

**MINUTES BASS RIVER TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING OF MONDAY, SEPTEMBER 9, 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 August 5, 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 Special Meeting of August 19, 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 \$364,032.06. 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.

NEW GREYNA POSTMASTER	PO BOX 307 RENTAL 12 MOS.	\$	106.00
STATE OF NJ DIV EMPLOYER ACCTS	ANNUAL ASSESSMENT	\$	143.25
ACADEMY SECURITY	ALARM MONITORING	\$	87.00
A C MOORE INC	SUPPLIES SUMMER PROGRAM	\$	134.54
ADVANTAGE CARD	SUPPLIES SUMMER PROGRAM	\$	310.95
AMANDA SOMES	MILEAGE EMERG. MGMT. MEETING	\$	34.40
ATLANTIC FIRE ACADEMY	SPRING 2013 TUITION	\$	125.00
ATLANTIC CITY ELECTRIC	ELECTRICITY AUG. 2013	\$	2,185.24
A T & T	MUNICIPAL & COURT ALL IN ONE	\$	281.08
A T & T	AUG. 2013 ISDN LINE	\$	45.76
BASS RIVER BD. OF ED.	LOCAL SCHOOL TAX LEVY 8/6/13	\$	105,312.75
BEACONS	ASSESSMENT, ORDINANCES & MTGS	\$	198.84
BURL CO MUN CLERKS ASSN	FALL CONFERENCE	\$	40.00

BURL CO TREAS, LANDFILL	AUGUST 2013 TIPPING FEES	\$	4,243.88
BURL CO TREASURER	2013 PRIMARY COSTS BACK HOE REPAIR	\$	582.22
CAM.CO	SUPPLIES	\$	86.70
CASA PAYROLL SERVICES	AUGUST 2013 PAYROLL	\$	340.80
CHRISTOPHER NORMAN, ESQ.	REVIEW VIKING PLAN & MTG ATTENDENCE	\$	938.00
COMCAST	SERVICE 8/9/13 - 9/18/13	\$	104.95
CONWAY AUTOMOTIVE	MOTOR OIL & PARTS	\$	184.04
DAVE'S SEPTIC	DRAIN FIELD, PORT A POTS & PUMP OUTS	\$	2,161.50
DEER PARK DIRECT	SERVICE 7/15/13 - 8/14/13	\$	38.26
ECONO SIGNS	STREET SIGNS	\$	459.47
EDMUNDS & ASSOCIATES, INC	2013 JULY TAX BILLING	\$	501.02
GRETNA GREEN LANDSCAPING	BRUSH HOG 32 N. MAPLE AVE.	\$	350.00
HOME DEPOT	GAS BLOWER INK CART. POSTAGE	\$	449.10
ITS NEOPOST, INC	METER	\$	277.95
JEREMY S. PRICE	PUBLIC DEFENDER 8/26/13	\$	500.00
JOHN STEELE	SUMMER PROGRAM REIMBURSEMENT	\$	3.34
KLUK CONSULTANTS	ENGINEERING AUG. 2013	\$	1,576.37
LANGUAGE SERVICES ASSOCIATES	TELEPHONIC CHARGES 7/2013	\$	10.50
MAILFINANCE	LEASE 6/12/13 - 9/11/13	\$	570.00
MUNICIPAL CODE CORPORATION	ANNUAL CODE FEE	\$	200.00
NEW JERSEY E-ZPASS	E-ZPASS PAYMENT	\$	26.56
NJ LEAGUE OF MUNICIPALITIES	NJLM REGISTRATIONS	\$	95.00
OFFICE BASICS, INC	SUPPLIES	\$	497.81
P.A.T.'S, INC.	REPAIR CHIEF'S VEHICLE	\$	863.00
PEGGY BECK	BANK MILEAGE AUG. 2013	\$	61.20
PETER C. LANGE	LEGAL SERVICES JULY 2013	\$	6,345.50
PINELAND REGIONAL SCHOOL DIST.	REGIONAL SCHOOL TAX	\$	158,662.76
BRIAN E. RUMPF, P.C.	PROSECUTION AUG. 2013	\$	1,400.00
STATE OF NJ DIV EMPLOYER ACCTS	ASSESSMENTS 4TH QTR 2012	\$	126.38
THE PRESS OF ATLANTIC CITY	PUBLIC NOTICES	\$	97.39
TRANSFORMATION ENTERPRISES	JULY 2013 ROLL-OFF SERVICE	\$	5,930.00
UNIVERSAL COMPUTING SERVICES	MESSAGE MAILERS	\$	257.20
VERIZON	COURT & MUNICIPAL PHONES	\$	982.86
VERIZON WIRELESS	WIRELESS PHONES	\$	134.37
VITAL COMMUNICATIONS, INC.	2014 TAX BINDERS	\$	103.00
WEX BANK	FUEL CHARGES 7/2013	\$	942.60
WIRELESS ELECTRONICS INC.	MINITOR REPAIR	\$	99.00
SANDRA VAN ORDEN	DUMP TRUCK REPAIR	\$	600.00
ARTCRAFT SIGN STUDIO	ADDITIONAL STATION PANELS	\$	15,147.00
BASS RIVER PAYROLL ACCOUNT	PAYROLL 8/8/13	\$	16,112.93
BASS RIVER PAYROLL ACCOUNT	PAYROLL 8/22/13	\$	14,143.38
BASS RIVER PAYROLL ACCOUNT	PAYROLL 9/5/13	\$	17,343.09

HASLER, INC.	MAY 2013 POSTAGE SHORTAGE	\$	62.08
HASLER, INC.	POSTAGE JULY 2013	\$	563.34
HASLER, INC.	POSTAGE AUGUST 2013	\$	852.70
	TOTAL	\$	364,032.06

ORDINANCES & RESOLUTIONS:

ORDINANCE 2013-05
**AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE TOWNSHIP OF BASS RIVER**

ORDINANCE 2013-06
**AN ORDINANCE AMENDING TITLE 12, STREETS, SIDEWALKS AND
PUBLIC PLACES, CHAPTER 12.08, TREES, OF THE TOWNSHIP OF BASS
RIVER**

ORDINANCE 2013-07
**AN ORDINANCE AMENDING TITLE 17, ZONING, CHAPTER 17.20.190,
WATER QUALITY, OF THE TOWNSHIP OF BASS RIVER**

Mayor Cope read Ordinance 2013-05, 2013-06 and 2013-07 on second reading by title only. Commissioner Bourguignon made the motion to approve Ordinance 2013-05, 2013-06 and 2013-07 upon second reading by title. The motion was seconded by Deputy Mayor Capriglione. All in favor and Ordinance 2013-05, 2013-06 and 2013-07 were hereby approved upon second reading by title and meeting was open for public hearing. Comments: No comments heard. The motion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to close the public hearing. All in favor. The motion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to adopt Ordinance 2013-05, 2013-06 and 2013-07. Votes: Cope-Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and ordinances hereby adopted.

ORDINANCE 2013-05

***AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF THE TOWNSHIP OF BASS RIVER***

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

I. PURPOSE: The purpose of this Ordinance is to amend Title 17, Zoning of the Township of Bass River in response to amendments to the Pinelands Comprehensive Management Plan related to cluster development and wetlands management, effective April 6, 2009 and December 1, 2009, respectively.

II. Section 17.04.030.B, Definitions, is hereby amended by replacing or adding the following definitions:

“Forestry”–means the planting, cultivating and harvesting of trees for the production of wood products, including firewood or for forest health. It includes such practices as reforestation, site preparation and other silvicultural

practices, including but not limited to artificial regeneration, bedding, broadcast scarification, clearcutting, coppicing, disking, drum chopping, group selection, individual selection, natural regeneration, root raking, seed tree cut, shelterwood cut and thinning. For purposes of this chapter, the following activities shall not be defined as forestry:

1. Removal of trees located on a parcel of land one acre or less on which a dwelling has been constructed;
2. Horticultural activities involving the planting, cultivating or harvesting of nursery stock or Christmas trees;
3. Removal of trees necessitated by the development of the parcel as otherwise authorized by this chapter;
4. Removal of trees necessary for the maintenance of utility or public rights-of-way;
5. Removal or planting of trees for the personal use of the parcel owner; and
6. Removal of trees for public safety.

