

**MINUTES BASS RIVER TOWNSHIP BOARD OF COMMISSIONERS  
REGULAR MEETING OF MONDAY, MARCH 7, 2011**

Mayor Cope called the regular meeting of the Bass River Township Board of Commissioners to order at 7:30 p.m. Present at meeting were: Mayor Deborah Buzby-Cope, Commissioner T. Richard Bethea and Commissioner Gary Smith. Also present Township Clerk Amanda Somes and Solicitor. Members of the public were present at this meeting.

**FLAG SALUTE**

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

**APPROVAL OF MINUTES:**

Minutes of the regular meeting of February 7, 2011, were presented to the Board for review with copies available for public. The motion was made by Commissioner Smith, seconded by Commissioner Bethea to approve minutes as submitted by the Clerk. Votes: Cope -Abstain, Bethea -Yes, Smith-Yes. Minutes hereby approved.

**APPROVAL OF BILLS LIST:**

The motion was made by Commissioner Bethea to approve payment of the bills in the amount of \$309,215.91. The motion was seconded by Commissioner Smith to approve bills for payment. Votes: Cope -Yes, Bethea -Yes, Smith-Yes. All present in favor and bills were ordered paid.

A T & T	13983	48.14
BASS RIVER BD OF ED	13984	99238.58
A T & T	13985	132.29
A T & T	13986	69.14
MODERN GAS CO	13987	1586.22
VERIZON	13988	341.60
VERIZON	13989	542.25
PINELAND REGIONAL SCHOOL DIST	13990	150943.14
FLEET FUELING	13991	747.15
STAPLES INC	13992	496.23
ACADEMY SECURITY	13993	60.00
AIR & GAS TECHNOLOGIES	13994	978.20
ALLUS INC	13995	45.00
AMANDA SOMES	13996	68.80
ATLANTIC CITY ELECTRIC	13997	2331.31
BF MOLZ	13998	176.00
BURL CO TREAS, LANDFILL	13999	3227.32
CASA PAYROLL SERVICES	14000	207.20
CHRISTOPHER NORMAN, ESQ.	14001	300.00
COMCAST	14002	95.12
CONWAY AUTOMOTIVE	14003	105.18
COPIERS PLUS	14004	345.00
DEER PARK - NESTLE WATERS	14005	10.92
E-GOVERNMENT.COM LLC	14006	2400.00

GANN LAW BOOKS	14007	102.00
GROVER ELECTRIC	14008	300.00
HOME DEPOT	14009	46.86
KEVIN S. QUINLAN	14010	500.00
KLUK CONSULTANTS	14011	1011.00
MUNIDEX INC	14012	946.34
NJ LEAGUE OF MUNICIPALITIES	14013	6.00
PEGGY BECK	14014	13.25
PETER C. LANGE	14015	1912.00
PETROLEUM TRADERS	14016	936.88
Q C LABS	14017	79.10
RICHARD IRETON	14018	80.40
TRANSFORMATION ENTERPRISES	14019	3930.00
TUCKERTON LUMBER COMPANY	14020	123.43
UNIVERSAL COMPUTING SERVICES	14021	353.70
US BANK CUST. FOR PROCAPITAL 1	14022	6638.57
VERIZON WIRELESS	14023	203.79
W.B. MASON COMPANY	14024	130.87
BASS RIVER PAYROLL ACCOUNT	21011	13813.07
BASS RIVER PAYROLL ACCOUNT	22411	13593.86

**CORRESPONDENCE:**

Letter from NJ DOT regarding submitted grant application for Centers of Place Program. No Award this year.

Letter from NJ DOT regarding 2011 Bikeway Program—No Award this year.

Notification that township resident and fire company member, Keith Monaghan, to receive the Star of Life Award from his employer.

Notification from Burlington County JIF of receipt of 2010 Safety Incentive Award in the amount of \$1300.

