

**MINUTES BASS RIVER TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING OF MONDAY, JANUARY 7, 2019**

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, Deputy Mayor Nicholas Capriglione and Commissioner Louis Bourguignon. Also present Township Clerk Amanda Somes and Solicitor Joanne O'Connor. Members of the public were present at this meeting.

FLAG SALUTE

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

APPROVAL OF MINUTES:

Minutes of the regular meeting of December 3, 2019 were presented to the Board for review. The motion to approve the minutes was made by Commissioner Bourguignon, seconded by Mayor Cope. Votes: Cope-Yes, Capriglione-Abstain, Bourguignon-Yes. Minutes of the December 3, 2019 regular meeting were hereby approved.

Minutes of the special meeting of December 21, 2019 were presented to the Board for review. The motion to approve the minutes was made by Mayor Cope, seconded by Deputy Mayor Capriglione. Votes: Cope-Yes, Capriglione-Yes, Bourguignon-Abstain. Minutes of the December 21, 2019 special meeting were hereby approved.

ORDINANCES & RESOLUTIONS:

ORDINANCE 2018-05

AN ORDINANCE AMENDING CHAPTER 16, SUBDIVISIONS AND SITE PLANS, AND CHAPTER 17, ZONING ORDINANCE, OF THE CODE OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY

The motion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to approve Ordinance 2018-05 upon second reading by title and to open the meeting for public comment on Ordinance 2018-05. All in favor and meeting was open for public comment. Comments Heard: Carol Bitzberger clarified that it would be \$250 fee for Pinelands and \$500 fee to Engineer. No, it would be one or the other. Mr. Assur said an example would be an existing lot and something that requires a Pinelands Permit you could go thru the LRO. Commissioner Bourguignon thinks we should have something in place to protect property owner's rights. Solicitor to look into. The motion to close the public hearing on Ordinance 2018-05 was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor. The motion to adopt Ordinance 2018-05 was made by Commissioner Bourguignon and seconded by

Deputy Mayor Capriglione. Votes: Cope-Yes, Bourguignon-Yes, Capriglione-Yes. All in favor and Ordinance 2018-05 was hereby adopted.

ORDINANCE 2018-05

AN ORDINANCE AMENDING CHAPTER 16, SUBDIVISIONS AND SITE PLANS, AND CHAPTER 17, ZONING ORDINANCE, OF THE CODE OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY

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

I. **PURPOSE:** *The purpose of this Ordinance is to amend Chapter 16, Subdivisions and Site Plans, and Chapter 17, Zoning Ordinance, of the Code of the Township of Bass River in response to amendments to the Pinelands Comprehensive Management Plan effective January 3, 2012, September 2, 2014, and March 5, 2018 and amendments to the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq by Assembly Bill 1425/Senate Bill 3233. Further, to amend Chapter 17, Zoning, to provide for a simplified permitting system for single family dwellings in the Pinelands Area.*

II. *Chapter 16, Subdivisions and Site Plans, Section 16.08, Procedure, is hereby amended by revising subsection 16.08.160A.2 as follows:*

2. Except as provided in subsection A(3) of this section, the following shall not be subject to the procedures set forth in this section:

a.-f. (No change.)

g. The construction of any addition or accessory structure for any non-residential use or any multi-family residential structure provided that:

(1) If the addition or structure will be located on or below an existing impervious surface, either the existing use is served by public sewers or the addition or structure will generate no wastewater flows, and said addition or structure will cover an area of no more than 4,999 square feet; and

(2) If the addition or structure will not be located on or below an impervious surface, said addition or structure will generate no wastewater flows and will cover an area of no more than 1,000 square feet.

h.-j. (No change.)

k. The repaving of existing paved roads and other paved surfaces, provided no increase in the paved width or area of said roads and surfaces will occur.

l. The clearing of land solely for agricultural or horticultural purposes.

m.-r (No change.)

s. The installation of an accessory solar energy facility on any existing structure or impervious surface.

- t. *The installation of a local communications facilities antenna on an existing communications or other suitable structure, provided such antenna is not inconsistent with any comprehensive plan for local communications facilities approved by the Pinelands Commission pursuant to N.J.A.C. 7:50-5.4(c)6.*
- u. *The establishment of a home occupation within an existing dwelling unit or structure accessory thereto, provided that no additional development is proposed.*
- v. *The change of one nonresidential use to another nonresidential use, provided that the existing and proposed uses are or will be served by public sewers and no additional development is proposed.*

III. *Chapter 16, Subdivisions and Site Plans, Section 16.08, Procedure, is hereby amended by replacing subsection 16.08.160.D in its entirety with the following:*

D. Notices to the Pinelands Commission.

1. *Application Submission and Modifications. Written notification shall be given by the approval agency, by email or regular mail, to the Pinelands Commission within seven days after a determination is made by the approval agency that an application for development in the Pinelands Area is complete or if a determination is made by the approval agency that the application has been modified. Such notice shall contain:*
 - a. *The name and address of the applicant,*
 - b. *The legal description and street address, if any, of the parcel that the applicant proposes to develop,*
 - c. *A brief description of the proposed development, including uses and intensity of uses proposed,*
 - d. *The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued,*
 - e. *The date on which the application, or any change thereto, was filed and any application number or other identifying number assigned to the application by the approval agency,*
 - f. *The approval agency with which the application or change thereto was filed,*
 - g. *The content of any change made to the application since it was filed with the Commission, including a copy of any revised plans or reports, and*
 - h. *The nature of the municipal approval or approvals being sought;*
2. *Meetings and Hearings. Where a meeting, hearing or other formal proceeding on an application for development approval in the Pinelands Area is required, the applicant shall provide notice to the Pinelands Commission by email, regular mail or delivery of the same to the principal office of the Commission at least five days prior to such meeting, hearing or other formal proceeding. Such notice shall contain at least the following information:*

- a. *The name and address of the applicant,*
 - b. *The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued,*
 - c. *The date, time and location of the meeting, hearing or other formal proceeding,*
 - d. *The name of the approval agency or representative thereof that will be conducting the meeting, hearing or other formal proceeding,*
 - e. *Any written reports or comments received by the approval agency on the application for development that have not been previously submitted to the Commission, and*
 - f. *The purpose for which the meeting, hearing or other formal proceeding is to be held.*
3. *Notice of Approvals and Denials. The Pinelands Commission shall be notified of all approvals and denials of development in the Pinelands Area, whether the approval occurs by action or inaction of any approval agency or an appeal of any agency's decision. The applicant shall within five days of the approval or denial give notice by email or regular mail to the Pinelands Commission. Such notice shall contain the following information:*
- a. *The name and address of the applicant,*
 - b. *The legal description and street address, if any, of the parcel that the applicant proposes to develop,*
 - c. *The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued,*
 - d. *The date on which the approval or denial was issued by the approval agency,*
 - e. *Any written reports or comments received by the approval agency on the application for development that have not been previously submitted to the Commission,*
 - f. *Any revisions to the application not previously submitted to the Commission, and*
 - g. *A copy of the resolution, permit or other documentation of the approval or denial. If the application was approved, a copy of any preliminary or final plan, plot or similar document that was approved shall also be submitted.*

IV. *Chapter 16, Subdivisions and Site Plans, Section 16.16, Improvements, is hereby amended by replacing subsection 16.16.010, Performance guarantee and inspections, in its entirety with the following:*

A. *No final plat or plan shall be approved by the Board until complete and satisfactory installation of all items required by N.J.S.A. 40:55D-53, as modified by P.L. 2017, c. 312 and the inspection, certification and approval of such items by the Township Engineer and acceptance by the governing body in accordance with the requirements of this section, or their installation shall have been provided for by a performance guarantee accepted and approved by the governing body in accordance with the requirements of this section. No maintenance guarantee shall be accepted nor shall any partial facility be accepted for any item which has further stages of work to be completed or which will need to be altered or reworked in any manner due to the installation or connection of any other facility. Any improvements included on a plat or plan and installed prior to final plat application that do not meet Township standards shall be added to the performance guarantee in accordance with N.J.S.A. 40:55D-53., as modified by P.L. 2017, c.312.*

B. *In accordance with N.J.S.A. 40:55D-53, as modified by P.L. 2017, c.312, the Township requires any performance guarantee to include, within an approved phase or section of a development, privately-owned perimeter buffer landscaping, as required by local ordinance or imposed as a condition of approval. At the developer's option, a separate performance guarantee may be posted for the privately-owned perimeter buffer landscaping.*

C. *A performance guarantee estimate shall be submitted to the Board by the Township Engineer as part of his report on each plat or plan or section submitted for final plat review completely detailing the material and work required for the subdivision improvements and an estimated cost of providing them. The Board may request the Township Engineer to review and update the estimate from time to time as required*

D. *The proposed performance guarantee accompanying the final plat shall be submitted to the Board by the subdivider. The Board shall review the proposed performance guarantee and submit it to the Township engineer and Township Attorney for recommendations as to accuracy and form and then to the governing body for approval and acceptance by Resolution. Final approval shall not be granted until the performance guarantee has been accepted and approved by the governing body.*

1. *The performance guarantee shall consist of the performance guarantee estimate and a performance bond, in which the subdivider shall be principal and an acceptable surety company licensed to do business in the State of New Jersey and/or cash or certified check which shall be deposited with the Township by payment to the Township Treasurer shall be surety. The Township Treasurer shall issue a receipt for such deposits and shall cause same to be deposited in a bank approved by the governing body in the name of the Township to be retained as security for completion of all requirements and to be returned to the sub divider on completion of all required work or in the event of default on the part of the subdivider, to be used by the Township for completing the requirements. If the required improvements have not been installed or constructed in accordance with the standards of the Township or within the stipulated time, the obligor and surety for any bond shall be liable thereto to the Township for reasonable costs of the improvements or of the uncompleted portions thereof. The Township Engineer's determination that the principal has defaulted in meeting the required standards of construction shall be the basis for the governing body action which accepts or rejects the improvements, grants, partial approval or withhold approval. Upon authorization by the governing body, the Township Attorney shall take the necessary steps to obtain such costs from the obligor and surety.*

2. *The performance guarantee shall run in favor of the Township in an amount not to exceed one hundred twenty (120%) percent of the costs of installation for improvements in accordance with N.J.S.A. 40:55D-53, as estimated by the Township Engineer. The form of the performance bond shall be approved by the Township Attorney as to its legal sufficiency. The governing body shall have the power to accept in such forma and with such surety as is acceptable to them.*

The subdivider shall post, prior to the release of a performance guarantee, as required, a maintenance guarantee posted with the Township in an amount not to exceed fifteen (15%) percent of the costs of the installation of private site improvements in accordance with N.J.S.A. 40:55D-53, which costs shall be calculated according to the method of calculation set forth in N.J.S.A. 40:55D-53.4.

