

Eagleswood Township Regular Meeting Minutes February 23, 2015

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 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 2015-07, has been published in the Tuckerton Beacon, Asbury Park Press and the Atlantic City Press, given to those having requested and paying for same, and posted on the Bulletin Board in the Municipal Building on January 08, 2015.”

PRESS IDENTIFICATION

Liam McKenna- The Sandpaper

APPROVAL OF MINUTES

Regular Meeting- January 29, 2015

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				

Karen Adam-Thomas Ave on behalf of the Historical Society

Mrs. Adam thanked Mr. Pasternak for turning them on to a Grant. However, they feel they are coming across a few obstacles with regards to the grant. First is they don't own the building and they currently don't have a lease. They are concerned since

they don't own the building they will be unable to secure funding. Mayor Rivas stated that they are not able to give them the building but if a lease is needed she didn't see that being a problem.

There was also concern from Mrs. Adam regarding the grant, this is a matching grant up to \$30,000.00 and they asked where the matching amount would come from. Attorney Monahan asked if \$30,000.00 would fix the building. Mrs. Adam stated No.

Mrs. Adam also stated that they need to have a "Punch list" stating what is wrong with the building and what would be needed for them to get a CO. Mayor Rivas stated that she would have the Clerk reach out to Bob Gaestal the Construction Official and see what the cost would be and if this is something he could help us with. Mrs. Adam did state that the deadline for the Grant is April 1st.

Mayor Rivas did advise Mrs. Adam that the space that the Township is going to allow the Historical Society to utilize is now empty and she can make arrangements with the Clerk to obtain a key.

Margit Jackson- Division Street

Mrs. Jackson asked the Governing Body why we went into a shared service with Stafford Township with regards to the Building Department. Mayor Rivas advised Ms. Jackson that it was a cost saving measure for the Township. Ms. Jackson stated she is not happy with the Inspectors in Stafford. She stated she had an issue with them with regards to her Roof. Mr. Pasternak advised Ms. Jackson that its important to always get references and to look at other jobs a contractor has done before hiring them.

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

PUBLIC HEARING

2015-CDBG Project

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 comment. A motion was made to close this portion of the meeting.

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

INTRODUCTION OF ORDINANCE (First Reading)

None

PUBLIC HEARING OF ORDINANCE

None

ADOPTION OF ORDINANCE (Second Reading)

None

RESOLUTION'S

2015-029

RESOLUTION NO. 2015-029

RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A TAXICAB LICENSE TO DONALD M. MCMILLAN dba DD TAXI

WHEREAS, Donald M. McMillan dba DD Taxi has filed with the Township of Eagleswood an application and paid the appropriate fee for a taxicab license, in accordance with the provisions of Chapter 36 of the Code of the Township of Eagleswood; and

WHEREAS, Donald M. McMillan dba DD Taxi has provided a certificate of insurance and power of attorney, as required by said Township ordinance; and

WHEREAS, Donald M. McMillan dba DD Taxi has complied with all of the other requirements of the Township Code; and

WHEREAS, the Township Committee desires to issue a taxicab license to Donald M. McMillan dba DD Taxi, in accordance with § 36-4 of the Township Code.

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

1. That the governing body does hereby authorize the issuance of a taxicab license to Donald M. McMillan dba DD Taxi in accordance with the provisions of Chapter 36 of the Township Code of the Township of Eagleswood.
2. That the Township Clerk is authorized do all things otherwise necessary to effectuate the issuance of the license.
3. That this license shall be effective 02.23.2015 thru 12.31.2015
4. That a certified copy of this resolution shall be forwarded to the Township Clerk and Donald M. McMillan dba DD Taxi

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent	Recuse
Committee Person Pasternak	x		x				
Deputy Mayor Thomas						x	
Mayor Rivas		x	x				
VOTE			2				

2015-030

**TOWNSHIP OF EAGLESWOOD
RESOLUTION 2015-030**

RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING APPOINTMENT FOR THE EAGLESWOOD VOLUNTEER FIRE COMPANY #1

WHEREAS, volunteers are the backbone of the Township of Eagleswood; and

WHEREAS, the Chief of the Eagleswood Volunteer Fire Company #1 has submitted an application for membership into the N.J. State Firemen’s Association.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Eagleswood, County of Ocean, State of New Jersey, does hereby approve the appointments of the following application to the N.J. State Firemen’s Association:

Michael R. Pasternak

BE IT FURTHER RESOLVED that the Eagleswood Township Committee hereby thanks these necessary volunteers for dedicating their time to such a worthy cause; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized to sign such application and forward same to the Eagleswood Volunteer Fire Company #1.

