

**MINUTES BASS RIVER TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR MEETING OF MONDAY, FEBRUARY 1, 2016**

Mayor Cope called the regular meeting of the Bass River Township Board of Commissioners to order at 7:00 p.m. Present at meeting were: Mayor Deborah Buzby-Cope and Commissioner Louis Bourguignon. Also present Township Clerk Amanda Somes and Solicitor Joanne O'Connor. Members of the public were present at this meeting. Absent-- Deputy Mayor Nicholas Capriglione.

**FLAG SALUTE**

Mayor Cope led the flag salute and read the sunshine statement.

**APPROVAL OF MINUTES:**

Minutes of the regular meeting of January 4, 2016 were presented to the Board for review. The motion to approve the minutes was made by Mayor Cope and seconded by Commissioner Bourguignon. Votes: Cope-Yes, Capriglione-Absent, Bourguignon-Yes. All present in favor and minutes of the January 4, 2016 regular meeting were hereby approved.

**PAYMENT OF BILLS:**

The motion was made by Mayor Cope to approve payment of the bills in the amount of \$577,028.81. The motion was seconded by Commissioner Bourguignon to approve bills for payment. Votes: Cope –Yes, Capriglione-Absent, Bourguignon-Yes. All present in favor and bills were ordered paid.

ANIMAL CAPTURE & CONTROL	4TH QTR. 2015 ANIMAL CONTROL	\$	936.00
	ELECTRICITY DEC/JAN		
ATLANTIC CITY ELECTRIC	2016	\$	3,281.01
A T & T	DEC. 2015 ALL IN ONE	\$	352.77
A T & T	ISDN LINE DEC. 2015	\$	38.12
	LOCAL SCHOOL TAX		
BASS RIVER BD OF ED	2/2/16	\$	118,921.00
BEACONS	PUBLIC NOTICE / RESOLUTIONS	\$	123.98
BELLIA TECH, LLC	ONLINE BACK-UP & PLATFORM	\$	25.22
BURLINGTON COUNTY			
BCIT	TRAINING COURSES	\$	165.00
BURL CO MUN CT ADM ASSN	BCMCAA 2016 MEMBERSHIP DUES	\$	200.00
BURL CO TREAS, LANDFILL	TIPPING FEES JAN. 2016	\$	2,875.82
BURL CO TREASURER	1ST QTR. TAXES 2016	\$	183,353.66
BURLCOJIF	1ST INSTALL LIAB/WORKCOMP	\$	29,500.00
CAM CO.	PARTS FOR REPAIRS	\$	73.37
CASA PAYROLL SERVICES	JAN. 2016 PAYROLL SERVICES	\$	537.70
	REPAIR		
CAUSEWAY FORD	PART	\$	238.67
CHRISTOPHER NORMAN, ESQ.	PLAN. BD. MTG. 1/21/16	\$	300.00