“Impermeable Surface” means any surface which does not permit fluids to pass through or penetrate its pores or spaces, typically having a maximum permeability for water of 10^{-7} cm/second at the maximum anticipated hydrostatic pressure. The term “impermeable” is equivalent in meaning.

“Impervious Surface” means any surface that has been compacted or covered with a layer of material so that it prevents, impedes or slows infiltration or absorption of fluid, including stormwater directly into the ground, and results in either reduced groundwater recharge or increased stormwater runoff sufficient to be classified as impervious in Urban Areas by the United States Department of Agriculture, Natural Resources Conservation Service Title 210 - Engineering, 210-3-1 - Small Watershed Hydrology (WINTR-55) Version 1.0. Such surfaces may have varying degrees of permeability.

“Resource Management System Plan” means a plan, prepared in accordance with the United States Department of Agriculture, Natural Resources Conservation Service New Jersey Field Office Technical Guide, dated June 2005. Such plans shall prescribe needed land treatment and related conservation and natural resources management measures, including forest management practices, for the conservation, protection and development of natural resources, the maintenance and enhancement of agricultural or horticultural productivity, and the control and prevention of non-point source pollution; and establish criteria for resource sustainability of soil, water, air, plants and animals.

“Wetlands Management”— means the establishment of a characteristic wetland or the removal of exotic species or Phragmites from a wetland in accordance with the standards of N.J.A.C. 7:50-6.10. For purposes of this definition, exotic species are those that are not indigenous to North America.

III. Section 17.08.060, Recordation of Deed Restriction, is hereby amended by replacing Sections A and B with the following:

- A. In the Pinelands Preservation and Coastal Wetlands Districts: Berry agriculture; horticulture of native Pinelands plants; forestry; beekeeping; fish and wildlife management; wetlands management; agricultural employee housing as an accessory use; and low-intensity recreational uses in which the use of motorized vehicles is not permitted except for necessary transportation, access to water bodies is limited to no more than fifteen feet of frontage per one thousand feet of frontage on the water body, clearing of vegetation does not exceed five percent of the parcel and no more than one percent of the parcel will be covered with impervious surfaces.
- B. In the Special Agricultural Production District: Berry agriculture, horticulture of native Pinelands plants; forestry; beekeeping; fish and wildlife management; wetlands management; and agricultural employee housing as an accessory use.

IV. Section 17.12.130, Schedule of District Regulations, is hereby amended as follows:

- *In the list of Permissible Uses for the PP Pinelands Preservation District, add “wetlands management”*
- *In the Special Requirements column, replace the second entry under Single Family Dwellings in the F District with the following:*

“Cluster development at a maximum density of one unit per 15 acres shall be required in accordance with Section 17.20.260 whenever two or more units are proposed as part of a residential development. For any parcel between 3.2 and 15 acres, one unit will be permitted. Applies in F Zone only.”

- *In the list of Permissible Uses for the F Forest District, replace “Fish and wildlife management” with “Fish and wildlife management and wetlands management”*

- *Add the following as a new Conditional Use in the F Forest District:*

Non-clustered single-family dwellings in accordance with Section 17.20.270

Area in Acres: 15

Width in Feet at Street Line: 200

Front Yard: 200

Side Yard: 25

Rear Yard: 50

Maximum Height in Feet: 35

- *In the Special Requirements column, replace the first entry for the RD Rural Development District with the following:*

“Same as for respective permissible uses in PP and F Zone above. Cluster development shall be required in accordance with Section 17.20.260 whenever two or more units are proposed as part of a residential development.”

V. Section 17.20.120.B is hereby amended to read as follows:

B. Except as otherwise provided in subsection C below, no permit shall be issued for development other than for agricultural commercial establishments unless the applicant demonstrates that all buildings are set back at least two hundred (200) feet from the center line of the scenic corridor. This requirement shall not apply to residential cluster developments in the Rural Development and Forest Area Districts which comply with the standards of Section 17.20.260.

VI. Section 17.20.210.E is hereby amended to read as follows:

E. Fish and wildlife activities and wetlands management, in accordance with N.J.A.C. 7:50-6.10.

VII. Section 17.20.240.E is hereby amended to read as follows:

E. All non-contiguous lands acquired pursuant to subsections A through D above are permanently protected through recordation of a deed of restriction in accordance with the following requirements:

1. The deed of restriction shall permit the parcel to be managed for:

a. Low intensity recreation, ecological management and forestry, provided that no more than five percent of the land may be cleared, no more than one percent of the land may be covered with impervious surfaces and any such uses or activities are approved and conducted in accordance with the requirements of this chapter;

b. *Where agricultural use exists on a parcel proposed to be protected, the following standards shall apply:*

i. *For those agricultural uses in existence as of April 6, 2009, the deed of restriction may provide for the continuation of agricultural uses and the expansion of the area of agricultural use by up to 50 percent;*

ii. *For those agricultural uses established after April 6, 2009, the deed of restriction may provide for the continuation of agricultural uses, provided the agricultural use has been in existence for a period of at least five years prior to submission of an application for density transfer;*

iii. *For those agricultural uses established after April 6, 2009 which do not meet the standards of Subsection b.ii above, the deed of restriction shall permit the land to be managed only in accordance with Subsection a. above and shall not provide for continuation of any agricultural use on the parcel; and*

iv. *The deed of restriction to be recorded pursuant to Subsection b.i or ii above shall authorize agricultural uses and provide that impervious surface may not exceed that which currently exists or three percent, whichever is greater, unless a Resource Management System Plan has been prepared. Before these impervious surface limits may be exceeded, evidence of Pinelands Commission approval of the Resource Management System Plan shall be provided. If the deed of restriction is in favor of Burlington County or the State Agricultural Development Committee, evidence of their approval shall also be provided.*

2. *The deed of restriction shall be in favor of the parcel to be developed and the Township or another public agency or non-profit conservation organization. In all cases, such restriction shall be expressly enforceable by the Pinelands Commission. The deed restriction shall be in a form to be approved by the Township Solicitor and the Pinelands Commission.*

VIII. *Add the following as Sections 17.20.260 and 17.20.270 :*

17.20.260 *Residential Cluster Development in the Forest and Rural Development Districts.*

In the RD Rural Development and F Forest Districts, clustering of single-family detached dwellings shall be required whenever two or more units are proposed as part of a residential development. The following standards shall apply:

A. *Permitted density:*

1. *In the RD Rural Development District: one unit per 3.2 acres.*

2. *In the F Forest District: one unit per 15 acres.*

B. *The number of residential lots permitted within the cluster shall be calculated on the basis of the size of the parcel of land and the density permitted in Subsection A. above, with a bonus applied as follows:*

Parcel Size	RD Rural Development District	F Forest District
<50 acres	0	0
50-99.99 acres	10%	20%

<i>100-149.99 acres</i>	<i>15%</i>	<i>25%</i>
<i>≥ 150 acres</i>	<i>20%</i>	<i>30%</i>

- C. The residential cluster shall be located on the parcel such that the development area:*
- 1. Is located proximate to existing roads;*
 - 2. Is located proximate to existing developed sites on adjacent or nearby parcels;*
 - 3. Is or will be appropriately buffered from adjoining or nearby non-residential land uses; and*
 - 4. Conforms with the minimum environmental standards of N.J.A.C. 7:50-6.*
- D. Development within the residential cluster shall be designed as follows:*
- 1. Residential lots shall be one acre in size but may be larger if dictated by unusual site conditions. In no case shall the average size of residential lots within a cluster exceed 1.1 acres;*
 - 2. The following minimum yard and building requirements shall apply:*
 - a. Lot width: 125 feet.*
 - b. Front yard: 50 feet*
 - c. Side Yard: 30 feet*
 - d. Rear Yard: 50 feet*
 - e. Maximum height: 35 feet*
 - 3. Individual on-site septic waste water treatment systems which are not intended to reduce the level of nitrate/nitrogen in the waste that comply with the standards of Section 17.20.190.B.4_ may serve the lots within the cluster development area. However, in the event that existing agricultural uses will continue on the parcel in accordance with Subsection 5(b)[2] below, individual on-site septic waste water treatment systems shall comply with the standards of Sections 17.20.190.B.5 or 7. Community on-site waste water treatment systems serving two or more residential dwelling units which meet the standards of Sections 17.20.190.B.5 or 7 shall also be permitted;*
 - 4. The residential cluster development area shall include such land and facilities as are necessary to support the development, including wastewater facilities, stormwater management facilities and recreation amenities; and*
 - 5. Permitted recreation amenities may include playgrounds, tot lots, swimming pools, tennis courts and other such recreational facilities, which are solely for use by the residents of the cluster development. Recreational amenities shall not be limited to the foregoing so that the applicant may propose additional facilities. All such facilities shall be accessory to the residential cluster development. No advertising or commercial enterprise shall be permitted. In no case may such amenities occupy more than one-half acre of land or the equivalent of one acre of land for every 25 residential lots, whichever is greater.*

