

**MINUTES BASS RIVER TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING OF MONDAY, APRIL 7, 2014**

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 10, 2014 were presented to the Board for Approval. The motion to approve the minutes was made by Deputy Mayor Capriglione, seconded by Commissioner Bourguignon. All in favor and minutes were hereby approved as submitted.

Minutes of the Special Meeting of March 18, 2014 were presented to the Board for Approval. The motion to approve the minutes was made by Mayor Cope, seconded by Commissioner Bourguignon. Cope-Yes, Bourguignon-Yes, Capriglione-Abstain. Majority 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 \$430,671.51. The motion was seconded by Commissioner Bourguignon to approve bills for payment. Votes: Cope –Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and bills were ordered paid.

ACADEMY SECURITY	ALARM MONITORING	87.00
AIR & GAS TECHNOLOGIES	COMPRESSOR MAINT. & TESTS	1,243.50
ALLUS INC.	COMPUTER REPAIR - ZONING	205.00
AMANDA SOMES	MILEAGE MT. HOLLY & BANK	40.80
A MERICAN ASPHALT	COLD ASPHALT	840.00
ATLANTIC ELECTRIC	ELECTRICITY FEB. 2014	2,742.40
A T & T	COURT & MUNI. ALL IN ONE JAN. 2014	339.06
A T & T	ISDN LINE JAN. 2014	26.96
BASS RIVER BD. OF ED.	LOCAL SCHOOL TAX 3/4/14	105,312.75
BEACONS	ORDINANCES	81.74
BURL CO ESTC - BCIT	EMERG. TRAINING	165.00

BURL CO MUN CT ADM ASSN	2014 BCMCAA MEMBER DUES		200.00
BURL CO TREAS, LANDFILL	TIPPING FEES FEB. 2014	\$	
	2,563.55		2,563.55
CASA PAYROLL SERVICES	PAYROLL FEB. 2014		219.80
CHRISTOPHER NORMAN, ESQ.	PLANNING BD. MTG 2/20/14		300.00
COMCAST	SERVICE 2/19/14 - 3/18/14		104.95
DEER PARK DIRECT	SERVICE 1/15/14 - 2/14/14		21.24
DELTRONICS CORPORATION	AIR COMPRESSOR & SEWER REPAIRS		3,748.63
EAST RIVER ENERGY	HEATING OIL PW		3,065.98
GEORGE EMMER	CONFLICT P.D. 2/24/14		500.00
GRAMCO BUSINESS COMMUNICATIONS	DISKS FOR PLANNING BD.		23.90
HOLMAN FRENIA ALLISON, P.C.	ACCOUNTING SERVICES		3,500.00
HOME DEPOT	SUPPLIES		413.13
IPM INTEGRATED PEST MANAGEMENT	QUARTERLY SERVICE		85.00
JEREMY S. PRICE	PUBLIC DEFENDER 2/24/14		500.00
JERRY'S DIESEL & TRUCK REPAIR	CHEVY 2500 REPAIRS		324.97
JERSEY SHORE RESTROOMS, LLC	PORT A POT CONV. CTR.		85.00
LIFE SAVERS, INC	DEFIB BATTERY PACK		134.00
MAILFINANCE	LEASE 12/12/13 - 3/11/14		570.00
MCAA OF NJ	STATE ASSOC. MEMBERSHIP		45.00
NJ LEAGUE OF MUNICIPALITIES	NJSLM 2014 MEMBERSHIP		262.00
NJMVC	TITLE FOR CARGO TRUCK	\$	
	60.00		60.00
OFFICE BASICS, INC	DISK, COPY PAPER & TONER		190.98
PEGGY BECK	BANK & WOODLAND MILEAGE		113.76
POMONA OIL CO	FIRE COMPANY HEATING OIL		3,056.33
RUMPF REID & DOLCY	PROSECUTION JAN. 2014		1,400.00
STAPLES INC	COURT SUPPLIES		13.39
THEFIRESTORE	BOLT CUTTERS & FLARES		369.97
THE PRESS OF ATLANTIC CITY	RESOLUTION NOTICE		29.07
TRANSFORMATION ENTERPRISES	JAN. 2014 ROLL-OFF		3,630.00
TREASURER, STATE OF NEW JERSEY	MARRIAGE LICENSES 4TH QTR.		100.00
TRUMP TAJ MAHAL	OCCUPANCY FEE FOR CONF.		30.00
VERIZON	MUNI & COURT PHONES FEB. 2014		915.55
VERIZON WIRELESS	PW WIRELESS PHONE		60.16
WEX BANK	FUEL CHARGES JAN. & FEB. 2014		958.76
BASS RIVER PAYROLL ACCOUNT	PAYROLL 2/6/14		14,882.34

BASS RIVER PAYROLL ACCOUNT	PAYROLL 2/20/14	14,766.38
HASLER, INC.	POSTAGE JAN. 2014	946.96
	TOTAL	169,275.01

CORRESPONDENCE:

1. Letter of resignation by Emergency Management Coordinator, David Cope effective immediately. The motion to accept Mr. Cope’s letter of resignation was made by Commissioner Bourguignon and seconded by Deputy Mayor Capriglione. Votes: Cope-Abstain, Bourguignon-Yes, Capriglione-Yes. All in favor.

