

**MINUTES BASS RIVER TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING OF MONDAY, MARCH 4, 2013**

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

FLAG SALUTE

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

APPROVAL OF MINUTES:

Minutes of the Regular Meeting of February 4, 2013 were presented to the Board for Approval. The motion to approve the minutes was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor and minutes were hereby approved as submitted.

Minutes of the Executive Session of February 4, 2013 were presented to the Board for Approval. The motion to approve the minutes was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor and minutes were hereby approved as submitted.

PAYMENT OF BILLS:

The motion was made by Mayor Cope to approve payment of the bills in the amount of \$185,565.66. The motion was seconded by Commissioner Bourguignon to approve bills for payment. Votes: Cope –Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and bills were ordered paid.

ACADEMY SECURITY	ALARM MONITORING	\$	60.00
AIR & GAS TECH.	MAINT. CONTRACT COMPRESSOR	\$	1,091.00
ARTCRAFT SIGN STUDIO	OAK AVE. PARK SIGNS	\$	975.00
ATLANTIC CITY ELECTRIC	ELECTRICITY FEB. 2013	\$	2,847.37
AT&T	COURT & MUNICIPAL ALL IN ONE	\$	266.65
AT&T	FEB. 2013 ISDN LINE	\$	103.37
BASS RIVER BD. OF ED.	FEB. 2013 TAXES	\$	103,247.83
BEACONS	ORDINANCES	\$	115.56
BURL CO ESTC-BCIT	TRAINING	\$	110.00
BURL CO MUN CLERKS ASSN	BCMCA 2013 DUES	\$	25.00
BURL CO MUN CT ADM ASSN	4 BCMCAA 2013 MEMBERSHIPS	\$	200.00
BURL CO TREAS, LANDFILL	TIPPING FEES FEB. 2013	\$	3,455.01
CASA PAYROLL SERVICES	PAYROLL 2/4/13 & 2/15/13	\$	211.40

CHARLES J. CRAMER	PART FOR SEWER	\$	10.46
CHRISTOPHER NORMAN	PLANNING BD. MTG. 2/27/13	\$	300.00
COMCAST	SERVICE 2/19/13 - 3/18/13	\$	102.00
CONWAY AUTOMOTIVE	SUPPLIES	\$	20.08
DAVE'S SEPTIC	PORT A POTS JAN. & FEB. 2013	\$	340.00
DEER PARK DIRECT	SERVICE 1/15/13 - 2/14/13	\$	19.00
DELTRONICS CORPORATION	SEWER PLANT REPAIRS	\$	2,718.58
EAGLEWOOD TOWNSHIP	SHARED CFO FEB. 2013	\$	1,000.00
EAST RIVER ENERGY	HEATING OIL PW YARD	\$	1,704.45
GARDEN STATE INVESTMENTS	TT LIEN REDEMPTION	\$	20,371.25
GRAMCO BUSINESS COMM.	BLANK DISCS	\$	123.40
JEREMY S. PRICE	PUBLIC DEFENDER 2/25/13	\$	500.00
JERRY'S DIESEL & TRUCK REPAIR	FUEL TANK - DUMP TRUCK	\$	1,482.98
KLUK CONSULTANTS	ENG. SERVICES JAN. 2013	\$	950.89
LANGUAGE SERVICE ASSOC.	TELEPHONIC CHARGES JAN. 2013	\$	23.10
MAILFINANCE	LEASE 12/12/12-3/11/13	\$	570.00
MGS PROPANE	PROPANE DEL. 2/12/13, 2/26/13	\$	362.85
NJ CONF. OF MAYORS	NJCM CONF. 4/24-26/13	\$	270.00
NJEPA	NJEP CONFERENCE - COPE	\$	75.00
OFFICE BASICS	OFFICE SUPPLIES	\$	98.78
PEGGY BECK	BANK TRIPS, DOOR BELL	\$	51.35
RUSSELL P. CHERKOS, ESQ.	PROSECUTION SERVICES	\$	1,500.00
STAPLES INC.	FAX MACHINE	\$	189.99
THE PRESS OF ATLANTIC CITY	NOTICES	\$	93.48
TRANSFORMATION ENTER.	ROLL-OFF SERVICE JAN. 2013	\$	5,189.00
TRISH HOME CENTER	SUPPLIES	\$	5.88
TROPHIES UNLIMITED	NAME PLATES	\$	37.00
VERIZON	FEB. 2013 COURT & MUNICIPAL PHONES	\$	918.77
VERIZON WIRELESS	WIRELESS PHONES: OEM & PW	\$	140.98
WEX BANK	FUEL CHARGES JAN. 2013	\$	979.59
WIRELESS ELECTRONICS	BATTERY PACKS	\$	745.00
HASLER, INC.	POSTAGE JUNE 2012-DEC. 2012	\$	3,320.88
HASLER, INC.	POSTAGE JAN. 2013	\$	444.32
HASLER, INC.	POSTAGE FEB. 2012	\$	454.74
BASS RIVER PAYROLL	PAYROLL 2/7/13	\$	14,022.42
BASS RIVER PAYROLL	PAYROLL 2/21/13	\$	13,720.89