- E. *The balance of the parcel located outside of the residential cluster development shall be owned and managed by a duly constituted homeowners' association, a non-profit conservation organization, Bass River Township or incorporated as part of one of the lots within the cluster development area.*
1. *All such land shall be permanently protected through recordation of a deed of conservation restriction. Such restriction shall be in favor of Bass River Township or another public agency or non-profit organization. In all cases, such restriction shall be expressly enforceable by the Pinelands Commission; and*
 2. *The deed of restriction shall permit the parcel to be managed for:*
 - a. *Low intensity recreation, ecological management and forestry, provided that no more than five percent of the land may be cleared, no more than one percent of the land may be covered with impervious surfaces and any such uses or activities are approved and conducted in accordance with the requirements of this chapter; and*
 - b. *Where agricultural use exists on a parcel proposed for cluster development, the following standards shall apply:*
 - i. *For those agricultural uses in existence as of April 6, 2009, the deed of restriction may provide for the continuation of agricultural uses and the expansion of the area of agricultural use by up to 50 percent;*
 - ii. *For those agricultural uses established after April 6, 2009, the deed of restriction may provide for the continuation of agricultural uses, provided the agricultural use has been in existence for a period of at least five years prior to submission of an application for cluster development;*
 - iii. *For those agricultural uses established after April 6, 2009 which do not meet the standards of Subsection b.ii above, the deed of restriction shall permit the land to be managed only in accordance with a. above and shall not provide for continuation of any agricultural use on the parcel;*
 - iv. *The deed of restriction to be recorded pursuant to Subsections b.i or ii above shall authorize agricultural uses and provide that impervious surface may not exceed that which currently exists or three percent, whichever is greater, unless a Resource Management System Plan has been prepared. Before these impervious surface limits may be exceeded, evidence of Pinelands Commission approval of the Resource Management System Plan shall be provided. If the deed of restriction is in favor of Burlington County or the State Agricultural Development Committee, evidence of their approval shall also be provided; and*
 - v. *For parcels which meet the standards of Subsections b.i or ii above, a provision shall be recorded in the deed for each residential lot within the cluster development area which acknowledges agricultural use of the protected land outside the cluster development area and recognizes the legal protections afforded to that use through the deed of restriction and any applicable statutes.*

17.20.270 *Non-clustered residential development in the Forest and Rural Development Area Districts*

Single-family detached dwellings in which are not clustered in accordance with Section 17.20.260 may be permitted as a conditional use in the RD Rural Development and F Forest Districts, provided that:

A The Planning Board finds that:

- 1. Clustering of the proposed dwellings would be inconsistent with the minimum environmental standards set forth at N.J.A.C. 7:50-6; or*
- 2. Clustering of the proposed dwellings would disrupt the contiguity of the forest ecosystem to a greater degree than non-clustered development.*

B. Minimum lot area requirements:

- 1. In the RD Rural Development District: 3.2 acres.*
- 2. In the F Forest District: 15 acres.*

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

**TOWNSHIP OF BASS RIVER
Ordinance 2013-06**

**AN ORDINANCE AMENDING TITLE 12, STREETS, SIDEWALKS AND PUBLIC PLACES,
CHAPTER 12.08, TREES, OF THE TOWNSHIP OF BASS RIVER**

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

I. PURPOSE: *The purpose of this Ordinance is to amend Chapter 12.08, Trees, of the Township of Bass River in response to amendments to the Pinelands Comprehensive Management Plan related to forestry, March 1, 2010.*

II. Section 12.08.020 Definitions, is hereby amended by replacing or adding the following definitions:

Artificial Regeneration - *The establishment of tree cover through direct or supplemental seeding or planting.*

Bedding - *A silvicultural practice involving the preparation of land before planting in the form of small mounds so as to concentrate topsoil and elevate the root zone of seedlings above temporary standing water.*

Broadcast Scarification - *A silvicultural practice involving the dragging of cut trees or other objects across a parcel to remove or reduce above-ground shrub cover, debris, leaf litter and humus without disturbance to mineral soil horizons and associated roots.*

Clearcutting - *A silvicultural practice involving removal of an entire forest stand in one cutting for purposes of regeneration either obtained artificially, by natural seed or from advanced regeneration. Clearcutting typically results in the removal of all woody vegetation from a parcel in preparation for the establishment of new trees; however, some trees may be left on the parcel.*

Coppicing - A silvicultural practice involving the production of forest stands from vegetative sprouting by the trees that are harvested (stump sprouts, root suckers, and naturally rooted layers). Coppicing typically involves short rotations with dense stands of short trees.

Disking - A silvicultural practice involving the drawing of one or more heavy, round, concave, sharpened, freely rotating steel disks across a site for the purposes of cutting through soil and roots or cutting and turning a furrow over an area

Drum Chopping - A silvicultural practice involving the drawing of a large cylindrical drum with cutting blades mounted parallel to its axis across a site to break up slash, crush scrubby vegetation prior to burning or planting or to chop up and disturb the organic turf and roots in the upper foot of soil.

Forestry - The planting, cultivating and harvesting of trees for the production of wood products, including firewood or for forest health. It includes such practices as reforestation, site preparation and other silvicultural practices, including but not limited to artificial regeneration, bedding, broadcast scarification, clearcutting, coppicing, disking, drum chopping, group selection, individual selection, natural regeneration, root raking, seed tree cut, shelterwood cut and thinning. For purposes of this chapter, the following activities shall not be defined as forestry:

- A. Removal of trees located on a parcel of land one acre or less on which a dwelling has been constructed;
- B. Horticultural activities involving the planting, cultivating or harvesting of nursery stock or Christmas trees;
- C. Removal of trees necessitated by the development of the parcel as otherwise authorized by this Chapter;
- D. Removal of trees necessary for the maintenance of utility or public rights-of-way;
- E. Removal or planting of trees for the personal use of the parcel owner; and
- F. Removal of trees for public safety.

Forest Stand - A uniform group of trees of similar species, composition, size, age and similar forest structure.

Group Selection - A silvicultural practice whereby a group of trees is periodically selected to be removed from a large area so that age and size classes of the reproduction are mixed.

Individual Selection - A silvicultural practice whereby single trees are periodically selected to be removed from a large area so that age and size classes of the reproduction are mixed.

Natural Regeneration - The establishment of a plant or plant age class from natural seeding, sprouting, suckering or layering.

Pinelands Native Forest Type – See N.J.A.C. 7:50-6.43.

Root Raking - A silvicultural practice involving the drawing of a set of tines, mounted on the front or trailed behind a tractor, over an area to thoroughly disturb tree and vegetation roots and/or to collect stumps and slash.

Seed Tree Cut - A silvicultural practice involving the removal of old forest stand in one cutting, except for a small number of trees left singly, in small groups or narrow strips, as a source of seed for natural regeneration.

Shelterwood Cut - A silvicultural practice involving the establishment of a new, essentially even-aged forest stand from release, typically in a series of cuttings, of new trees started under the old forest stand. A shelterwood cut involves the establishment of the new forest stand before the old forest stand is removed.

Thinning - A silvicultural practice involving the removal of competing trees to favor certain species, sizes and qualities of trees.

