

**MINUTES BASS RIVER TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING OF MONDAY, MAY 2, 2011**

Mayor Cope called the regular meeting of the Bass River Township Board of Commissioners to order at 7:30 p.m. Present at meeting were: Mayor Deborah Buzby-Cope, Commissioner T. Richard Bethea and Commissioner Gary Smith. Also present Township Clerk Amanda Somes and Solicitor Peter Lange. 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 April 4, 2011, were presented to the Board for review with copies available for public. The motion was made by Commissioner Smith, seconded by Commissioner Bethea to approve minutes as submitted by the Clerk. Votes: Cope -Yes, Bethea - Yes, Smith-Yes. Minutes hereby approved.

APPROVAL OF BILLS LIST:

The motion was made by Commissioner Bethea to approve payment of the bills in the amount of \$669,808.89. The motion was seconded by Commissioner Smith to approve bills for payment. Votes: Cope –Yes, Bethea –Yes, Smith-Yes. All present in favor and bills were ordered paid.

MODERN GAS CO	14071	462.04
A T & T	14072	40.43
BASS RIVER BD OF ED	14073	99238.58
UNIVERSAL COMPUTING SERVICES	14074	155.28
A T & T	14075	155.01
NEW GRETNA POSTMASTER	14076	40.00
A T & T	14077	71.29
VERIZON	14078	328.07
VERIZON	14079	547.24
FLEET FUELING	14080	879.48
PINELAND REGIONAL SCHOOL DIST	14081	150943.14
ARAWAK PAVING CO., INC.	14082	134025.00
ARAWAK PAVING CO., INC.	14083	44675.00
ACUA	14084	514.00
AMANDA SOMES	14085	66.00
ANIMAL CAPTURE & CONTROL	14086	945.00
ATLANTIC CITY ELECTRIC	14087	2089.02
BEACONS	14088	135.84
BF MOLZ	14089	353.17
BURL CO MUN CT ADM ASSN	14090	225.00
BURL CO TREASURER	14091	190943.11
CASA PAYROLL SERVICES	14092	199.40
COMCAST	14093	95.12
CONWAY AUTOMOTIVE	14094	54.57
DAVE'S SEPTIC	14095	525.00

DEER PARK - NESTLE WATERS	14096	13.01
ESI EQUIPMENT INC	14097	166.65
GRAND HOTEL	14098	254.00
LORRAINE HEWITT	14099	81.65
MARION RAFF	14100	32.60
MUNIDEX INC	14101	32.80
PEGGY BECK	14102	44.84
POLE TAVERN EQUIP & GROUNDS	14103	75.98
RUSSELL P. CHERKOS ESQ.	14104	3000.00
SOUTH JERSEY WATER TEST	14105	1120.00
THE PRESS OF ATLANTIC CITY	14106	21.09
TRANSFORMATION ENTERPRISES	14107	10629.00
VERIZON	14108	57.58
VERIZON WIRELESS	14109	201.75
W.B. MASON COMPANY	14110	91.87
BASS RIVER PAYROLL ACCOUNT	40711	13409.87
BASS RIVER PAYROLL ACCOUNT	42111	12870.41

CORRESPONDENCE:

Letter from NJ DOT awarding Bass River Township \$200,000 for FY 2011 Municipal Aid.

ORDINANCES & RESOLUTIONS:

ORDINANCE 2011-03

**AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY,
AMENDING AND SUPPLEMENTING TITLE 15, CHAPTER
15.04 OF THE TOWNSHIP CODE ENTITLED "STATE
UNIFORM CONSTRUCTION CODE"**

Mayor Cope read Ordinance 2011-03 on second reading. The motion to approve Ordinance 2011-03 and to open for public hearing was made by Commissioner Bethea, seconded by Commissioner Smith. Votes: Cope-Yes, Bethea-Yes, Smith-Yes. All in favor and meeting was open for public hearing on Ordinance 2011-03. Public Comments: Mr. Aaronson asked if the fees were increased or decreased. Some fees increased and some decreased but no significant disparity in the fees either way. Mr. Aaronson noted that a fair amount of work was involved to prepare this ordinance. How much in legal fees to build the ordinance. Mr. Lange stated that costs were negligible. Being no further comments, the motion to close the public hearing was made by Commissioner Bethea, seconded by Commissioner Smith. All in favor. The motion to adopt Ordinance 2011-03 was made by Commissioner Bethea, seconded by Commissioner Smith. Votes: Cope-Yes, Bethea-Yes, Smith-Yes. All in favor and Ordinance 2011-03 was hereby adopted.

