

**MINUTES BASS RIVER TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING OF MONDAY, JANUARY 9, 2012**

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. 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 5, 2011, were presented to the Board for review with copies available for public. The motion was made by Commissioner Smith, seconded by Mayor Cope to approve minutes as submitted by the Clerk. Votes: Cope - Yes, Bethea-Abstain, Smith-Yes. Minutes hereby approved.

Minutes of the executive session of December 5, 2011, were presented to the Board for review. The motion was made by Commissioner Smith, seconded by Mayor Cope to approve minutes as submitted by the Clerk. Votes: Cope -Yes, Bethea-Abstain, Smith-Yes. Minutes hereby approved.

Minutes of the regular meeting of December 12, 2011, were presented to the Board for review with copies available for public. The motion was made by Commissioner Smith, seconded by Mayor Cope to approve minutes as submitted by the Clerk. Votes: Cope - Yes, Bethea-Abstain, Smith-Yes. Minutes hereby approved.

ORDINANCES & RESOLUTIONS:

RESOLUTION 2012-01

**A RESOLUTION OF THE TOWNSHIP OF BASS RIVER
COUNTY OF BURLINGTON, STATE OF NEW JERSEY
ADOPTION OF A TEMPORARY BUDGET
FOR 2012**

RESOLUTION 2012-02

**RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF
BURLINGTON, STATE OF NEW JERSEY APPOINTING KRIS KLUK, P.E.,
PH.D. AS ENGINEER FOR THE TOWNSHIP OF BASS RIVER**

RESOLUTION 2012-03

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING MICHAEL P. GROSS, GROSS AND COMPANY AS AUDITOR FOR THE TOWNSHIP OF BASS RIVER

RESOLUTION 2012-04

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING PETER C. LANGE, ESQ. AS SOLICITOR FOR THE TOWNSHIP OF BASS RIVER

RESOLUTION 2012-05

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING RUSSELL P. CHERKOS AS PROSECUTOR FOR THE TOWNSHIP OF BASS RIVER

RESOLUTION 2012-06

A RESOLUTION AUTHORIZING APPOINTMENT OF MUNICIPAL CONFLICT MUNICIPAL PROSECUTOR, PUBLIC DEFENDER, AND CONFLICT PUBLIC DEFENDER FOR YEAR 2012

RESOLUTION 2012-07

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

RESOLUTION 2012-08

A RESOLUTION APPOINTING CHIEF FINANCIAL OFFICER

RESOLUTION 2012-09

A RESOLUTION APPOINTING ANIMAL CAPTURE & CONTROL SERVICES FOR ANIMAL CONTROL SERVICES FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2012

RESOLUTION 2012-09

**A RESOLUTION APPOINTING ANIMAL CAPTURE & CONTROL SERVICES
FOR ANIMAL CONTROL SERVICES FOR THE TOWNSHIP OF BASS RIVER
FOR THE YEAR 2012**

RESOLUTION 2012-10

**A RESOLUTION APPOINTING FRED HAMPLE CODE ENFORCEMENT
OFFICER FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2012**

RESOLUTION 2012-11

**A RESOLUTION APPOINTING FRED HAMPLE DEPUTY ZONING
ENFORCEMENT OFFICER FOR THE TOWNSHIP OF BASS RIVER FOR THE
YEAR 2012**

RESOLUTION 2012-12

**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**

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolutions 2012-01 thru 2012-12. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All present in favor and Resolutions 2012-01 thru Resolution 2012-12 where hereby approved.

RESOLUTION 2012-01

***A RESOLUTION OF THE TOWNSHIP OF BASS RIVER
COUNTY OF BURLINGTON, STATE OF NEW JERSEY
ADOPTION OF A TEMPORARY BUDGET
FOR 2012***

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 2012 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 2012, or until the Municipal Budget is adopted:

GENERAL FUND

DEPARTMENT OF REVENUE & FINANCE

<i>Director – Revenue & Finance</i>	<i>Salaries & Wages</i>	<i>1,300.00</i>
<i>Administration & Executive</i>	<i>Salaries & Wages</i>	<i>5,000.00</i>
	<i>Other Expenses</i>	<i>5,000.00</i>
<i>Municipal Clerk</i>	<i>Salaries & Wages</i>	<i>10,000.00</i>
<i>Financial Administration (Treasury)</i>	<i>Salaries & Wages</i>	<i>5,000.00</i>
	<i>Other Expenses</i>	<i>10,000.00</i>
<i>Audit Services</i>	<i>Other Expenses</i>	<i>7,000.00</i>
<i>Revenue Administration (Tax Collection)</i>	<i>Salaries & Wages</i>	<i>6,000.00</i>
	<i>Other Expenses</i>	<i>3,000.00</i>
<i>Liquidation of TTL</i>	<i>Other Expense</i>	<i>100.00</i>
<i>Tax Assessment Administration</i>	<i>Salaries & Wages</i>	<i>6,500.00</i>
	<i>Other Expenses</i>	<i>500.00</i>
<i>Legal Services</i>	<i>Other Expenses</i>	<i>8,000.00</i>
<i>Engineering Services</i>	<i>Other Expenses</i>	<i>5,000.00</i>
<i>Planning Board</i>	<i>Salaries & Wages</i>	<i>2,000.00</i>
	<i>Other Expenses</i>	<i>1,000.00</i>
<i>Sewer Systems</i>	<i>Salaries & Wages</i>	<i>3,000.00</i>
	<i>Other Expenses</i>	<i>5,000.00</i>
<i>Utility Expenses & Bulk Purchases:</i>		
<i>Telephone</i>		<i>4,000.00</i>
<i>Gas (Propane)</i>		<i>1,000.00</i>
<i>Electricity</i>		<i>4,500.00</i>
<i>Gasoline</i>		<i>2,000.00</i>
<i>Telecommunication</i>		<i>200.00</i>
<i>Recycling Tax</i>		<i>700.00</i>
<i>Zoning Enforcement</i>	<i>Salaries & Wages</i>	<i>1,000.00</i>