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent	Recuse
Committee Person Pasternak	x		x				
Deputy Mayor Thomas						x	
Mayor Rivas		x	x				
VOTE			2				

RESOLUTION NO. 2015 –031

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE
RELEASE OF A PERFORMANCE GUARANTEE TO FILOON FOR
BLOCK 25.01, LOT 7, UPON THE POSTING OF A 2-YEAR
MAINTENANCE BOND**

WHEREAS, the Township of Eagleswood required the posting of a performance guarantee for the installation of certain site improvements in regard to the approvals given for Block 25.01, Lot 7; and

WHEREAS, the Township Engineer has received a request from the property owner for the release of the performance guarantee; and

WHEREAS, the Township Engineer has inspected the site and has determined that all bonded site improvements have been completed in substantial compliance with the Board approvals; and

WHEREAS, the Township Engineer has recommended the release of the performance guarantee posted by Filoon for the site improvements for the preliminary and final major site plan granted to Block 25.01, Lot 7, upon the posting of a 2-year maintenance bond in the amount of \$17,734.50, or the Developer, Filoon, allowing the Township to retain the 10% cash portion in the amount of \$11,823.00 of the original performance bond, conditioned upon the payment of all outstanding fees due the municipality, including, but not limited to, engineering and attorneys’ fees, as well as the reimbursement of any outstanding construction inspection fees prior to the release of any performance guarantees; and

WHEREAS, the release of the said performance bond shall also be conditioned upon Filoon depositing a \$500.00 inspection fee with the Township of Eagleswood to pay for inspection services associated with the future maintenance bond release.

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 performance guarantee posted by Filoon for the site improvements for the preliminary and final major site plan granted to Block 25.01, Lot 7, upon the posting of a 2-year maintenance bond in the amount of \$17,734.50, or the Developer, Filoon, allowing the Township to retain the 10% cash portion in the amount of \$11,823.00 of the original performance bond, conditioned upon the payment of all outstanding fees due the municipality, including, but not limited to, engineering and attorneys’ fees, as well as the reimbursement of any outstanding construction inspection fees prior to the release of any performance guarantees.

2. The said release is also conditioned upon Filoon depositing the sum of \$500.00 as an inspection fee with the Township of Eagleswood to pay for inspection services associated with the future maintenance bond release.

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent	Recuse
Committee Person Pasternak	x		x				
Deputy Mayor Thomas						x	
Mayor Rivas		x	x				
VOTE			2				

2015-032

RESOLUTION 2015-032

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING CANCELLATION OF GAMES OF CHANCE
FOR THE ROTARY CLUB OF SOUTHERN OCEAN**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Eagleswood, County of Ocean that approval is hereby granted to the Rotary Club of Southern Ocean, to cancel the following raffle on the following dates and times, which was issued as raffle license # 2015-C-001.

Off premise 50/50 raffle April 17, 2015 7 pm
(to be held Calloways Restaurant & Bar 597 Route 9 West Creek, NJ.)

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent	Recuse
Committee Person Pasternak	x		x				
Deputy Mayor Thomas						x	
Mayor Rivas		x	x				
VOTE			2				

2015-033

RESOLUTION 2015-033

**A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING A RESOLUTION TO CANCEL UNEXPENDED GENERAL CAPITAL FUNDED IMPROVEMENT
AUTHORIZATIONS**

WHEREAS, funded improvement authorization balances which remain on the General Capital Fund balance sheet have expired, and

WHEREAS, it is necessary to formally cancel these improvement authorizations from the balance sheet;

NOW, THEREFORE, BE IT RESOLVED, that the following funded improvement authorization balances be cancelled effective February 23, 2015.

<u>Ord. #</u>	<u>Improvement Description</u>	<u>Amount</u>
1999-03	Resurfacing, Reconstruction and/or Installation of Drainage Improvements along Various Streets	\$32,074.54
2001-09/2002-15	Construction of Recreation Area	\$2,072.83
2003-08	Acquisition of 4WD Utility Vehicle	\$1,104.91
2004-16	Purchase & Installation of New Phone System	\$5,687.04
Total		\$40,939.32

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent	Recuse
Committee Person Pasternak	x		x				
Deputy Mayor Thomas						x	
Mayor Rivas		x	x				
VOTE			2				

2015-034

RESOLUTION 2015-034

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE TRANSFERS BETWEEN THE RESERVE BUDGET APPROPRIATIONS DURING THE FIRST THREE MONTHS
OF THE ENSUING YEAR**

WHEREAS, transfers are permitted between reserve budget appropriations during the first three months of the ensuing year;

NOW THEREFORE BE IT RESOLVED by the Township Committee, Township of Eagleswood, County of Ocean, New Jersey; that transfers between 2014 Reserve Budget Appropriations are made as follows:

<u>SEWER</u>	<u>From</u>	<u>To</u>
Sewer – Other Expenses	\$17,829.40	
Ocean County Utilities Authority		\$17,829.40
		\$17,829.40
	\$17,829.40	

BE IT FURTHER RESOLVED, by the Governing Body of the Township of Eagleswood, County of Ocean, New Jersey as follows:

1. That the Mayor and Township Committee hereby authorize the necessary appropriation reserve transfers for the year 2014.
2. That a certified copy of this resolution shall be kept on file at the Municipal Clerk's office and be forwarded to the Township's Municipal Finance Officer.