ORDINANCE NO. 2011-03

AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER, COUNTY OF

*BURLINGTON, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING
TITLE 15, CHAPTER 15.04 OF THE TOWNSHIP CODE ENTITLED "STATE
UNIFORM CONSTRUCTION CODE"*

*BE IT ORDAINED, by the governing body, by the Bass River Township
Board of Commissioners that the Township Code of Bass River Township is hereby
amended and supplemented so as to repeal in its entirety Chapter 15.04 entitled
"State Uniform Construction Code" and replace it with the following:*

SECTION 1.

Section 15.04 Construction Code Fees

*15.04.010 The following fee schedule is hereby adopted and established for
the
following construction and subcode fees:*

(1) Building sub code fees.

*(a) New construction. Fees for new construction shall be based
upon the volume of structure. Volume shall be computed in
accordance with N.J.A.C. 5:23-2.28. Use groups and types of
construction are as classified and defined in Articles 3 and 4 of the
building sub code.*

[1] New residential construction.

[a] Per cubic foot of volume: \$0.030.

[2] Other Use Groups

[a] Use Groups A-1, A-2, A-3, A-4, F-1, F-2, S-1 and S-2: \$0.020

[b] Structures on farms, including commercial farm buildings under N.J.A.C. 5:23-3.2(d): \$0.0008.

[c] Maximum fee: \$1,145.00

[d] Minimum fee: \$60.

(b) Renovations, alterations, repairs, and site construction associated with the pre-manufactured construction. Fee based on estimated cost of the work. To determine estimated cost, the applicant shall submit to the Construction Official such cost data as may be available produced by the homeowner, the architect or engineer of record, or by a recognized estimating firm, or by the contractor. A bona fide contractor's bid, if available, shall be submitted. The Construction Official shall make the final decision regarding estimated cost.

<u>Estimated Cost of Work</u>	<u>Fee</u>
\$1 to \$50,000	\$25 per \$1,000
\$50,001 to \$100,000	Add \$20 per \$1,000
Over \$100,000	Add \$18 per \$1,000
Minimum fee	\$60

(c) Additions. Fees shall be computed on the same basis as for new construction for the added portion.

(d) Combination renovations and additions. Fees shall be computed separately in accordance with §§ 159-4A(1)(a) and 159-4A(1)(b).

(e) Temporary structures. The fee for temporary structures, towers, fences greater than six feet in height, open decks not attached to a principal or accessory structure and similar structures for which volume cannot be computed shall be \$60.

(f) Pools

[1] Aboveground: \$75.

[2] In-ground: \$150.

[3] Commercial: \$250.

(g) Bulkheads, docks, wharves and piers. The fees shall be computed as an alteration.

(h) The fee for roofing or siding in R-3 and R-4 uses shall be \$60.

(2) Plumbing subcode fees.

(a) Fixtures and appliances. The fee per fixture for fixtures and appliances shall be \$15.00, except as provided for in § 159-4A(2)(b).

(b) Special devices. The fee per device for grease traps, oil separators, water-cooled air-conditioning units, refrigeration units, utility service connections, backflow preventers, steam boilers, hot-water boilers (excluding those for domestic water heating), gas piping, gas service entrances, active solar systems, sewer pumps, interceptors and fuel oil piping shall be \$75.

(c) Minimum fee: \$60.

(3) Fire protection sub code fees.

(a) The fee for sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas- and oil-fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums shall be as follows:

[1] One to 20 heads: \$75.

[2] Twenty-one to 100 heads: \$130.

[3] One hundred one to 200 heads: \$230.

[4] Two hundred one to 400 heads: \$594.

[5] Four hundred one to 1,000 heads: \$822

[6] Over 1,000 heads: \$1,050.

(b) One to 12 detectors, \$60; in addition, for each 25 detectors, \$15.

(c) Standpipe, each: \$229.

(d) Independent pre-engineered systems: \$92.

(e) Gas- or oil-fired appliance not connected to the plumbing system, each: \$60.

(f) Commercial kitchen exhaust system, each: \$100.

(g) Incinerator, each: \$365.

(h) Crematorium, each: \$365.