DEPARTMENT OF PUBLIC WORKS, PARKS & PROPERTY

<i>Director – Public Works, Parks & Playgrounds</i>	<i>Salaries & Wages</i>	<i>1,300.00</i>
<i>Building & Grounds</i>	<i>Other Expenses</i>	<i>3,000.00</i>
<i>Streets & Road Maintenance</i>	<i>Salaries & Wages</i>	<i>8,000.00</i>
	<i>Other Expenses</i>	<i>6,000.00</i>

<i>Weed, Fill and Property Control</i>	<i>Salaries & Wages</i>	<i>100.00</i>
<i>Landfill Closure Costs</i>	<i>Other Expenses</i>	<i>1,000.00</i>
<i>Convenience Center</i>	<i>Salaries & Wages</i>	<i>5,000.00</i>
	<i>Other Expenses</i>	<i>8,000.00</i>
<i>Utility Maintenance</i>	<i>Salaries & Wages</i>	<i>1,000.00</i>
	<i>Other Expense</i>	<i>4,000.00</i>
<i>Street Lighting</i>	<i>Other Expenses</i>	<i>8,000.00</i>
<i>DEPARTMENT OF PUBLIC AFFAIRS & SAFETY</i>		
<i>Director – Public Affairs & Safety</i>	<i>Salaries & Wages</i>	<i>1,400.00</i>
<i>Fire Company</i>	<i>Other Expenses</i>	<i>6,000.00</i>
<i>Office of Emergency Management</i>	<i>Salaries & Wages</i>	<i>100.00</i>
	<i>Other Expenses</i>	<i>100.00</i>
<i>Aid to First Aid Organization</i>	<i>Other Expenses</i>	<i>1,000.00</i>
<i>Municipal Prosecutor's Office</i>	<i>Other Expenses</i>	<i>5,000.00</i>
<i>Bailiff</i>	<i>Salary & Wages</i>	<i>2,000.00</i>
<i>EMS – First Responder</i>	<i>Other Expenses</i>	<i>1,000.00</i>
<i>UCC Office</i>	<i>Salaries & Wages</i>	<i>500.00</i>
	<i>Other Expenses</i>	<i>500.00</i>
<i>Code Enforcement</i>	<i>Salaries & Wages</i>	<i>1,000.00</i>
	<i>Other Expenses</i>	<i>250.00</i>
<i>Mosquito & Pest Control</i>	<i>Other Expenses</i>	<i>200.00</i>
<i>State & Federal Matching</i>		<i>100.00</i>
<i>Municipal Court</i>	<i>Salary & Wages</i>	<i>30,000.00</i>
	<i>Other Expenses</i>	<i>6,000.00</i>
<i>Public Defender</i>	<i>Other Expenses</i>	<i>1,500.00</i>
<i>Dog Regulation</i>	<i>Other Expenses</i>	<i>1,500.00</i>
<i>Insurance:</i>		
<i>General Liability & Property</i>		<i>10,200.00</i>
<i>Worker's Compensation</i>		<i>21,351.00</i>

STATUTORY EXPENDITURES

Contribution to:

PERS	37,385.00
Social Security	8,500.00
Unemployment	
Insurance	3,000.00

TOTAL 2011 TEMPORARY BUDGET

\$280,786.00

RESOLUTION 2012-02

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING KRIS KLUK, P.E., PH.D. 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, Kris Kluk 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 Kris Kluk of the firm of Kluk Consultants 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 2012 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 2012 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 Kluk Consultants has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Kluk Consultants 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 Kluk Consultants 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 Kris Kluk, P.E., Ph.D., of the firm of Kluk Consultants is hereby appointed as municipal engineer for the Township of Bass River for a term of one year, commencing January 1, 2012 and ending December 31, 2012.
- B. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the agreement with Kris Kluk of the firm of Kluk Consultants.

- 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, 2012.*
- F. *A certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and to Kris Kluk of the firm Kluk Consultants.*
- 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 2012-03

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING MICHAEL P. GROSS, GROSS AND COMPANY AS AUDITOR 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, Michael P. Gross 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 Michael P. Gross of the firm of Gross and Company as municipal auditor; 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 2012 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 2012 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 Gross and Company has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Gross and Company 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 Gross and Company 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 Michael P. Gross of the firm of Gross and Company is hereby appointed as municipal auditor for the Township of Bass River for a term of one year, commencing January 1, 2012 and ending December 31, 2012.*
- B. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the agreement with Michael P. Gross of the firm of Gross and Company.*
- 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, 2012.*
- F. A certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and to Michael P. Gross of the firm Gross and Company.*
- 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 2012-04

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING PETER C. LANGE, 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, Peter C. Lange, 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 Peter C. Lange, 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 2012 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 2012 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, Peter C. Lange, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Peter C. Lange, 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 Peter C. Lange, 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 Peter C. Lange, Esq. is hereby appointed as municipal solicitor for the Township of Bass River for a term of one year, commencing January 1, 2012 and ending December 31, 2012.*
- B. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the agreement with Peter C. Lange, 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, 2012.*
- F. A certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and to Peter C. Lange, 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 2012-05

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING RUSSELL P. CHERKOS 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, Russell P. Cherkos is duly qualified to serve as the municipal prosecutor for the Township of Bass river; and