The term of the maintenance guarantee shall be for a period not to exceed two (2) years and shall automatically expire at the end of the established term.

3. *The performance guarantee shall be held, used or released in accordance with the provisions of N.J.S.A. 40:55D-53.*

E. *The Township Clerk shall notify the Secretary of the Planning Board and the Township Engineer prior to the Board's next regular meeting that the performance guarantee has been approved and accepted by the governing body.*

F. *In the event that the developer shall seek a temporary certificate of occupancy for a development, unit, lot, building or phase of development, as a condition of the issuance thereof, the developer shall furnish a separate guarantee, referred to herein as a "temporary certificate of occupancy guarantee," (TCOG) in favor of the Township in an amount equal to 120% of the cost of installation of only those improvements or items (including both private onsite and to be publicly dedicated) which remain to be completed or installed under the terms of the temporary certificate of occupancy and which are required to be installed or completed as a condition precedent to the issuance of the permanent certificate of occupancy for the development, unit, lot building or phase of development and which are not covered by an existing performance guarantee. Upon posting of a "temporary certificate of occupancy guarantee," all sums remaining under a performance guarantee, required pursuant to section A above, which relate to the development, unit, lot, building, or phase of development for which the temporary certificate of occupancy is sought, shall be released. No same item may be included in multiple performance bonds. The scope and amount of the "temporary certificate of occupancy guarantee" shall be determined by the municipal engineer. The TCOG shall be released by the municipal engineer upon the issuance of a permanent certificate of occupancy with regard to the development, unit, lot, building or phase as to which the temporary certificate of occupancy relates, upon submission of a Maintenance Guarantee.*

G. *A developer shall furnish to the Township a "safety and stabilization guarantee" in favor of the Township. At the developer's option, a "safety and stabilization guarantee" may be furnished either as a separate guarantee or as a line item of the performance guarantee. A "safety and stabilization guarantee" shall be available to the Township solely for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition, only in the circumstances that: (i) site disturbance has commenced and, thereafter, all work on the development has ceased for a period of at least 60 consecutive days following such commencement for reasons other than force majeure, and (ii) work has not recommenced within 30 days following the provision of written notice by the Township to the developer of the Township's intent to claim payment under the guarantee.*

The amount of a "safety and stabilization guarantee" for a development with bonded improvements in an amount not exceeding \$100,000 shall be \$5,000.

The amount of a "safety and stabilization guarantee" for a development with bonded improvements exceeding \$100,000 shall be calculated as a percentage of the bonded improvement costs of the development or phase of development as follows: \$5,000 for the first \$100,000 of bonded improvement costs, plus two and a half percent of bonded improvement costs in excess of \$100,000 up to \$1,000,000, plus one percent of bonded improvement costs in excess of \$1,000,000.

The Township shall release a separate "safety and stabilization guarantee" to a developer upon the developer's furnishing of a performance guarantee which includes a line item for safety and stabilization in the amount required under this paragraph.

The Township shall release a "safety and stabilization guarantee" upon the municipal engineer's determination that the development of the project site has reached a point that the improvements installed are adequate to avoid any potential threat to public safety.

- H. All improvements and utility installations shall be inspected during the time of their installation under the supervision of the Township Engineer to insure satisfactory completion. The Township Engineer shall be notified by the developer at least three (3) days in advance of the start of construction. The cost of the inspection shall be the responsibility of the developer and he shall post the inspection fees in escrow with the Township Treasurer in an amount as follows:*

(1) not to exceed, except for extraordinary circumstances, the greater of five hundred (\$500) dollars or five (5%) percent of the cost of the bonded improvements that are subject to a performance guarantee under section a above; and

(2) not to exceed 5% of the cost of private site improvements that are not subject to a performance guarantee under section a above, which cost shall be determined in accordance with N.J.S.A. 40:55D-53.4. This deposit shall be in addition to the amount for the performance guarantee.

If the inspection costs exceed such funds, the developer shall deposit with the Township Treasurer additional sums in escrow upon delivery of a written inspection escrow deposit request, signed by the Township Engineer detailing the items or undertakings that require inspection, estimates of the time required for those inspections and estimates of the cost of performing those inspections. All inspection fees shall be determined in accordance with the Engineer's prevailing hourly rate on file with the Township Clerk.

- I. In no case shall any paving work, including prime and seal coats, be done without permission from the Township Engineer prior to any such construction so that a representative of the Township Engineer's Office may be present at the time the work is to be done. No underground installation shall be covered until inspected and approved. The Township Engineer's Office shall be notified after each of the following phases of work has been completed so that he or a qualified representative may inspect the work; road subgrade, curb and gutter forms; curbs and gutters; road paving, after each coat in the case of priming and sealing; drainage pipes and other drainage structures before back filling; shade trees and planting strips; street name signs; and monuments. Electrical, gas and telephone utility distribution supply lines installed by the utility companies are exempt from the above requirements. Occupancy permits will be issued only when the installation of*

curbs, utilities, functioning water supply and sewage treatment facilities, necessary storm drainage to insure proper drainage of the lot and surrounding land, rough grading of lots, base course for the driveway, and four-inch compacted macadam base course for the streets or such other design standard as may have been approved are installed to serve the lot and structure for which the permit is requested. Streets, if installed prior to final approval, shall not be paved until all heavy construction is completed. Shade trees shall not be planted until all grading and earth moving is completed. Seeding of grass areas in season shall be the last operation.

J. Inspection by the Township of the installation of improvements and utilities by the subdivider shall not subject the Township to liability for claims, suits or liability of any kind that may arise because of defects or negligence, it being recognized that the responsibility to provide proper utilities and improvements and to maintain safe conditions at all times on all parts of the tract whether construction is waiting to start, is in progress, or is completed, or any combination of conditions on all or part of the tract is upon the developer and his contractors or subcontractors if any.

K. After completing the construction of the public improvements covered by the performance guarantee, the subdivider shall prepare two (2) sets of the proper improvements and utility plans and the profile amended to read "as constructed" and shall apply to the Township Engineer for final inspection of work. The Township Engineer shall, within thirty (30) days of notice of completion of improvements, report to the governing body on the condition of work and recommend that the performance guarantee be released, extended or declared in default in whole or in part.

V. Title 17, Zoning Ordinance, Chapter 17.04 Introductory Provisions and Definitions, is hereby amended by replacing or adding the following definitions in subsection 17.04.030.B:

"Alternate design pilot program treatment system" means an individual or community on site waste water treatment system that has the capability of providing a high level of treatment including a significant reduction in the level of total nitrogen in the wastewater and that has been approved by the Pinelands Commission for participation in the alternate design wastewater treatment systems pilot program pursuant to N.J.A.C. 7:50-10.23(b). Detailed plans and specifications for each authorized technology are available at the principal office of the Pinelands Commission.

"Immediate family" means those persons related by blood or legal relationship in the following manner: spouses, domestic partners, great-grandparents, grandparents, great-grandchildren, grandchildren, parents, sons, daughters, brothers and sisters, aunts and uncles, nephews, nieces and first cousins.

"Solar energy facility" means a solar energy system and all associated components, including, but not limited to, panels, arrays, footings, supports, mounting and stabilization devices, inverters, electrical distribution wires and other on-site or off-site infrastructure necessary for the facility, which converts solar energy into usable electrical energy, heats water or produces hot air or other similar function.

VI. Title 17, Zoning, Chapter 17.08, Zoning Districts Designated, is hereby amended by replacing subsections 17.08.060A and B in their entirety with the following:

A. In the Pinelands Preservation and Coastal Wetlands Districts: Berry agriculture; horticulture of native Pinelands plants; forestry; beekeeping; fish and wildlife

management; wetlands management; agricultural employee housing as an accessory use; low intensity recreational uses in which the use of motorized vehicles is not permitted except for necessary transportation, access to water bodies is limited to no more than 15 feet of frontage per 1,000 feet of frontage on the water body, clearing of vegetation does not exceed five percent of the parcel, and no more than one percent of the parcel will be covered with impervious surfaces; and accessory uses.

B. In the Special Agricultural Production Area District: Berry agriculture, horticulture of native Pinelands plants, forestry, beekeeping, fish and wildlife management, wetlands management, agricultural employee housing as an accessory use, and accessory uses.

VII. *Title 17, Zoning Ordinance, Chapter 17.20, Use and Design Standards, is hereby amended by revising subsection 17.20.190B.5 as follows:*

5. Individual on-site septic waste water treatment systems which are intended to reduce the level of nitrate/nitrogen in the wastewater, provided that:

(a) (No change.)

(b) If the proposed development is non-residential, it is located:

i. In the VR or VC zoning districts; or

ii. In the RD or F zoning districts, provided that the standards of N.J.A.C. 7:50-6.84(a)5iii(2) are met.

(c) (No change.)