COMCAST	SERVICE 1/19 - 2/18	\$	236.90
COPIERS PLUS READYREFRESH BY NESTLE	COPIES SERVICE 12/15/15 - 1/14/16	\$	284.70 4.97
DISPLAY SALES	MISSING FLAGS	\$	260.00
EMERGENCY MEDICAL PRODUCTS, INC	CASE NASAL CANNULA	\$	42.99
GEORGE EMMER	CONFLICT PD 1/25/16 SUPPORT/MCR	\$	500.00
GRAMCO BUSINESS COMMUNICATIONS	CONTRACT	\$	1,425.00
HOME DEPOT	SUPPLIES	\$	302.26
JERSEY SHORE RESTROOMS, LLC	1/22/16 - 2/18/16	\$	170.00
KEVIN S. QUINLAN	PROSECUTION JAN. 2016	\$	1,500.00
KLUK CONSULTANTS	ENGINEERING SERVICES	\$	1,105.00
LORCO PETROLEUM SERVICES MGL PRINTING SOLUTIONS	USED OIL REMOVAL MINUTE BOOKS, SHEETS & ENVELOPES	\$	75.00 457.00
MUNICIPAL CLERKS ASSOC. OF NJ	2016 DUES	\$	75.00
NAPA AUTO PARTS	PARTS FOR REPAIRS	\$	655.63
NAPLES PIZZERIA & RESTAURANT	STORM FOOD 1/23/16	\$	187.00
NEW JERSEY PLANNING OFFICIALS NEW JERSEY NATURAL GAS	COURSE & BOOK - CROWLEY DEC. 14 - JAN. 13	\$	114.00 483.15
OFFICE BASICS, INC. PEGGY BECK	OFFICE SUPPLIES MILEAGE & RECERT. FEE	\$	586.67 82.12
PETER C. LANGE	NOV. & DEC. LEGAL SERVICES	\$	4,134.00
PINELANDS REG. SCHOOL DIST. REGISTRAR'S ASSOC. OF N.J.	REG. SCHOOL TAX 2/2/16 MEMBER FEE - A. SOMES	\$	183,708.00 25.00
R.R. DONNELLEY	CERT. VITAL RECORD FORMS	\$	31.50
STATE OF NJ DIV EMPLOYER ACCTS	4TH QTR REIM. BILLING	\$	292.12
THE PRESS OF ATLANTIC CITY	PUB. NOTICE & RESOLUTIONS	\$	142.26
TRACTOR SUPPLY CREDIT PLAN	HYD. OIL	\$	45.57
TRANSFORMATION ENTERPRISES	DEC. 2015 ROLL-OFF	\$	4,540.00
GROFF TRACTOR NEW JERSEY LLC	PARTS - CABLE MESSAGE	\$	21.00
UNIVERSAL COMPUTING SERVICES	MAILER/NOTICES	\$	133.85
VERIZON	COURT & MUNI PHONES JAN. 2016	\$	909.58
WEX BANK	FUEL DEC. 2015	\$	494.35
WITMER PUBLIC SAFETY GROUP, INC	SUPPLIES	\$	1,275.51
BASS RIVER PAYROLL ACCOUNT	1/7/16 PAYROLL	\$	15,184.76
BASS RIVER PAYROLL ACCOUNT HASLER, INC.	1/21/16 PAYROLL JAN 2016 POSTAGE	\$	16,028.74 592.86
<b>TOTAL</b>		\$	577,028.81

ORDINANCES & RESOLUTIONS:

**ORDINANCE 2016-01**

**CALENDAR YEAR 2016**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK**

**(N.J.S.A. 40A: 4-45.14)**

Mayor Cope read Ordinance 2016-01 upon second reading by title only. The motion to approve Ordinance 2016-01 upon second reading and to open the meeting for public hearing was made by Commissioner Bourguignon and seconded by Mayor Cope. All present in favor and meeting was open for public hearing on Ordinance 2016-01. Comments heard: None. Being no comments the motion to close the public hearing was made by Commissioner Bourguignon, seconded by Mayor Cope. The motion to adopt Ordinance 2016-01 was made by Commissioner Bourguignon and seconded by Mayor Cope. Votes: Cope-Yes, Capriglione-Absent, Bourguignon-Yes. All present in favor and Ordinance 2016-01 was hereby adopted.

**ORDINANCE 2016-01**

**CALENDAR YEAR 2016**

**ORDINANCE 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 1.5% 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 Board of Commissioners of the Township of Bass River in the County of Burlington finds it advisable and necessary to increase its CY 2016 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 Board of Commissioners hereby determines that a 3.5% increase in the budget for said year, amounting to \$42,475.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,*

***WHEREAS** the Board of Commissioners 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 Board of Commissioners of the Township of Bass River, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Township of Bass River shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$42,475.00, and that the CY 2016 municipal budget for the Township of Bass River 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.*

**ORDINANCE 2016-02**

**AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING TITLE 6, "ANIMALS", CHAPTER 6.08 OF THE TOWNSHIP CODE, ENTITLED "DOGS AND OTHER ANIMALS" ADDING SECTION 6.08.075 ENTITLED "TETHERING DOGS"**

Mayor Cope read Ordinance 2016-02 upon first reading by title only. Mayor Cope had some concerns with the Ordinance with regard to the length of time a dog can be tethered. After further discussion it was agreed to table the ordinance and address the issue of length of time. The motion to table Ordinance 2016-02 upon first ready by title only was made by Mayor Cope and seconded by Commissioner Bourguignon. Votes: Cope-Yes, Capriglione-Absent, Bourguignon-Yes. All in favor and Ordinance 2016-01 was hereby tabled.

**ORDINANCE 2016-02**

**AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING TITLE 6, "ANIMALS", CHAPTER 6.08 OF THE TOWNSHIP CODE, ENTITLED "DOGS AND OTHER ANIMALS" ADDING SECTION 6.08.075 ENTITLED "TETHERING DOGS"**

**BE IT ORDAINED** by the Mayor and Commissioners of the Township of Bass River, County of Burlington, State of New Jersey, as follows:

**SECTION 1.**

Title 6, (Animals), Chapter 6.08 of the Township Code of the Township of Bass River, entitled "Dogs and Other Animals" is hereby amended to add the following Section:

**§ 6.08.075 Tethering Dogs.**

- A. It is unlawful to chain or tether unneutered/un-spayed dogs in any manner and/or at any time within the Township.
- B. Neutered/Spayed dogs may be tethered under the following circumstances:
  - 1. The Tether must be at least 15 feet long and have operative swivel on both ends, weigh no more than 1/8<sup>th</sup> of the dog's weight and be attached to a properly fitting collar or harness.

