

**MINUTES BASS RIVER TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING OF MONDAY, APRIL 1, 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 March 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 \$480,687.08. 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.

1	ACUA	WATER TESTING	\$	519.00
2	ANIMAL CAPTURE & CONTROL	ANIMAL CONTROL/1ST QTR 2013	\$	930.00
3	ATLANTIC CITY ELECTRIC	ELECTRICITY MAR. 2013	\$	2,616.36
4	AT&T	ALL IN ONE PLANS	\$	314.01
5	AT&T	FEB. 2013 ISDN LINE	\$	57.31
6	BASS RIVER BD. OF ED.	LOCAL SCHOOL TAX	\$	103,247.83
8	BASS RIVER ELEMENTARY SCHOOL	BRES YEARBOOK AD	\$	90.00
9	BEACONS	ORDINANCE ADOPTION	\$	35.40
10	BURL CO MUN CT ADM ASSN	BCMCAA CONF. REGISTRATION	\$	225.00
11	BURLINGTON CO. TREASURER	SALT USSAGE JAN./FEB. 2013	\$	3,525.90
12	CASA PAYROLL SERVICES	PAYROLL 3/4,18/13	\$	230.80
13	COMCAST	SERVICE 3/19/13-4/18/13	\$	102.00
14	DAVE'S SEPTIC	PORT A POT & PUMP OUT	\$	395.00
15	GEORGE EMMER	CONFLICT PD 3/25/13	\$	500.00
16	GRAND HOTEL	BCMCAA SPRING CONF. 2013	\$	274.00
17	JEREMY S. PRICE	PUBLIC DEFENDER 3/25/13	\$	500.00
18	JERRY'S DIESEL & TRUCK REPAIR	TRUCK REPAIR	\$	429.90
19	LESLIE LUSTBADER	2013 LEASE PAYMENT & TAXES	\$	1,372.74

20	MGS PROPANE	PROPANE DELIVERY 3/26/13	\$	320.01
21	MUNIDEX INC	ASSMT. NOTICES & YR END TAX REPORTS	\$	1,043.66
22	NJ LEAGUE OF MUNICIPALITIES	AD CFO	\$	110.00
23	OFFICE BASICS PEGGY	OFFICE SUPPLIES	\$	140.91
24	BECK	MILEAGE BANK TRIPS	\$	40.80
25	PINELANDS REG. SCHOOL DIST.	REGIONAL SCHOOL TAXES	\$	151,971.42
26	POMONA OIL CO.	FIRE CO. HEATING OIL	\$	2,659.00
27	QC LABS	WATER TESTING	\$	96.00
28	RACHEL L. SOMERSHOE, VDM	RABIES CLINIC 3/23/13	\$	225.00
29	SAFEGUARD BUSINESS SYSTEMS	CHECK REORDER	\$	58.56
30	THE STAR LEDGER	RE: SOLID WASTE COLLECTION	\$	128.76
31	TRANSFORMATION ENTERPRISES	FEB. 2013 ROLL-OFF SERVICE	\$	3,452.00
32	UNIVERSAL COMPUTING SERVICES	PRINTER RIBBONS	\$	49.75
33	USA BLUEBOOK	TRAFFIC VESTS	\$	283.12
34	VERIZON	PHONES FEB./MARCH 2012	\$	917.02
35	VERIZON WIRELESS	WIRELESS PHONES	\$	157.62
36	WEX BANK	FUEL CHARGES FEB. 2013	\$	547.07
37	AMANDA SOMES	MILEAGE ALLIANCE TRAINING	\$	43.20
38	DAVE'S SEPTIC	PORT A POTS OAK LANE	\$	170.00
39	GWP ENTERRPRISES	PAVING N. MAPLE PARK	\$	9,400.32
40	LIBERTY PARKS & PLAYGROUNDS	PLAY GROUND N. MAPLE	\$	122,587.31
41	BASS RIVER PAYROLL ACCOUNT	PAYROLL 3/7/13	\$	13,748.06
42	BASS RIVER PAYROLL ACCOUNT	PAYROLL 3/21/13	\$	17,240.24
43	STATE OF NJ DIV. OF PENSIONS	ANNUAL CONTRIBUTION	\$	34,212.00
44	ALENCO FENCE	FENCING FOR N. MAPLE PARK	\$	5,720.00

ORDINANCES & RESOLUTIONS:

RESOLUTION 2013-34

RECYCLING TAX RESOLUTION

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2013-34. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolutions 2013-34 was hereby approved.

RESOLUTION 2013-34

TAX IDENTIFICATION STATEMENT

WHEREAS, *The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and*

WHEREAS, *There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.*

WHEREAS, *Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.*

NOW THEREFORE BE IT RESOLVED *by the Township of Bass River that Bass River Township hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2012 in the amount of \$2,506.35. Documentation supporting this submission is available at 3 North Maple Avenue and shall be maintained for no less than five years from this date.*

RESOLUTION 2013-35

RECYCLING TONNAGE GRANT RESOLUTION

The motion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to approve Resolution 2013-35. Votes: Cope-Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2013-35 was hereby approved.