WHEREAS, it is the desire of the governing body to appoint Russell P. Cherkos of the firm of Dasti, Mruphy, McGuckin, Ulaky, Cherkos & Connors as 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 2012 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 2012 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 Dasti, Murphy, McGuckin, Ulaky, Cherkos & Connors has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Dasti, Mruphy, McGuckin, Ulaky, Cherkos & Connors 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 Dasti, Mruphy, McGuckin, Ulaky, Cherkos & Connors 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 Russell P. Cherkos of the firm of Dasti, Mruphy, McGuckin, Ulaky, Cherkos & Connors is hereby appointed as municipal prosecutor for the Township of Bass River for a term of one year, commencing January 1, 2012 and ending December 31, 2012.*
- B. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the agreement with Russell P. Cherkos of the firm of Dasti, Mruphy, McGuckin, Ulaky, Cherkos & Connors.*
- 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, 2012.*

- F. *A certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and to Russell P. Cherkos of the firm Dasti, Mruphy, McGuckin, Ulaky, Cherkos & Connors.*
- 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 2012-06

A RESOLUTION AUTHORIZING APPOINTMENT OF MUNICIPAL CONFLICT MUNICIPAL PROSECUTOR, PUBLIC DEFENDER, AND CONFLICT PUBLIC DEFENDER FOR YEAR 2012

WHEREAS, by Washington Township Ordinance No. 1991-7 and the like Ordinance of the Township of Bass River in Burlington County a consolidated Municipal Court was created; and

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 Kevin Quinlan, Esq., is appointed Public Defender, that Christopher Koutsouris, of the firm Dasti, Murphy, McGuckin, Ulaky, Cherkos & Connors and Nicholas Monaco, Esq., of the firm Dasti, Murphy, McGuckin, Ulaky, Cherkos & Connors, and Law Offices of Citta, Holzappel, et als., and Gerard Traynor, Esq. are appointed Conflict Prosecutors and the Jerry Steiner, Esq., and George Emmer, Esq., are appointed Conflict Public Defenders, for the year 2012.

RESOLUTION 2012-07

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 2012 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 2012 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, 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 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, 2012 and ending December 31, 2012.*
- 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 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, 2012.*
- 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 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 2012-08

A RESOLUTION APPOINTING CHIEF FINANCIAL OFFICER

WHEREAS, there exists a need for a Temporary Chief Financial Officer for the Township of Bass River;

NOW, THEREFORE, BE IT RESOLVED that Joseph Gross be and hereby is appointed Temporary Chief Financial Officer for a term of 1 year, effective as of January 1, 2012-December 31, 2012

RESOLUTION 2012-09

A RESOLUTION APPOINTING ANIMAL CAPTURE & CONTROL SERVICES FOR ANIMAL CONTROL SERVICES FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2012

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 2012 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 2012-10

A RESOLUTION APPOINTING FRED HAMPLE CODE ENFORCEMENT OFFICER FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2012

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:

Fred Hample is appointed Code Enforcement Officer of the Township of Bass River effective January 1, 2012 – December 31, 2012.

RESOLUTION 2012-11

A RESOLUTION APPOINTING FRED HAMPLE DEPUTY ZONING ENFORCEMENT OFFICER FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2012

WHEREAS, there exists a need for a Deputy Zoning 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:

Fred Hample is appointed Deputy Zoning Enforcement Officer of the Township of Bass River effective January 1, 2012 – December 31, 2012.

RESOLUTION 2012-12

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, 2012 and ending December 31, 2012.*
- 2. That a certified copy of this resolution shall be forwarded to the Burlington County Joint Insurance Fund.*

RESOLUTION 2012-13

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

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2012-13. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All in favor and Resolution 2012-13 was hereby approved.

RESOLUTION 2012-13

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

SHEREAS, 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 2012-14

A RESOLUTION OF THE TOWNSHIP OF BASS RIVER ESTABLISHING INTEREST RATE ON DELINQUENT TAXES AND MUNICIPAL CHARGES FOR THE YEAR 2012

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2012-14. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All in favor and Resolution 2012-14 where hereby approved.

RESOLUTION 2012-14

A RESOLUTION OF THE TOWNSHIP OF BASS RIVER ESTABLISHING INTEREST RATE ON DELINQUENT TAXES AND MUNICIPAL CHARGES FOR THE YEAR 2012

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 2012.

RESOLUTION 2012-15

A RESOLUTION ESTABLISHING BANK ACCOUNTS

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2012-15. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All in favor and Resolution 2012-15 where hereby approved.

RESOLUTION 2012-15

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 Bank of America, T.D. Bank and Sun 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, T. Richard Bethea, Gary Smith, Amanda Somes, Clerk and the Chief Financial Officer shall be authorized to sign all checks from accounts established pursuant to this Resolution.

RESOLUTION 2012-16

A RESOLUTION APPOINTING STEVE POTTER AS WATERFRONT MANAGER FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2012

RESOLUTION 2012-17

A RESOLUTION APPOINTING JAY HAINES AS ZONING OFFICIAL FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2012

RESOLUTION 2012-18

A RESOLUTION APPOINTING AN EMERGENCY MANAGEMENT COORDINATOR

RESOLUTION 2012-19

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 2012

RESOLUTION 2012-20

**RISK MANAGEMENT CONSULTANT
BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND**

RESOLUTION 2012-21

**RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY
OF
BURLINGTON, STATE OF NEW JERSEY APPOINTING T.
RICHARD BETHEA AS FUND COMMISSIONER AND RICHARD
IRETON AS ALTERNATE FUND COMMISSIONER OF THE
BURLINGTON COUNTY JIF FOR THE TOWNSHIP OF BASS
RIVER**

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2012-16 Through Resolution 2012-22. Votes: Cope–Yes, Bethea - Yes, Smith-Yes. All in favor and Resolution 2012-16 Through Resolution 2012-22 where hereby approved.