(i) Minimum fee: \$60.

(4) Electrical subcode fees.

(a) Fixtures or receptacles. The fee for receptacles and fixtures which shall include lighting outlets, wall switches, electric discharge fixtures, convenience receptacle or similar fixture, and motors or devices of less than one horsepower or one kilowatt, burglar, fire and communication devices, etc., shall be as follows:

[1] One to 25: \$60.

[2] For each 25 additional: add \$25.

(b) Motors or electrical devices, each:

[1] Greater than one horsepower or kilowatt to 10 horsepower or kilowatts: \$25.

[2] Greater than 10 horsepower or kilowatts to 50 horsepower or kilowatts: \$50.

[3] Greater than 50 horsepower or kilowatts to 100

[4] Greater than 100 horsepower: \$500

(c) Transformers and generators, each:

[1] Greater than one kilowatt to 10 kilowatts: \$25.

[2] Greater than 10 kilowatts to 45 kilowatts: \$50.

[3] Greater than 45 kilowatts to 112.5 kilowatts: \$200.

[4] Greater than 112.5 kilowatts: \$500.

(d) Service panels, service entrance or subpanel, each:

[1] One ampere to 225 amperes: \$75.

[2] Greater than 225 amperes to 400 amperes: \$150.

[3] Greater than 400 amperes to 1,000 amperes: \$250.

[4] Greater than 1,000 amperes: \$500.

(e) Private swimming pool, spa, hot tub or fountain. Annual fees for inspection of public swimming pools, spa, hot tub or fountain shall be \$60.

The fee for initial inspection of a new public swimming pool, spa, hot tub or fountain: \$100.

(f) Signs: \$60.

(g) Installation of single and multiple station smoke or heat detectors and fire, burglar or security alarm systems in anyone or two family dwelling: \$60.

(h) Photovoltaic Systems

[1] Systems up to 10 kw: \$250 flat fee.

[2] Systems greater than 10 kw shall be assessed a fee of \$250 plus \$25 per each additional kilowatt.

(i) Irrigation Systems: \$60.00

[1] For the purpose of computing these fees, all motors, except those in plug-in appliances, shall be counted, including control equipment, generators, transformers and all hearing, cooking or other devices consuming or generating electrical current.

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(k) *Minimum fee: \$60.*

(5) *Fees applicable to §§ 159-4A(1) through 159-4A(4) above.*

(a) *Plan review fee. 20% of the amount to be charged for a new construction permit.*

(b) *Basic construction fee. The sum of the parts computed on the basis of the volume or cost of construction, the number of plumbing fixtures and equipment, the number of electrical fixtures and devices and the number of sprinklers, standpipes and detectors (smoke and heat) at the unit rates provided herein, plus any special fees.*

(c) *Certificates and other permits.*

[1] Demolition or removal permit.

*[a] Structures less than 5,000 square feet in area and less than 30 feet in height (Use Group R-3), and for structures on farms, including commercial farm buildings under
N.I.A.C.5:23-3.2(d): \$75.*

[b] Fuel tanks: \$75.

[c] All other use groups: \$100.

[2] Sign permit. Permit fee to construct a sign shall be in the amount of \$1 per square foot surface area of the sign, computed on one side only for double-faced signs. Minimum fee: \$60.

[3] Certificate of occupancy: \$30.

[4] Certificate of occupancy granted pursuant to a change of use group: \$125.

[a] \$50. to building.

[b] \$25. to plumbing.

[c] \$25 to fire.

[d] \$25. to electrical.

[5] Certificate of Occupancy: \$200

[a] \$80 to building.

[b] \$40 to plumbing.

[c] \$40 to fire.

[d] \$40 to electrical

[6] Annual permits.

[a] Construction permit. The fee for a construction permit shall be a flat fee based upon the number of maintenance workers who are employed by the facility, and who are primarily engaged in work that is governed by a subcode. Managers, engineers and clericals shall not be considered maintenance workers for the purpose of establishing the annual construction permit fee.

[b] Annual permits may be issued for building, fire protection, electrical and plumbing.

[i] One to 25 workers (including foreman), each: \$667.

[ii] Each additional worker over 25: \$150.

[iii] Prior to the issuance of an annual permit, a training registration fee of \$140 per sub code shall be submitted by the applicant. Checks shall be made payable to "Treasurer, State of New Jersey."