TONNAGE GRANT APPLICATION RESOLUTION 2013-35

WHEREAS, *The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and*

WHEREAS, *It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and*

WHEREAS, *The New Jersey Department of Environmental Protection has promulgated recycling regulations to*
Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, *The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and*

WHEREAS, *A resolution authorizing this municipality to apply for the **2013 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Board of Commissioners to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and*

WHEREAS, *Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.*

NOW THEREFORE BE IT RESOLVED *by the Board of Commissioners of Bass River Township that Bass River Township hereby endorses the submission of the recycling tonnage grant application to the New*

Jersey Department of Environmental Protection and designates Township Clerk to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

RESOLUTION 2013-36

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING BRIAN RUMPF, ESQ. AS PRINCIPAL PROSECUTOR FOR THE TOWNSHIP OF BASS RIVER

RESOLUTION 2013-37

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

RESOLUTION 2013-38

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING CHRISTOPHER KOUTSOURIS, ESQ. AS ALTERNATE PROSECUTOR FOR THE TOWNSHIP OF BASS RIVER

The motion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to approve Resolutions 2013-36, 2013-37 and 2013-38. Votes: Cope-Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolutions 2013-36, 2013-37 and 2013-38 were hereby approved.

RESOLUTION 2013-36

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPOINTING BRIAN RUMPF, ESQ. AS PRINCIPAL 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, Brian Rumpf, Esq. is duly qualified to serve as the principal municipal prosecutor for the Township of Bass river; and

WHEREAS, it is the desire of the governing body to appoint Brian Rumpf of the firm of Rumpf, Rumpf and Kitrick as the principal 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 2013 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 2013 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 Rumpf, Rumpf and Kitrick has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Rumpf, Rumpf and Kitrick 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 Rumpf, Rumpf and Kitrick 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 Brian Rumpf, Esq. of the firm of Rumpf, Rumpf and Kitrick is hereby appointed as principal municipal prosecutor for the Township of Bass River for a term of one year, commencing April 1, 2013 and ending December 31, 2013.*
- B. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the agreement with Brian Rumpf of the firm of Rumpf, Rumpf and Kitrick.*
- 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 April 1, 2013.*
- F. A certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and to Brian Rumpf of the firm Rumpf, Rumpf and Kitrick.*
- 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 2013-37

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

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

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

WHEREAS, it is the desire of the governing body to appoint Kevin Quinlan, Esq. as the alternate 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 2013 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 2013 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, Kevin Quinlan, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Kevin Quinlan, 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 Kevin Quinlan, 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 Kevin Quinlan, Esq. is hereby appointed as alternate municipal prosecutor for the Township of Bass River for a term of one year, commencing April 1, 2013 and ending December 31, 2013.*
- B. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the agreement with Kevin Quinlan, 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 April 1, 2013.*
- F. A certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and to Kevin Quinlan, 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: 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 2013-38

**RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF
NEW JERSEY APPOINTING CHRISTOPHER KOUTSOURIS, ESQ. AS ALTERNATE
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, Christopher Koutsouris, Esq. is duly qualified to serve as the alternate municipal prosecutor for the Township of Bass River; and

WHEREAS, it is the desire of the governing body to appoint Christopher Koutsouris, Esq. as the alternate 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 2013 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 2013 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 Koutsouris, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Christopher Koutsouris, 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 Koutsouris, 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 Koutsouris, Esq. is hereby appointed as alternate municipal prosecutor for the Township of Bass River for a term of one year, commencing April 1, 2013 and ending December 31, 2013.*
- B. *That the Mayor is hereby authorized to execute and the Township Clerk to attest to the agreement with Christopher Koutsouris, 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 April 1, 2013.*
- F. *A certified copy of this resolution shall be provided by the Township Clerk to the Chief Financial Officer and to Christopher Koutsouris, 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: 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 2013-39

**RESOLUTION AUTHORIZING EMERGENCY TEMPORARY
APPROPRIATIONS FOR CY 2013 BUDGET**

The motion was made by Mayor Cope, seconded by Deputy Mayor Capriglione to approve Resolution 2013-39. Votes: Cope-Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2013-39 was hereby approved.