RESOLUTION 2012-16

***A RESOLUTION APPOINTING STEVE POTTER AS WATERFRONT MANAGER FOR THE
TOWNSHIP OF BASS RIVER FOR THE YEAR 2012***

WHEREAS, there exists a need for a Waterfront Manager;

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:

Steve Potter is appointed Waterfront Manager of the Township of Bass River affective January 1, 2012 – December 31, 2012.

RESOLUTION 2012-17

***A RESOLUTION APPOINTING JAY HAINES AS ZONING OFFICIAL FOR THE TOWNSHIP OF
BASS RIVER FOR THE YEAR 2012***

WHEREAS, there exists a need for a 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:

Jay Haines is appointed Zoning Official of the Township of Bass River affective January 1, 2012 – December 31, 2012.

RESOLUTION 2012-18

A RESOLUTION APPOINTING AN EMERGENCY MANAGEMENT COORDINATOR

WHEREAS, there exists a need for an Emergency Management Coordinator for the Township of Bass River;

NOW, THEREFORE, BE IT RESOLVED that Kathleen McKernan be and hereby is appointed Emergency Management Coordinator for a term of 3 years, effective as of January 1, 2012.

RESOLUTION 2012-19

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 2012

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 2012-20

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 unspecifiable 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 unspecifiable service which therefore render competitive bidding impractical;

NOW THEREFORE, be it resolved that the governing body of Bass River Township does hereby appoint Mike Avalon 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 2012-21

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING T. RICHARD BETHEA 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 T. Richard Bethea 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 T. Richard Bethea be appointed as Fund Commissioner of the Burlington County JIF for the term of one year, commencing, January 1, 2012 and ending December 31, 2012.*
3. *That Richard Ireton be appointed as Alternate Fund Commissioner of the Burlington County JIF for the term of one year, commencing, January 1, 2012 and ending December 31, 2012.*
4. *That a certified copy of this resolution shall be forwarded to the Burlington County Joint Insurance Fund.*

RESOLUTION 2012-22

TAX OFFICE RESOLUTION

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2012-22. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All in favor and Resolution 2012-22 where hereby approved.

RESOLUTION 2012-22

WHEREAS The Tax Office is in receipt of a check in the amount of \$7,294.33 for redemption of tax sale certificate #10-14 on Block 56 Lot 15 assessed to Lynda Bolam; and

WHEREAS \$7,294.33 is the correct amount to redeem;

NOW THEREFORE, BE IT RESOLVED, that the CFO of Bass River Township is authorized to cut a check in the amount of, \$7,294.33 to Empire Tax Fund, LLL, P.O. Box 503, 8 Harrows Lane, Purchase, NY 10577.

RESOLUTION 2012-23

**RESOLUTION OF THE TOWNSHIP OF BASS RIVER,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY,
AUTHORIZING AN ADDENDUM TO THE CONTRACT WITH
JERRY AND SON EXCAVATING, INC. FOR THE FY2011 MUNICIPAL AID
WEST ROAD RECONSTRUCTION**

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2012-23. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All in favor and Resolution 2012-23 where hereby approved.

RESOLUTION 2012-23

**RESOLUTION OF THE TOWNSHIP OF BASS RIVER,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY,
AUTHORIZING AN ADDENDUM TO THE CONTRACT WITH
JERRY AND SON EXCAVATING, INC. FOR THE FY2011 MUNICIPAL AID WEST ROAD
RECONSTRUCTION**

WHEREAS, a contract was previously awarded Jerry and Son Excavating for Fiscal Year 2011 West Road Reconstruction; and

WHEREAS, the original contract for said work was in the amount of \$139,553.00: and

WHEREAS, the original contract price has been adjusted to \$154,053.00: and

WHEREAS, the governing body wishes to authorize Change Order No. 1, which will result in a increase of \$14,500.00 in the adjusted contract price, consisting of those items set forth on Schedule "A", attached hereto and made a part hereof: and

WHEREAS, this change order has been recommended by the Municipal Engineer and agreed to by the contractor; and

WHEREAS, this change order, together with all previous change orders, amounts to a total of less than twenty (20%) percent of the original contract awarded to the contractor; and

WHEREAS, it is the desire of the governing body to authorize this change order.

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

1. *That the governing body does hereby authorize the execution of an addendum to the contract with Jerry and Son Excavating, Inc. for the fiscal year 2011 West Road Reconstruction, to provide for a increase in the adjusted contract price from \$139,553.00 to \$154,053.00, an increase of \$14,500.00 in the adjusted contract price, consisting of those items set forth on Schedule "A", attached hereto and made part hereof.*
2. *That the Mayor and Municipal Clerk are hereby authorized to execute an addendum to the contract with Jerry and Son Excavating, Inc. in accordance with the provisions of this resolution.*

RESOLUTION 2012-24

A RESOLUTION APPOINTING CHRISTINA EICHINGER DEPUTY EMERGENCY MANAGEMENT COORDINATOR FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2012

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2012-24. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All in favor and Resolution 2012-24 where hereby approved.

RESOLUTION 2012-24

A RESOLUTION APPOINTING CHRISTINA EICHINGER DEPUTY EMERGENCY MANAGEMENT COORDINATOR FOR THE TOWNSHIP OF BASS RIVER FOR THE YEAR 2012

WHEREAS, there exists a need for a Deputy Emergency Management Coordinator;

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:

Christina Eichinger is appointed Deputy Emergency Management Coordinator of the Township of Bass River affective January 1, 2012 – December 31, 2012.