**ORDINANCES & RESOLUTIONS:**

**ORDINANCE 2011-01**

**AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER ESTABLISHING FEES FOR MATERIALS CONTAINMENT AND CLEAN UP**

Mayor Cope introduced Ordinance 2011-01 on first reading by title only. The motion to approve Ordinance 2011-01 by title only was made by Commissioner Bethea, seconded by Commissioner Smith. Votes: Cope-Yes, Bethea-Yes, Smith-Yes. All in favor and Ordinance 2011-01 was approved on first reading by title only with second reading and public hearing scheduled for April regular meeting.

**ORDINANCE No. 2011-01**

**AN ORDINANCE OF THE TOWNSHIP OF BASS RIVER ESTABLISHING FEES FOR MATERIALS CONTAINMENT AND CLEAN UP**

*BE IT ORDAINED, by the Mayor and Township Commissioners of the Township of Bass River as follows:*

*1. That there be added to the code of the Township of Bass River a section in the fee Ordinance entitled "Schedule of Miscellaneous Fees" providing the following:*

***Materials Containment/ Clean up fees:***

*Any hazardous or other materials containment cleanup costs, property damage, and/or other costs incurred by the Township of Bass River or it's employees or organized volunteers in the course of their employment or volunteered duties, as a result of an incident, accident, spill, leakage, seepage, unintentional or intentional act upon any lands, waters or properties within the Township of Bass River, which were incurred or deemed necessary by the Township or it's duly authorized employees or volunteers to cause the containment and/or clean up of materials, hazardous or otherwise, to protect the health, welfare and safety of the inhabitants and their property or belongings, shall be the responsibility of the person, persons, or entity causing the incident that required said containment and/or clean up actions and costs.*

*The costs to be reimbursed as a result of such containment and/or clean up actions shall be the actual costs incurred by the Township and/or its volunteer organizations plus administrative costs as calculated and determined by the Township of Bass River. Any such reimbursement shall be in addition to any costs to be reimbursed to other agencies of the Federal, State, County and/or Local Government having jurisdiction including but not limited to any fines, penalties or special assessments as a result of any enforcement actions at any level of government.*

*Nothing herein shall be construed to require the Township of Bass River to be responsible for the containment or clean-up of hazardous or nonhazardous materials identified on any lands or waters therein.*

**ORDINANCE 2011-02**

**ORDINANCE 2011-02  
CALENDAR YEAR 2011**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

Mayor Cope introduced Ordinance 2011-02 on first reading by title only. The motion to approve Ordinance 2011-02 by title only was made by Commissioner Bethea, seconded by Commissioner Smith. Votes: Cope-Yes, Bethea-Yes, Smith-Yes. All in favor and Ordinance 2011-02 was approved on first reading by title only with second reading and public hearing scheduled for April regular meeting.

**ORDINANCE 2011-02  
CALENDAR YEAR 2011  
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK**

(N.J.S.A. 40A: 4-45.14)

*WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,*

*WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,*

*WHEREAS, the Board of Commissioners of the Township of Bass River in the County of Burlington finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,*

*WHEREAS, the Board of Commissioners hereby determines that a 1.5 % increase in the budget for said year, amounting to \$ 14,997.02 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,*

*WHEREAS the Board of Commissioners hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.*

*NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners of the Township of Bass River, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Township of Bass River shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 34,993.04, and that the CY 2011 municipal budget for the Township of Bass River be approved and adopted in accordance with this ordinance; and,*

*BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,*

*BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,*

*BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.*

**RESOLUTION 2011-31**

**YOUTH ART MONTH 2011  
PROCLAMATION**

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2011-31. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All present in favor and Resolution 2011-31 was approved.