ORDINANCES & RESOLUTIONS:

RESOLUTION 2014-32

A RESOLUTION APPOINTING AN EMERGENCY MANAGEMENT COORDINATOR

The motion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to approve Resolution 2014-32. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2014-32 was hereby approved.

RESOLUTION 2014-32

A RESOLUTION APPOINTING AN EMERGENCY MANAGEMENT COORDINATOR

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

NOW, THEREFORE, BE IT RESOLVED that Mike Fitzgerald be and hereby is appointed Emergency Management Coordinator for the remainder of the term of 3 years, effective as of April 7, 2014 – December 31, 2015.

RESOLUTION 2014-33

A RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY ADOPTING POLICIES AND PROCEDURES

The motion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to approve Resolution 2014-33. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2014-33 was hereby approved.

RESOLUTION 2014-33

A RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY ADOPTING POLICIES AND PROCEDURES

WHEREAS, it is the policy of the Township of Bass River to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations; and

WHEREAS, the Board of Commissioners have determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners that the Personnel Policies and Procedures Manual attached hereto is hereby adopted (Section III Updated 4/7/2014).

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Township officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State Law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by township employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Board of Commissioners.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Township of Bass River shall operate under the legal doctrine known as "employment at will".

BE IT FURTHER RESOLVED that the Municipal Clerk and all managerial/supervisory personnel are responsible for these employment practices. The Chief Financial Officer and the Solicitor shall assist the Municipal Clerk in the implementation of the policies and procedures in the manual.

RESOLUTION 2014-34

A RESOLUTION AUTHORIZING BASS RIVER TOWNSHIP TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974 FOR FISCAL YEARS 2015-2017

The motion was made by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione to approve Resolution 2014-34. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2014-34 was hereby approved.

RESOLUTION 2014-34

A RESOLUTION AUTHORIZING BASS RIVER TOWNSHIP TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974 FOR FISCAL YEARS 2015-2017

BE IT RESOLVED AND ENACTED, by the Board of Commissioners of the Township of Bass River, County of Burlington and State of New Jersey to authorize an Agreement with Burlington County for cooperative participation in the Community Development Act of 1974.

- SECTION I.** *Certain federal funds are available to Burlington County under Title I of the Housing and Community Development Act of 1987. Public Law 93-383, as amended; and*
- SECTION II.** *It is necessary to establish a legal basis for the County and its people to benefit from this Program; and*
- SECTION III.** *An agreement has been proposed under which Bass River Township and the County of Burlington in cooperation with the other municipalities will establish an Interlocal Services Program pursuant to NJSA 40:8A-1 et. Seq., and*
- SECTION IV.** *It is in the best interest of the Township of Bass River that the Agreement entitled "Agreement between the County of Burlington and certain municipalities located therein for the establishment of a cooperative means of conducting certain community development activities", a copy of which is on file at the Municipal Clerk's Office.*
- SECTION V.** *The Township of Bass River shall enter into the Agreement with the County of Burlington mentioned with all supplements and agreements thereto. The Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of Bass River Township and affix thereunto the Official Seal.*
- SECTION VII.** *This Resolution shall take effect immediately after passage and publication as provided by law.*

RESOLUTION 2014-35

TAX IDENTIFICATION STATEMENT

The motion was made by Mayor Cope, seconded by Deputy Mayor Capriglione to approve Resolution 2014-35. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2014-35 was hereby approved.

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 2013** in the amount of \$1,966.38. Documentation supporting this submission is available at 3 North Maple Avenue, New Gretna, NJ and shall be maintained for no less than five years from this date.

RESOLUTION 2014-36

TONNAGE GRANT APPLICATION RESOLUTION

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2014-36. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2014-36 was hereby approved.

TONNAGE GRANT APPLICATION RESOLUTION 2014-36

- 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 2014-37

TAX OFFICE RESOLUTION

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2014-37. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2014-37 was hereby approved.

RESOLUTION 2014-37

WHEREAS the Tax Office is in receipt of payment to purchase lien on Block 67 Lot 22; and

WHEREAS there was an overpayment of \$1,612.00 due to owner making a payment prior to tax sale;

NOW THEREFORE, BE IT RESOLVED to return \$1,612.00 to Pro Capital, LLC, 1000 Haddonfield-Berlin Road, Suite 203, Voorhees, NJ 08043.

RESOLUTION 2014-38

TAX OFFICE RESOLUTION

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2014-38. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2014-38 was hereby approved.

RESOLUTION 2014-38

WHEREAS, the amount of \$3,193.97, plus premium of \$100.00 has been received by the Tax Collector for redemption of Tax Sale Certificate 11-00002 Block 31.B Lot 31 assessed to Francis J. DeMary;

WHEREAS \$3,193.97, plus \$100.00 premium is the correct amount to redeem;

NOW THEREFORE, BE IT RESOLVED, that the CFO of Bass River Township is authorized to cut a check in the amount of \$3,293.97, to US Bank Cust. For Crestar Capital, 2 Liberty Place, 50 S. 16th St., Suite 1950, Philadelphia, PA 19102.