ORDINANCE 2012-01

AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER AMENDING BASS RIVER CODE CHAPTER 17.32 ADMINISTRATION AND ENFORCEMENT

Mayor Cope introduced Ordinance 2012-01 upon first reading by title only. Commissioner Smith asked requested further input from Solicitor on the basis for ordinances 01-03. Commissioner Smith is not in favor of government intrusion on private property. Solicitor provided input. Commissioner Bethea explained that it is not the intention of these ordinances to intrude on private property. Solicitor further added the ordinances still request permission by the property owner to excess the property. Commissioner Smith doesn't wish this ordinance to give any right to overstep by a township official. The motion was made by Commissioner Bethea, seconded by Commissioner Smith to introduce Ordinance 2012-01 upon first reading by title with public hearing and possible adoption scheduled for the February regular meeting. Votes. Cope-Yes, Bethea-Yes, Smith-Yes.

***TOWNSHIP OF BASS RIVER
Ordinance 2012-01***

AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER AMENDING BASS RIVER CODE CHAPTER 17.32 ADMINISTRATION AND ENFORCEMENT

WHEREAS, the Bass River Township Board of Commissioners finds that there is a need to

modify the Bass River Township Code provisions as they currently exist under Chapter 17.32 of the revised Township Ordinances which are applicable to Administration and Enforcement of the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Bass River Township Board of Commissioners that Bass River Township Code and specifically “Title 17 Zoning, Chapter 32 Administration and Enforcement” is hereby amended to add the following:

17.32.235 Inspections.

The Zoning Enforcement officer of the Township, bearing proper credentials and identification, shall be permitted to enter any and all properties located within the Township of Bass River for the purposes of inspection, observation, measurement, sampling and testing in order to investigate adherence to and compliance with the provisions of this Chapter. Entry will be on notice to the property owner and/or occupant of any property which is the subject of a request for inspection by the appropriate Township Official. Any failure to make the property available for such inspection based upon a reasonable request by the appropriate Township Official will constitute a violation of this Code. Any such violation of this Code shall subject the occupant and/or property owner of such property to a fine of not less than \$250 nor more than \$2,000.

BE IT FURTHER RESOLVED by the Bass River Township Board of Commissioners that Bass River Township Code and specifically “Title 17 Chapter 17.32.240 Penalties” is hereby amended to read as follows:

- A. *Fines.*
 - 1. *Any violation of any provision of this Chapter shall be punishable by a fine not to exceed two thousand dollars (\$2,000.00) for each offense and/or imprisonment for a term not exceeding ninety (90) days.*
 - 2. *The following individuals shall be subject to potential punishment:*
 - a. *The owner, general agent, contractor or occupant of a building, premises or part thereof where such a violation has been committed or does exist; and*
 - b. *Any agent, contractor, architect, engineer, builder, corporation or other person who commits, takes part or assists in the violation.*
 - 3. *Each day that a violation continues shall constitute a separate offense.*
 - 4. *The imposition of penalties herein shall not preclude the Township or any other person from instituting an action to prevent an unlawful construction, reconstruction, alteration, repair conversion, or use or to restrain, correct or abate a violation, or to prevent the illegal occupancy of a building, land or premises.*
- B. *Injunctive Relief. In addition to the foregoing, the Township of Bass River may institute and maintain a civil action for injunctive relief.*

All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

ORDINANCE 2012-02

**AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER AMENDING
BASS RIVER CODE SECTION 8.20 NUISANCES**

Mayor Cope introduced Ordinance 2012-02 upon first reading by title only. The motion was made by Commissioner Bethea, seconded by Commissioner Smith to introduce Ordinance 2012-02 upon first reading by title with public hearing and possible adoption scheduled for the February regular meeting. Votes. Cope-Yes, Bethea-Yes, Smith-Yes.

**TOWNSHIP OF BASS RIVER
Ordinance 2012-02**

**AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER AMENDING
BASS RIVER CODE SECTION 8.20 NUISANCES**

WHEREAS, the Bass River Township Board of Commissioners finds that there is a need to modify the Bass River Township Code provisions as they currently exist under Chapter 8.20 of the revised Township Ordinances which are applicable to Nuisances.

NOW, THEREFORE, BE IT RESOLVED by the Bass River Township Board of Commissioners that Bass River Township Code and specifically "Title 8 Chapter 8.20 Nuisances" is hereby amended to read as follows:

8.20.030 Zoning Enforcement Officer

The public officer charged with enforcement of this chapter and entitled to exercise the powers set forth herein shall be the zoning enforcement officer of the Township.

8.20.050 Inspections and Notice

A. Debris.

If upon inspection by the public officer, such public officer deems a property to be in violation of Section 8.20.040 hereof as same pertains to debris, such public officer shall issue a violation to the owner and notify the owner to remedy the violation. The notice shall inform the owner that any failure to remedy the condition may result in the Township correcting the violation and any expenses and costs so incurred shall become a lien upon such land and become part of the taxes next to be assessed and levied upon such lands.

B. Unfit Buildings.

1. Whenever a petition is filed with the public officer designated by this chapter by a public authority or by at least five residents of the municipality charging that any building is unfit for human habitation or occupancy or use or whenever it appears to the public officer that any building is unfit for human habitation or occupancy or use, the public officer shall, if preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such building, a complaint stating the charges in that respect and containing a notice that a hearing will be held before the public officer or his or her designated agent at a place therein fixed not less than seven days nor more than thirty (30) days after the serving of the complaint; that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, to give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in the courts shall not be controlling the hearings before the public officer or his or her agent.

2. If after such notice and hearing, the public officer determines that the building under consideration is unfit for human habitation or occupancy or use, he or she shall state in writing his or her findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof and parties in interest an order:

a. Requiring the repair, alteration and improvement of the building to be made by the owner, within a reasonable time, at which time shall be set forth in the order or at the option of the owner to vacate or have the building vacated and closed within the time set forth in the order; and

b. If the building is in such condition as to make it dangerous to the health and safety of persons on or near the premises, and the owner fails to repair, alter or improve the building within the time specified in the order then the owner shall be required to remove

or demolish the building within a reasonable time as specified in the order of removal.