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent	Recuse
Committee Person Pasternak	x		x				
Deputy Mayor Thomas						x	
Mayor Rivas		x	x				
VOTE			2				

2015-035

TOWNSHIP OF EAGLESWOOD

RESOLUTION 2015-035

**RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE APPROVAL OF RAFFLE LICENSE
NO. RA-2015-C-002**

WHEREAS, application has been made to the Township Committee of the Township of Eagleswood, by PTA Lillian M Dunfee School for 50/50 Raffle License; and

WHEREAS, the Township of Eagleswood has waived the application fee for the municipality and the applicant has completed all requirements of the New Jersey State Gaming Commission;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Eagleswood, having made an investigation and satisfied themselves that all requirements, rules and regulations have been complied with, now order that Raffle License, No. RA-2015-C-002, Identification No. 498-5-28704 be approved.

BE IT FURTHER RESOLVED, that the proper officials be authorized to sign all necessary papers on behalf of the Township of Eagleswood and certification be made to the Legalized Games of Chance Gaming Commission.

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent	Recuse
Committee Person Pasternak	x		x				
Deputy Mayor Thomas						x	
Mayor Rivas		x	x				
VOTE			2				

2015-036

RESOLUTION 2015-036

A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING AN AMENDMENT TO THE TEMPORARY BUDGET FOR THE YEAR 2015

WHEREAS Section 40A:4-19 of the Revised Statutes of the State of New Jersey provides that where any contracts or payments are to be made prior to the final adoption of the 2015 budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS the Temporary Budget was duly adopted within the first thirty days of the budget year; and

WHEREAS it is necessary to amend the Temporary Budget so as to pay bills prior to the adoption of the budget;

NOW THEREFORE BE IT RESOLVED that the following appropriations are made prior to the final adoption of the 2015 budget and a copy of this resolution be forwarded to the Chief Financial Officer for her records.

GENERAL APPROPRIATIONS	AMOUNT
MUNICIPAL CLERK	
OTHER EXPENSES	2,500.00
REVENUE ADMINISTRATION (TAX COLLECTION)	
OTHER EXPENSES	1,300.00
PLANNING BOARD	
SALARIES & WAGES	500.00
OTHER EXPENSES	500.00
INSURANCE	
EMPLOYEE GROUP HEALTH	20,000.00
OFFICE OF EMERGENCY MANAGEMENT	
SALARIES & WAGES	100.00
PUBLIC WORKS	
SALARIES & WAGES	10,000.00
SOLID WASTE	
OTHER EXPENSES	10,000.00
BUILDINGS & GROUNDS	
OTHER EXPENSES	3,000.00

RECREATION	
OTHER EXPENSES	500.00
ELECTRICITY	2,000.00
STREET LIGHTING	3,000.00
NATURAL GAS	1,500.00
LITTLE EGG HARBOR-MUN. ALLIANCE	1,000.00
TOTAL	\$ 55,900.00
SEWER APPROPRIATIONS	AMOUNT
OCEAN COUNTY UTILITIES AUTHORITY	20,000.00
TOTAL	\$ 20,000.00

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent	Recuse
Committee Person Pasternak	x		x				
Deputy Mayor Thomas						x	
Mayor Rivas		x	x				
VOTE			2				

2015-037

RESOLUTION 2015-037

A RESOLUTION OF THE TOWNSHIP OF EAGLESWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING AN
EMERGENCY TEMPORARY APPROPRIATION

WHEREAS, an emergent condition has arisen with respect to providing appropriation for expenditures related to the "Purchase of Backhoe" and no adequate provision has been made in the 2015 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2015 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A:4-20) including this resolution total \$50,542.00,

NOW, THEREFORE BE IT RESOLVED that in accordance with the provisions of N.J.S. 40A:4-20:

- An emergency temporary appropriation be and the same is hereby made for
Purchase of Backhoe - \$50,542.00
- That said emergency temporary appropriation will be provided for in the 2015 budget under the Title of:
Purchase of Backhoe - \$50,542.00
- That one certified copy of this resolution be filed with the Director of Local Government Services.

