N.J.S.A. 40A:65-5 requires that such a contract be authorized by resolution; and

WHEREAS, it is the desire of the governing body to authorize the execution of a Shared Services Agreement with the Township of Stafford for Building inspection 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. That the governing body does hereby authorize the execution of a Shared Services Agreement with the Township of Stafford for Building inspection Services, as set forth in the Agreement attached hereto and incorporated herein as Schedule A.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to, respectively, the Shared Services Agreement, and any other documents necessary to effectuate the terms of this resolution.
3. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Township Clerk’s Office during normal business hours.
4. That a certified copy of this resolution, together with a copy of the agreement, shall be forwarded to the Township of Stafford and the State of New Jersey Division of Local Government Services.

COMMITTEE	MOTION	2 nd	AYES	NAYS	ABSTAIN	ABSENT
Committee Person Pasternak	x		x			
Deputy Mayor Thomas						x
Mayor Rivas		x	x			
		VOTE	2			

2014-119

**RESOLUTION #2014-119
RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING A 2014 TAX OVERPAYMENT REFUND
ON BLOCK 26 Lot 1 Qual. C 1.01**

WHEREAS, the Township of Eagleswood previously assessed and collected the 2014 first and second real estate tax quarters from Sprague Town Associates, LLC for Block 26 Lot 1 ; and

WHEREAS, Block 26 Lot 1 has been deleted and is now being taxed as Block 26 Lot 1 C1.01 due to an assessment change to a “condominium designation” by the Eagleswood Tax Assessor creating the need of a reimbursement to Sprague Town Associates for Block 26 Lot 1 Qual. C 1.01 in the amount of \$2,044.15 (\$1,022.08 for the 2014 first quarter and \$1,022.07 for the second quarter); and

WHEREAS, the Township Deputy Tax Collector as recommended the reimbursement in the amount of \$2,044.15 to Sprague Town Associates, LLC on Block 26 Lot 1 Qual. C 1.01; and

WHEREAS, it is the desire of the Township of Eagleswood to reimburse Sprague Town Associates LLC the amount of \$2,044.15 on Block 26 Lot 1 Qual. C 1.01; and

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

1. That the Eagleswood Township Deputy Tax Collector is hereby authorized to

reimburse the amount of \$2,044.15 on Block 26 Lot 1 Qual. C 1.01 to Sprague Town Associates, LLC.

- That a copy of this resolution shall be forwarded to the Deputy Tax Collector and Treasurer

COMMITTEE	MOTION	2 nd	AYES	NAYS	ABSTAIN	ABSENT
Committee Person Pasternak	x		x			
Deputy Mayor Thomas						x
Mayor Rivas		x	x			
		VOTE	2			

2014-120

**RESOLUTION 2014-120
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:

Current Fund \$487,197.31
Sewer \$1,672.97
Grants \$2,067.78
Escrow \$688.65
Doq \$5.40
General Capital \$1,384.69
Sewer Capital \$1,487.50

Grand Total \$494,504.30

COMMITTEE	MOTION	2 nd	AYES	NAYS	ABSTAIN	ABSENT
Committee Person Pasternak	x		x			
Deputy Mayor Thomas						x
Mayor Rivas		x	x			
		VOTE	2			

COMMITTEE REPORTS

Mayor Rivas advised that the Country Fair would be held this Saturday October 4th beginning at 10 a.m.

Mr. Pasternak asked if the larger dumpster had been delivered to the Fire Department. CFO Kristen Manning stated that she has reached out to Suburban to confirm and has of this date she has not heard back from them. Mr. Pasternak also asked if CFO Kristen Manning had heard anything back regarding the Road Project with regards to the remaining funds. Mrs. Manning stated that she had reached out to Greg from Owen and Little and as of this date they have been unsuccessful on identifying any projects. Mr. Pasternak also stated he was happy to see hear that Virginia Rettig Refuge Manager Edwin B. Forsythe National Wildlife Refuge has been in contact with our Clerk and has advised that the Clean-up should be starting within the next week or two and the project is expected to be completed by early winter. He would like to have the Clerk extend our appreciation to Ms. Rettig and advise her that she has our full support.

2014-121

RESOLUTION 2014-121

A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY,
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, the pursuant to the Open Public Meeting 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. 10:4-6(a) specifically:

VOID

(A) _____

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

1. The public shall be excluded from discussion concerning the hereinafter-specified subject matter
2. 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.

NEW BUSINESS:

None

ADJOURNMENT

Without further comment and no more action necessary for this evening, Mayor Rivas called for a motion to adjourn. Committee Person Pasternak made a motion to adjourn at 07:40 p.m., seconded by Mayor Rivas and unanimously carried. The meeting was adjourned.

Submitted By:

Lisa H. Hand, Acting Municipal Clerk