III. Section 12.08.040, *Forestry Application Requirements*, is hereby replaced in its entirety with the following:

The information in A or B below shall be submitted to the Township Zoning Officer prior to the issuance of any forestry permit:

- A. For forestry activities on a parcel of land enrolled in the New Jersey Forest Stewardship Program, a copy of the approved New Jersey Forest Stewardship Plan. This document shall serve as evidence of the completion of an application with the Pinelands Commission as well as evidence that the activities are consistent with the standards of the Pinelands Comprehensive Management Plan. No certificate of filing from the Pinelands Commission shall be required.
- B. For all other forestry applications:
1. The applicant's name and address and his interest in the subject parcel;
 2. The owner's name and address, if different from the applicant's, and the owner's signed consent to the filing of the application;
 3. The description, including block and lot designation and street address, if any, of the subject parcel;
 4. A description of all existing uses of the subject parcel;
 5. A brief written statement generally describing the proposed forestry operation;
 6. A USGS Quadrangle map, or copy thereof, and a copy of the municipal tax map sheet on which the boundaries of the subject parcel, the Pinelands management area designation and the municipal zoning designation are shown;
 7. A forestry management plan that includes, as appropriate:
 - a. A cover page for the plan containing:
 - i. The name, mailing address and telephone number of the owner of the subject parcel;
 - ii. The municipality and county in which the subject parcel is located;
 - iii. The block and lot designation and street address, if any, of the subject parcel;
 - iv. The name and address of the forester who prepared the plan, if not prepared by the owner of the subject parcel; and

- v. *The date the plan was prepared, subsequent revision dates and the period of time the plan is intended to cover;*

- b. *A clear and concise statement of the owner's objectives for undertaking the proposed forestry activities, including a description of the short- (five years) and long-term (20 years) objectives for all proposed silvicultural techniques that will be used to manage the parcel;*

- c. *A description of the existing conditions of the subject parcel and of each forest stand in which a proposed activity, prescription or practice will occur. These stand descriptions shall include photographs of each stand taken at eye level showing the location of all Pinelands Native Forest Types, as identified at N.J.A.C. 7:50-6.43, and shall be keyed to an activity map that shall include, as appropriate, the following information:*
 - i. *The number of acres;*
 - ii. *The general condition and quality of each stand;*
 - iii. *The overall site quality, relative to the management goals and objectives identified in subsection B.7.b. above;*
 - iv. *An inventory and map of Pinelands Native Forest Types with Native Forest Types broken into "stands," including information on type, size and volume by species;*
 - v. *The age of representative trees;*
 - vi. *The species composition, including overstory, understory, ground layer structure and composition;*
 - vii. *The stand cohort composition;*
 - viii. *The percent cover;*
 - ix. *The basal area;*
 - x. *The structure, including age classes, diameter breast height (DBH) classes and crown classes;*
 - xi. *The condition and species composition of advanced regeneration when applicable;*
 - xii. *A stocking table showing the stocking levels, growth rates and volume;*
 - xiii. *Projections of intended future stand characteristics at 10-, 20-, and 40-year intervals;*
 - xiv. *A description of the forestry activities, silvicultural prescriptions, management activities and practices proposed during the permit period and the acreage proposed for each activity. These may include, but are not necessarily limited to, a description of:*

- [A] *Stand improvement practices;*
- [B] *Site preparation practices;*
- [C] *Harvesting practices;*
- [D] *Regeneration and reforestation practices;*
- [E] *Improvements, including road construction, stream crossings, landings, loading areas and skid trails;*
- [F] *Herbicide treatments;*
- [G] *Silvicultural treatment alternatives;*
- [H] *If planting will occur to accomplish reforestation, the application shall include seed sources records, if such records are available;*
- [I] *Implementation instructions; and*
- [J] *Measures that will be taken to prevent the potential spread of exotic plant species or Phragmites into wetlands; and*

xv. *A description, if appropriate, of the forest products to be harvested, including volume expressed in cords and board feet; diameter breast height (DBH) classes and average diameter; age; heights; and number of trees per acre; and*

- d. *A map of the entire parcel which includes the following:*
- i. *The owner's name, address and the date the map was prepared;*
 - ii. *An arrow designating the north direction;*
 - iii. *A scale which is not smaller than one inch equals 2,000 feet or larger than one inch equals 400 feet;*
 - iv. *The location of all property lines;*
 - v. *A delineation of the physical features such as roads, streams and structures;*
 - vi. *The identification of soil types (a separate map may be used for this purpose);*
 - vii. *A map inset showing the location of the parcel in relation to the local area;*
 - viii. *Clear location of the area and acreage in which each proposed activity, prescription or practice will occur. If shown on other than the property map, the map or maps shall note the scale, which shall not be smaller than one*

inch equals 2,000 feet or larger than one inch equals 400 feet, and shall be appropriately keyed to the property map; and

- ix. A legend defining the symbols appearing on the map.*
- 8. A letter from the Office of Natural Lands Management identifying any threatened or endangered plants or animals reported on or in the immediate vicinity of the parcel and a detailed description by the applicant of the measures proposed to meet the standards set forth in N.J.A.C. 7:50-6.27 and 6.33;*
- 9. A cultural resource survey documenting cultural resources on those portions of the parcel where ground disturbance due to site preparation or road construction will occur and a detailed description of the measures proposed by the applicant to treat those cultural resources in accordance with N.J.A.C. 7:50-6.156;*
- 10. A statement identifying the type, location and frequency of any proposed herbicide treatments and how such treatments will comply with the standards set forth in Section 12.08.050.I.2;*
- 11. A statement identifying the specific steps to be taken to ensure that trees or areas to be harvested are properly identified so as to ensure that only those trees intended for harvesting are harvested;*
- 12. Written comments from the New Jersey State Forester concerning the extent to which the proposed forestry activities are consistent with the guidelines provided in the New Jersey Forestry and Wetlands Best Management Practices Manual developed by the New Jersey Department of Environmental Protection, dated October 1995, as amended. Any such comments which indicate that the proposed activities are not consistent with said Manual must be addressed by the applicant in terms of their potential impact on the standards set forth in Section 12.08.050 below;*
- 13. A Certificate of Filing from the Pinelands Commission issued pursuant to N.J.A.C. 7:50-4.34; and*
- 14. When prior approval for the forestry activities has been granted by the Zoning Officer or other Township approval agency, a letter from the Pinelands Commission indicating that the prior approval has been reviewed pursuant to Section 17.32.110 through 130 of the Zoning Ordinance.*

IV. Section 12.08.050, Forestry Standards, is hereby replaced in its entirety with the following:

Forestry operations shall be approved only if the applicant can demonstrate that the standards set forth below are met:

- A. All forestry activities shall serve to maintain Pinelands native forest types, including those which are locally characteristic, except in those stands where other forest types exist;*
- B. Any newly developed access to lands proposed for harvesting shall avoid wetland areas except as absolutely necessary to harvest wetlands species or to otherwise gain access to a harvesting site;*
- C. The following actions shall be required to encourage the establishment, restoration or regeneration of Atlantic White Cedar in cedar and hardwood swamps:*

1. *Clearcutting cedar and managing slash;*
 2. *Controlling competition by other plant species;*
 3. *Utilizing fencing and other retardants, where necessary, to protect cedar from overbrowsing;*
 4. *Utilizing existing streams as cutting boundaries, where practical;*
 5. *Harvesting during dry periods or when the ground is frozen; and*
 6. *Utilizing the least intrusive harvesting techniques, including the use of winches, corduroy roads and helicopters, where practical.*
- D. *All forestry activities and practices shall be designed and carried out so as to comply with the standards set forth at N.J.A.C. 7:50-6.27 and 6.33. The species accounts provided in the "Recommended Forestry Management Practices Report," Appendix I - Endangered Animals, dated March 2006, as amended and supplemented and available at the principal office of the Commission or at www.nj.gov/pinelands, may be utilized as a guide for meeting these standards;*
- E. *All forestry activities and practices shall be designed and carried out so as to comply with the standards for the land application of waste set forth in N.J.A.C. 7:50-6.79, except as expressly authorized in this section;*
- F. *All forestry activities and practices shall be designed and carried out so as to comply with the standards for the protection of historic, archaeological and cultural resources set forth in N.J.A.C. 7:50-6.156;*
- G. *A vegetated streamside management zone shall be maintained or established adjacent to streams, ponds, lakes and marshes, except that no streamside management zone shall be required when Atlantic White Cedar is proposed to be harvested, established, restored or regenerated. The streamside management zone shall be at least 25 feet in width. Where soils are severely erodible, slopes exceed 10 percent or streamside vegetation is not vigorous, the streamside management zone shall be increased up to a maximum of 70 feet to buffer the water body from adjacent forestry activities;*
- H. *Stream crossings, access roads, timber harvesting, skid trails, log decks, portable sawmill sites, site preparation, and reforestation shall be designed and carried out so as to:*
1. *Minimize changes to surface and ground water hydrology;*
 2. *Minimize changes to temperature and other existing surface water quality and conditions;*
 3. *Prevent unnecessary soil erosion, siltation and sedimentation; and*
 4. *Minimize unnecessary disturbances to aquatic and forest habitats.*
- I. *The following standards shall apply to silvicultural practices for site preparation, either before or after harvesting:*
1. *In areas with slopes of greater than 10 percent, an undisturbed buffer strip of at least 25 feet in width shall be maintained along roads during site preparation to catch soil particles;*