[7] Reinstatement of lapsed permit: \$60 per subcode.

[8] Elevator devices, where applicable, shall be in accordance with N.J.A.C. 5:23-12.6

[9] Cross connections and backflow preventers that are subject to testing and require re-inspection, each: \$60.

[10] Relocation of structures permit: The following fees shall be assessed for relocation of building and structures to a new location, including pre-manufactured:

Estimated Cost of Work

\$1 to \$50,000	\$25 per \$1,000
\$50,001 to \$100,000	Add \$20 per \$1,000
Over \$100,000	Add \$18 per \$1,000
Minimum fee	\$60

A schedule of the instruction and sub code fees established by this chapter shall be posted in the office of the Construction Official and shall be made available to the public. Any fees not mentioned in the above fee schedule shall be the same as the fees assessed by the State of New Jersey as delineated within N.J.A.C. 5:23-4.20 or applicable regulation.

SECTION 2. *After introduction of this ordinance, the Township Clerk shall send a copy of this ordinance to the Township Planning Board for its review and comment. The Township shall send a copy of the ordinance to the Burlington County Planning Board pursuant to N.J.S.A. 40:55D-16.*

SECTION 3. *This ordinance shall take effect after second reading and publication as required by law and the filing of the adopted ordinance with the Burlington County Planning Board.*

SECTION 4. *All ordinances or parts of ordinances inconsistent herewith are hereby repealed.*

SECTION 5. *If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.*

SECTION 6. *This ordinance shall take effect after second reading and publication as required by law.*

RESOLUTION 2011-45

TAX OFFICE RESOLUTION

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2011-45. Votes: Cope–Abstain, Bethea -Yes, Smith-Yes. All present in favor and Resolution 2011-45 was approved.

RESOLUTION 2011-45

WHEREAS Due to the Homestead Rebate amount of \$81.65 being applied to Block 63 Lot 21, known as 151 Leektown Road, after the home was sold by Lorraine Hewitt; and

WHEREAS the Homestead Rebate is due to the prior owner;

NOW THEREFORE, BE IT RESOLVED the CFO of the Township of Bass River is authorized to issue a check in the amount of \$81.65 be refunded to Lorraine Hewitt, 116 North New Road, Pleasantville, NJ 08232.

RESOLUTION 2011-46

A PROCLAMATION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY PROCLAIMING MAY 5, 2011 AS “A DAY OF PRAYER IN THE TOWNSHIP OF BASS RIVER”

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2011-46. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All present in favor and Resolution 2011-46 was approved.

PROCLAMATION

A PROCLAMATION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY PROCLAIMING MAY 5, 2011 AS “A DAY OF PRAYER IN THE TOWNSHIP OF BASS RIVER”

WHEREAS, Civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

WHEREAS, The Declaration of Independence, our first statement as Americans of national purpose and identity, made the “Laws of Nature and Nature’s God” the foundation of our United States of America and asserted that people have inalienable rights that are God-given; and

WHEREAS, the Supreme Court has affirmed that right of State Legislatures to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and

WHEREAS, in 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Regan; and

WHEREAS, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and;

WHEREAS, it is fitting and proper to give thanks to God by observing a day of prayer in the Township of Bass River when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our State and nations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Bass River do hereby proclaim the first Thursday in May, 2011 be designated as

“A DAY OF PRAYER IN THE TOWNSHIP OF BASS RIVER”

and encourage the citizens of the Township of Bass River to observe the day in ways appropriate to its importance and significance.

RESOLUTION 2011-47

PROCLAMATION

**PROCLAMATION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON,
STATE OF NEW JERSEY, DECLARING MAY 15-21, 2011
AS EMS WEEK**

The motion was made by Mayor Cope, seconded by Commissioner Smith to approve Resolution 2011-47. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All present in favor and Resolution 2011-47 was approved.

PROCLAMATION

PROCLAMATION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, DECLARING MAY 15-21, 2011 AS EMS WEEK

WHEREAS, emergency medical services are a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, 7 days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW, THEREFORE, be it resolved by the Mayor & Commissioners of Bass River Township, Country of Burlington, State of New Jersey in recognition of this event do hereby proclaim the week of May 15th, 2011 as

EMERGENCY MEDICAL SERVICES WEEK

With the theme, EMS: Serving Ordinary People, Extraordinary Service and encourage the community to observe this week with appropriate programs, ceremonies and activities.