RESOLUTION 2014-39

A RESOLUTION AUTHORIZING THE ASSIGNMENT OF TAX SALE CERTIFICATE #92-00001 AND #92-00002

The motion was made by Mayor Cope, seconded by Commissioner Bourguignon to approve Resolution 2014-39. Votes: Cope–Yes, Capriglione-Yes, Bourguignon-Yes. All in favor and Resolution 2014-39 was hereby approved.

RESOLUTION NO. 2014-39

A RESOLUTION AUTHORIZING THE ASSIGNMENT OF TAX SALE CERTIFICATE #92-00001 and # 92-00002

WHEREAS, N.J.S.A. 54:5-113 authorizes the assignment by a municipality of tax sale certificates for the full amount of the certificate, including subsequent municipal taxes and other municipal charges; and

WHEREAS, Mullica River Preservation, LLC has presented an offer to purchase, by assignment, Certificate of Sale # 92-00001 and #92-00002 which was issued by the Township of Bass River at a tax sale held on December 4, 1992 on Block 2, Lot 18 in the Township of Bass River, County of Burlington, New Jersey and assessed to Henry Howell in the total amount of \$3,422.49 and \$66,137.17, respectively. The full amount due and owing under Certificate #92-00001 and Certificate #92-00002 is in the amount of \$69,559.62 which includes all subsequent municipal taxes and other municipal charges.

***NOW, THEREFORE, BE IT RESOLVED** that the Township of Bass River Board of Commissioners authorizes the Mayor and Municipal Clerk to execute the necessary assignment document to effect assignment of tax sale certificate #92-00001 and Certificate #92-00002 to Mullica River Preservation, LLC.*

***BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Tax Collector*

NEW BUSINESS:

2014 Municipal Budget was discussed with work sheets being provided by Township Auditor. A follow up meeting and possible introduction scheduled for April 22nd at 6 p.m. at Town Hall.

REPORTS:

The following reports were noted.

Solicitor's Report
Report of Municipal Court
Dog Report

PUBLIC COMMENT:

The meeting was open for public comment at 7:42 p.m. upon a motion by Commissioner Bourguignon, seconded by Deputy Mayor Capriglione. All in favor.

Ms. Cynthia Halde asked about the Oak Avenue Park and the Trains. She feels there is not enough parking at the park. The Township would look into the possibility of installing more parking in future grants.

Mr. W. Aaronson asked about the meeting of March 3rd and if it was rescheduled for the 10th because it was noted in the agenda that it was the 3rd. This was a typo in the agenda. The meeting was held on the 10th due to a severe snow storm.

Mr. H. Rothschild made a complaint regarding illegal dumping of trash on Eveready Road.

Ms. C. Bitzberger noted that the Beautification Committee would like to install some no littering signs in the Township.

Mr. W. Aaronson asked about the reassessment and asked if this reassessment was done by our Tax Assessor. Mayor said yes. Mr. Aaronson questioned if the Tax Assessor was an employee of the Township or a contractor? Mayor said he was a Township Employee hired under a separate contract to perform this service.

Chief Tom Wetmore and Joe Capriglione noted the landing zone for the medical helicopter is a problem. The Playground is no longer a good area. Several locations have been suggested by the Board and they will look into them.

Mr. W. Aaronson noted the approval by the Bass River Planning/Zoning Board of the expansion of what he would allege to be a “pollution belching, fire bomb” called Viking Yacht. Mr. Aaronson stated that in so doing the way they got around our building code coverage which is 20% and in a highway commercial manufacturing zone was to permit for reasons to permit that zoning coverage limit to permit the combining of those two lots into one lot for manufacturing and thereby reducing the building coverage below the 20% maximum. And that is how that issue was resolved and how Viking was permitted to violate our local zoning laws. Permission being granted by the Planning Board. The interesting issue here is what ramifications that means for tax assessment. Mr. Aaronson continues that town dollars are at stake and if we were to take a long hard look at the Planning Board ruling he would suspect that there would be a case worth pursuing where the assessment for the entire marina area should be taxed as a manufacturing area and thereby raising the assessment by approximately 400%. He would encourage the Commissioners to build a case to raise the assessment based on manufacturing assessment and not marina assessment.

Mr. W. Aaronson thinks that it is great to improve public access to water and improvements of the boat ramp are great. He noted that the Amasa Landing Road overpass seems very dangerous. Commissioner Bourguignon said that he has been in contact with the contractor for the GS Parkway and this project is not yet complete. The dangerous road conditions should be corrected soon.

Ms. C. Bitzberger asked if the Board of Commissioner will move forward to see the tax assessment for Viking is increased once the proposed improvements to the plant are completed.

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 8:08 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 8:08 p.m.

Respectfully Submitted
Amanda S. Somes, RMC
Township Clerk