**RESOLUTION 2011-31  
BASS RIVER TOWNSHIP**

**YOUTH ART MONTH 2011**

**PROCLAMATION**

WHEREAS, art education contributes powerful educational benefits to all elementary, middle and secondary students including the following:

- *art education develops students' creative problem-solving and critical thinking abilities;*
  - *art education teaches sensitivity to beauty, order, and other expressive qualities;*
- *art education gives students a deeper understanding of multi-cultural values and beliefs;*
- *art education reinforces and brings to life what students learn in other subjects; and*
- *art education interrelates student learning in art production, art history, art criticism, and aesthetics.*

WHEREAS, our national leaders have acknowledged the necessity of including arts experiences in all students' educations.

THEREFORE, BE IT RESOLVED that support should be given to art teachers as they attempt to strengthen art education in their schools and communities.

NOW, THEREFORE, it is proclaimed that March be observed as YOUTH ART MONTH.

All citizens are urged to take interest in and give full support to quality school art programs for children and youth.

**NOW, THEREFORE, I DEBORAH BUZBY-COPE, MAYOR OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY DO HEREBY PROCLAIM MARCH 2011 AS**

**YOUTH ART MONTH**

**RESOLUTION 2011-32**

**APRIL 1, 2011  
PATRIOT FLAG DAY  
PROCLAMATION**

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2011-32. Votes: Cope-Yes, Bethea -Yes, Smith-Yes. All present in favor and Resolution 2011-32 was approved.

**RESOLUTION 2011-32  
BASS RIVER TOWNSHIP**

**APRIL 1, 2011  
PATRIOT FLAG DAY  
PROCLAMATION**

WHEREAS, the residents of Bass River Township are eternally grateful for all of our public safety and emergency response personnel and recognize their willingness to sacrifice for their fellow citizens; and

WHEREAS, on September 11, 2001, many of the members of our Police, Firefighters, Paramedics, EMT's and everyday citizens, were called upon to respond to our nation's worst attack on our native soil, with many of them making the "ultimate sacrifice" on that fateful day; and

WHEREAS, still today, many of the survivors and their families are suffering from the ill effects, both physically and financially of 9/11; and

WHEREAS, the Patriot Flag and World Memorial that are here today, honor the memory of those lost in New York City, Washington, D. C. and Shanksville, Pennsylvania, by traveling throughout our great nation and keeping that memory alive; and

WHEREAS, the residents of Bass River Township and America, will "NEVER FORGET" the heroic efforts of those lost and those survived and are forever indebted to them for their sacrifices; and

WHEREAS, the Board of Commissioners of the Township of Bass River, desires today to forever commemorate this date; now

**THEREFORE, I, DEBORAH BUZBY-COPE, MAYOR OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, DO HEREBY PROCLAIM APRIL 1, 2011 AS "PATRIOT FLAG DAY", TO RECOGNIZE AND REMEMBER THE GALLANTRY AND BRAVERY OF OUR FIRST RESPONDERS AND VOLUNTEERS OF 9/11**

### **RESOLUTION 2011-33**

#### **A RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY GIVING APPROVAL FOR A COIN DROP WITHIN THE TOWNSHIP OF BASS RIVER, SUBJECT TO APPROVALS BY COUNTY AND/OR STATE OFFICIALS**

The motion was made by Mayor Cope, seconded by Commissioner Smith to approve Resolution 2011-33. Votes: Cope-Yes, Bethea -Yes, Smith-Yes. All present in favor and Resolution 2011-33 was approved.

### **RESOLUTION 2011-33**

#### **A RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY GIVING APPROVAL FOR A COIN DROP WITHIN THE TOWNSHIP OF BASS RIVER, SUBJECT TO APPROVALS BY COUNTY AND/OR STATE OFFICIALS**

WHEREAS, the New Gretna Volunteer Fire Company has provided an application to the Township of Bass River to hold a coin drop; and

WHEREAS, Bass River Township's local ordinance allow for such events, subject to approval by County and/or State Officials.

THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Bass River that the following schedule for coin drops by the New Gretna Volunteer Fire Company have been approved at locations(s) listed below:

LOCATION: Burlington County Route 679 a.k.a. North Maple Avenue, New Gretna and Route 9, New Gretna. Time from 0700-1700.