VIII. *Title 17, Zoning Ordinance, Chapter 17.20, Use and Design Standards, is hereby amended by revising subsection 17.20.190B.7 as follows:*

7. Alternate design pilot program treatment systems, provided that:

a.-i. (No change.)

j. Each system shall be covered by a five-year warranty and a minimum five-year maintenance contract consistent with those approved pursuant to N.J.A.C. 7:50-10.22(a)2vi that cannot be cancelled and is renewable and which includes a provision requiring that the manufacturer or its agent inspect the system at least once a year and undertake any maintenance or repairs determined to be necessary during any such inspection or as a result of observations made at any other time; and

k. The property owner shall record with the deed to the property a notice consistent with that approved pursuant to N.J.A.C. 7:50-10.22(a)2vi that identifies the technology, acknowledges the owner's responsibility to operate and maintain it in accordance with the manual required in this subsection, and grants access, with reasonable notice, to the local board of health, the commission and its agents for inspection and monitoring purposes. The recorded deed shall run with the property and shall ensure that the maintenance requirements are binding on any owner of the property during the life of the system and that the monitoring requirements are binding on any owner of the property during the time period the monitoring requirements apply pursuant to the pilot program or any subsequent regulations adopted by the commission that apply to said system.

~~l. No alternate design pilot program treatment system shall be installed after August 5, 2013.~~

IX. Title 17, Zoning Ordinance, Chapter 17.32, Administration and Enforcement, is hereby amended by revising subsection 17.32.070B as follows:

1.-6. (No change.)

7. The construction of any addition or accessory structure for any non-residential use or any multi-family residential structure provided that:

a. If the addition or structure will be located on or below an existing impervious surface, either the existing use is served by public sewers or the addition or structure will generate no wastewater flows, and said addition or structure will cover an area of no more than 4,999 square feet; and

b. If the addition or structure will not be located on or below an impervious surface, said addition or structure will generate no wastewater flows and will cover an area of no more than 1,000 square feet.

8.-10. (No change.)

11. The repaving of existing paved roads and other paved surfaces, provided no increase in the paved width or area of said roads and surfaces will occur.

12. The clearing of land solely for agricultural or horticultural purposes.

13.-18 (No change.)

19. The installation of an accessory solar energy facility on any existing structure or impervious surface.

20. The installation of a local communications facilities antenna on an existing communications or other suitable structure, provided such antenna is not inconsistent with any comprehensive plan for local communications facilities approved by the Pinelands Commission pursuant to N.J.A.C. 7:50-5.4(c)6.

21. The establishment of a home occupation within an existing dwelling unit or structure accessory thereto, provided that no additional development is proposed.

22. The change of one nonresidential use to another nonresidential use, provided that the existing and proposed uses are or will be served by public sewers and no additional development is proposed.

X. Title 17, Zoning Ordinance, Chapter 17.32, Administration and Enforcement, is hereby amended by revising subsection 17.32.080, Application requirements for minor development, as follows:

A. Any application for approval of minor development shall include at least the following information:

1. The applicant's name and address and his or her interest in the subject property;
2. The owner's name and address, if different than the applicant's, and the owner's signed consent to the filing of the application;
3. The legal description, including block and lot designation and street address, if any, of the subject property;

4. *A description of all existing uses of the subject property;*
 5. *A brief written statement generally describing the proposed development;*
 6. *A USGS Quadrangle map, or copy thereof, and a copy of the municipal tax map sheet on which the boundaries of the subject property and the Pinelands management area designation and the zoning designation are shown;*
 7. *A plat or plan showing the location of all boundaries of the subject property, the location of all proposed development, and existing or proposed facilities to provide water for the use and consumption of occupants of all buildings and sanitary facilities which will serve the proposed development. The following information shall be included with respect to existing or proposed sanitary facilities:*
 - a. *On-Site Treatment Facilities. Location, size, type and capacity of any proposed on-site wastewater treatment facilities; and*
 - b. *Soil Borings and Percolation Tests. If on-site sewage disposal is proposed, results of soil borings and percolation tests in accordance with N.J.S.A. 58:11-23 et seq., and the regulations adopted pursuant thereto, shall be submitted at suitable location with a tract map showing location, logs, elevations of all test holes, indicating where ground water was encountered, estimating the seasonal high water table and demonstrating that such facility is adequate to meet the water quality standards contained in [Section 17.20.190](#);*
 - c. *The township engineer shall be given ten (10) days written notice prior to any soil testing.*
 8. *A location map, including the area extending at least three hundred (300) feet beyond each boundary of the subject property, showing ownership boundary lines, the boundary of the proposed development, owners of holdings adjoining and adjacent to the subject property, existing facilities, buildings and structures on the site, all proposed development, wetlands, streams (including intermittent streams), rivers, lakes and other water bodies and existing roads;*
 9. *A soils map including a county soils survey which conforms to the guidelines of the United States Department of Agriculture Soil Conservation Service, showing the location of all proposed development;*
 10. *A map showing existing vegetation, identifying predominant vegetation types in the area, and showing proposed landscaping of the subject property, including the location of the tree line before and after development and all areas to be disturbed as a result of the proposed development;*
 11. *A certificate of filing from the Pinelands Commission issued pursuant to N.J.A.C. 7:50-4.34 or, until January 14, 1991, evidence of prior approval from the Pinelands Development Review Board or the Pinelands Commission pursuant to the Interim Rules and Regulations;*
 12. *When prior approval for the development has been granted by an approval agency, evidence of Pinelands Commission review pursuant to [Section 17.32.110](#); and*
 13. *In lieu of A.1 through 12 above, the application requirements of subsection B below, at the option of the applicant, shall apply to applications for development of a single-family dwelling on an existing lot of record. An applicant who elects not to follow the application procedures in subsection B below shall remain subject to the requirements in A.1 through 12 above and must submit an application for development to the Pinelands Commission, accompanied by a non-refundable application fee in accordance with N.J.A.C. 7:50-1.6. Upon the Commission's receipt of such an application, the procedures in B below shall be inapplicable.*
- B. Procedures for applications for the development of a single-family dwelling. For purposes of this subsection "B," the "Zoning Officer" is hereby designated as the Township Engineer.*
1. *The Zoning Officer is hereby authorized and directed to issue preliminary zoning permits as a prerequisite to the issuance of a construction permit or other permits or approvals which are needed to develop a single-family dwelling on an existing lot of record within the Pinelands Area.*
 - a. *Applications for a preliminary zoning permit.*

- [1] *An application for a preliminary zoning permit shall be submitted to the Zoning Officer and shall include the following:*
- [a] *The applicant's name and address and his interest in the subject property;*
 - [b] *The applicant's signed certification that he is duly authorized to submit the application, that the materials and information are accurate, and that duly authorized representatives of Bass River Township and Pinelands Commission are authorized to inspect the property;*
 - [c] *The owner's name and address, if different from the applicant's, and the owner's signed consent to the filing of the application;*
 - [d] *The street address, if any, the tax map sheet and block and lot number of the property;*
 - [e] *Proof that taxes for the property have been paid*
 - [f] *Acreage of the property in square feet;*
 - [g] *A dated plot plan, with the scale noted, showing:*
 - [i] *The zoning district in which the property is located;*
 - [ii] *The location and dimensions of all property lines, easements affecting the property and streets abutting the property;*
 - [iii] *The location of all yards and setbacks required pursuant to the Schedule of District Regulations;*
 - [iv] *The location and use of all existing structures and improvements on the property and their intended disposition;*
 - [v] *A building envelope within which the single-family dwelling is to be located;*
 - [vi] *The location and dimensions of the proposed driveway;*
 - [vii] *The location and dimensions of any proposed accessory structures or improvements;*
 - [viii] *The location and dimensions of the area in which any sewage disposal system, including the disposal field, is proposed to be located; and*
 - [ix] *The location of any proposed water supply well.*
 - [h] *If proposed, certification that central sewer and/or water service are available; and*
 - [i] *If development of the property is proposed in accordance with the density transfer program standards of Section 17.20.240, the street address, if any, the tax map sheet, block and lot number and acreage in square feet of the non-contiguous property.*
- b. *The Zoning Officer is authorized to require such additional information as may be necessary to determine compliance with Chapter 17. Such may include, but is not limited to, a soil boring in the area of any proposed septage system disposal field, a wetland and wetland buffer map and information to determine compliance with any permitted use requirement of Chapter 17.*
- c. *The Zoning Officer is authorized to waive any of the aforementioned application requirements if the information is not necessary to determine compliance with Chapter 17.*
- d. *Within 14 days of receipt of an application, the Zoning Officer shall determine whether the application is complete and, if necessary, notify the applicant of any additional information which is necessary to complete the application.*

2. *Permit Decisions*

Within 14 days of determining an application to be complete, the Zoning Officer shall issue either a preliminary zoning permit or a refusal to issue a preliminary zoning permit.