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent	Recuse
Committee Person Pasternak	x		x				
Deputy Mayor Thomas						x	
Mayor Rivas		x	x				
VOTE			2				

2015-038

TOWNSHIP OF EAGLESWOOD
RESOLUTION 2015-038

Resolution of the Township of Eagleswood, County of Ocean State of New Jersey Authorizing the Purchase of one (1)
New Holland Loader Backhoe under New Jersey State Cooperative Purchasing Contract

WHEREAS, the Township of Eagleswood, as a contracting unit, may, without advertising for bid, purchase any materials, supplies or equipment from State Contract Vendors which have contracted with the State of New Jersey, Department of Treasury, Division of Purchase and Property, pursuant to the provisions of N.J.S.A. 40A:11-12; and

WHEREAS, the contracts awarded under a State Cooperative Purchasing contract that are in excess of the contracting unit's bid threshold shall be made by resolution of the governing body; and

WHEREAS, the Township wishes to evidence an Agreement with the attached referenced State Contract Vendor, which Agreement shall be subject to all the conditions applicable to the current State Contract.

NOW, THEREFORE, BE IT RESOLVED by Eagleswood Township Mayor and Governing Body, that this Resolution shall constitute an Agreement between the Township and the attached referenced State Contract Vendor, subject to all conditions applicable to the current State Contract.

BE IT FURTHER RESOLVED, pursuant to the rules of the Local Finance Board of the State of New Jersey, that no amount of these contracts shall be chargeable until such time as materials, supplies or equipment are ordered and a certification of availability of funds is made by the Chief Financial Officer.

BE IT FURTHER RESOLVED that the duration of this Agreement shall be until December 31, 2015 or upon expiration of a listed vendor's State Contract (Attachment A), whichever event first occurs.

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent	Recuse
Committee Person Pasternak	x		x				
Deputy Mayor Thomas						x	
Mayor Rivas		x	x				
VOTE			2				

DISCUSSION

None

BILL LIST

2014-039

**RESOLUTION 2015-039
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 \$245,905.23

Sewer \$33,576.31

Grants \$1,097.02

Escrow \$1,779.50

Dog \$14.40

General Capital \$637.50

Sewer Capital \$2,362.50

Grand Total \$285,372.46

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent	Recuse
Committee Person Pasternak	x		x				
Deputy Mayor Thomas						x	
Mayor Rivas		x	x				
VOTE			2				

COMMITTEE REPORTS

Mayor Rivas stated that the Township Birthday Party will be held on Saturday March 14th this year the Township will be celebrating 141 years. The Residents are asked to bring a covered dish to share, dessert will be provided by the recreation committee. There was no Economic Development Committee meeting this month. Mayor Rivas stated that she had the privilege to attend the league of Women on this past Friday evening. The meeting was held at Shooters in Little Egg Harbor. The meeting focused on educating the youth regarding the importance of Gun Safety. Mayor Rivas is going to speak to Superintendent Snyder at the Elementary School regarding a video that she received regarding Gun Safety. Mayor Rivas also stated that she recently met with Ted Gooding's with Ocean Inc. He advised that they are looking for vacant land to be donated. Mayor Rivas advised him that our infrastructure doesn't support city Water and Sewer.

Committee Person Pasternak advised he will be meeting with the Fire Company on March 18, 2015. The Tax assessor has sent out all the cards there is still some adjustments that need to be made do to Storm Codes, there is approximately 14 adjustments that need to be done. Funding for the new backhoe has been secured and we will be moving forward on this. DPW has been busy with the recent Snow/ Ice Storms. Recently Rich Lombardo attended two meetings with Owen and Little regarding the Sewer project on Dock Road including the Odor control building. The Bulkhead/Gazebo project at the end of Dock Road is on hold due to the inclement weather. We are nearing completion.

RESOLUTIONS

2015-040

RESOLUTION 2015-040

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 st seq., it is necessary to convene an executive session to discuss items authorized by N.J.S.A. 10:4-12(b) specifically:

- (A) Possible Litigation
- (B) Employment Matters
- (C) COAH

NOW, THEREOFRE, 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.

Committee	Motion	2nd	Ayes	Nays	Abstain	Absent	Recuse
Committee Person Pasternak	x		x				
Deputy Mayor Thomas						x	
Mayor Rivas		x	x				
VOTE			2				

The Township Committee entered into Executive Session at 07:35PM
 The Township Committee returned from Executive session at 08:57 PM

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 08:57 p.m., seconded by Mayor Rivas and unanimously carried. The meeting was adjourned.

Submitted By:

Lisa H. Hand, Acting Municipal Clerk