ORDINANCES & RESOLUTIONS:

ORDINANCE 2013-02

**AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER AMENDING
CHAPTER 8.04 OF THE REVISED ORDINANCES OF BASS RIVER
TOWNSHIP**

Mayor Cope read Ordinance 2013-02 by title. Upon the motion by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione Ordinance 2013-02 was approved and meeting was open for public hearing. Votes: Cope-Yes, Capriglione-Yes, Bourguignon-Yes. Comments: None. Being no public comment, the motion to close the public portion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor and meeting was closed for public comment. The motion to adopt Ordinance 2013-02 was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. Votes: Cope-Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Ordinance 2013-02 was hereby adopted.

TOWNSHIP OF BASS RIVER
Ordinance 2013-02

AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER AMENDING
CHAPTER 8.04 OF THE REVISED ORDINANCES OF BASS RIVER TOWNSHIP

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 8.04 of the revised Township Ordinances which are applicable to Campgrounds; and

WHEREAS, the Bass River Township Board of Commissioners finds that the annual campground licensing application deadline of January 1st requires campground owners and operators to submit the necessary annual operating fee during months that the campsites are not in operation and not generating income for the campground owners; and

WHEREAS, the Board of Commissioners finds and determines that this amendment will lessen the financial burden on the campground owners during the months when they are not in operation; and

WHEREAS, the Board of Commissioners further finds and determines that the current Bass River Township Campground Code as it currently exists is not in accordance with the New Jersey State Sanitary Code Chapter IX governing Campgrounds and amends same as follows.

***NOW, THEREFORE, BE IT ORDAINED** by the Bass River Township Board of Commissioners that Bass River Township Code Section 8.04.040 "Campground Code" be and is hereby amended as follows:*

8.04.040 Campground code.

A. No person shall occupy as owner, or occupant, or shall rent or make available to another for occupancy, any camp unit, or supporting facilities, for the purpose of living thereon, which does not conform to the provisions of this Campground Code.

B. Registration Of campers. The owner or designated manager of every campground shall maintain a log of every camper who uses campground facilities. The log shall contain:

- a. the camper's name and place of residence.*
- b. the number of people in the camper's party.*
- c. the license number and type of camping vehicle or unit and the make, model, year of manufacture and license number of any motor vehicle.*
- d. time and date of arrival and departure.*

C. No campsite shall be less than one hundred feet (100') from a public highway right-of-way. No campsite shall be less than one hundred feet (100') from a property line.

