

# Eagleswood Township Regular Meeting Minutes March 24, 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:

<b>COMMITTEE</b>	<b>PRESENT</b>	<b>ABSENT</b>	<b>LATE</b>
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 with the Sand Paper

**PRESENTATION-**

A Proclamation for National Library Week was presented to Chris Rodas Ocean County Library Stafford Branch Manager.

Mayor Rivas also read a Proclamation on behalf of Eagleswood Township for National Volunteer Week.

**DISCUSSION-**

Virginia Rettig, Project Leader with the Edwin B. Forsythe NWR addressed the Committee. Ms. Rettig advised the committee with a status report of the progress of debris removal from Super Storm Sandy. She advised that she believes that the clean-up progress should be completed by the end of May. She advised the committee that after the process begins she is willing to come back to address the committee with a progress report and address any issues that the Township still has with regards to the clean-up.

Beth Ciuzio, Fish & Wildlife Biologist with the Department of Interior - U.S. Fish and Wildlife Service spoke with the Committee. Ms. Ciuzio advised the committee that there is a program available to resident's who have been adversely affected by Super Storm Sandy. She will leave with the Clerk some packets which explain the program and she is willing to come back and meet with any of the Governing Body to help implement this program if it's something that the Committee feels would benefit the Township. There is an April 18th deadline so it's important to move quickly on this.

Robert A. Gaestel, Jr., Construction Official addressed the Committee. Mr. Gaestel advised that currently there is approximately 15 substantially damage letters and he is continuing to work with others. Mr. Gaestel suggested that the committee review the list and select four (4) of the worst homes and

try to handle them and move forward from there. Mr. Gaestel was unaware of the program that Beth Ciuzio spoke about but he thinks there may be some that could benefit from this program. Mr. Gaestel is going to review and try to reach out to residents that he believes this may help.

Mayor Rivas reviewed with the Committee the recent correspondence she has received regarding Seismic Airgun Testing and she is requesting the Committee sign a letter that has been drafted to the President of the United States and the Interior Secretary Sally Jewell showing we are not in favor of this. The Committee was all in favor of sending letter.

**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				

**Bill Mays- Dinner Point Road**

Mr. Mays is concerned with unsolicited mail. He is having a lot of issues with it in the past three weeks. He also spoke with the State Police and they advised him to come to the Town meeting to discuss his concerns. He is proposing an Ordinance that dictates all unsolicited material commercial or non-commercial to be placed in an unsolicited receptacle. He has some sample legislation with him that he is willing to leave with the Township tonight. Attorney Tom Monahan will look into and will bring something to the governing body for the next meeting.

**Mr. Gordon-**

Mr. Gordon is concerned that still nothing has been done on Dock Road. The Clerk advised Mr. Gordon that she has spoke with the Township Engineer and he is aware of this. There are still a list of open items that need to be completed and his issues are on the list. Mr. Gordon also stated that there are issues with water ponding on Dock Road. Dock Road is a County Road, we have advised the County and this has been brought to everyone's attention, Deputy Mayor Thomas advised we are working on this. The 2014 County Road Improvements list has been sent to the Freeholders and Dock Road ponding water issue was placed on the list. Deputy Thomas advised that the Bulk Head is going to be repaired on Dock Road, and a letter was sent to the County about the ponding of water.

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

**APPROVAL OF MINUTES**

February 24, 2014 Regular  
February 24, 2014 Executive

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				

**ORDINANCES INTRODUCTION:**

**2014-03**

**ORDINANCE NO. 2014-003**

**ORDINANCE OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Eagleswood in the County of Ocean finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Eagleswood township governing body hereby determines that a 3 % increase in the budget for said year, amounting to \$39,227.73 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Township of Eagleswood Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW, THEREFORE BE IT ORDAINED**, by the Township Committee of the Eagleswood Township, in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of Eagleswood Township shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 45,765.69 and that the CY 2014 municipal budget for the Township of Eagleswood be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**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 24th day of March, 2014, and will be considered for second and final passage at a regular meeting of the Township Committee to be held on the 28th

of April, 2014, at 7:00 p.m., prevailing time, at the Municipal Building located at 146 Division Street West Creek, NJ 08092, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

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				

**2014-04**

**ORDINANCE NO. 2014 –004**

**ORDINANCE OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 105 OF THE TOWNSHIP CODE ENTITLED “SEWER USE”**

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

**SECTION 1.** Chapter 105 of the Township Code of the Township of Eagleswood, County of Ocean, State of New Jersey, entitled “Sewer Use,” is hereby amended and supplemented so as to revise Article VI, “Rate Schedule,” § 105-30, “Annual service charge,” subparagraphs B, C and E, which shall read in their entirety as follows:

B. The initial annual service charge as computed above for a single-family residence shall be six hundred thirty-five dollars (\$635.).