OLD BUSINESS:

2011 Municipal Budget—Public Hearing:

Commissioner Bethea stated that the local purpose tax rate will not change for 2011 from 2010. Slight increase from schools is anticipated—but not much. Upon a motion by Commissioner Smith, seconded by Commissioner Bethea and all in favor; the meeting was open for public hearing on the 2011 Municipal Budget. Comments: Mr. Aaronson asked if this budget was balanced. Commissioner Bethea stated that yes it was...it is required by the State of NJ to be a balanced budget and Mr. Aaronson was directed to the proper page in the budget document. Mr. Aaronson asked about capital improvements and if township has plans on spending this money. Commissioner Bethea stated that this is a “wish list”. These numbers are not in the budget, just an idea of what would be done if we had the capital. Mr. Aaronson asked if there where cash investments surplus over the years and are they tapped into. Commissioner Bethea stated that yes it is utilized as source revenue in succeeding budgets. Being no further comments, the motion to close the public hearing on the 2011 municipal budget was made by Commissioner Smith, seconded by Commissioner Bethea. All in favor and the public hearing was closed. No adoption of the budget would take place this evening pursuant to some outstanding questions from the State on some minor items.

NEW BUSINESS:

REPORTS:

The following reports were noted:

Report of Solicitor
Report of Municipal Court
Dog Report
Report of the Governing Body Members

PUBLIC COMMENT:

The meeting was open for public comment at 8:24 p.m. upon a motion by Commissioner Smith, seconded by Commissioner Bethea.

Mrs. R. Bourguignon: Members of squad 85 were seen in McDonalds ordering food—after a call was received they waited for their order to be filled then they left for the call. Commissioner Bethea will look into this incident. She also asked about spraying for mosquitoes.

Ms. B. Schmutz: Chief's car. Response from Board: old car is to be auctioned off.

Mrs. R. Bourguignon: What is the purpose of the Chief's vehicle? Response from Board: To get from his home to fire house.

Mr. H. Bourguignon: Is the Township Planning Board now called the Land Use Board. Solicitor: Combined board can be interchangeable. No change.

Mr. L. Bourguignon: Thanked Mayor for addressing a dangerous situation on the Parkway and the situation was taken care of.

Mr. Aaronson: New Gretna House Sign and status of taking it down. Solicitor: Inducements to take it down to avoid a zoning violation. This sign cannot be rented out to someone else. Mr. Aaronson: Cramer's Junkyard—a violation should be issued. No violations have been issued at this time. The license should be revoked.

Mrs. R. Bourguignon: Cramer's Junkyard—not one inch of property was accessible. Property needs to be kept clean. Commissioner Bethea: Solicitor instructed to review current junkyard ordinance to strengthen it for the future.

Mr. Aaronson: Thanked the Board of steering a tight ship.

Being no further comments the motion to close the public portion was made by Commissioner Bethea, seconded by Commissioner Smith. All in favor and public comment was closed at 9:15 p.m.

EXECUTIVE SESSION:

The motion to enter into executive session was made by Commissioner Smith, seconded by Commissioner Bethea. All in favor and Board entered into executive session at 9:15 p.m.

*RESOLUTION AUTHORIZING EXECUTIVE SESSION
PURSUANT TO N.J.S.A. 10:4-12*

BE IT RESOLVED by the Board of Commissioners of the Township of Bass River, County of Burlington, State of New Jersey, that pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., it is necessary to convene an executive session to discuss items authorized by N.J.S.A. 10:4-12 (b), specifically:

1. *Matters Relating to Litigation, Negotiation, and the Attorney-Client Privilege*
 - a. *West Greenbush Road Culvert Replacement Contract with Stumper Enterprises*

BE IT FURTHER RESOLVED, it is anticipated that the deliberation conducted in closed session may be disclosed to the public upon the determination of the Governing Body that the public interest will no longer be served by such confidentiality and if not then legally privileged.

ACTION TAKEN UPON ENTERING BACK INTO REGULAR SESSION:

NONE

Being no further business to come before the Board the motion to adjourn was made by Commissioner Bethea, seconded by Commissioner Smith. All in favor and meeting was adjourned at 9:42 p.m.

Respectfully Submitted
Amanda S. Somes, RMC
Township Clerk

Deborah Buzby-Cope, Mayor