2. *Herbicide treatments shall be permitted, provided that:*
 - a. *The proposed treatment is identified in the forestry application submitted pursuant to Section 12.08.040.B.10 above;*
 - b. *Control of competitive plant species is clearly necessary;*
 - c. *Control of competitive plant species by other, non-chemical means is not practical;*
 - d. *All chemicals shall be expressly labeled for forestry use and shall be used and mixed in a manner that is consistent with relevant State and Federal requirements; and*
 - e. *In Pine-Shrub Oak Native Forest Types, herbicide treatments shall only be permitted as a method to temporarily suppress shrub-oak understory in order to facilitate pine regeneration. All such herbicide treatments shall be applied in a targeted manner so that there will be no significant reduction in tree or shrub-oak re-sprouting outside those areas subject to the herbicide treatment;*
3. *Broadcast scarification and mechanical weeding shall be permitted in all Pinelands Native Forest Types;*
4. *Disking shall be permitted, provided that:*
 - a. *It shall not be permitted in Pine Plains Native Forest Types;*
 - b. *Disking shall only be permitted in Pine-Shrub Oak Native Forest Types as a method to temporarily suppress shrub-oak understory in order to facilitate pine regeneration, and shall be limited as follows:*
 - i. *Disking may occur one time during the first year of the establishment of a stand to assure the successful growth of pine seedlings and may be repeated one time during the second year of the growth of the stand only in areas where pine seedling establishment has not successfully occurred; and*
 - ii. *Only single-pass disking, which penetrates the soil no deeper than six inches, shall be permitted.*
 - c. *It shall not occur in wetlands, except as may be necessary to establish, restore or regenerate Atlantic White Cedar. When so used, disking shall be limited to shrub-dominated parcels and recently abandoned agricultural lands; and*
 - d. *It shall follow land contours when slopes are discernible;*
- .) *Root raking shall be permitted, provided that:*
 - a. *It shall not be permitted in Pine-Shrub Oak Native Forest Types or Pine Plains Native Forest Types;*
 - b. *When used to establish, restore or regenerate Atlantic White Cedar, root raking shall be limited to shrub-dominated parcels and recently abandoned agricultural lands; and*
 - c. *Root raking debris shall not be piled in wetlands;*

6. *Bedding shall be permitted only in recently abandoned, cultivated wetlands where there are no established Pinelands Native Forest Types; and*
7. *Drum chopping shall be permitted, provided that:*
 - a. *It shall not be permitted in Pine Plains Native Forest Types except to create road shoulder fuelbreaks, which shall be limited to 25 feet in width, or to create scattered early successional habitats under two acres in size;*
 - .) *It shall not be permitted in wetlands, except as may be necessary to establish, restore or regenerate Atlantic White Cedar. When so used, drum chopping shall be limited to shrub-dominated parcels and recently abandoned agricultural lands; and*
 - c. *It shall adhere to the following procedures:*
 - i. *No more than two passes shall be permitted except to create scattered early successional habitats under two acres in size;*
 - ii. *Drums shall remain unfilled when used during the dormant season;*
 - iii. *Chop up and down the slope on a parcel so the depressions made by the cleats and chopper blades run parallel to the contour of the land to help reduce the occurrence of channeled surface erosion;*
 - iv. *Chop so the depressions made by the cleats and chopper blades run parallel to a wetland or water body; and*
 - vi. *Avoid short-radius, 180-degree turns at the end of each straight pass.*
- J. *The following standards shall apply to silvicultural practices for harvesting:*
 1. *Clearcutting shall be permitted, provided that:*
 - a. *It shall not be permitted in Pine Plains Native Forest Types;*
 - b. *It shall be limited to 300 acres or five percent of a parcel, whichever is greater, during any permit period;*
 - c. *A 50-foot-wide buffer strip, in which only periodic pruning and thinning may occur, shall be maintained between any clearcut and the parcel boundaries;*
 - d. *A buffer strip, in which only periodic pruning and thinning may occur, shall also be maintained to separate each 25-acre or larger clearcut from other 25-acre or larger clearcuts, coppice cuts and seed tree cuts that occur within a 15-year period. The buffer strip separating two 25-acre harvests shall be 50 feet in width and, for a larger harvest, shall increase in width by one foot for each acre of that harvest above 25, to a maximum of 300 feet in width;*
 - e. *Where present on a parcel, a minimum of 18 dead snags per acre of at least 10 inches diameter breast height (DBH) and six feet in height shall be left on the parcel for a minimum of five years; and*

- f. *The area of the parcel subject to the clearcut shall have contoured edges unless the boundary of the clearcut serves as a firebreak in which case straight edges may be used;*
2. *Coppicing shall be permitted in all Pinelands Native Forest Types, provided that:*
- a. *It shall be limited to 500 acres in size or 10 percent of a parcel, whichever is greater, during any permit period;*
 - b. *A 50-foot-wide buffer strip, in which only periodic pruning and thinning may occur, shall be maintained between any coppice cut and the parcel boundaries;*
 - c. *A buffer strip, in which only periodic pruning and thinning may occur, shall also be maintained to separate each 25-acre or larger coppice cut from other 25-acre or larger clearcuts, coppice cuts and seed tree cuts that occur within a 15-year period. The buffer strip separating two 25-acre harvests shall be 50 feet in width and, for a larger harvest, shall increase in width by one foot for each acre of that harvest above 25, to a maximum of 300 feet in width;*
 - d. *Where present on a parcel, a minimum of 18 dead snags per acre of at least 10 inches DBH and six feet in height shall be left on the parcel for a minimum of five years; and*
 - e. *The area of the parcel subject to the coppice cut shall have contoured edges unless the boundary of the coppice cut serves as a firebreak in which case straight edges may be used;*
3. *Seed tree cutting shall be permitted in all Pinelands Native Forest Types, provided that:*
- a. *It shall be limited to 500 acres in size or 10 percent of a parcel, whichever is greater, during any permit period;*
 - b. *A 50-foot-wide buffer strip, in which only periodic pruning and thinning may occur, shall be maintained between any seed tree cut and the parcel boundaries;*
 - c. *A buffer strip, in which only periodic pruning and thinning may occur, shall also be maintained to separate each 25-acre or larger seed tree cut from other 25-acre or larger clearcuts, coppice cuts and seed tree cuts that occur within a 15-year period. The buffer strip separating two 25-acre harvests shall be 50 feet in width and, for a larger harvest, shall increase in width by one foot for each acre of that harvest above 25, to a maximum of 300 feet in width;*
 - d. *Where present on a parcel, a minimum of 18 dead snags per acre of at least 10 inches DBH and six feet in height shall be left on the parcel for a minimum of five years;*
 - e. *The area of the parcel subject to the seed tree cut shall have contoured edges unless the boundary of the seed tree cut serves as a firebreak in which case straight edges may be used;*
 - f. *Dominant residual seed trees shall be retained at a distribution of at least seven trees per acre; and*
 - g. *Residual seed trees shall be distributed evenly throughout the parcel; and*

4. *Shelterwood cutting, group selection and individual selection shall be permitted in all Pinelands Native Forest Types.*
- K. *The following standards shall apply to silvicultural practices for forest regeneration:*
1. *Natural regeneration shall be permitted in all Pinelands Native Forest Types and shall be required in the Pine Plains Native Forest Type, except as provided in subsection K(2) below; and*
 2. *Artificial regeneration shall be permitted in all Pinelands Native Forest Types provided that:*
 - a. *The use of non-native cuttings, seedlings or seeds shall not be permitted;*
 - b. *The use of hybrid cuttings, seedlings or seeds shall be permitted if it can be demonstrated that the cutting is from a locally native, naturally occurring hybrid which will be planted within its natural range and habitat;*
 - c. *Cuttings, seedlings or seeds shall be collected and utilized so as to ensure genetic diversity; and*
 - d. *When used in Pine Plains Native Forest Types, artificial regeneration shall only be permitted to restore drastically disturbed sites if seeds or seedlings from the immediate vicinity have been collected from local, genetically similar sources.*
- L. *Following site preparation and harvesting activities, slash shall either be retained in piles on the parcel, distributed throughout the parcel, removed from the parcel or burned.*
- M. *Thinning shall be permitted in all Pinelands Native Forest Types, including that which serves to maintain an understory of native plants and/or manage stand composition, density, growth and spatial heterogeneity.*
- N. *A copy of the approved municipal forestry permit shall be conspicuously posted on the parcel which is the site of the forestry activity.*

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

RESOLUTION 2013-60
SELF-EXAMINATION OF BUDGET RESOLUTION
 [as required by DCA]

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2013-60. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolutions 2013-60 was hereby approved.