3. *Preliminary Zoning Permit*
 - a. *A preliminary zoning permit shall be issued if:*
 - [1] *The application is consistent with the requirements of Chapter 17 or any necessary variance from those requirements has been obtained; and*
 - [2] *No Waiver of Strict Compliance from the requirements of the Pinelands Comprehensive Management Plan is necessary or any such Waiver has been approved by the Pinelands Commission; and*
 - [3] *A duly authorized representative of the Pinelands Commission approves the Zoning Officer's determination and so signifies by signing the preliminary zoning permit.*
 - b. *A preliminary zoning permit shall expressly incorporate the plot plan being approved, shall specify any conditions which the Zoning Officer determines are necessary to ensure compliance with Chapter 17 and shall specify the expiration date of the permit.*
 - c. *The Zoning Officer shall provide copies of the application and the preliminary zoning permit to the Pinelands Commission within 5 days of the issuance of the permit.*
4. *Effect of Preliminary Zoning Permit*
 - a. *A preliminary zoning permit represents a determination that the application meets the requirements of Chapter 17 of the Code of the Township of Bass River and the Pinelands Comprehensive Management Plan, N.J.A.C. 7:50-1.1 et seq.*
 - b. *A preliminary zoning permit shall be valid for two years and shall, during that period, confer the following rights and privileges:*
 - [1] *The approved application shall not be subject to any substantive revisions of Chapter 17 of the Code of the Township of Bass River or the Pinelands Comprehensive Management Plan, N.J.A.C. 7:50-1.1 et seq.*
 - [2] *Any subsequent approvals necessary for the development of the single-family dwelling on the property may be sought without the need for a certificate of filing from the Pinelands Commission.*
 - c. *Any subsequent approvals to be sought, including but not limited to construction permits, shall be subject to the notice, review and decision requirements of Sections 17.32.100-130.*
5. *Refusal to issue preliminary zoning permit.*
 - a. *The Zoning Officer shall issue a refusal to issue a preliminary zoning permit if any of the following are found to apply:*
 - [1] *A variance from Chapter 17 of the Code of Bass River Township is required;*
 - [2] *A variance from Chapter 17 of the Code of Bass River Township is not required, but the Zoning Officer determines that the application does not meet any requirement of Chapter 17 that reflects a provision of the Pinelands Comprehensive Management Plan;*
 - [3] *A waiver of strict compliance from the Pinelands Comprehensive Management Plan is required; or*
 - [4] *The duly authorized representative of the Pinelands Commission has not attested to the consistency of the application with the Pinelands Comprehensive Management Plan, N.J.A.C. 7:50-1.1 et seq.*

- b. *A refusal to issue a preliminary zoning permit shall expressly reference the reasons why the refusal was issued. If the refusal is predicated solely upon the need to obtain a variance from Chapter 17, the refusal shall also indicate that upon the applicant's submission of evidence of Planning Board or Board of Adjustment approval of the necessary variance, the Zoning Officer shall determine whether a preliminary zoning permit may be issued pursuant to subsection (d) above.*
 - c. *When a refusal to issue a preliminary zoning permit is predicated solely upon the need to obtain a variance from Chapter 17, the Zoning Officer shall provide copies of the application and the refusal to the Pinelands Commission within 5 days of the issuance.*
 - d. *When a refusal to issue a preliminary zoning permit is predicated wholly or in part upon subsection (f)[1][b], [c] or [d] above, the Zoning Officer shall provide the original application and a copy of the refusal to the Pinelands Commission within 5 days of the issuance. The Pinelands Commission shall thereafter process the application pursuant to the Pinelands Comprehensive Management Plan, N.J.A.C. 7:50-1.1 et seq. and Sections 17.32.100 through 130 of the Code of the Bass River Township. In lieu of a preliminary zoning permit, a certificate of filing from the Pinelands Commission shall thereafter be required as a prerequisite to the issuance of a construction or other permit.*
6. **Zoning Officer Vacancy**
Should the position of Zoning Officer become vacant for any reason, the application procedures set forth in Section 17.32.080.B. shall be of no force or effect and the procedures of Sections 17.32.080.A and 17.32.100, 17.32.110, 17.32.120 and 17.32.130 shall apply until the position has been filled.

XI. *Title 17, Zoning Chapter 17.32, Administration and Enforcement, is hereby amended by replacing section 17.32.100 in its entirety with the following:*

17.32.100 - Notices to the Pinelands Commission.

- A. *Application Submission and Modifications. Written notification shall be given by the approval agency, by email or regular mail, to the Pinelands Commission within seven days after a determination is made by the approval agency that an application for development in the Pinelands Area is complete or if a determination is made by the approval agency that the application has been modified. Said notice shall contain:*
- 1. *The name and address of the applicant;*
 - 2. *The legal description and street address, if any, of the parcel that the applicant proposes to develop;*
 - 3. *A brief description of the proposed development, including uses and intensity of uses proposed;*
 - 4. *The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued;*
 - 5. *The date on which the application, or any change thereto, was filed and any application number or other identifying number assigned to the application by the approval agency;*
 - 6. *The approval agency with which the application or change thereto was filed;*

7. *The content of any change made to the application since it was filed with the Commission, including a copy of any revised plans or reports; and*
 8. *The nature of the municipal approval or approvals being sought.*
- B. Meetings and Hearings. Where a meeting, hearing, or other formal proceeding on an application for development approval in the Pinelands Area is required, the applicant shall provide notice to the Pinelands Commission by email, regular mail or delivery of the same to the principal office of the Commission at least five days prior to such meeting, hearing or other formal proceeding. Such notice shall contain at least the following information:*
1. *The name and address of the applicant;*
 2. *The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued;*
 3. *The date, time and location of the meeting, hearing or other formal proceeding;*
 4. *The name of the approval agency or representative thereof that will be conducting the meeting, hearing or other formal proceeding;*
 5. *Any written reports or comments received by the approval agency on the application for development that have not been previously submitted to the Commission; and*
 6. *The purpose for which the meeting, hearing or other formal proceeding is to be held.*
- C. Notice of Approvals and Denials. The Pinelands Commission shall be notified of all approvals and denials of development in the Pinelands Area, whether the approval occurs by action or inaction of any approval agency or an appeal of any agency's decision. The applicant shall within five days of the approval or denial give notice by email or regular mail to the Pinelands Commission. Such notice shall contain the following information:*
1. *The name and address of the applicant;*
 2. *The legal description and street address, if any, of the parcel that the applicant proposes to develop;*
 3. *The application number of the Certificate of Filing issued by the Pinelands Commission and the date on which it was issued;*
 4. *The date on which the approval or denial was issued by the approval agency;*
 5. *Any written reports or comments received by the approval agency on the application for development that have not been previously submitted to the Commission;*
 6. *Any revisions to the application not previously submitted to the Commission; and*

7. *A copy of the resolution, permit, or other documentation of the approval or denial. If the application was approved, a copy of any preliminary or final plan, plot or similar document that was approved shall also be submitted.*
- D. *Except as provided in Section 17.32.080.B., the requirements of subsections A through C above shall not apply to the issuance of a preliminary zoning permit or a refusal to issue a preliminary zoning permit for the development of a single-family dwelling on an existing lot of record.*
- XII. *Title 17.32.120 is hereby amended and supplemented to provide for new subsection C as follows:*
- C. *Except as provided in Section 17.32.080.B., the requirements of subsections A and B above shall not apply to the issuance of a preliminary zoning permit or a refusal to issue a preliminary zoning permit for the development of a single-family dwelling on an existing lot of record.*
- XIV. *Title 17.32.130 is hereby amended and supplemented through the addition of the following sentence at the end of the subsection:*
“Except as provided in Section 17.32.080.B., the requirements of this section shall not apply to the issuance of a preliminary zoning permit or a refusal to issue a preliminary zoning permit for the development of a single-family dwelling on an existing lot of record.”

BE IT FURTHER ORDAINED that all other provisions of the Township Code currently in effect, are hereby saved from repeal, and shall remain in full force and effect.

BE IT FURTHER ORDAINED that if any provision of section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this ordinance.

BE IT FURTHER ORDAINED that this ordinance shall take effect upon proper passage, publication according to law, and approval by the Pinelands Commission.

ALL OF WHICH IS ADOPTED this 7th day of January, 2019, by the Bass River Township Board of Commissioners.

ORDINANCE NO. 2019-01

CALENDAR YEAR 2019

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 2019-01 upon first reading by title only. The motion to adopt Ordinance 2019-01 upon first reading by title only was made by Mayor Cope and seconded by Commissioner Bourguignon. Votes: Cope-Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Ordinance 2019-01 was hereby approved upon first reading by title only with second reading and public hearing scheduled for the February regular meeting.

ORDINANCE NO. 2019-01
CALENDAR YEAR 2019

**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.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% 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 appropriations and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, Township Council of the Township of Bass River in the County of Burlington finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting health, safety and welfare of the citizens; and,

WHEREAS, Township Council hereby determines that a one percent (1%) increase in the budget for said year, amounting to \$10,957.98 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, members of council 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 Council 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 2019 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 \$38,352.93 and that the CY 2019 municipal budget for the Township of Bass River be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, 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 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 on file with said Director within 5 days after such adoption.

RESOLUTION 2019-01

ADOPTING TEMPORARY BUDGET FOR YEAR 2019

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2019-01. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2019-01 was hereby approved.

RESOLUTION 2019-01

**A RESOLUTION OF THE TOWNSHIP OF BASS RIVER
COUNTY OF BURLINGTON, STATE OF NEW JERSEY
ADOPTION OF A TEMPORARY BUDGET
FOR 2019**

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2019 CY budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first 30 days of the fiscal year, and

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Township of Bass River, County of Burlington, State of New Jersey, that the following hereby constitutes the Temporary Budget for the first quarter of 2019, or until the Municipal Budget is adopted:

Account Number	Account Description	Temp Budget
9-01-20-100-001	Director Finance & Revenue	1,260.00
9-01-20-110-001	Admin & Exec S&W	3,018.75
9-01-20-110-002	Admin & Exec OE	3,885.00
9-01-20-120-001	Municipal Clerk S&W	14,437.50
9-01-20-130-001	Financial Admin S&W	8,137.50
9-01-20-130-002	Financial Admin OE	3,937.50
9-01-20-135-002	Audit Services	6,562.50
9-01-20-140-001	Collection of Taxes S&W	5,643.75
9-01-20-140-002	Collection of Taxes OE	1,575.00
9-01-20-142-002	Liquidation of TTL & Forc	2,625.00
9-01-20-150-001	Tax Assessment S&W	6,168.75
9-01-20-150-002	Tax Assessment OE	1,181.25
9-01-20-155-002	Legal Services OE	7,875.00