3. If the owner fails to comply with an order to repair, alter or improve, or, at the option of the owner, to vacate and close the building, the public officer may cause such building to be repaired, altered or improved, or to be vacated and closed, and the public officer may cause to be posted on the main entrance of any building so closed, a placard with the following words: This building is unfit for human habitation or occupancy or use; the use or occupation of this building is prohibited and unlawful.

4. If the owner fails to comply with an order to remove or demolish the building, the public officer may cause such building to be removed or demolished or may contract for the removal or demolition thereof after advertisement for, and receipt of, bids therefore, if required by law. Any expenses and costs so incurred shall become a municipal lien upon such land and become part of the taxes next to be assessed and levied upon such lands.

5. If an actual and immediate danger to life is posed by the threatened collapse of any fire damaged or other structurally unsafe building, the public officer may, after taking such measures as may be necessary to make such building temporarily safe, seek a judgment and summary proceedings for the demolition thereof.

8.20.090 Additional Powers of Public Officer

The public officer herein designated is authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this chapter including, without limitation, the following:

To investigate the building conditions in the municipality in order to determine which buildings therein are unfit for human habitation or occupancy or use;

To enter upon premises for the purpose of making examinations and inspections necessary to carry out the purposes of this chapter, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession

To administer oaths, affirmations, examine witnesses and receive evidence;

To appoint and fix the duties of such officers, agents and employees as he or she deems necessary to carry out the purposes of the chapter; and

To delegate any of his or her functions and powers under the chapter to such officers and agents as he or she may designate.

Any failure to make the property available for such inspection based upon a reasonable request by the appropriate Township Official will constitute a violation of this Code. Any such violation of this Code shall subject the occupant and/or property owner of such property to a fine of not less than \$250 nor more than \$2,000.

All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.

ORDINANCE 2012-03

**AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER AMENDING
BASS RIVER CODE SECTION 8.20 NUISANCES**

Mayor Cope introduced Ordinance 2012-03 upon first reading by title only. The motion was made by Commissioner Bethea, seconded by Commissioner Smith to introduce Ordinance 2012-03 upon first reading by title with public hearing and possible adoption scheduled for the February regular meeting. Votes. Cope-Yes, Bethea-Yes, Smith-Yes.

ORDINANCE 2012-03

**AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER AMENDING
BASS RIVER CODE SECTION 8.20 NUISANCES**

An ordinance accepting and adopting the “New Jersey State Housing Code (1980 Revision) as a standard governing supplied facilities and other physical things and conditions essential to making dwellings safe, sanitary and fit for human habitation and governing conditions of dwellings, authorizing inspection of dwellings and fixing penalties for violations.

The Board of Commissioners of the Township of Bass River does ordain that:

- 1. The Burlington County Health Department be and is hereby designated as the Enforcement Officer to exercise the powers prescribed by the within ordinance, and they shall serve in such capacity without any additional salary.*
- 2. Pursuant to the provisions of Chapter 21, P.L. 1946 (N.J.S.A. 40:49-5.1 et. Seq.); the “New Jersey State Housing Code (1980 Revision)”, as approved by the Department of Community Affairs and filed in the Secretary of State’s Office, is hereby accepted, adopted and established as a standard to be used as a guide in determining whether dwellings in this municipality are safe, sanitary and fit for human habitation and rental. A copy of the “New Jersey State Housing Code (1980 Revision)” is annexed to this ordinance and three copies of same have been placed on file in the office of the Bass River Township Clerk and are available to all persons desiring to use and examine the same.*
- 3. The Enforcement Officer is hereby authorized and directed to make inspections to determine the condition of dwellings, dwelling units, rooming units, and premises located within the Township of Bass River in order that they may perform their duty of safeguarding the health and safety of the occupants of dwellings and of the general public. For the purpose of making such inspections, the Enforcement Officer is hereby authorized to enter, examine and survey, at all reasonable times, all dwellings, dwelling units and rooming units, and premises. The owner or occupant of every dwelling, dwelling unit, rooming unit, or the person in charge thereof, shall give the Enforcement Officer free access to such dwellings, dwelling unit, or rooming units and its premises at all reasonable times for the purpose of such inspection, examination and survey. Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit, or its premises at all reasonable times, for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this ordinance, or with any lawful rule or regulations adopted, or any lawful order issued pursuant to the provisions of this ordinance.*
- 4. Whenever the Enforcement Officer determines that there are reasonable grounds to believe that there has been a violations of any provision of this ordinance, or any rule or regulations adopted pursuant thereto, they shall give notice of such alleged violations to the person or persons responsible therefore as hereinafter provided. Such notice shall (a) be put in writing; (b) include a statement of reasons why it is being issued; (c) allow a reasonable time for the performance of any act it requires; and (d) be served upon the owner or his agent, to the occupant, as the case may require; provided that such notice shall be deemed to be properly serviced upon such owner*

or agent, or upon such occupant, if a copy thereof is served upon him personally; or if a copy thereof is posted certified mail to his last known address; or if a copy thereof is posted in a conspicuous place in or about the dwelling affected by this notice; or if he is served with such notice by any other method authorized or required under the laws of this State. Such notice may contain an outline of remedial action, which, if taken, will affect compliance with the provisions of this ordinance and with rules and regulations adopted pursuant thereto.