RESOLUTION 2013-60
SELF-EXAMINATION OF BUDGET RESOLUTION
 [as required by DCA]

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility,

normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Bass River has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2013 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Bass River that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

TOWNSHIP OF BASS RIVER

Ordinance 2013-07

AN ORDINANCE AMENDING TITLE 17, ZONING, CHAPTER 17.20.190, WATER QUALITY, OF THE TOWNSHIP OF BASS RIVER

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

I. PURPOSE: *The purpose of this Ordinance is to amend Chapter 17.20.190, Water Quality, of the Township of Bass River in response to amendments to the Pinelands Comprehensive Management Plan.*

II. *Section 17.20.190, is hereby amended by replacing or adding the following:*

A. *All development permitted under this title shall be designed and carried out so that the quality of surface and groundwater shall be protected. Except as specifically authorized in this section, no development which degrades surface or groundwater quality for which establishes new point sources of pollution shall be permitted.*

B. *The following point and nonpoint sources may be developed and operated in the Pinelands:*

1. *Development of new or the expansion of existing commercial, industrial and waste water treatment facilities, or the development of new or the expansion of existing non-point sources, except those specifically regulated in subsections b. through f. below, provided that:*

- a. *There will be no direct discharge into any surface water body;*
- b. *All discharges from the facility or use are of a quality and quantity such that groundwater exiting from the parcel of land or entering a surface body of water will not exceed two parts per million nitrate/nitrogen;*
- c. *All public wastewater treatment facilities are designed to accept and treat septage; and*
- d. *All storage facilities, including ponds or lagoons, are lined to prevent leakage into groundwater.*

2. *Development of new wastewater treatment or collection facilities which are designed to improve the level of nitrate/nitrogen attenuation of more than one existing on-site wastewater treatment or collection system where a public health problem has been identified, may be exempted from the standards of subsection (B)(1)(b) of this section provided that:*

- a. *There will be no direct discharge into any surface water body;*
- b. *The facility is designed only to accommodate wastewater from existing residential, commercial, and industrial development;*
- c. *Adherence to subsection (B)(1)(b) of this section cannot be achieved due to limiting site conditions or that the costs to comply with the standard will result in excessive user fees; and*
- d. *The design level of nitrate/nitrogen attenuation is the maximum possible within the cost limitations imposed by such user fee guidelines but in no case shall groundwater exiting from the parcel or entering a surface body of water exceed*

five (5) parts per million nitrate/nitrogen.

3. *Improvements to existing commercial, industrial, and wastewater treatment facilities which discharge directly into surface waters provided that:*
 - a. *There is no practical alternative available that would adhere to the standards of subsection (B)(1)(a) of this section;*
 - b. *There is no increase in the existing approved capacity of the facility; and*
 - c. *All discharges from the facility into surface water are such that the nitrate/nitrogen levels of the surface waters at the discharge point do not exceed two parts per million. In the event that nitrate/nitrogen levels in the surface waters immediately upstream of the discharge point exceed two parts per million, the discharge shall not exceed two parts per million nitrate/nitrogen.*

4. *Individual on-site septic wastewater treatment systems which are not intended to reduce the level of nitrate/nitrogen in the wastewater, provided that:*
 - a. *The proposed development to be served by the system is otherwise permitted pursuant to the provisions of this title;*
 - b. *The design of the system and its discharge point, and the size of the entire contiguous parcel on which the system or systems is located will ensure that ground water existing from the entire contiguous parcel or entering a surface body of water will not exceed two (2) parts per million nitrate/nitrogen, calculated pursuant to the Pinelands dilution model dated December 1993, as amended, subject to the provisions of subsection 4.c. below. The entire contiguous parcel may include any contiguous lands to be dedicated as open space as part of the proposed development but may not include previously dedicated road rights-of-way or any contiguous land that have been deed restricted pursuant to Sections 17.20.240 or 17.08.060;*
 - c. *Only contiguous lands within the same zoning district and Pinelands management area as the proposed system or systems may be utilized for septic dilution purposes, except for the development of an individual single family dwelling on a lot existing as of January 14, 1981, nonresidential development on a lot of five (5) acres or less existing as of January 14, 1981, or cluster development in accordance with N.J.A.C. 7:50-5.19;*
 - d. *The depth to seasonal high water table is at least five (5) feet;*
 - e. *Any potable water well will be drilled and cased to a depth of at least 100 feet, unless the well penetrates an impermeable clay aquiclude, in which case the well shall be cased to at least fifty (50) feet;*
 - f. *The system will be maintained and inspected in accordance with the requirements of subsection C of this section;*
 - g. *The technology to be used has been approved by the New Jersey Department of Environmental Protection; and*
 - h. *Flow values for nonresidential development shall be determined based on the values contained in N.J.A.C. 7:9A-7.4, as amended, except that the number of employees may not be utilized in calculating flow values for office uses. In the event that N.J.A.C. 7:9A-7.4 does not provide flow values for a specific use, but*

a flow value is assigned for that use in 7:14A-23.3(a), the flow value specified in N.J.A.C. 7:14A-23.3(a) shall be used in calculating the flow.

5. *Individual on-site septic wastewater treatment systems which are intended to reduce the level of nitrate/nitrogen in the wastewater, provided that:*
 - a. *The standards set forth in sections 4.a and c. through h. above are met ;*
 - b. *If the proposed development is nonresidential, it is located in the VR or VC Zones;*
 - c. *The design of the system and its discharge point, and the size of the entire contiguous parcel on which the system or systems is located, will ensure that groundwater exiting from the entire contiguous parcel or entering a surface body of water will not exceed two parts per million nitrate/nitrogen, calculated pursuant to the Pinelands dilution model, dated December 1993, as amended, subject to the provisions of section 4.c above and the assumptions and requirements set forth in N.J.A.C. 7:50-6.84(a)5iv. The entire contiguous parcel may include any contiguous lands to be dedicated as open space as part of the proposed development but may not include previously dedicated road rights-of-way or any contiguous land that have been deed restricted pursuant to Sections 17.20.240 or 17.08.060.*

6. *Surface water runoff, provided that:*
 - a. *The total runoff generated from any net increase in impervious surfaces by a ten-year storm of a twenty-four-hour duration shall be retained and infiltrated on site. Runoff volumes shall be calculated in accordance with the United States Soil Conservation Service Technical Release No. 55 or the S.C.S. National Engineering Handbook, section 4;*
 - b. *The rates of runoff generated from the parcel by a two-year, ten-year and 100-year storm, each of a twenty-four-hour duration, shall not increase as a result of the proposed development. Runoff rates shall be calculated in accordance with the United States Soil Conservation Service Technical Release No. 55 or the S.C.S. National Engineering Handbook, section 4;*
 - c. *Surface water runoff shall not be directed in such a way as to increase the volume and rate of discharge into any surface water body from that which existed prior to development of the parcel;*
 - d. *Excessively and somewhat excessively drained soils, as defined by the soil conservation service, should be avoided for recharge of runoff wherever practical;*
 - e. *A minimum separation of two feet between the elevation of the lowest point of the bottom of the infiltration or detention facility and the seasonal high water table is met, or a lesser separation when it is demonstrated that the separation, either due to soil conditions or when considered in combination with other stormwater management techniques, is adequate to protect groundwater quality; and*
 - f. *A four-year maintenance guarantee is provided for the entire stormwater management system by the applicant. In addition, the applicant shall fund or otherwise guarantee an inspection and maintenance program for a period of no less than ten (10) years. The program shall identify the entity charged with*

responsibility for annual inspections and the completion of any necessary maintenance, and the method to finance said program.