9-01-20-165-002	Engineering Services	20,000.00
9-01-21-180-001	Planning Board S&W	1,260.00
9-01-21-180-002	Planning Board OE	1,312.50
9-01-21-185-001	Code Enforcement S&W	971.25
9-01-21-185-002	Code Enforcement OE	26.25
9-01-22-195-001	Uniform Construction Code Office S&W	787.50
9-01-22-195-002	Uniform Construction Code Office OE	262.50
9-01-23-210-002	Liability Insurance	5,381.25
9-01-23-210-003	Workmen's Comp	12,600.00
9-01-23-225-002	Unemployment Compensation	656.25
9-01-24-180-010	Zoning Officer S & W	971.25
9-01-24-180-250	Zoning Officer O & E	1,023.75
9-01-25-110-001	Director Public Affairs S&W	1,128.75
9-01-25-252-001	Office of Emergency Management S&W	157.50
9-01-25-252-002	Office of Emergency Management OE	787.50
9-01-25-253-002	EMS First Responder	1,312.50
9-01-25-265-002	Fire OE	7,612.50
9-01-25-275-002	Municipal Prosecutor OE	6,483.75
9-01-25-280-001	Bailiff S&W	1,522.50
9-01-26-110-001	Director of Public Works S&W	1,128.75
9-01-26-290-001	Streets & Roads S&W	6,431.25
9-01-26-290-002	Streets & Roads OE	5,643.75
9-01-26-305-001	Convenience Center S&W	13,650.00
9-01-26-305-002	Convenience Center OE	29,544.38
9-01-26-306-001	Utility Maintenance S&W	787.50
9-01-26-306-002	Utility Maintenance OE	656.25
9-01-26-310-002	Buildings & Grounds OE	2,756.25
9-01-27-340-002	Dog Regulation OE	1,102.50
9-01-28-370-002	Recreation OE	603.75
9-01-31-430-002	Electricity	4,000.00
9-01-31-435-002	Street Lighting	8,000.00
9-01-31-440-002	Telephone	4,000.00
9-01-31-446-002	Gas (Propane)	2,000.00
9-01-31-455-001	Sewer System S&W	2,409.75
9-01-31-455-002	Sewer Systems OE	3,937.50
9-01-31-460-002	Gasoline	1,181.25
9-01-31-470-002	Telecommunications	52.50
9-01-32-465-001	Landfill Closure Costs S&W	315.00
9-01-32-465-002	Landfill Closure Costs OE	393.75
9-01-32-466-002	Recycle tax	472.50
9-01-36-471-002	PERS Contribution	33,285.00
9-01-36-472-002	Social Security	7,875.00
9-01-43-490-001	Municipal Court S&W	34,650.00

9-01-43-490-002	Municipal Court OE	7,087.50
9-01-43-495-002	Public Defender OE	2,310.00
Total		304,839.13

RESOLUTION 2019-02

A RESOLUTION AUTHORIZING THE TAX ASSESSOR TO FILE APPEALS WITH THE BURLINGTON COUNTY BOARD OF TAXATION

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2019-02. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2019-02 was hereby approved.

RESOLUTION 2019-02

A RESOLUTION AUTHORIZING THE TAX ASSESSOR TO FILE APPEALS WITH THE BURLINGTON COUNTY BOARD OF TAXATION

WHEREAS, statutory provision is made for review and correction of errors prior to certification of an assessment list; and

WHEREAS, provision is also allowed for the discovery and correction of errors after establishment of tax rate; and

WHEREAS, changes in property ownership at times necessitates adjustments in veterans and/or senior citizens deductions allowed on the assessment list; and

WHEREAS, responsibility for maintenance and correction of the assessment list rests with the local assessor subject to laws and regulations; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Bass River that the Assessor fulfilling the duties and requirements of this office, be authorized to file with the Burlington County Board of Taxation such appeal as may be necessary to maintain accuracy and equality in the assessment list of Bass River Township.

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized to execute Stipulations of Settlement on behalf of the Municipality.

BE IT FURTHER RESOLVED that a certified copy of this resolution accompany any appeal filed by the Assessor with the Burlington County Board of Taxation.

RESOLUTION 2019-03

A RESOLUTION OF THE TOWNSHIP OF BASS RIVER ESTABLISHING INTEREST RATE ON DELINQUENT TAXES AND MUNICIPAL CHARGES FOR THE YEAR 2019

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2019-03. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2019-03 was hereby approved.

RESOLUTION 2019-03

A RESOLUTION OF THE TOWNSHIP OF BASS RIVER ESTABLISHING INTEREST RATE ON DELINQUENT TAXES AND MUNICIPAL CHARGES FOR THE YEAR 2019

WHEREAS, NJS 54:4-67 permits a municipality to establish interest rates for tax delinquencies and all municipal charges; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Bass River, County of Burlington, State of New Jersey, as follows:

Pursuant to NJS 54:4-67, the rate charged upon delinquencies for real property taxes or other municipal charges commencing after the tenth calendar day following the date upon which the same became payable shall be eight (8%) percent per annum of the first \$1,500.00 or delinquency and eighteen (18%) percent per annum on any amount in excess of \$1,500.00. Additionally, any taxpayer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the calendar year shall be assessed a penalty of six (6%) percent on the amount of delinquency. Furthermore, "delinquency" is not defined as in the amendments of NJS 54:4-67, and is to be calculated on the sum of all taxed form year to year. These rates shall remain in force for the calendar year 2019.

RESOLUTION 2019-04

ESTABLISHING BANK ACCOUNTS

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2019-04. Votes: Cope—Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2019-04 was hereby approved.

RESOLUTION 2019-04

WHEREAS, there exists a need for various Township bank accounts to be established for the following purposes:

- A. Any Trust Account*
- B. For deposit of monies received for dog licenses*
- C. For current account*
- D. For payroll account*
- E. For deposit of unemployment withholding funds; and*

WHEREAS, arrangements must be made for the depository for said funds and signatories for checks and said account;

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

- 1. Any bank located within the State of New Jersey, including but not limited to Ocean First Bank, Bank of America, T.D. Bank, holding appropriate certification under the Government Unit Depository Protection Act (GUPDA) be and hereby is designated as the depository for funds for any of the purposes set forth above; and*

BE IT FURTHER RESOLVED that Deborah Buzby-Cope, Nicholas Capriglione, Louis Bourguignon, Amanda Somes, Clerk and the Chief Financial Officer shall be authorized to sign all checks from accounts established pursuant to this Resolution.

RESOLUTION 2019-05

**ADMENDMENT TO THE YEAR 2019 CASH MANAGEMENT PLAN
OF THE TOWNSHIP OF BASS RIVER**

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2019-05. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2019-05 was hereby approved.

TOWNSHIP OF BASS RIVER

RESOLUTION 2019-05

**ADMENDMENT TO THE YEAR 2019 CASH MANAGEMENT PLAN
OF THE TOWNSHIP OF BASS RIVER**

WHEREAS, N.J.S.A. 40A:5-14 requires that each Municipality shall adopt an annual Cash Management Plan;

WHEREAS, the attached plan, which has been prepared pursuant to the provisions of N.J.S.A. 40A:5-14, sets forth the basis for the deposits and investments of certain public funds of the Township of Bass River;

WHEREAS, the attached plan, has an amendment of the plan to designate Republic Bank as a depository

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Bass River that the Cash Management Plan be approved by majority vote. A copy of said plan is on file in the office of the Township Clerk.

**CASH MANAGEMENT PLAN OF THE TOWNSHIP OF BASS RIVER IN THE COUNTY OF
BURLINGTON, NEW JERSEY**

I. STATEMENT OF PURPOSE.

*This Cash Management Plan (Plan) is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to **set forth the** basis for the deposits (Deposits) and investments (Permitted Investments) of certain public funds of the Township of Bass River, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing accounts or otherwise invested in permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the permitted investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The plan is intended to insure that any deposit or Permitted Investments matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.*

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

The Plan is intended to cover the deposits and/or investments of the following funds and accounts of the Township of Bass River:

*Current Fund
General Capital Account
Trust-Dog
Trust-Special Assessment
Trust-Unemployment
Trust-Bond Assessment
Trust-Public Defender
Trust-Developers Escrow
Trust-Payroll
Trust-Tax Sale Escrow
Trust-Waste Water*

It is understood that other funds/accounts shall be interest bearing and that this Plan is not intended to cover (term investing) of certain funds and accounts of the Township of Bass River

III. DESIGNATION OF OFFICIALS OF THE TOWNSHIP OF BASS RIVER

AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

The Chief Financial Officer of the Township of Bass River is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Township of Bass River are directed to supply to all depositories and any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgments (granted) kept on file with such officials.

IV. DESIGNATION OF DEPOSITORYES.

The following banks and financial institutions are hereby designated as official depositories for the deposit of all public funds which are not otherwise invested in permitted investments as provided for in the Plan.

*Ocean First
Any other institutions containing a Governmental Unit Deposit Protection Act Notification (GUDPA)*

All such depositories shall acknowledge in writing receipt of this Plan by sending an acknowledgement to the Designated Official referred to in Section III above.

V. AUTHORIZED INVESTMENTS.

A. Except as otherwise specifically provided for therein, the Designated Official is hereby authorized to invest the public funds covered by this plan, to the extent not otherwise held on Deposits, in the following permitted investments.

- (1) *Bonds or other obligations of the United State of America or obligations guaranteed by the United State of America;*
- (2) *Government money market mutual funds;*
- (3) *Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;*
- (4) *Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;*
- (5) *Bonds or other obligations having a maturity date of not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of Treasury for investments by Local Units;*
- (6) *Local government investment pools;*
- (7) *Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or*
- (8) *Agreements for the repurchase of fully collateralized securities if:*
 - (a) *the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection(a);*
 - (b) *the custody of collateral is transferred to a third party;*
 - (c) *the maturity of the agreement is not more than 30 days;*
 - (d) *the underlying securities are purchased through a public depository as defined section 1 of P.L. 1970, c.236 (C.17:9-41); and*
 - (e) *a master repurchase agreement providing for the custody and security of collateral is executed.*

For the purposes of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. *An investment company or investment Trust:*

- (a) *which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940,” 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec 270.2a-7.*
- (b) *the portfolio of which is limited to U.S. Government Securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and*
- (c) *which has:*
 - (1) *attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or*

- (2) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940," 15 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P.L. 1968, c410(c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 CC.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government Securities.