D. *Fireplaces. Camping and/or cooking fires shall be confined entirely to fireplaces which shall be located in a safe, convenient location, meeting the approval of the State Fire Warden having jurisdiction over the area involved. Said fireplaces shall be located where they will not constitute a fire hazard to vegetation, undergrowth, trees or camping units.*

E. *Individual point or driven wells, dry wells, springs, and other sources of supply may be used only for wilderness camps where all campsites are separated by more than one hundred fifty (150) feet and only if approved by the State Department of Health or the local Board of Health. Such sources of supply shall be properly located, constructed and maintained to avoid contamination of the water therefrom.*

F. *Privies, and pit toilets shall be permitted only in wilderness camps where all campsites are separated by more than one hundred fifty (150) feet; shall be constructed of material permitting satisfactory cleaning; and shall be provided with adequate natural lighting and ventilation.*

G. *Where sewage is to be effected by subsurface means, no more than twenty (20) campsites shall be connected to one disposal unit and the facilities shall be designated and constructed in accordance with the requirements of Standards for the Construction of Individual Subsurface Sewage Disposal Systems (N.J.A.C. 7:9-2) and the New Jersey Water Pollution Control Act Regulations (N.J.A.C. 7:14) promulgated by the Department of Environmental Protection and shall be approved by the local health authority and the Department of Environmental Protection.*

H. *(1) Every application for a permit to construct or expand a campground shall be accompanied by payment to the Building inspector of an application fee of \$720.00 to cover the cost of professional review of site plans in accordance with these and other Township standards and regulations, site inspections and other expenses. In the event the professional and other services required exceed the amount of the fee, the applicant will be billed for such excess costs prior to final approval. In the event said professional and other services cost less than the amount of the required application fee, any portion of the fee remaining upon final approval or disapproval shall be returned to the applicant. The fee requirements of this paragraph shall not apply to any proposed modification or alteration to an existing building which is situated in an existing approved camp-ground which modification or alteration:*

- (a) will not change the use of the building;*
- (b) will not add a new story to the building;*
- (c) will not exceed one thousand (1,000) square feet which includes but is not necessarily limited to porches and other such uncovered appurtenances;*
- (d) will not substantially alter or affect the existing environment.*

(2) Upon certification to the Township Board of Commissioners by the Building Inspector that the construction or expansion of a campground has been completed in accordance with all applicable requirements, and upon a payment to the Township Clerk of the annual operating permit fee hereinafter provided, the Township Board of Commissioners shall issue a license permitting the operation of said new or expanded campgrounds.

(3) It shall be unlawful for any person or corporation to maintain or operate a campground within the limits of Bass River Township without first obtaining a campground operating permit from the Board of Commissioners of Bass River Township.

(4) Each campground operating permit shall expire on June 30th. A new operating permit shall and may be obtained from the Township Clerk, upon approval of the Board of Commissioners for each new operating season in which operation of the then existing campground is sought to be continued provided, however, that no such permit shall be issued if there is outstanding and unresolved any notice of an alleged violation issued pursuant to this or other applicable Township ordinances. Any person, or entity who shall own, operate or maintain any campground within the Township of Bass River shall apply for a license from the governing body of the Township on or before July 1st of each year, commencing with July 1, 2013.

(5) The annual operating permit fee for every campground in Bass River Township is hereby fixed at \$200.00 for campgrounds including up to fifty (50) campsites plus \$4.00 for each campsite in excess of fifty (50).

(6) *In addition to the fees listed in subsection (5) above, a fee of six dollars (\$6.00) per stored camping unit shall be due and payable as of July 1st of each year.*

I. *Any mobile home, as defined in the Zoning Ordinance of the Township of Bass River and amendments and supplements thereto, which has heretofore been located in a licensed trailer park pursuant to the terms of an ordinance entitled "An Ordinance for the Regulation and Licensing of Trailers and Trailer Camps within the Township of Bass River, County of Burlington and State of New Jersey" and amendments and supplements thereto and any mobile home park as defined in the Zoning Ordinance of the Township of Bass River and amendments and supplements thereto which may previously have been licensed under either or both of the above-mentioned ordinances, be and are hereby declared to be nonconforming uses by virtue of the Zoning Ordinance of the Township of Bass River and amendments and supplements thereto. Any such nonconforming mobile home park which may exist in the Township of Bass River is expressly subject to the provisions of this ordinance where applicable including the fee requirements in Section XI hereinabove set forth. Only one annual operating permit fee per year shall be required under the terms of this ordinance for any one campground or nonconforming mobile home park if one may exist or any combination thereof. However, in the event that a nonconforming mobile home occupies a site in any campground, nonconforming mobile home park, or combination thereof, all of which are regulated by the terms of the within ordinance, the operator of such campground, nonconforming mobile home park, or combination thereof shall pay to the Township a monthly fee in the amount of \$18.00 for each such nonconforming mobile home occupying a site in such campground, nonconforming mobile home Park, or combination thereof for each month or part thereof as said space is occupied. In addition, the operator shall file a statement under oath of the first of each month with the Township Clerk stating the number of sites occupied during the previous month.*

