

Eagleswood Township Regular Meeting Minutes January 27, 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

Victoria Ford - Sand Paper

APPROVAL OF MINUTES

December 18, 2013 Regular

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

January 06, 2014 Regular
January 06, 2014 Executive

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

PRESENTATION-

None

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

MOTION- Deputy Mayor Thomas made a motion to open the meeting to public comment, seconded by Committee Member Pasternak, and unanimously carried.

Seeing there was no one present from the Public Mayor Rivas requested a motion to close Public Comment.

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

DISCUSSION

Mayor Rivas requested that Discussion be moved to end of the meeting with Committee Reports. Deputy Mayor Thomas made a motion, seconded by committee Member Pasternak and unanimously carried.

RESOLUTIONS:

2014-025

**TOWNSHIP OF EAGLESWOOD
RESOLUTION 2014-025**

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN,
STATE OF NEW JERSEY, CANCELLING
RESOLUTION 2014-022 FOR THE TOWNSHIP OF EAGLESWOOD**

WHEREAS, resolution 2014-022 was not needed; and

WHEREAS, the Township of Eagleswood already had a four (4) year appointment for the Tax Assessor position.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Eagleswood, County of Ocean, State of New Jersey, to cancel Resolution 2014-022.

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

2014-026

RESOLUTION NO. 2014-026

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING THE
RESIGNATION OF FREDERICK R. MILLMAN PART-TIME TAX
ASSESSOR**

WHEREAS, the Part-Time Tax Assessor has, by correspondence dated December 10, 2013, advised of his decision to resign effective January 15, 2014; and

WHEREAS, said correspondence is attached hereto and made a part hereof as Schedule A; and

WHEREAS, the Township Committee desires to formally acknowledge and accept the written decision of Part-Time Tax Assessor Frederick R. Millman to resign.

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 Township Committee does hereby acknowledge and accept the written decision of Part-Time Tax Assessor Frederick R. Millman to resign effective January 15, 2014, which decision is attached hereto and made a part hereof as Schedule A.
2. That this resolution shall become effective immediately.
3. That a copy of this resolution shall be forwarded to Frederick R. Millman.

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

2014-027

RESOLUTION 2014-027

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING CHANGE ORDER 1 (FINAL) TO THE CONTRACT WITH CURB CON INC, FOR THE FY 2012 ROAD
IMPROVEMENT PROJECT- DOWNTOWN AREA IMPROVEMENTS- WEST SIDE NJSH ROUTE 9**

WHEREAS, the Township of Eagleswood awarded a contract on September 5, 2013 to Curb Con Inc, in the amount of \$197,024.50.

WHEREAS, the Municipal Engineer has instituted a change order for items outlined in Change Order #1 (Final) attached, increasing the contract by \$3,300.00; and

WHEREAS, this Change Order increase the award of the contract to \$200,324.50; and

WHEREAS, the Chief Financial Officer had supplied the Municipal Clerk with a Certificate of Availability of Funds in the amount of \$197,024.50, initially, and a Certificate of Availability of Funds in the amount of \$3,300.00 for this Change Order.

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 Change Order #1 (Final) increasing the original contract in the amount of \$3,300.00 to Curb Con, Inc.
2. That a certified copy of this resolution be provided to the Chief Financial Officer and the Municipal Engineer.

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

2014-028

**TOWNSHIP OF EAGLESWOOD
RESOLUTION 2014-028**

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW
JERSEY, AUTHORIZING THE EXECUTION OF A SCHEDULE "C" AGREEMENT WITH COUNTY OF
OCEAN FOR 2014**

WHEREAS, the Interlocal Services Act, N.J.S.A. 40:8A-1, et seq., authorizes the Township of Eagleswood to enter into a contract for the provision of certain governmental services with the County of Ocean; and

WHEREAS, N.J.S.A. 40:8 requires such a contract to be authorized by resolution or ordinance; and

WHEREAS, it is the desire of the Township Committee of the Township of Eagleswood to authorize the execution of a contract with the County of Ocean for the provision of services, materials and equipment as set forth in Schedule "C" attached hereto.