C. The annual service charge for 1.5 units shall be nine hundred forty dollars (\$940.), 2.00 units shall be one thousand two hundred forty-five dollars (\$1,245.), 2.5 units shall be one thousand five hundred fifty dollars (\$1,550.), and 3.00 units shall be one thousand eight hundred fifty-five dollars (\$1,855.).

E. Property owners who have paid a connection fee set forth in Section 105-29, but who cannot connect to the sewage system due to the fact that the property which they own is vacant land, then they shall be charged an annual service fee in the amount of five hundred twenty-three dollars (\$523.). Upon the construction of a building upon the vacant lot in question and the issuance of a certificate of occupancy, the owner thereof shall be charged an annual service fee in accordance with Subsections B, C or D, whichever is applicable to the specific property.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 3.** Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**SECTION 4.** This ordinance shall take effect after second reading and publication as required by law.

**NOTICE**

**NOTICE IS HEREBY 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 24th day of March, **2014**, and will be considered for second and final passage at a regular meeting of the Township Committee to be held on the 28 day of April, **2014**, at 7:00 p.m., at the Municipal Building located at 146 Division Street, West Creek, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard. The ordinance increases the sewer fees by \$10.00 per unit to offset the cost to operate the system. Complete copies of the ordinance are available at the Clerk’s office, 146 Division Street, West Creek, NJ, prior to and at the public hearing, at no charge.

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				

**PUBLIC HEARING ORDINANCE-**

*2014-01- An Ordinance of the Township of Eagleswood, County of Ocean, State of New Jersey Providing for the Acquisition of Grinder Pumps in and for the Township of Eagleswood and Appropriating \$1,160,000 Therefor, and Providing for the issuance of \$1,160,000 in Bonds or Notes of the Township of Eagleswood to Finance the same.*

**MOTION to open Public Participation**

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				

Seeing no one from the Public wishes to speak

**MOTION** to close Public Participation was made by committee member Michael J. Pasternak and seconded by Deputy Mayor Thomas and unanimously carried.

**ADOPTION OF ORDINANCE-**

2014-001

ORDINANCE NO.2014-001

AN ORDINANCE OF THE TOWNSHIP OF EAGLESWOOD, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF GRINDER PUMPS IN AND FOR THE TOWNSHIP OF EAGLESWOOD AND APPROPRIATING \$1,160,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,160,000 IN BONDS OR NOTES OF THE TOWNSHIP OF EAGLESWOOD TO FINANCE THE SAME

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EAGLESWOOD, IN THE COUNTY OF OCEAN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Eagleswood, in the County of Ocean, New Jersey (the "Township"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$1,160,000. No down payment is required in connection with the improvements or purposes for which obligations are authorized as provided in Section 3 hereof as said purposes are deemed to be self-liquidating and the obligations authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this bond ordinance.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$1,160,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3.(a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the acquisition and installation of grinder pumps, and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. No part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,160,000, but that the net debt of the Township determined as provided in the Local Bond Law is not increased by this bond ordinance and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$232,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

(e) This bond ordinance authorizes obligations of the Township solely for a purpose described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A. 40A:2-44(c).

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 10. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond 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 24th day of February, 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 March 24, 2014, after a public hearing was held.

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				

**PUBLIC HEARING ORDINANCE-**

2014-02- An Ordinance of the Township of Eagleswood, County of Ocean, State of New Jersey, Providing for the Replacement of the Bulkhead and Gazebo on Dock Road in and for the Township of Eagleswood and Appropriating \$500,000 Therefor and providing for the issuance of \$475,000 in Bonds or Notes of the Township of Eagleswood to Finance same.