2. The collar used for tethering may not be a choke chain collar, slip collar or prong collar.
  3. The tether must allow the dog access to proper shelter, sufficient food and sufficient water.
  4. The tether may not be used in any area where it may become tangled around object, such as, but not limited to, a tree, pole, fence or stake.
  5. The tether cannot inhibit the movement of the animal's limbs or cause injury, harm, entanglement or strangulation.
  6. The tether must restrain the dog within the bounds of the owner's or caregiver's property.
  7. The tether must terminate no less than five (5) feet from any fence, pool, wall, vehicle, tree or other object or obstruction upon which any animal may harm itself.
  8. Dogs may not be tethered for no more than four (4) consecutive hours in any twenty four hour period of time and never between sunset and sunrise.
- C. When a violation of this provision occurs, an animal control officer or law enforcement officer is authorized to document the circumstances and evidence, take reasonable measures to remove the animal from the tether, take as evidence, and take the animal to the pound.

**Section 2:** All other Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 3.** If any section, subsection, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

**Section 4.** This ordinance shall take effect 10 days after final passage and publication according to law.

### **RESOLUTION 2016-22**

#### **A RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY REQUESTING THAT THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES GRANT PERMISSION TO APPROVE THE INCREASE OF AN ITEM OF SPECIAL REVENUE IN THE 2016 BUDGET ENTITLED "2013 RECYCLING TONNAGE GRANT" IN THE AMOUNT OF \$1582.56**

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2016-22. Votes: Cope–Yes, Capriglione–Absent, Bourguignon–Yes. All present in favor and Resolution 2016-22 was hereby approved.

### **RESOLUTION 2016-22**

#### ***A RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY REQUESTING THAT THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES GRANT PERMISSION TO APPROVE THE INCREASE OF AN ITEM OF SPECIAL REVENUE IN THE 2016 BUDGET ENTITLED "2013 RECYCLING TONNAGE GRANT" IN THE AMOUNT OF \$1582.56***

***WHEREAS, NJS 40A-87 provides that the Director of the Division of Local Government Services may approve the increase of any special item of revenue in the budget of any county or municipality when***

such item shall have been made law and the amount thereof was not determined at the time of the adoption of the budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Bass River, County of Burlington hereby requests the Director of the Division of Local Government Services to approve the increase of an item of revenue in the budget of the year 2016 in the sum of \$1582.56; which item is now available as a revenue for the 2013 Recycling Tonnage Grant pursuant to the provisions of statute; and

**BE IT FURTHER RESOLVED** that a like sum of \$1582.56 be and the same is hereby appropriated under the caption of the 2013 Recycling Tonnage Grant.

**RESOLUTION NO. 2016-23**

**RESOLUTION OF THE TOWNSHIP OF BASS RIVER COUNTY OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING THE TRANSFERS BETWEEN BUDGET APPROPRIATIONS DURING THE LAST TWO MONTHS OF THE FISCAL YEAR AND THE FIRST THREE MONTHS OF THE ENSUING YEAR.**

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2016-23. Votes: Cope–Yes, Capriglione–Absent, Bourguignon–Yes. All present in favor and Resolution 2016-22 was hereby approved.

**RESOLUTION NO. 2016-23**

**RESOLUTION OF THE TOWNSHIP OF BASS RIVER COUNTY OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING THE TRANSFERS BETWEEN BUDGET APPROPRIATIONS DURING THE LAST TWO MONTHS OF THE FISCAL YEAR AND THE FIRST THREE MONTHS OF THE ENSUING YEAR.**

**WHEREAS**, transfers are permitted between budget appropriations during the last two months for the fiscal year, and the first three months of the ensuing year;

**NOW THEREFORE BE IT RESOLVED** by the Governing Body, Township of Bass River, County of Burlington, New Jersey; that transfers between 2016 Budget Appropriations are made as follows:

	Transfer Out	Transfer In
5-01-20-110-001 Admin & Exec S&W		\$ 2,700.00
5-01-20-130-001 Finance S&W		\$ 2,450.00
5-01-20-150-001 Tax Assessment S&W		\$ 2,250.00
5-01-26-290-002 Streets & Roads OE		\$ 1,050.00
5-01-26-305-001 Convenience Center S&W		\$ 5,800.00
5-01-27-340-002 Dog Regulation OE		\$ 810.00
5-01-31-430-002 Electricity		\$ 1,400.00
5-01-31-435-002 Street Lighting		\$ 300.00
5-01-31-446-002 Gas (Propane)		\$ 20.00
5-01-31-455-002 Sewer Systems OE		\$ 500.00
5-01-31-460-002 Gasoline		\$ 350.00
5-01-43-490-002 Municipal Court OE		\$ 2,200.00

5-01-43-495-002 Public Defender OE		\$ 800.00
5-01-20-110-002 Admin & Exec OE	\$ 900.00	
5-01-20-120-001 Municipal Clerk SW	\$ 2,000.00	
5-01-20-130-002 Finance OE	\$ 4,800.00	
5-01-20-135-002 Audit Services	\$ 10,000.00	
5-01-20-140-001 Tax Collection S&W	\$ 1,010.00	
5-01-20-155-002 Legal OE	\$ 1,920.00	
Totals	\$ 20,630.00	\$ 20,630.00

***NOW THEREFORE BE IT RESOLVED***, by the Governing Body of the Township of Bass River, County of Burlington, New Jersey as follows:

1. That the Governing Body hereby authorizes the necessary transfers for the year 2016.
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 Certified Municipal Finance Officer.

**REPORTS:**

The following reports were noted.

- Report of Solicitor
- Report of Municipal Court
- Report of Safety Coordinator
- Report of Dog Registrar

**PUBLIC COMMENT:**

The meeting was open for public comment at 7:25 p.m. upon a motion by Commissioner Bourguignon, seconded by Mayor Cope. All present in favor.

C. Bitzberger commented that at the last meeting there was requests to have the Tax Assessor attend this meeting to make a report on the Viking reassessment. She questioned why he was not present at this meeting as requested. Solicitor O'Connor said that she made that call and the Tax Assessor is not permitted to appear before the public for such a case as Viking with regard to their being a possible appeal in the future. The assessor cannot entertain the public on the matter. Bs. Bitzberger asked what the entire reassessment of Viking would be at this time. Mayor said she believes that the reassessment if \$22.7 million. Ms. Bitzberger commented the total facility if 700,000 square feet. Mayor said assessor said it was actually 500,000 square feet. There is work at Viking that is not yet completed that will be assessed next year. If Viking were to appeal than the Township would consider a third party to reassess property. Mr. Aaronson asked if he could talk to Jay Renwick about the reassessment and Solicitor said that it would be more appropriate to go to the County tax Board. Mr. Aaronson feels that the facility should be assessed at \$50 million. That is equal to \$100/square foot construction costs.

J. O'Brian asked what the source of the information that the Board of Commissioners uses for the formulas. Where does this information come from? The Solicitor said it is based on legislation. He feels that it should be based on what can be used or not sued. Solicitor said that this is something that needs to be done in the State not here. Viking Yacht can appeal and this would be done with the State. Mayor said that if anyone needs more information on this appeal and Viking that they should contact the County Tax Board. Ms. Bitzberger asked if this number provided by the Assessor is for the marina and manufacturing. Mayor said yes it would appear to be both 26/2 and 26/8 are the blocks and lots.

C. Bitzberger reported for the Beautification Commissioner that the flags are down and the welcome sign close to the parkway is getting bad and needs repairs. Mayor requested prices for town to get new sign prices from Artcraft Sign.

Mayor Cope commended the Fire Company and Public Works on their efforts during the most recent snow storm.

B. Adams said that April 23 at 11 a.m. will be ground breaking for the memorial garden at the North Maple Park.

K. Rose commented on State Police responses and feels that we can't count on them responding to a call.

N. McCarten commented on the Burlington County meals on wheels program. There are a lot of seniors not getting food for the day. They don't know how to access it. Mayor is attempting to get a better list of seniors. Ms. McCarten said the Friendly Seniors group would attempt to get a list.

Be no further comments, the motion to close the public portion was made by Commissioner Bourguignon, seconded by Mayor Cope. All present in favor and public portion was closed at 8:12 p.m.

Being no further business to come before the Board the motion to adjourn was made by Commissioner Bourguignon, seconded by Mayor Cope. All present in favor and meeting was adjourned at 8:12 p.m.

Respectfully Submitted  
Amanda S. Somes, RMC  
Township Clerk

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