Any person affected by a notice which has been issued in connection with the enforcement of any provision of this ordinance, or of any rule or regulations adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Board of Commissioners provided such person shall file, in the office of the Township Clerk, a written petition requesting such hearing and setting forth a brief statement of the grounds therefore within ten days after the day the notice was served. Upon receipt of such petition, the Township Clerk shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to show why such notice should be modified or withdrawn. The hearing shall commence not later than ten days after the day on which the petition was filed; provided that, upon application of the petitioner, the Township Clerk may postpone the date of the hearing for a reasonable time beyond such ten day period, if in his judgment the petitioner has submitted a good and sufficient reason for such postponement. After such hearing, the Township Board of Commissioners shall sustain, modify, or withdrawn the notice, depending upon their findings as to whether the provisions of this ordinance and of the rules and regulations adopted pursuant thereto have been complied with. If the Township Board of Commissioners sustains or modifies such notice, it shall be deemed to be in order. Any notice served pursuant to this ordinance shall automatically become an order if a written petition for a hearing is not filed in the office of the Township Clerk within ten days after such notice is served. The proceedings of such hearing, including the findings and decision of the Board of Commissioners, shall be summarized, reduced to writing, and entered as a matter of public record in the office of the Township Clerk. Such record shall also include a copy of every notice or order issued in connection with the matter. Any person aggrieved by the decision of the Board of Commissioners may seek relief there from in any court of competition jurisdiction, as provided by the laws of this State. Whenever the Enforcement Officer finds that an emergency exists which requires immediate action to protect the public health, or safety, they may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as they deem necessary to meet the emergency. Notwithstanding the other provisions of this ordinance, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petitions to the Township Board of Commissioners, shall be afforded a hearing as soon as possible. After such hearing, and depending upon their findings as to whether the provisions of this ordinance and of the rules and regulations adopted pursuant thereto have been complied with, the Township Board of Commissioners shall continue such order in effect, or modify it or revoke it.

5. *The Board of Commissioners is hereby authorized and empowered to make and adopt such written rules and regulations as they may deem necessary for the proper enforcement of the provisions of this ordinance, provided, however, that such rules and regulations shall not be in conflict with the provisions of this ordinance, nor in anyway alter, amend, or supersede any of the provisions thereof. The Board of Commissioners shall file a certified copy of all rules and regulations which they may adopt in the office of the Clerk of the Township of Bass River.*
6. *No person shall occupy as owner, occupant, or rent to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not conform to the provisions of the "New Jersey State Housing Code (1980 Revision)", established hereby as the standard to be used in determining wither a dwelling is safe, sanitary and fit for human habitation.*

7. *Any person, firm or corporation who shall violate any of the provisions of this ordinance shall, upon conviction, be punished by a fine not exceed Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for such period of time not to exceed ninety (90) days or by both such fine and imprisonment, and each violations of any of the provisions of this ordinance and each day the same is violated, shall be deemed and taken to be a separate and distinct offense.*
8. *All other ordinances and parts of ordinances in conflict or inconsistent with this ordinance are hereby repealed, but only to the extent that of such conflict or inconsistency and this ordinance shall be in full force and effect immediately up its adoptions and its publications as provide by law.*
9. *Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of the ordinance are hereby declared to be sevarable.*

APPROVAL OF BILLS LIST:

The motion was made by Commissioner Smith to approve payment of the bills in the amount of \$219,037.15. The motion was seconded by Commissioner Bethea to approve bills for payment. Votes: Cope –Yes, Bethea-Yes, Smith-Yes. All present in favor and bills were ordered paid.

JERRY'S DIESEL & TRUCK REPAIR	14438	-1455.16
JERRY'S DIESEL & TRUCK REPAIR	14461	846.39
HOME DEPOT	14462	257.36
BURLCO JIF	14463	30.00
A T & T	14464	27.66
BASS RIVER BD OF ED	14465	101223.33
A T & T	14466	161.74
VERIZON	14467	588.26
LANGUAGE SERVICES ASSOCIATES	14468	35.70
FLEET FUELING	14469	597.50
VERIZON	14470	326.42
A T & T	14471	72.39
DEER PARK - NESTLE WATERS	14472	13.01
MODERN GAS CO	14473	280.08
VERIZON WIRELESS	14474	203.43
MAILFINANCE	14475	585.00
A C MOORE INC	14476	10.70
ACUA	14477	608.00
ADVANTAGE CARD	14478	80.00
ALLUS INC	14479	800.00
AMANDA SOMES	14480	41.35
ATLANTIC CITY ELECTRIC	14481	2302.88
BARN BROTHERS, INC.	14482	350.00
BEACONS	14483	259.20
BURL CO TREAS, LANDFILL	14484	3793.48
BURLINGTON COUNTY ANIMAL SHELTER	14485	60.00
CASA PAYROLL SERVICES	14486	474.20
COMCAST	14487	102.12

DAVE'S SEPTIC	14488	170.00
EMPIRE TAX FUND, LLL	14489	7294.33
GRAMCO BUSINESS COMMUNICATIONS	14490	5100.00
GREATLAND	14491	310.22
IPM INTEGRATED PEST MANAGEMENT	14492	85.00
JERRY'S DIESEL & TRUCK REPAIR	14493	340.48
KLUK CONSULTANTS	14494	16562.83
LAUREN NICOLE LOVINGHAM	14495	440.00
LIFE SAVERS, INC	14496	235.16
MARTIN A. ACKLEY ASSOCIATES, I	14497	700.00
MAZZARA TRUCKING & EXCAVATION	14498	15328.00
NEW JERSEY LAW JOURNAL	14499	157.95
NEW JERSEY PRESS MEDIA SOLUTIO	14500	34.60
PEGGY BECK	14501	28.56
PETER C. LANGE	14502	7317.90
Q C LABS	14503	62.00
RICHARD IRETON	14504	78.00
RUSSELL P. CHERKOS ESQ.	14505	1500.00
THE PRESS OF ATLANTIC CITY	14506	122.90
TRANSFORMATION ENTERPRISES	14507	11160.00
TRISH HOME CENTER	14508	21.87
TROPHIES UNLIMITED	14509	36.00
TUCKERTON LUMBER COMPANY	14510	1953.60
USHER PUBLISHING CO	14511	80.00
W.B. MASON COMPANY	14512	394.09
JERRY'S DIESEL & TRUCK REPAIR	14514	424.99
BASS RIVER PAYROLL ACCOUNT	121511	21082.20
BASS RIVER PAYROLL ACCOUNT	122911	13638.10
BASS RIVER PAYROLL ACCOUNT	1215112	1703.33