**MOTION to open Public Participation**

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				

Seeing no one from the Public wishes to speak

**MOTION to close Public Participation**

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				

**ADOPTION OF ORDINANCE-**

2014-02

**ORDINANCE NO. 2014-002**

AN ORDINANCE OF THE TOWNSHIP OF EAGLESWOOD IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE REPLACEMENT OF THE BULKHEAD AND GAZEBO ON DOCK ROAD IN AND FOR THE TOWNSHIP OF EAGLESWOOD AND APPROPRIATING \$500,000 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$475,000 IN BONDS OR NOTES OF THE TOWNSHIP OF EAGLESWOOD TO FINANCE SAME

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EAGLESWOOD, IN THE COUNTY OF OCEAN, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring), **AS FOLLOWS:**

**Section 1.** The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Eagleswood, in the County of Ocean, New Jersey (the "Township"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of money therein stated as the appropriation made for the improvement or purpose, such sum amounting to \$500,000, including the sum of \$25,000 from the capital improvement fund as the down payment for the improvement or purpose required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

**Section 2.** In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$475,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3. (a)** The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is for the replacement of the bulkhead and the gazebo on Dock Road with a vinyl bulkhead and wooden gazebo, and including all work and materials necessary therefor or incidental thereto.

**(b)** The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

**(c)** The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

**Section 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

**Section 5.** The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

**(a)** The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

**(b)** The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

**(c)** The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$475,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

**(d)** An amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvement or purpose.

**(e)** The Township reasonably expects to commence acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

**Section 7.** Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

**Section 8.** The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 9.** The Township Committee of the Township hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

**Section 10.** To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

**Section 11.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond 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 24th day of February, 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 March 24, 2014, after a public hearing was held.

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				

**RESOLUTIONS:**

2014-047

**RESOLUTION 2014-047**

**A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY URGING THE US HOUSE OF REPRESENTATIVES TO PASS LEGISLATION THAT WOULD ALLOW A FOUR-YEAR DELAY TO THE PLANNED INCREASES UNDER THE BIGGERT-WALTERS ACT**

**WHEREAS**, communities throughout Ocean County are still rebuilding nearly 18 months after Superstorm Sandy devastated the County leaving many of our residents homeless or with severe damage to their homes; and

**WHEREAS**, the Biggert-Walters Act, as it now stands, will raise flood insurance premiums for homeowners by 20 to 25 percent per year. This increase would be an intolerable burden for homeowners ravaged by Superstorm Sandy, putting them at risk of never being able to afford to rebuild and live in their homes. This burden would not only affect all those misfortunate citizens affected by the Storm but would have a devastating effect on the economy of the entire County; and

**WHEREAS**, unless legislation is adopted, these premium increases would affect not only those citizens

**WHEREAS**, Senate Bill 1846, past by bipartisan vote in the Senate, would delay for four years certain premium increases included in the Biggert-Walters Act, thus allowing these struggling residents the time needed to put their lives, homes and finances in order; and

**WHEREAS**, it is now necessary for the House of Representatives to pass a companion bill

**NOW THEREFORE, BE IT RESOLVED** that the TOWNSHIP COMMITTEE OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY hereby calls upon Congress to support and pass Senate Bill 1846 thus giving the residents of Ocean County and all those residents of the region a fighting change to regain their lives.

**BE IT FURTHER RESOLVED** that certified copies of this Resolution shall be forwarded to Senator Robert Menendez, Senator Cory Booker, all New Jersey U.S. Congressmen, Governor Chris Christie, Members of the 9th 10th 12th and 30th Ocean County Legislative Districts and the Mayors of all Ocean county Municipalities.

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				

2014-048

**RESOLUTION NO. 2014 -048**

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING WAYNE THOMAS AS THE MAYOR'S DESIGNEE TO THE LAND USE BOARD**

**WHEREAS**, N.J.S.A. 40:55D-23 provides that the mayor of a municipality is a Class 1 member of the Land Use Board; and

**WHEREAS**, said statute allows the appointment of a mayor's designee to serve in the absence of the mayor; and

**WHEREAS**, the Township Committee desires to appoint a Mayor's Designee to the Land Use Board.

**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 hereby appoints Wayne Thomas as the Mayor's Designee to the Land Use Board to serve in the absence of the Mayor.



2. That this resolution shall become effective immediately.
3. That a certified copy of this resolution shall be forwarded by the Township Clerk to the Secretary of the Land Use Board.