(B) Notwithstanding the above authorization, the monies on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:

NONE

VI. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT

OF RECEIPT OF PLAN.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township of Bass River, then such instrument or security shall be covered by a custodial agreement with an

independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township of Bass River to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Township of Bass River or by a third party custodian prior to or upon the release of the Township of Bass River's Funds.

To assure that all parties with whom the Township of Bass River deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

VII. REPORTING REQUIREMENTS.

On or before the fifteenth day of the following month during which this Plan is in effect, the Designated Official referred to in Section III hereof shall forward to the Manager of the Township of Bass River to make available for the governing body a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum the following information:

- A. The name of the institution(s) holding funds of the Township of Bass River as a Deposit or a Permitted Investment.*
- B. The amount of securities or Deposits purchased or sold.*
- C. The class or type of securities purchased or Deposits made.*
- D. The book value of such Deposits or Permitted Investments.*
- E. The earned income on such Deposits or Permitted Investments. (earned income including an accrual of such earnings during the immediately preceding month).*
- F. **The fees incurred to undertake such Deposits or Permitted Investments including an accrual accounting to date of maturity.***
- G. The market value of all deposits or Permitted Investments as of the end of the immediately preceding month.*
- H. All other information which may be deemed reasonable from time to time by the Chief Financial Officer for the governing body of the Township of Bass River*

VIII. TERM OF PLAN.

This plan shall be in effect from January 1, 2019 to December 31, 2019 and shall be subject to the annual audit conducted pursuant to N.J.S.A. 40A:5-4. Attached to this Plan is a resolution of the governing body of the Township of Bass River approving this Plan for such period of time. The plan may be amended from time to time. To the extent that any amendment is adopted by the Council, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

RESOLUTIONS 2019-06 THRU RESOLUTION 2019-19

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolutions 2019-06 Thru Resolution 2019-19. Votes: Cope–Yes, Capriglione–Yes to all with exception to Resolution 2019-16 Abstain, Bourguignon–Yes. All in favor and Resolutions 2019-06 Thru Resolution 2019-19 were hereby approved.

RESOLUTION 2019-06

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING KEVIN FRENIA, HOLMAN, FRENIA, ALLISON, P.C. AS AUDITORS FOR THE TOWNSHIP OF BASS RIVER

WHEREAS, the Township of Bass river is in need of the services of a municipal auditor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-10.5; AND

WHEREAS, Kevin Frenia is duly qualified to serve as the municipal auditor for the Township of Bass River; and

WHEREAS, it is the desire of the governing body to appoint Kevin Frenia of the firm of Holman, Frenia, Allison, P.C. as municipal auditors; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this resolution may exceed \$17,500 in the 2019 municipal budget; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is set forth in the 2019 municipal budget; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the firm of Holman, Frenia & Allison, P.C. have completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Holman, Frenia & Allison, P.C. has not made any reportable contributions to a political or candidate committee in the Township of Bass River in the previous one year, and that the contract will prohibit the firm of Holman, Frenia & Allison, P.C. from making any reportable contributions through the term of the contract; and

WHEREAS, the local Public Contracts Law, NJSA 40A:11-1 et seq. authorizes the award of contract for “Professional Services” without competitive bids and requires that the Resolution and contract be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Bass River, County of Burlington, State of New Jersey, as follows:

- A. That Kevin Frenia of the firm of Holman, Frenia & Allison, P.C. is hereby appointed as municipal auditor for the Township of Bass River for a term of one year, commencing January 1, 2019 and ending December 31, 2019.*
- B. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the agreement with Kevin Frenia of the firm of Holman, Frenia & Allison, P.C..*

- C. *This contract is awarded without competitive bidding as a "Professional Service" in accordance with NJSA 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.*
- D. *A notice of this action shall be printed once in the official newspaper of the Township of Bass River.*
- E. *This resolution takes effect January 1, 2019.*
- F. *A certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and to Kevin Frenia of the firm Holman, Frenia & Allison, P.C..*
- G. *That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances that constitute the availability of funds for the contract: Audit Services.*
- H. *A certificate demonstrating compliance with NJSA 19:44A-20.8 is attached to the Contract Agreement.*
- I. *A copy of this resolution, as well as the contract agreement is on file with the Municipal Clerk.*
- J. *The Business Disclosure Entity Certification and the Determination of Value will be attached to the contract.*

RESOLUTION 2019-07

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING CHRISTOPHER J. NORMAN, ESQ. AS SOLICITOR FOR THE PLANNING/ZONING BOARD OF THE TOWNSHIP OF BASS RIVER

WHEREAS, the Township of Bass river is in need of the services of a Planning/Zoning Board Solicitor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-10.5; AND

WHEREAS, Christopher J. Norman, Esq. is duly qualified to serve as the solicitor of the Planning/Zoning Board for the Township of Bass river; and

WHEREAS, it is the desire of the governing body to appoint Christopher J. Norman, Esq. as Planning/Zoning Board Solicitor; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this resolution may exceed \$17,500 in the 2019 municipal budget; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is set forth in the 2017 municipal budget; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, Christopher J. Norman, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Christopher J. Norman, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Bass River in the previous one year,

and that the contract will prohibit Christopher J. Norman, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contract for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Bass River, County of Burlington, State of New Jersey, as follows:

- A. That Christopher J. Norman, Esq. is hereby appointed as Planning/Zoning Board solicitor for the Township of Bass River for a term of one year, commencing January 1, 2019 and ending December 31, 2019.
- B. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the agreement with Christopher J. Norman, Esq..
- C. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
- D. A notice of this action shall be printed once in the official newspaper of the Township of Bass River.
- E. This resolution takes effect January 1, 2019.
- F. A certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and to Christopher J. Norman, Esq..
- G. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances that constitute the availability of funds for the contract: Planning Board O/E.
- H. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contract Agreement.
- I. A copy of this resolution, as well as the contract agreement is on file with the Municipal Clerk.
- J. The Business Disclosure Entity Certification and the Determination of Value will be attached to the contract.

RESOLUTION 2019-08

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING JOANNE O'CONNOR, ESQ. AS SOLICITOR FOR THE TOWNSHIP OF BASS RIVER

WHEREAS, the Township of Bass river is in need of the services of a municipal solicitor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-10.5; AND

WHEREAS, Joanne O'Connor, Esq. is duly qualified to serve as the municipal solicitor for the Township of Bass river; and

WHEREAS, it is the desire of the governing body to appoint Joanne O'Connor, Esq. as municipal solicitor; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this resolution may exceed \$17,500 in the 2019 municipal budget; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is set forth in the 2016 municipal budget; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, Joanne O'Connor, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Joanne O'Connor, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Bass River in the previous one year, and that the contract will prohibit Joanne O'Connor, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the local Public Contracts Law, NJSA 40A:11-1 et seq. authorizes the award of contract for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Bass River, County of Burlington, State of New Jersey, as follows:

- A. That Joanne O'Connor, Esq. is hereby appointed as municipal solicitor for the Township of Bass River for a term of one year, commencing January 1, 2019 and ending December 31, 2019.*
- B. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the agreement with Joanne O'Connor, Esq..*
- C. This contract is awarded without competitive bidding as a "Professional Service" in accordance with NJSA 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.*
- D. A notice of this action shall be printed once in the official newspaper of the Township of Bass River.*
- E. This resolution takes effect January 1, 2019.*
- F. A certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and to Joanne O'Connor, Esq..*
- G. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances that constitute the availability of funds for the contract: Legal Services O/E.*
- H. A certificate demonstrating compliance with NJSA 19:44A-20.8 is attached to the Contract Agreement.*
- I. A copy of this resolution, as well as the contract agreement is on file with the Municipal Clerk.*
- J. The Business Disclosure Entity Certification and the Determination of Value will be attached to the contract.*

RESOLUTION 2019-09

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING DANTE GUZZI, P.E., C.M.E. AS ENGINEER FOR THE TOWNSHIP OF BASS RIVER

WHEREAS, the Township of Bass river is in need of the services of a municipal engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-10.5; AND

WHEREAS, Dante Guzzi is duly qualified to serve as the municipal engineer for the Township of Bass river; and

WHEREAS, it is the desire of the governing body to appoint Dante Guzzi of the firm of Dante Guzzi Engineering Associates as municipal engineer; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this resolution may exceed \$17,500 in the 2019 municipal budget; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is set forth in the 2017 municipal budget; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the firm of Dante Guzzi Engineering Associates has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Dante Guzzi Engineering Associates has not made any reportable contributions to a political or candidate committee in the Township of Bass River in the previous one year, and that the contract will prohibit the firm of Dante Guzzi Engineering Associates from making any reportable contributions through the term of the contract; and

WHEREAS, the local Public Contracts Law, NJSA 40A:11-1 et seq. authorizes the award of contract for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Bass River, County of Burlington, State of New Jersey, as follows:

- A. That Dante Guzzi, P.E., C.M.E., of the firm of Dante Guzzi Engineering Associates is hereby appointed as municipal engineer for the Township of Bass River for a term of one year, commencing January 1, 2019 and ending December 31, 2019.*
- B. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the agreement with Dante Guzzi of the firm of Dante Guzzi Engineering Associates.*
- C. This contract is awarded without competitive bidding as a "Professional Service" in accordance with NJSA 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.*
- D. A notice of this action shall be printed once in the official newspaper of the Township of Bass River.*
- E. This resolution takes effect January 1, 2019.*

- F. *A certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and to Dante Guzzi of the firm Dante Guzzi Engineering Associates.*
- G. *That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances that constitute the availability of funds for the contract: Engineering O/E.*
- H. *A certificate demonstrating compliance with NJSA 19:44A-20.8 is attached to the Contract Agreement.*
- I. *A copy of this resolution, as well as the contract agreement is on file with the Municipal Clerk.*
- J. *The Business Disclosure Entity Certification and the Determination of Value will be attached to the contract.*