DATES: March 27 alternate April 3, 2011

May 29	alternate	June 5, 2011
July 3	alternate	July 10, 2011
August 28	alternate	September 4, 2011
Oct. 16	alternate	October 23, 2011

*BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the New Gretna Volunteer Fire Company and the Burlington County Engineer's Office for submission to the Board of Chosen Freeholders for approval.*

**RESOLUTION 2011-34**

**TAX OFFICE RESOLUTION**

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2011-34. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All present in favor and Resolution 2011-34 was approved.

**RESOLUTION 2011-34**

*WHEREAS The Tax Office is in receipt of a check in the amount of \$2,896.40 for redemption of tax sale certificate #09-06 on Block 43 Lot 8.04 assessed to Celina Lindsley; and*

*WHEREAS \$2,896.40 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, \$2,896.40 to U.S. Bank Custodian for Pro Capital, 2 Liberty Place, Suite 1950, Philadelphia, PA 19102.*

**RESOLUTION 2011-35**

**TAX OFFICE RESOLUTION**

The motion was made by Commissioner Smith, seconded by Commissioner Bethea to approve Resolution 2011-35. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All present in favor and Resolution 2011-35 was approved.

**RESOLUTION 2011-35**

*WHEREAS The Tax Office is in receipt of a check in the amount of \$3,742.17 for redemption of tax sale certificate #10-10 on Block 43 Lot 8.04 assessed to Celina Lindsley; and*

*WHEREAS \$3,742.17 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, \$3,742.17 to U.S. Bank Custodian for Pro Capital, 2 Liberty Place, Suite 1950, Philadelphia, PA 19102.*

**RESOLUTION 2011-36**

**A RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING RELEASE OF ESCROW FUNDS**

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2011-36. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All present in favor and Resolution 2011-36 was approved.

**RESOLUTION 2011-36**

**A RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING RELEASE OF ESCROW FUNDS**

*WHEREAS, the Township Engineer of the Township of Bass River has inspected the project located below (if applicable) and recommends the release of the balance of escrow funds on deposit with Bass River Township.*

*NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer of the Township of Bass River is hereby authorized to refund the balance of escrow monies in the amount listed to address' provided.*

*Schairer Brothers  
254 S. Bremen Avenue  
Egg Harbor City, NJ 08215*

*Amount: \$1001.87*

*Timothy Bush  
622 W. Clarkslanding Road  
Egg Harbor City, NJ 08215*

*Amount: \$385.50 Block 49, Lot 16*

*Bernie Zarembo  
Bernie Service Center  
P.O. Box 207  
New Gretna, NJ 08224*

*Amount: \$630.14 5696 Route 9*

**RESOLUTION 2011-37**

**A RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AFFIRMING AND RATIFYING RESOLUTION 2010-66**

The motion was made by Mayor Cope, seconded by Commissioner Bethea to approve Resolution 2011-37. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All present in favor and Resolution 2011-37 was approved.

**RESOLUTION 2011-37**

**BASS RIVER TOWNSHIP**

**A RESOLUTION OF THE TOWNSHIP OF BASS RIVER, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AFFIRMING AND RATIFYING RESOLUTION 2010-66**

*WHEREAS, the Township of Bass River passed Resolution 2010-66 on September 13, 2010 entitled "Authorizing Membership in a Mutual Aid and Assistance Agreement with Participating Units"; and,*

*WHEREAS, it is the desire of the Township of Bass River to enter into a shared services agreement with Burlington County for membership in a mutual aid and assistance agreement.*

*NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Township of Bass River on this 7<sup>th</sup> day of March, 2011 that Resolution 2010-66 is hereby ratified and the Mayor and Clerk are hereby authorized to execute said agreement on behalf of Bass River Township.*

**RESOLUTION 2011-38**

**RESOLUTION AUTHORIZING SUBMISSION OF MUNICIPAL PARK GRANT**

The motion was made by Commissioner Bethea, seconded by Commissioner Smith to approve Resolution 2011-38. Votes: Cope–Yes, Bethea -Yes, Smith-Yes. All present in favor and Resolution 2011-38 was approved.