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	3				

2014-049

RESOLUTION 2014-049

RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING ASSIGNMENT OF MUNICIPAL TAX SALE CERTIFICATE #11-00019

**WHEREAS**, N.J.S.A 54:5-113 authorizes assignment of a municipal tax sale certificate for the full amount of the certificate, including all subsequent municipal taxes and other municipal charges; and

**WHEREAS**, Kenneth and Michele Thomas has presented an offer to purchase, by assignment, Certificate of Sale #11-00019 which was issued to Eagleswood Township, 146 Division Street West Creek, NJ 08092 and assessed to Vanderhoff, E.C/O M. Thomas in the amount of \$611,22 being the full amount of the certificate, including all subsequent taxes and other municipal charges.

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

1. That the Eagleswood Township Tax Collector is hereby authorized to execute the necessary assignment document to effect the assignment of the above-referenced Certificate of Sale.
2. A copy of this resolution shall be forwarded to the Tax Collector.

2014-050

RESOLUTION 2014-050

RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A 2014 TAX OVERPAYMENT REFUND ON BLOCK 38 LOT 9 QUALIFIERS C201

**WHEREAS**, the Township of Eagleswood previously assessed and collected first quarter real estate tax from Stafford Forge Business Park, LLC and Maher Properties, LLC for the 2014 Calendar year for Block 38 Lot 9 Qualifiers C201 ; and

**WHEREAS**, Stafford Forge Business Park, LLC sold the above properties July 9, 2013 to Maher Properties, LLC. The previous owner, Stafford Forge Business Park, LLC's mortgage company, Sun Bank, paid the first quarter 2014 property tax in the amount of \$446.46 out of their escrow account on Block 38 Lot 9 Qualifiers C201 each and the new owners, Maher Properties, LLC paid the first quarter 2014 property tax in the amount of \$446.46 also on Block 38 Lot 9 Qualifiers C201 each. Total amount of overpayment is \$446.46; and

**WHEREAS**, the Township Deputy Tax Collector as recommended the refund of a tax overpayment of \$446.46 to the previous owners Stafford Forge Business Park, LLC on Block 38 Lot 9 Qualifiers C201 ; and

**WHEREAS**, it is the desire of the Township of Eagleswood to refund said overpayment of \$446.46 to Stafford Forge Business Park, LLC.

**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 Eagleswood Township Deputy Tax Collector is hereby authorized to refund the overpayment of \$446.46 and Block 38 Lot 9 Qualifiers C201 to Stafford Forge Business Park, LLC.
2. That a copy of this resolution shall be forwarded to the Deputy Tax Collector and Treasurer.

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				

2014-051

RESOLUTION 2014-051

RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A 2014 TAX OVERPAYMENT REFUND ON  
BLOCK 38 LOT 9 QUALIFIERS C202

**WHEREAS**, the Township of Eagleswood previously assessed and collected first quarter real estate tax from Stafford Forge Business Park, LLC and Maher Properties, LLC for the 2014 Calendar year for Block 38 Lot 9 Qualifiers C202 ; and

**WHEREAS**, Stafford Forge Business Park, LLC sold the above properties July 9, 2013 to Maher Properties, LLC. The previous owner, Stafford Forge Business Park, LLC's mortgage company, Sun Bank, paid the first quarter 2014 property tax in the amount of \$446.46 out of their escrow account on Block 38 Lot 9 Qualifiers C202 each and the new owners, Maher Properties, LLC paid the first quarter 2014 property tax in the amount of \$446.46 also on Block 38 Lot 9 Qualifiers C202 each. Total amount of overpayment is \$446.46; and

**WHEREAS**, the Township Deputy Tax Collector as recommended the refund of a tax overpayment of \$446.46 to the previous owners Stafford Forge Business Park, LLC on Block 38 Lot 9 Qualifiers C202 ; and

**WHEREAS**, it is the desire of the Township of Eagleswood to refund said overpayment of \$446.46 to Stafford Forge Business Park, LLC.

**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:

3. That the Eagleswood Township Deputy Tax Collector is hereby authorized to refund the overpayment of \$446.46 and Block 38 Lot 9 Qualifiers C202 to Stafford Forge Business Park, LLC.
4. That a copy of this resolution shall be forwarded to the Deputy Tax Collector and Treasurer.