RESOLUTION 2019-10

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING KEVIN QUINLAN, ESQ. AS PROSECUTOR FOR THE TOWNSHIP OF BASS RIVER

WHEREAS, the Township of Bass river is in need of the services of a municipal prosecutor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-10.5; AND

WHEREAS, Kevin Quinlan, Esq. is duly qualified to serve as the principal municipal prosecutor for the Township of Bass River; and

WHEREAS, it is the desire of the governing body to appoint Kevin Quinlan, Esq. municipal prosecutor; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this resolution may exceed \$17,500 in the 2019 municipal budget; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is set forth in the 2019 municipal budget; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Kevin Quinlan has completed and submitted a Business Entity Disclosure Certification which certifies that his office has not made any reportable contributions to a political or candidate committee in the Township of Bass River in the previous one year, and that the contract will prohibit Mr. Kevin Quinlan from making any reportable contributions through the term of the contract; and

WHEREAS, the local Public Contracts Law, NJSA 40A:11-1 et seq. authorizes the award of contract for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Bass River, County of Burlington, State of New Jersey, as follows:

- A. *That Kevin Quinlan, Esq. is hereby appointed as principal municipal prosecutor for the Township of Bass River for a term of one year, commencing January 1, 2019 and ending December 31, 2019.*
- B. *That the Mayor is hereby authorized to execute and the Township Clerk to attest to the agreement with Kevin Quinlan.*
- C. *This contract is awarded without competitive bidding as a "Professional Service" in accordance with NJSA 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.*
- D. *A notice of this action shall be printed once in the official newspaper of the Township of Bass River.*
- E. *This resolution takes effect January 1, 2019.*
- F. *A certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and to Kevin Quinlan.*
- G. *That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances that constitute the availability of funds for the contract: Municipal Prosecutor O/E.*
- H. *A certificate demonstrating compliance with NJSA 19:44A-20.8 is attached to the Contract Agreement.*
- I. *A copy of this resolution, as well as the contract agreement is on file with the Municipal Clerk.*
- J. *The Business Disclosure Entity Certification and the Determination of Value will be attached to the contract.*

RESOLUTION 2019-11

A RESOLUTION AUTHORIZING APPOINTMENT OF MUNICIPAL CONFLICT MUNICIPAL PROSECUTOR, PUBLIC DEFENDER, AND CONFLICT PUBLIC DEFENDER FOR YEAR 2019

WHEREAS, there exists a need for the appointment of a Conflict Municipal Prosecutor, Public Defender, and Conflict Public Defender, with regard to said Court;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioner of the Township of Bass River, County of Burlington, and State of New Jersey, that Brian Rumpf, Esq. is appointed Public Defender for year 2019; that Law Offices of Citta, Holzappel, et als., and Gerard Traynor, Esq. are appointed Conflict Prosecutors and the Jerry Steiner, Esq., is appointed Conflict Public Defenders, for the year 2019.

RESOLUTION 2019-12

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING AMANDA SOMES AS FUND COMMISSIONER AND RICHARD IRETON AS ALTERNATE FUND COMMISSIONER OF THE BURLINGTON COUNTY JIF FOR THE TOWNSHIP OF BASS RIVER

WHEREAS, it is the desire of the Mayor and Board of Commissioners of the, Township of Bass River to appoint Amanda Somes as Fund Commissioner and Richard Ireton as Alternate Fund Commissioner of the Burlington County JIF for the Township of Bass River.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Township of Bass River, County of Burlington, State of New Jersey, as follows:

1. That Amanda Somes be appointed as Fund Commissioner of the Burlington County JIF for the remainder of the term of one year, commencing, January 1, 2019 and ending December 31, 2019.
2. That Richard Ireton be appointed as Alternate Fund Commissioner of the Burlington County JIF for the term of one year, commencing, January 1, 2019 and ending December 31, 2019.
3. That a certified copy of this resolution shall be forwarded to the Burlington County Joint Insurance Fund.

RESOLUTION 2019-13

RISK MANAGEMENT CONSULTANT

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Governing Body of Bass River Township is a member of the **Burlington County Municipal Joint Insurance Fund**, a self insurance pooling fund, and;

WHEREAS, the Bylaws of said Fund allow each municipality to appoint a **RISK MANAGEMENT CONSULTANT** to perform various professional services as detailed in the Bylaws and;

WHEREAS, the Bylaws indicate a fee Not To Exceed six percent (6%) of the municipal assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the governing body and;

WHEREAS, NJSA 40A:11-5 (1) (m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspicifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant's are clearly an extraordinary unspicifiable service which therefore render competitive bidding impractical;

NOW THEREFORE, be it resolved that the governing body of Township of Bass River does hereby appoint Conner Strong & Buckelew, Michael Avalone as its Risk Management Consultant in accordance with 40A:11-5 and;

BE IT FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to NJSA 40A:11-5 (1), (a), (i).

RESOLUTION 2019-14

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING, RICHARD IRETON, AS SAFETY COORDINATOR FOR THE TOWNSHIP OF BASS RIVER

WHEREAS, it is the desire of the Mayor and Board of Commissioners of the, Township of Bass River to appoint, Richard Ireton as Safety Coordinator for the Township of Bass River.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Commissioners of the Township of Bass River, County of Burlington, State of New Jersey, as follows:

- 1. That Richard Ireton be appointed as Safety Coordinator for the term of one year, commencing, January 1, 2019 and ending December 31, 2019.*
- 4. That a certified copy of this resolution shall be forwarded to the Burlington County Joint Insurance Fund.*

RESOLUTION 2019-15

A RESOLUTION APPOINTING AMANDA S. SOMES, RMC AS PUBLIC AGENCY COMPLIANCE OFFICER (P.A.C.O.) FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2019

WHEREAS, New Jersey State Statutes provide that an official must be appointed for the purpose of overseeing Equal Employment Opportunity Compliance for all contracts executed by the Township of Bass River; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Bass River, County of Burlington, State of New Jersey, as follows:

SECTION 1: Amanda S. Somes, RMC is hereby appointed as the designated Public Agency Compliance Office (P.A.C.O.) for the Township of Bass River.

SECTION 2: A copy of this resolution be submitted to the Division of Public Contract Equal Opportunity Compliance.

RESOLUTION 2017-16

A RESOLUTION APPOINTING DESIGNEE TO SERVE AS TRUSTEE TO GREAT BAY REGIONAL EMS

WHEREAS, there exists a need for a Trustee to be designated for Great Bay Regional EMS for the Township of Bass River;

NOW, THEREFORE, BE IT RESOLVED that MaryAnne Capriglione, be and hereby is appointed as designee Trustee of the Great Bay Regional EMS for the period of one year affective 1/1/2019-12/31/2019.

RESOLUTION 2019-17

A RESOLUTION APPOINTING ANIMAL CAPTURE & CONTROL SERVICES FOR ANIMAL CONTROL SERVICES FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2019

WHEREAS, New Jersey State Statutes provide that a certified officer may be appointed for the purpose of controlling animals within the several municipalities of the State; and

WHEREAS, Animal Capture & Control Services are a certified in animal control; and

WHEREAS, the Township of Bass River acting on behalf of the health, safety and welfare of its citizens is desirous of providing animal control.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Bass River, County of Burlington, State of New Jersey, as follows:

SECTION 1: Animal Capture and Control Services will be appointed for Animal Control Services for the Township of Bass River for the year 2019 subject to execution of an Agreement between said Animal Capture and Control Services and Bass River Township.

SECTION 2: The Mayor and Clerk are authorized to execute such agreement on behalf of the Township of Bass River

RESOLUTION 2019-18

A RESOLUTION APPOINTING DAN GUZZI AS ZONING OFFICIAL AND APPOINTING JIM SCEURMAN AS DEPUTY ZONING OFFICIAL FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2019

WHEREAS, there exists a need for a Zoning Official; and

WHEREAS, there exists a need for a Deputy Zoning Official

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Bass River, County of Burlington, State of New Jersey as follows:

Dante Guzzi, P.E., C.M.E. is appointed Zoning Official and Jim Scurman is appointed Deputy Zoning Official of the Township of Bass River affective January 1, 2019 – December 31, 2019.

RESOLUTION 2019-19

A RESOLUTION APPOINTING JIM SCEURMAN CODE ENFORCEMENT OFFICER FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2019

WHEREAS, there exists a need for a Code Enforcement Officer;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Bass River, County of Burlington, State of New Jersey as follows:

Jim Scurman is appointed Code Enforcement Officer of the Township of Bass River affective January 1, 2019 – December 31, 2019.

RESOLUTION 2019-20

A RESOLUTION AUTHORIZING THE MUNICIPAL ENGINEER TO PREPARE BID SPECIFICATIONS AND ADVERTISE FOR THE RECEIPT OF SEALED BIDS FOR FURTHER IMPROVEMENTS TO THE AMASA LANDING ROAD BOAT RAMP

The motion was made by Mayor Cope to approve Resolution 2019-20. The motion was seconded by Commissioner Bourguignon. Votes: Cope-Yes, Bourguignon-Yes, Capriglione-Yes. All in favor and Resolution 2019-20 was hereby approved.

BASS RIVER TOWNSHIP RESOLUTION 2019-20

A RESOLUTION AUTHORIZING THE MUNICIPAL ENGINEER TO PREPARE BID SPECIFICATIONS AND ADVERTISE FOR THE RECEIPT OF SEALED BIDS FOR FURTHER IMPROVEMENTS TO THE AMASA LANDING ROAD BOAT RAMP

WHEREAS, the Burlington County Board of Chosen Freeholders, Department of Resource Conservation has approved the Township of Bass River's request to reallocate unused grant funds from the Township's 2014 Grant to the 2016 Grant project; and

WHEREAS, the Township Commissioners have directed the Municipal Engineer to prepare bid specifications and advertise for the receipt of bids for the Amasa Landing Road Boat Ramp.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Bass River, County of Burlington, State of New Jersey that:

- 1. Dante Guzzi, Municipal Engineer, is hereby authorized to prepare bid specifications and advertise for the receipt of bids for the project known as Amasa Landing Road Boat Ramp.*
- 2. The Township Clerk shall advertise the Notice to Bidders for the purpose of receipt of sealed bids for the above-named project.*
- 3. Each bid shall be submitted as a written proposal in the manner designated in the specifications and shall be signed by bidder.*

I hereby certify the foregoing to be a true copy of a resolution adopted by the Bass River Township Board of Commissioners at a meeting held on January 7, 2019.