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

1. That the Mayor, Debra A. Rivas and Acting Municipal Clerk, Lisa H. Hand are hereby authorized to execute a Schedule "C" agreement with the County of Ocean in accordance with the provisions of the law to include \$10,000.00 for the Road Department and \$500.00 for Vehicles Services, for a total sum not to exceed \$10,500.00. A copy of said agreement is attached hereto and made part hereof as Schedule "C."
2. This agreement is for the period January 1, 2014 to December 31, 2014.
3. That a copy of this agreement referenced herein shall be kept on file and made available for public inspection in the Municipal Clerk's office during normal business hours.

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

2014-029

RESOLUTION NO. 2014-029

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING
KATHLEEN WELLS AS A CONSULTANT TO ASSIST THE ACTING
MUNICIPAL CLERK**

WHEREAS, the Township of Eagleswood has appointed an Acting Municipal Clerk who does not hold a Registered Municipal Clerk Certificate; and

WHEREAS, there exists a need for a Certified Registered Municipal Clerk to provide consulting services to the newly appointed Acting Municipal Clerk during the initial transition period; and

WHEREAS, Kathleen Wells is a Certified Registered Municipal Clerk and has the ability to assist the newly appointed Acting Municipal Clerk; and

WHEREAS, the value of the contract is in an amount not to exceed \$9,000.00; and

WHEREAS, the consultant shall perform duties as directed by the Committee Member in charge of the Finance Committee; and

WHEREAS, it is the desire of the Township Committee to appoint Kathleen Wells as a consultant to assist the Township Clerk during the transition period.

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 Kathleen Wells is hereby retained to provide consulting services to assist the newly appointed Acting Municipal Clerk. Said services shall be provided as directed by the Township Committee liaison to the Finance Committee for a term commencing upon the adoption of this resolution and ending December 31, 2014. Ms. Wells shall be compensated at the rate of \$50.00 per hour, and the total amount shall not exceed \$9,000.00.
2. That the contract shall be an open-ended contract with funds being encumbered contingent upon the availability of funds in the budget year. No services shall be rendered under the contract until the Chief Financial Officer has certified the availability of funds for such services.
3. That this resolution shall become effective immediately.
4. That a certified copy of this resolution be shall forwarded by the Township Clerk to the Chief Financial Officer and Kathleen Wells.

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

2014-030

RESOLUTION NO. 2014-030

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING
EDWARD R. SEEGER, JR., AS PART-TIME TAX ASSESSOR FOR THE
TOWNSHIP OF EAGLESWOOD**

WHEREAS, the Township of Eagleswood is in need of the services of a part-time Tax Assessor; and

WHEREAS, Edward R. Seeger, Jr., is duly qualified to serve as Tax Assessor; and

WHEREAS, the governing body wishes to appoint Edward R. Seeger, Jr., as part-time Tax Assessor for the Township of Eagleswood, pursuant to this resolution.

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 Edward R. Seeger, Jr., is hereby appointed as part-time Tax Assessor for the Township of Eagleswood effective January 27, 2014. The term of office shall be for the term of four (4) years from the 1st day of July next following his appointment.

2. That Edward R. Seeger, Jr., shall receive as compensation the sum of \$16,000 per annum to accomplish all tasks necessary to adequately perform the job as Tax Assessor.

3. That Edward R. Seeger, Jr., as part of his obligation to spend whatever time is necessary to accomplish the tasks as the Tax Assessor, shall be available in Town Hall to meet with residents of the Township at least two (2) hours per week.

If the aforementioned two hours per week is not sufficient, then Edward R. Seeger, Jr., shall adjust his schedule so as to meet the needs of the Township residents, and be available in Town Hall for said meetings.