RESOLUTION 2013-39

**RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS FOR CY 2013
BUDGET**

WHEREAS, *an emergent condition has arisen in that the Township is expected to enter contracts, commitments or payments prior to the 2013 CY budget and no adequate provision has been made in the 2013 CY temporary budget for the aforesaid purposes, and*

WHEREAS, *N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose, and*

WHEREAS, *the total emergency temporary appropriation resolutions adopted in the year 2013 CY pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$27,400*

NOW THEREFORE BE IT RESOLVED *by the Board of Commissioners of the Township of Bass River, in the County of Burlington, State of New Jersey, (not less than two thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:*

1. *Emergency temporary appropriations be and the same are hereby made in the amount of \$27,400 as follows:*

<i>Planning Board O/E</i>	<i>\$1,500</i>
<i>Convenience Center O/E</i>	<i>\$10,000</i>
<i>Recycling Tax</i>	<i>\$400</i>
<i>Municipal Court S/W</i>	<i>\$10,000</i>
<i>Public Defender O/E</i>	<i>\$3,000</i>
<i>Social Security</i>	<i>\$2,500</i>
<i>Total</i>	<i>\$27,400</i>

2. *Said emergency temporary appropriations will be provided for in the 2013 CY budget.*
3. *That one certified copy of this resolution be filed with the Director, Division of Local Government Services.*
- 4.

RESOLUTION 2013-40

**A RESOLUTION OF THE TOWNSHIP OF BASS RIVER AUTHORIZING
THE CREATION OF THE PARK AND RECREATION COMMITTEE**

RESOLUTION 2013-41

**A RESOLUTION OF THE TOWNSHIP OF BASS RIVER AUTHORIZING
THE CREATION OF THE BEAUTIFICAITON COMMITTEE**

The motion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to table Resolutions 2013-40 and 2013-41. Votes: Cope–Yes, Capriglione–Yes, Bourguignon–Yes. All in favor and Resolutions 2013-40 and 2013-41 were hereby tabled.

OLD BUSINESS:

The Burlington County Wastewater Service Area Map was discussed. Solicitor was instructed to communicate with Burlington County on the matter.

NEW BUSINESS:

The 2013 Municipal Budget will be discussed at a special meeting scheduled for April 15th at 7 p.m.

REPORTS:

The following reports were noted.

Report of Solicitor
Report of Municipal Court

Dog Report

Report of Safety Coordinator

Other Reports: The rebuilding of the generator at the school was discussed. Commissioner Bourguignon made a motion to authorize funding to participate in rebuilding of a generator at the school. The motion was scheduled by Deputy Mayor Capriglione. Votes: Cope-Yes, Bourguignon-Yes, Capriglione-Yes. All in favor and motion carried.

Deputy Mayor Capriglione reported that he made a formal request to the fire company to give a monthly report to the Board of Commissioners.

Commissioner Bourguignon reported on recent ambulance calls within the Township. Commissioner to reach out to some EMS organization to provide some additional coverage due to members from squad 85 having sustained damages from Super Storm Sandy and may be out of their homes. Response time to calls is of concern.

PUBLIC COMMENT:

The meeting was open for public comment at 8:08 p.m. upon a motion by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor.

Mr. Assur asked if there were any ideas for naming of the new playground/park. Commissioner Bourguignon told him not yet but there are some ideas and perhaps put it on the website asking for suggestions. Mr. Assur asked about a future reassessment and if that was for tax purposes. Yes, for tax purposes.

Mr. Rothchild noted for information purposes that personal belongs and outside materials from Sandy can be claimed on your income tax.

Mr. Aaronson asked if modification of the current code with regard to the Environmental Commission was still moving forward. The disconnect between state statute and local ordinance being a concern. Mayor said that yes, this is being looked into. Mr. Aaronson asked if Mayor could confirm who was appointed to Planning Board from the Environmental Commission. Mayor provided clarification on Mr. Henry Gomez appointed to the Environmental Commission due to the fact that he was on the Planning Board longer than the other volunteer members. She noted that Ms. Bitzberger is looking through the book to help in efforts. Mr. Aaronson asked when the employees of Bass River last received an increase. Mayor stated that last year employees received 2% and two years prior no increases were given. Solicitor to look into health care coverage responsibility by the Township to the employees.

Mr. Curtin reported a pot hole on Birch Road.

Ms. Carol Bitzberger asked about the two properties on Route 9—B & B Hawthorne (the old gas station) and the Sears property that are contaminated. Township was looking into

foreclosure of these properties and options are being considered. Township Clerk will attempt to obtain a more recent report from the EPA.

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 8:26 p.m.

EXECUTIVE SESSION:

The motion to enter into executive session was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor and Board of Commissioner entered into executive session at 8:26 p.m.

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

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

1. *Matters Relating to Litigation, Negotiation, and the Attorney-Client Privilege*
 - a. *Stomper Enterprises*

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

ACTION TAKEN UPON ENTERING BACK INTO REGULAR SESSION:

The Board of Commissioners entered back into regular session at 8:34 p.m.

The previous township offer to Stomper Enterprises was made at \$3,115.00. Stomper made counter offer of \$3700.00. The motion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to make restitution to Stomper Enterprises in the amount of \$3700.00 with a signed release included. Votes: Cope-Yes, Bourguignon-Yes, Capriglione-Yes. All in favor...motion carried.

Being no further business to come before the Board the motion to adjourn was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor and meeting was adjourned at 8:35 p.m.

Respectfully Submitted
Amanda S. Somes, RMC
Township Clerk

Deborah Buzby-Cope, Mayor