7. *Alternate design pilot program treatment systems, provided that:*
 - a. *The proposed development to be served by the system is residential and is otherwise permitted pursuant to the provisions of this title;*
 - b. *The design of the system and its discharge point, and the size of the entire contiguous parcel on which the system or systems is located will ensure that ground water exiting from the entire contiguous parcel or entering a surface body of water will not exceed two parts per million nitrate/nitrogen, calculated pursuant to the Pinelands dilution model dated December, 1993, as amended, subject to the provisions of subsection (2)(c) below. The entire contiguous parcel may include any contiguous lands to be dedicated as open space as part of the proposed development but may not include previously dedicated road rights-of-way or any contiguous lands that have been deed restricted pursuant to Section __ or ___;*
 - c. *Only contiguous lands located within the same zoning district and Pinelands management area as the proposed system or systems may be utilized for septic dilution proposes, except for the development of an individual single family dwelling on a lot existing as of January 14, 1981, non-residential development on a lot of five acres or less existing as of January 14 1981, or cluster development as permitted by N.J.A.C. 7:50-5.19;*
 - d. *The depth to seasonal high water table is at least five feet;*
 - e. *Any potable water well will be drilled and cased to a depth of at least one hundred (100) feet, unless the well penetrates an impermeable clay aquiclude in which case the well shall be cased to at least fifty (50) feet;*
 - f. *No more than ten (10) alternate design pilot program treatment systems utilizing the same technology shall be installed in the development of any parcel if those systems are each serving one single-family dwelling;*
 - g. *Each system shall be equipped with automatic dialing capability to the manufacturer, or its agent, in the event of a mechanical malfunction;*
 - h. *Each system shall be designed and constructed so that samples of effluent leaving the alternate design pilot program septic system can be readily taken to confirm the performance of the technology;*
 - i. *The manufacturer or its agent shall provide to each owner an operation and maintenance manual approved pursuant to N.J.A.C. 7:50-10.22(a)2iv;*
 - j. *Each system shall be covered by a five-year warranty and a minimum five-year maintenance contract consistent with those approved pursuant to N.J.A.C. 7:50-10.22(a)2vi that cannot be cancelled and is renewable and which includes a provision requiring that the manufacturer or its agent inspect the system at least once a year and undertake any maintenance or repairs determined to be necessary during any such inspection or as a result of observations made at any other time;*
 - k. *The property owner shall record with the deed to the property a notice consistent with that approved pursuant to N.J.A.C. 7:50-10.22(a)2vi that*

identifies the technology, acknowledges the owner's responsibility to operate and maintain it in accordance with the manual required in this subsection, and grants access, with reasonable notice, to the local board of health, the commission and its agents for inspection and monitoring purposes. The recorded deed shall run with the property and shall ensure that the maintenance requirements are binding on any owner of the property during the life of the system and that the monitoring requirements are binding on any owner of the property during the time period the monitoring requirements apply pursuant to the pilot program or any subsequent regulations adopted by the commission that apply to said system; and

l. No system shall be installed after August 5, 2013.

C. The owner of every on-site septic waste treatment facility shall, as soon as suitable septage disposal facility capacity is available, in accordance with the provisions of Chapter 326 of the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. and Section 201 of the Clean Water Act:

- 1. Have the facility inspected by a technician at least once every three years;*
- 2. Have the facility cleaned at least once every three years; and*
- 3. Once every three years submit to the board of health serving the township a sworn statement that the facility has been inspected and cleaned and is functional, setting forth the name of the person who performed the inspection and cleaning and the date of such inspection.*

D. Use of the following substances is prohibited in the township to the extent that such use will result in direct or indirect introduction of such substances to any surface, or ground or surface water or any land:

- 1. Septic tank cleaners; and*
- 2. Waste oil.*

E. No person shall apply any herbicide to any road or public utility right-of-way within the township unless necessary to protect an adjacent agricultural activity. (Ord. 2002-9 § 2; Ord. 1997-4, §§ 20--26; Ord. 90-15 § 1 (part); Ord. 89-8 § 8.11(I)).

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

RESOLUTION 2013-69

A RESOLUTION APPOINTING CHIEF FINANCIAL OFFICER

RESOLUTION 2013-70

A RESOLUTION SETTING THE ANNUAL SALARY AND HOURLY PAY RATES FOR THE 2013 CALENDAR YEAR FOR CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BASS RIVER

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2013-69 and Resolution 2013-70. Votes: Cope–Yes, Capriglione–

Yes, Bourguignon-Yes. All in favor and Resolution 2013-69 and Resolution 2013-70 were hereby approved.

RESOLUTION 2013-69

A RESOLUTION APPOINTING CHIEF FINANCIAL OFFICER

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

NOW, THEREFORE, BE IT RESOLVED that Al Stanley be and hereby is appointed Chief Financial Officer for the Township of Bass River.

BE IT FURTHER RESOLVED that said term of office shall be for four (4) years effective January 1, 2013, to December 31, 2016 pursuant to NJSA 40A:9-140.10.

RESOLUTION 2013-70

A RESOLUTION SETTING THE ANNUAL SALARY AND HOURLY PAY RATES FOR THE 2013 CALENDAR YEAR FOR CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF BASS RIVER

BE IT RESOLVED by the Board of Commissioners of the Township of Bass River in the County of Burlington and the State of New Jersey at a meeting held on the 9th day of September 2013 that the following pay rate is hereby established for the 2013 calendar year and set as follows pursuant to Salary Ordinance:

<u>OFFICE/EMPLOYEE</u>	<u>TITLE</u>	<u>SALARY</u>
NAME	TITLE	
DEPARTMENT OF REVENUE AND FINANCE		
Stanley, Al	Chief Financial Officer	\$10,000/year (prorated)
<i>Effective September 9, 2013</i>		

RESOLUTION 2013-71

A RESOLUTION AUTHORIZING THE TURNOVER OF UNCASHED FUNDS FOR THE MUNICIPAL COURT

The motion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to approve Resolution 2013-71. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2013-71 was hereby approved.

RESOLUTION 2013-71

A RESOLUTION AUTHORIZING THE TURNOVER OF UNCASHED FUNDS FOR THE MUNICIPAL COURT

<u>Check</u>	<u>Amount</u>	<u>Name</u>	<u>Date</u>
212	2.00	Corey Shaw	09/07/2012
214	.89	Claudia Saldana	09/07/2012
222	1.00	Doris Latorre	10/12/2012
<u>Total:</u>	<u>3.89</u>		

RESOLUTION 2013-72

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, DESIGNATING THE CERTIFIED COSTS OF PROPERTY MAINTENANCE PERFORMED BY THE TOWNSHIP OF BASS RIVER ON BLOCK 53, LOT 2, AS A LIEN ON THE PROPERTY AND AUTHORIZING THE TAX COLLECTOR TO COLLECT THE LIEN IN ACCORDANCE WITH CHAPTER 8.20 OF THE MUNICIPAL CODE

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2013-72. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2013-72 was hereby approved.