RESOLUTION NO. 2019-21

A RESOLUTION AUTHORIZING THE TOWNSHIP OF BASS RIVER TO CONTINUE A SHARED SERVICES AGREEMENT WITH WOODLAND TOWNSHIP FOR THE PROVISION OF MUNICIPAL COURT OFFICES.

The motion was made by Commissioner Bourguignon to approve Resolution 2019-21. The motion was seconded by Mayor Cope. Votes: Cope-Yes, Bourguignon-Yes, Capriglione-Yes. All in favor and Resolution 2019-21 was hereby approved.

RESOLUTION NO. 2019-21

A RESOLUTION AUTHORIZING THE TOWNSHIP OF BASS RIVER TO CONTINUE A SHARED SERVICES AGREEMENT WITH WOODLAND TOWNSHIP FOR THE PROVISION OF MUNICIPAL COURT OFFICES.

WHEREAS, the Bass River Township Board of Commissioners recognizes the need to provide the residents of the Township with appropriate cost savings measures and the need to take advantage of

opportunities to provide cost savings in the administration of local government services for the benefit of all residents; and

WHEREAS, Woodland Township has requested that the Township of Bass River allow Woodland Township to continue to utilize the Bass River Municipal Court offices; and

WHEREAS, Bass River Township and Woodland Township have agreed to extend the terms and conditions of their prior agreement for the provision of such services to Woodland Township by Bass River Township as detailed in the attached Shared Services Agreement; and

WHEREAS, the Township of Bass River evidences its desire to enter into such Agreement through passage of this resolution; and

WHEREAS, the Municipalities are authorized by the "Shared Services Act", N.J.S.A. 40A:65-4, et seq. to enter into any contract for the joint provision of any service which any party to the agreement is authorized to render within its own jurisdiction; and

WHEREAS, the parties have agreed to continue to participate in the Shared Services Agreement between the Municipalities as previously entered into.

NOW, THEREFORE, BE IT RESOLVED by the Township of Bass River that:

1. The attached Shared Services Agreement between the Township of Bass River and Woodland Township shall remain in effect according to its original terms including any and all notice requirements under the terms of the agreement.
2. The Mayor and Township Clerk are authorized to take any action necessary to implement the terms of the Shared Services Agreement.

PAYMENT OF BILLS:

The motion was made by Mayor Cope to approve payment of the bills in the amount of \$496,986.82. The motion was seconded by Commissioner Bourguignon to approve bills for payment. Votes: Cope –Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and bills were ordered paid.

ACE POWER SUPPLY	SUPPLIES	\$ 155.68
ANIMAL CAPTURE & CONTROL	4TH QTR. ANIMAL SERVICES	\$ 960.00
ATLANTIC CITY ELECTRIC	NOV/DEC 2018 ELECTRICITY	\$ 3,914.98
A T & T	ALL IN ONE NOV. 2018 LOCAL SCHOOL TAX	\$ 61.34
BASS RIVER BD OF ED	1/9/19	\$ 126,200.00
BELLIA TECH, LLC	TECH SUPPORT NOV/DEC 2018	\$ 578.80
BURL CO TREAS, LANDFILL	TIPPING FEES NOV & DEC 2018	\$ 8,396.58

BURLCOJIF	1ST INSTALL LIABILITY INS.	\$ 24,650.00
CAMCO	PARTS	\$ 17.48
CASA PAYROLL SERVICES	#25, 26 & 1 PAYROLL SERVICES	\$ 426.20
CHRIS NORMAN, ESQ.	PLANNING BD. MTG 12/20/18 & MASTER PLAN WORK	\$ 590.00
CINTAS	SUPPLIES	\$ 181.15
COMCAST	SERVICE 12/19/18 - 1/18/19	\$ 106.00
DANTE GUZZI ENGINEERING ASSOC.	ENGINEERING SERVICES OCT/NOV/DEC 2018	\$ 21,474.50
READYREFRESH BY NESTLE	SERVICE NOV. 2018	\$ 16.98
EDMUNDS & ASSOCIATES, INC.	2019 SOFTWARE MAINTENANCE	\$ 6,713.00
EMERGENCY TRAINING & CONSULT	MEDICAL DIRECTION FIRE HOUSE	\$ 500.00
ESI EQUIPMENT	EQUIPMENT REPAIRS	\$ 1,711.00
EXTEL COMMUNICATIONS	PHONE LINE REPAIR	\$ 325.00
FLOWERS BY P.J.	WREATHS VETERANS DAY MAINTENANCE	\$ 180.00
GENERAC	AGREEMENT	\$ 1,150.50
GOLDENBERG MACKLER SAYEGH	GENERAL FILE & FORECLOSURE #5	\$ 846.96
GRAMCO BUSINESS COMMUNICATIONS	MCR CONTRACT 2019	\$ 1,425.00
HOME DEPOT	SUPPLIES	\$ 143.48
JERSEY SHORE RESTROOMS, LLC	PORT A POT OAK LANE 12/21/18 - 1/17/19 DEC. 2018	\$ 85.00
KEVIN S. QUINLAN	PROSECUTIONS	\$ 1,600.00
LANGUAGE SERVICES ASSOCIATES	LANGUAGE SERVICES NOV. & DEC. 2018	\$ 71.40
LORCO PETROLEUM SERVICES	OILY WATER DISPOSAL	\$ 97.50
MR. BOB'S	PORT A POTS 12/3/18 - 12/31/18 ADMINISTRATIVE	\$ 236.80
MUNICIPAL CODE CORPORATION	SUPPORT	\$ 225.00
N.J. REGISTRAR'S ASSOCIATION	2019 MEMBER RENEWAL NJCM MEMBER DUES	\$ 25.00
NEW JERSEY CONF. OF MAYORS	2019	\$ 295.00
NEW JERSEY NATURAL GAS	NATURAL GAS 11/13/18 - 12/12/18 BILLABLE POLICE	\$ 557.81
NEW JERSEY STATE POLICE	SERVICES	\$ 1,711.85
NJ LEAGUE OF MUNICIPALITIES	NJLM MEMBER DUES 2019	\$ 283.00
OFFICE BASICS, INC.	OFFICE & HOUSEKEEPING SUPPLIES	\$ 601.82
PEGGY BECK	BANK MILEAGE DEC 2018	\$ 57.12
PETER C. LANGE	LEGAL SERVICES 10/2018	\$ 2,439.00
PINELANDS REGIONAL SCHOOL DIST.	REGIONAL SCHOOL TAX 1/8/18 POSTER COMPLIANCE	\$ 227,415.71
POSTER COMPLIANCE CENTER	2019	\$ 79.95

RUMPF REID & DOLCY	PUBLIC DEFENDER 12/16/18	\$ 750.00
SAFEGUARD BUSINESS SYSTEMS	CHECKS	\$ 93.02
TRACTOR SUPPLY CREDIT PLAN	SUPPLIES	\$ 190.48
TRANSFORMATION ENTERPRISES	NOV. 2018 ROLL-OFF	\$ 5,800.00
UNIVERSAL COMPUTING SERVICES	MESSAGE/MAILERS & NOTICES	\$ 282.70
VERIZON	PHONES NOV/DEC 2018	\$ 734.01
VERIZON WIRELESS	CELL -CRAMER 11/24 - 12/23	\$ 84.34
WALMART COMMUNITY/SYNCB	SUPPLIES	\$ 323.26
WEX BANK	FUEL NOV. 2018	\$ 1,323.85
BASS RIVER PAYROLL ACCT	PAYROLL 12/6/18	\$ 15,759.53
BASS RIVER PAYROLL ACCT	PAYROLL 12/20/18	\$ 19,475.42
BASS RIVER PAYROLL ACCT	PAYROLL 1/3/19	\$ 14,813.90
HASLER, INC.	NOV. 2018 POSTAGE	\$ 467.15
HASLER, INC.	DEC. 2018 POSTAGE	\$ 382.57
	TOTAL	\$ 496,986.82

NEW BUSINESS:

2 land purchase proposals where received:

- a. Block 56, Lot 21--\$1000.00
- b. Block 37, Lot 18 and 19--\$5000.00

Upon a motion by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to reject offers based on them being too low. Votes: Cope-Abstain, Capriglione-Yes, Bourguignon-Yes. The offers on the sale of these properties were hereby rejected.

REPORTS:

The following reports were noted.

Report of Solicitor
Report of Municipal Court

PUBLIC COMMENT:

The meeting was open for public comment at 7:36 p.m. upon a motion by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All present in favor.

Swanseen asked if the Township had any information on the plans for the State to clear cut. Mayor said none at this time, however, still looking for options. Mayor requested pricing information on the camera system. Mr. Swanseen said this information would depend on what is needed. Mayor said a new tower is now going up at the old county yard on East Greenbush. Mr. Swanseen has contact with the vendors to see what information they are able to provide along with some cost information.

M. Assur asked about the request to change the zoning district of PPZ and moving the line further out and to see if Pinelands Commissioner approves it.

Mr. Rupenski asked about the land bids and why there where not awarded. The Commissioners would like to look at the offers further.

Bitzberger asked when the State buys land they stop paying taxes on it. Mayor said the PILOT funds should come into play.

Be no further comments, the motion to close the public portion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor and public portion was closed at 8:09 p.m.

Being no further business to come before the Board the motion to adjourn was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor and meeting was adjourned at 8:09 p.m.

Respectfully Submitted
Amanda S. Somes, RMC
Township Clerk