J. *Any person, firm or corporation who shall violate the provisions of this ordinance shall, upon conviction, be punished by a fine not exceeding \$500.00 or be imprisoned in the Burlington County jail for a period not to exceed ninety (90) days or shall suffer both such fine and such imprisonment, and each illegally occupied campsite shall be deemed to constitute a separate and distinct offense for each day during any part of which such violation is permitted to exist.*

K. *In any case where there are conflicts between the standards contained in this ordinance or the campground code adopted hereby, and any other Bass River Township ordinance or regulation, as they may apply to new or expanded campground applications, the more stringent standard or requirement shall be deemed to apply.*

L. *The storage of mobile homes is prohibited in all campgrounds.*

8.04.050 Amended. *Is deleted in its entirety.*

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

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

BE IT FURTHER ORDAINED *that this ordinance shall take effect upon proper passage and in accordance with the law.*

RESOLUTION 2013-32

TAX OFFICE RESOLUTION

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2013-32. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolutions 2013-32 was hereby approved.

RESOLUTION 2013-32

WHEREAS, the amount of \$20,371.25 has been received by the Tax Collector for redemption of Tax Sale Certificate #09-00009 on Block 56 Lot 7 assessed to Estate of Martha Sinnig and;

WHEREAS, the amount of \$20,371.25 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 \$20,371.25 to Garden State Investment, 6601 Ventnor Ave, Suite 103, Ventnor, NJ 08224.

RESOLUTION 2013-33

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

The motion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to approve Resolution 2013-33. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2013-33 was hereby approved.

RESOLUTION 2013-33

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Township of Bass River is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Board of Commissioners of the Township of Bass River are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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:

1. *The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Township Clerk of Bass River Township.*
2. *The sale will be conducted online and the address of the auction site is govdeals.com*
3. *The sale is being conducted pursuant to Local Finance Notice 2008-9*
4. *A list of the surplus property to be sold is as follows:*
 - a. *1-1997 Ford F-250 Pick Up Truck—Green
Vin#: 1FTHF26H4VEB19903
Mileage: 140,000*

5. *The surplus property as identified shall be sold in an "as-is" and "where-is" condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.*
6. *The Township of Bass River reserves the right to accept or reject any bid submitted.*

OLD BUSINESS:

NEW BUSINESS:

REPORTS:

The following reports were noted.

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

PUBLIC COMMENT:

The meeting was open for public comment at 7:18 p.m. upon a motion by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor.

Mr. L. Assur asked for more information on the abandoned B & B Hawthorne Service Station site on Route 9. Mayor told Mr. Assur there were 2 parcels that are both brown sites and both are in arrears in taxes and have multiple liens on them. Sears Property is an EPA Superfund site and is being mitigated by the government. The solicitor is trying to determine where this matter lies at this time.

Mrs. McCarten said she took advantage of the library in Little Egg Harbor to look into the FEMA situation. She talked to tax experts that do taxes at St. Theresa's church. These individuals are up to date on the matter and available to help. Mrs. McCarten asked if there were any changes to the FEMA flood maps. Mayor told here no, not at this date.

Mr. Garrison asked about height restrictions on North Maple Avenue. Mayor stated that current height restrictions may have to be increased in the local code.

Being no further comments the motion to close the public portion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor and public portion was closed at 7:47 p.m.

Being no further business to come before the Board the motion to adjourn was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor and meeting was adjourned at 7:48 p.m.

Respectfully Submitted
Amanda S. Somes, RMC
Township Clerk

Deborah Buzby-Cope, Mayor