RESOLUTION 2013-72

RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, DESIGNATING THE CERTIFIED COSTS OF PROPERTY MAINTENANCE PERFORMED BY THE TOWNSHIP OF BASS RIVER ON BLOCK 53, LOT 2, AS A LIEN ON THE PROPERTY AND AUTHORIZING THE TAX COLLECTOR TO COLLECT THE LIEN IN ACCORDANCE WITH CHAPTER 8.20 OF THE MUNICIPAL CODE

WHEREAS, Chapter 8.20 of the Municipal code of the Township of Bass River provides that the owner or tenant of lands, or the agent of such premises, within the Township is required to removed or cause to be removed from such lands any brush, weeds, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, trash and debris which is or may become dangerous to life or health or might tend to extend a conflagration in the Township; and

WHEREAS, the Municipal Code further provides that if after inspection by the Code Enforcement officer any such lands are deemed to be in violation of Chapter 8.20, the Township Clerk shall notify the owner, tenant or agent of the lands in question to remedy such violations within ten (10) days after receipt of notice to do so. Said notice shall be made upon the owner, tenant or agent of any such lands by letter to his or her last known address; and

WHEREAS, the Municipal Code Further provides that if the owner, tenant or agent to whom notice of violation sent, neglects or refuses to abate or remedy the violation within ten (10) days after notice thereof, the Code Enforcement officer or his or her designated agent shall cause the violation to be abated and remedied and certify the costs thereof to the Borough Council which, after examination of the certificate and determination of its accuracy, shall cause the costs to be charged against the lot or land on which the violations exists. The amount so charged shall become a lien upon the lot or land and shall be added to and become and form part of the taxes next to be assessed and levied upon the lot or land, the same to bear interest at the same rate as taxes and to be collected as provided by R.S. 40:48-2.14, and enforced by the same officers responsible for the collection of taxes and in the same manner as taxes; and

WHEREAS, after inspection, the Township's Code Enforcement officer has determined Block 53, Lot 2, as shown on the tax map of the Township of Bass River, currently known as (address) 32 North Maple Avenue, and assessed to (owner) Kathleen R. McClellan, in violation of Chapter 8.20 of the Municipal Code; and

WHEREAS, notice has been provided to the assessed owner of the said property in accordance with Chapter 8.20 of the Municipal Code; and

WHEREAS, the assessed owner to whom notice of violation was sent, neglected or refused to abate or remedy the violation within ten (10) days after notice thereof, causing the violation on said property to be abated and remedied by the Township of Bass River, and the costs associated therewith to be certified to the governing body; and

WHEREAS, the governing body has examined the certification of costs and finds same to accurate.

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 costs incurred by the Township to remedy and abate the violations on Block 53, Lot 2, commonly referred to as (address) 32 North Maple Avenue, as determined by the Code Enforcement Officer, and the costs of which having been certified to the governing body and upon examination thereof found to be accurate, are hereby charged against said property and shall become a lien upon same. The certified lien amount is \$350.00.*
- 2. That said lien shall be added to and become and form a part of the taxes next to be assessed and levied upon said property, and that the Tax Collector is hereby authorized to collect same in accordance with the provisions of Chapter 8.20 of the Municipal Code.*
- 3. That a certified copy of this resolution shall be forwarded by the Municipal Clerk to the Code Enforcement Officer and Tax Collector of the Township of Bass River.*

RESOLUTION 2013-73
RESOLUTION APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NJ DOT FOR THE STAGE ROAD BIKE TRAIL PROJECT

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2013-73. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2013-73 was hereby approved.

RESOLUTION 2013-73
RESOLUTION APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NJ DOT FOR THE STAGE ROAD BIKE TRAIL PROJECT

NOW, THEREFORE, BE IT RESOLVED that Council of Bass River Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as BIKE-2014-Bass River Township-00039 to the New Jersey Department of Transportation on behalf of Bass River Township.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Bass River Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION 2013-74
RESOLUTION REQUESTING FINAL REIMBURSEMENT FOR NORTH MAPLE AVENUE PARK GRANT

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2013-74. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2013-74 was hereby approved.

BASS RIVER TOWNSHIP

RESOLUTION 2013-74

WHEREAS, in 2012, the Township of Bass River received a Municipal Park Development Grant from the County of Burlington in the amount of \$138,897.00 for The North Maple Avenue Municipal Park; and

WHEREAS, a contract was solicited and was awarded to Liberty Parks and Recreation for work to be funded by the Municipal Park Development Grant; and

WHEREAS, a partial reimbursement in the amount of \$137,707.63 was received for work completed as of April, 2013;

WHEREAS, the Township Engineer, Kris Kluk did inspect and certify completion of the work required by the contract awarded to Liberty Parks and Recreation and has recommended that final payment be made to the contractor(s); and certifies that the work was completed in substantial conformance with the scope of work associated with the 2012 Burlington County Park Development Grant; and

BE IT FURTHER RESOLVED that Township Clerk is hereby authorized to submit the necessary documents to the County of Burlington for the final reimbursement under the grant in the amount of \$1,014.00.

NEW BUSINESS:

The Township received a request from a property owner for reimbursement for a variance application fee of \$100. Board agreed to reimburse these fees to two applications received for rising of homes due to Super Storm Sandy. Resolutions:

RESOLUTION 2013-75

RESOLUTION AUTHORIZING REIMBURSEMENT OF \$100 APPLICATION FEE

RESOLUTION 2013-76

RESOLUTION AUTHORIZING REIMBURSEMENT OF \$100 APPLICATION FEE

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2013-75 and Resolution 2013-76. Votes: Cope–Yes, Capriglione–Yes, Bourguignon–Yes. All in favor and Resolution 2013-75 and 2013-76 were hereby approved.

RESOLUTION 2013-75

WHEREAS the owners of property known as Block 52, Lot 17–88 North Maple Avenue has applied for a variance to the Planning Zoning Board to raise the home following Super Storm Sand; and

WHEREAS the Governor has signed into law a bill that would allow property owners to raise their homes as a result of new FEMA regulations following Super Storm Sandy without filing for a variance under certain conditions; and

WHEREA the property owners of 88 North Maple Avenue meet these conditions for exemption for a requirement for a variance; and

WHEREAS as a result the property owners of 88 North Maple Avenue has requested reimbursement of the application fee for said application in the amount of \$100.00.

NOW THEREFORE, BE IT RESOLVED the CFO of the Township of Bass River is authorized to issue a check in the amount of \$100.00 be refunded to John Harvey, Jr., 88 North Maple Avenue, Tuckerton, NJ 08087.

RESOLUTION 2013-76

WHEREAS the owners of property known as Block 57, Lot 31—53 North Maple Avenue has applied for a variance to the Planning Zoning Board to raise the home following Super Storm Sand; and

WHEREAS the Governor has signed into law a bill that would allow property owners to raise their homes as a result of new FEMA regulations following Super Storm Sandy without filing for a variance under certain conditions; and

WHEREA the property owners of 53 North Maple Avenue meet these conditions for exemption for a requirement for a variance; and

WHEREAS as a result the property owners of 53 North Maple Avenue has requested reimbursement of the application fee for said application in the amount of \$100.00.

NOW THEREFORE, BE IT RESOLVED the CFO of the Township of Bass River is authorized to issue a check in the amount of \$100.00 be refunded to David Garrison, P.O. Box 343, New Gretna, NJ 08224.

The board discussed appointment of a school liaison. Upon a motion by Mayor Cope, seconded by Commissioner Bourguignon; Maryanne Capriglione was hereby appointed as school liaison. Votes: Cope-Yes, Bourguignon-Yes, Capriglione-Abstain.

OLD BUSINESS:

The board discussed aid payment for Squad 85. It was agreed to pay \$3000 to Squad 85. The motion was made by Mayor Cope to make said payment in the amount of \$3000. The motion was seconded by Deputy Mayor Capriglione. Votes: Cope-Yes, Bourguignon-Yes, Capriglione-Yes.

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 8:29 p.m. upon a motion by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor.

Mrs. K. Dolch noted how much she liked the flags on Route 9.

Mr. K. Groff asked if the Township was considered a disaster area after Super Storm Sandy. Mayor said that yes the Township was declared by FEMA from the beginning. The fact that Burlington County is not a county designated to receive DCA funds from the State, it is creating issues for property owners. Mayor continues to work on issue with the State.

Ms. C. Bitzberger asked about a complaint filed regarding strong odors coming from Viking. She asked what the status was. Mayor stated the complaint was received. However, DEP is the lead agency to oversee such complaints as the Township does not have the equipment or means to monitor such things. Records should be available either through Viking per a request or perhaps from DEP. Mayor also noted the complainant also copied DEP on this original complaint.

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 8:42 p.m.

Being no further business to come before the Board the motion to adjourn was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor and meeting was adjourned at 8:42 p.m.

Respectfully Submitted
Amanda S. Somes, RMC
Township Clerk

Deborah Buzby-Cope, Mayor