**RESOLUTION 2011-38**

*WHEREAS, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund ("Trust Fund") and established a Municipal Park Development Program ("Program") to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and*

*WHEREAS, the Governing Body of Bass River Township desires to obtain County Municipal Park Development Program funds in the amount of \$75,000 to fund New Gretna Park, 11 Oak Avenue, Block 56, Lot 51; and*

*WHEREAS, the total cost of the project including all matching funds is estimated to be \$75,000; and*

*WHEREAS, the Township of Bass River is the owner of and controls the project site.*

*NOW, THEREFORE, BE IT RESOLVED BY the Board of Commissioners of the Township of Bass River that:*

- 1. The Township Engineer, Kris Kluk, Ph.D., P.E., is authorized to make an application to the County of Burlington for Municipal Park Development Program Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Park Development Program and (c) act as the municipal contact person and correspondent of the above named municipality;*
- 2. The Township of Bass River is committed to this project and will provide the balance of funding necessary to complete the In the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and*

3. *If awarded a grant by the County of Burlington under the Municipal; Park Development Program, the municipality will use the approved funds in accordance with the Municipal Park Development Program Policy and Procedure Manual, and applicable federal, state, and local government rules, regulations and statutes thereto; and*
4. *The Township Engineer, Kris Kluk, Ph.D., P.E., is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Burlington for the approved funds; and*
5. *The resolution shall take effect immediately.*

#### OLD BUSINESS:

Farmland Assessment questions and concerns voiced at previous meetings. Mayor Cope went over property with tax assessor and noted 62 records are official and are up to date with 1 property in question. This property is being worked on and will be investigated.

Commissioner Bethea requested the Old New Gretna House sign issue be revisited.

Mayor Cope noted that PILOT funding would be awarded same as last year. Governor's Office is attempting to reinstate 1/3 that was taken in 2010 and felt that litigation would not be required at this time.

#### NEW BUSINESS:

#### REPORTS:

The following reports were noted:

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

#### PUBLIC COMMENT:

The meeting was open for public comment at 8:20 p.m. upon a motion by Commissioner Smith, seconded by Mayor Bethea.

Mr. Leo Assur of North Maple Avenue noted farm assessment and taxes are affected by Pinelands and feels that properties are over assessed already.

Mr. H. Bourguignon noted that he is paying property taxes on river frontage and the property is 5.5 acres and riparian 2.6 acres. He has to pay \$1000 every year to state

agencies and pay taxes on top of that. He also requested more no-wake buoys on Wading River.

Comment was heard about a payment to Redbank Vet. Hosp. Of over \$1000 for a dog that was picked up in State Forest.

Mr. K. Gordon—Willingboro, NJ—Southern Burlington County Chapter of the NAACP addressed the Board and extend a hand of solidarity with regard to the recent act of a cross burning within the township. He wishes to promote understanding and work on diversity. Mayor and Commissioners as well as public expressed appreciation with what was said and felt it was an isolated incident and agreed that further education is needed to avoid a recurrence of such an act. The Town would work together to insure no future occurrences. “We are all Americans and humans”. “This was an act of a few silly and stupid individuals and should not reflect on the town as a whole”.

Being no further comments the motion to close the public portion was made by Commissioner Smith, seconded by Commissioner Bethea. All in favor and public comment was closed at 8:50 p.m.

Being no further business to come before the Board the motion to adjourn was made by Commissioner Smith, seconded by Commissioner Bethea. All in favor and meeting was adjourned at 8:50 p.m.

Respectfully Submitted  
Amanda S. Somes, RMC  
Township Clerk

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Deborah Buzby-Cope, Mayor