4. That this resolution shall become effective immediately.

5. That a certified copy of this resolution shall be forwarded by the Township Clerk to the Chief Financial Officer and Edward R. Seeger, Jr.

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

2014-031

RESOLUTION 2014-031

**A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE ACTING CHIEF FINANCIAL OFFICER TO TRANSFER APPROPRIATION RESERVES**

WHEREAS, various 2013 bills have been presented this year, which bills represent obligations of the prior fiscal year were not covered by order number and/or recorded at the time of transfers between the 2013 budget in the last two months of 2013; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the closed of the succeeding year, to meet specific claims, commitments or contracts incurred during the proceeding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three month is of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Eagleswood, in the County of Ocean, State of New Jersey, (2/3 of the majority of the full membership concurring herein) that the transfers in the amount of \$500.00 be made between the 2013 Budget Appropriation Reserves as follows:

DEPARTMENT	FROM	TO
Financial Administration – Salaries & Wages	500.00	
Special Counsel		500.00

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

2014-032

**RESOLUTION 2014-032
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 \$842,925.36
Sewer \$2,485.16
Grants \$62,448.52
Escrow \$788.00

Grand Total \$908,647.04

COMMITTEE	MOTION	2 nd	AYES	NAYS	ABSTAIN	ABSENT	RECUSE
Committee Person Pasternak		x	x				
Deputy Mayor Thomas	x		x		Abstain from 67		
Mayor Rivas			x		Abstain from 63		
		VOTE	3				

2014-033

**TOWNSHIP OF EAGLESWOOD
 RESOLUTION 2014-033
 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.

DISCUSSION

Mayor Rivas would like to discuss projects that are related to Super Storm Sandy.

Deputy Mayor Thomas is willing to sit down with Frank Little with Owen and Little Engineering to discuss the Sewer Project.

Acting Chief financial Officer Kristen Manning indicated that she has been working with the Auditor and we will need to do a Capital Ordinance which will be introduced at the next meeting. We will also be looking at the Bulk Head project; this will also be looked at for bonding purposes.

Deputy Thomas would like to see the fence completed.

Mayor Rivas would like to see the Gazebo replaced. There is a grant that is available for recycling containers and Lisa and Kristen will be applying. Mayor Rivas would like to see these placed at the Boat Slips and at the end of Dock Road. Mayor Thomas stated that in the past we always had a carry in and carry out policy and feels that this has been working well.

Deputy Mayor would like to see the Gazebo be replaced with what was there before we purchased the gazebo that was destroyed in the storm. Deputy Thomas would like to see if our Township Engineer could look into some plans for the Gazebo.

CORRESPONDENCE

Acting Clerk Hand advised that all correspondence had been distributed thru out the month.

COMMITTEE REPORTS

Mayor Rivas noted that we received a letter from the USO thanking the recreation committee for their donation that was raised at the 5K10K. The Fire Department presented the Township with a plaque at their annual installation dinner. All the Events for 2014 have been planned with the Recreation Committee; the first event will be March 8th which is the Township Birthday Party.

Committee Member Pasternak attended a class on the 25th of January with regards to local government. Mr. Pasternak met with Karl Sillitoe, Zoning Officer. Mr. Pasternak will be sitting down with Chief Headley from the Fire Department. The Township Employees met with Mr. Pasternak for a Township luncheon; he got to meet with everyone, Mr. Pasternak spoke with Rich and he would like to make arrangements to go over to the Township garage and see the equipment and learn about the DPW operations.

NEW BUSINESS

Codification- The committee worked with Attorney Monahan and began the process of re-codification. The committee spent a little time reviewing the changes, thru out the process there are sections that Attorney Monahan will meet with the Engineer on certain topics and we will revisit again at the February meeting.

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 08:40 p.m., seconded by Committee Member Pasternak and unanimously carried. The meeting was adjourned.

Submitted By:

Lisa H. Hand, Acting Municipal Clerk