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				

2014-052

RESOLUTION 2014-052

RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A 2014 TAX OVERPAYMENT REFUND ON  
BLOCK 29 LOT 4.11

**WHEREAS**, The Township of Eagleswood previously assessed and collected the first quarter real estate tax from Harold & Noreen C Hendrickson and James & Barbara Fearick for the 2014 calendar year for Block 29 Lot 4.11; and

**WHEREAS**, Harold & Noreen Hendrickson sold the above property on January 21,2014 to James & Barbara Fearick. The previous owner, Harold & Noreen C Hendrickson's mortgage company, Wells Fargo, paid the first quarter 2014 property tax in the amount of \$1,792.75 out of their escrow account on Block 29 Lot 4.11 and the new owners, James & Barbara Fearick paid the first quarter 2014 property tax in the amount of \$1,792.75 at closing on Block 29 Lot 4.11.

**WHEREAS**, the Township Deputy Tax Collector as recommended the refund of a tax overpayment of \$1,792.75 to the previous owners Harold and Noreen C Hendrickson on Block 29 Lot 4.11; and

**WHEREAS**, it is the desire of the Township of Eagleswood to refund said overpayment of \$1,792.75 to Harold & Noreen C Hendrickson.

**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:

5. That the Eagleswood Township Deputy Tax Collector is hereby authorized to refund the overpayment of \$1,792.75 on Block 29 Lot 4.11 to Harold & Noreen C. Hendrickson
6. That a copy of this resolution shall be forwarded to the Deputy Tax Collector and Treasurer.

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				

2014-053

RESOLUTION 2014-053

RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, INTRODUCING THE 2014 MUNICIPAL BUDGET

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				

2014-054

RESOLUTION 2014-054

RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE CANCELLATION OF THE BALANCE FOR THE RESERVE FOR PICK-UP TRUCK

WHEREAS, the unexpended Reserve for Pickup Truck Balance of \$35,000.00 remains on the Current Fund Balance Sheet; and

WHEREAS, it is necessary to formally cancel the Reserve for Pickup Truck Balance from the Current Fund Balance Sheet;

NOW, THEREFORE, BE IT RESOLVED that the Reserve for Pickup Truck Balance of \$35,000.00 be cancelled from the Current Fund Balance Sheet:

I hereby certify the foregoing to be a true copy of a resolution adopted by the Township Committee of the Township of Eagleswood, County of Ocean, State of New Jersey, at a meeting of said Committee held on March 24, 2014.

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				

2014-055

RESOLUTION 2014-055  
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 \$262,694.87**  
**Sewer \$801.10**  
**Grants \$210.00**  
**Escrow \$3,397.14**  
**Dog Fund \$7.20**  
**Grand Total \$267,110.31**

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

Mr. Pasternak advised that the situation with Mrs. Bragg has been handled. Mrs. Bragg wanted to thank the governing Body. He also advised that he has met with the Tax Assessor; currently we have five appeals filed and the possibility of three more. Mr. Pasternak attended the Economic Development meeting. The yard sale is coming up May 3rd & 4th. The Township Birthday Party was a great success; Recreation did a great job, special thanks to the Cooks, Dean and Chuck. March 6th Mr. Pasternak and the Mayor attended the JIFF training allowing for the Township to receive a \$250.00 credit for each amounting to \$500.00 the name of the seminar Public Officials Risk Management.

Mayor Rivas advised that there will be a Town Wide Clean-up April. The Recreation committee will hold their Egg Hunt on April 5th beginning at 10AM. The Township will have a Shred Event also on April 5th beginning at 12:00 Noon to 2:00 PM. The Basement project is looking good. We are continuing to work on ways to improve our Website.

**2014-46**

**TOWNSHIP OF EAGLESWOOD  
RESOLUTION 2014-046  
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
Committee Person Pasternak		x	x				
Deputy Mayor Thomas	x		x				
Mayor Rivas			x				
		VOTE	3				

The Township Committee entered into Executive Session at 08:25 PM  
The Township Committee returned from Executive session at 09:55 PM

**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 09:55 p.m., seconded by Committee Member Pasternak and unanimously carried. The meeting was adjourned.

Submitted By:

Lisa H. Hand, Acting Municipal Clerk