OLD BUSINESS:

Cramers Junkyard License Renewal—The motion open the public hearing on the renewal of Cramers Junkyard was made by Commissioner Smith, seconded by Commissioner Bethea. All in favor and meeting was open for public comments on renewal of license to Cramers Junkyard. Hearing no comments, the motion to close the public hearing was made by Commissioner Smith, seconded by Commissioner Bethea. All in favor. The motion to issue 2011 License to Cramer’s Junkyard was made by Commissioner Smith, seconded by Commissioner Bethea. Votes: Cope-Yes, Bethea-Yes, Smith-Yes. All in favor and the 2011 License was hereby issued to Cramer’s Junkyard.

Tax Maps: Mayor Cope noted that corrections to the tax maps are being taken care of and should be completed soon.

NEW BUSINESS:

REPORTS:

The following reports were noted.

Report of Solicitor
Report of Municipal Court
Dog Report
Report of Animal Control
Report of Safety Coordinator
Report of the Governing Body Members

PUBLIC COMMENT:

The meeting was open for public comment at 8:03 p.m. upon a motion by Commissioner Smith, seconded by Commissioner Bethea.

Mr. L. Assur: Requested more information on Ordinance 2012-01 from Solicitor Lange. Noted this ordinance would allow a judge to impose a fine if someone does not submit to a request for an inspection. Solicitor added it would be for a zoning inspection. Mr. Assur would like to receive a copy of the ordinance. Mr. Lange stated that copy would be available after this meeting. Mr. Assur added that during the American revolution the British had a policy of just searching the Colonists and that is one reason why our founding fathers came up with the 4th Amendment—the right to no unreasonable search and seizure. And as Americans we want to make it difficult for our government to impose on our constitutional rights. And the idea of going to superior court and perhaps getting a search warrant should be left if there is a violation there. Mr. Assur also feels that the ordinances in town should be looked at and how they actually show how people live in town. Feels most ordinances are actually formulated by people that are not in touch with what the actual person has to go through to make a living or perhaps people of a different standard of living. Most of the people that are making the ordinances don't have to live by them. Mr. Assur stated that he is going to try to create some interest and try to have more people show up for this town meeting because this needs to be stopped. We have to go to superior court to issue the order and it shouldn't be easier for the Code Enforcer; it should be a process. The British had it easy...the King said so and that's the way it went.

Mr. Assur had a question and concern about the Code Enforcer's training. What kind of training does the code Enforcer have? Deputy Mayor Bethea replied that the Township codes provide the guidance and the language to follow and the Township Attorney can advise him as to the correct approach to enforcement of a particular piece of the code. Mr. Assur feels that perhaps there are more qualified people with, perhaps, a degree in criminal justice and would know what our constitutional rights are and how far an official can go in exercising their duties. Feels Mr. Hample is acting more like a police officer in some cases and not sure if has that training to respect our civil rights. He had a complaint filed against him and some of the things in the complaint were not in the ordinance and feels Fred should have known that. We are going to allow this person that has no training to go ahead and possibly violate our civil rights. Feels that the town will have a lot of people filing civil complaints against the town. Not that we have anything to hide, but we as Americans have property rights and you have to follow the process and if the

process is to go to superior court than so-be-it and spend the thousands of dollars; but that is what the town should be doing. Mr. Assur provided some personal examples.

Mr. L. Bourguignon: Concerned on construction on the roadways and feels that it needs to be addressed. Mayor Cope has been in contact with Mr. Ernie Dobbs of the GSP Project. Mayor Cope is attempting to obtain a report on how many accidents have occurred on the Parkway recently and to see how long the construction will take. The stop sign on the ramp is of big concern since there was a recent accident there.

Perhaps while the construction is taking place on West Greenbush road that perhaps the contractors can widen the roadway under the overpass while they are there. Commissioner Smith said the only catch would be if the contractor has to restore the site to previous condition.

Asked if any taxpayers money where utilized in the ongoing lawsuit with squad 85? Mayor was not aware of any such use of taxpayer money. Mr. Bourguignon asked who pays for the legal expenses. Deputy Mayor Bethea responded the money comes from the squad. The township only sends a donation to the squad out of our budget. This information should be available through the squad. Mr. Bourguignon would like to obtain a copy to see what the money goes for.

Mrs. R. Bourguignon: Commented on a tractor-trailer on South Maple Avenue parked in the roadway in the dark after 8 p.m. with no lights on it.

Commented that 2 yellow dogs have shown up on her property. This is the 5th time they have been on her property. One of the dogs growled at her and she would like to know if there is any way of finding out who owns the dogs. The dogs are well fed and appear to be someone's dogs. She would like to notify the owner.

Being no further comments the motion to close the public portion was made by Commissioner Smith, seconded by Commissioner Bethea. All in favor and public comment was closed at 8:16 p.m.

Being no further business to come before the Board the motion to adjourn was made by Commissioner Smith, seconded by Commissioner Bethea. All in favor and meeting was adjourned at 8:16 p.m.

Respectfully Submitted
Amanda S. Somes, RMC
Township Clerk

Deborah Buzby-Cope, Mayor