

**TOWNSHIP OF DENNIS
DENNISVILLE, NJ
JANUARY 18, 2011**

6:30 P.M. TWP. COMMITTEE REGULAR MEETING

Mayor Murphy opened the meeting in compliance with the Open Public Meetings Act requirements.

Mayor Murphy presided with Committeemembers: Glembocki, DiCicco, O'Connor, and Crippen present.

The Mayor asked for a moment of silence for the Troops overseas and asked everyone to keep Ruth Blessing in their prayers.

Motion was made by Crippen, seconded by DiCicco, with 4 ayes and 1 abstaining (Glembocki), that the following minutes were approved:

Regular Meeting - December 21, 2010

Motion was made by Crippen, seconded by O'Connor, with 4 ayes and 1 abstaining (Glembocki), that the following Officer's Report were approved:

Municipal Clerk's Report - December, 2010
Municipal Clerk's Report - Annual, 2010
Registrar's Report - December, 2010
Registrar's Report - Annual, 2010
Tax Collector's Report - December, 2010
Construction Official's Report - December, 2010

Let the record reflect that the following Resolution Nos. 2011-16 thru 2011-39 were part of a consent agenda with a block roll call vote.

Motion was made by O'Connor, seconded by Crippen, with 5 ayes and no nays, that the following resolutions were adopted:

RESOLUTION NO. 2011-16

**RESOLUTION FIXING THE RATE OF INTEREST TO BE CHARGED ON
DELINQUENT TAXES**

WHEREAS, N.J.S. 54:4-67 et seq. Permits the governing body of each municipality to fix the rate of interest to be charged for nonpayment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, N.J.S. 54:4-67 et seq. has been amended to permit the fixing of said rate of eight percent (8%) per annum on the first fifteen hundred dollars (\$1,500.00) of the delinquency and eighteen percent (18%) per annum on any amount in excess of fifteen hundred dollars (\$1,500.00) and allows an additional penalty of six percent (6%) be collected against a delinquency in excess of ten thousand dollars (\$10,000.00) on properties that fail to pay the delinquency prior to the end of the calendar year.

NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Dennis, County of Cape May, State of New Jersey, as follows:

1. The Tax Collector is hereby authorized and directed to charge eight percent (8%) per annum on the first fifteen hundred dollars (\$1,500.00) of taxes becoming delinquent after the due date, eighteen percent (18%) per annum on any amount of taxes in excess of fifteen hundred dollars (\$1,500.00) and if a delinquency is in the excess of ten thousand dollars (\$10,000.00) and remains in arrears beyond December 31st, an additional penalty of six percent (6%) shall be charged against the delinquency.
2. Effective January 1, 2011, there will be a ten (10) day grace period of quarterly tax payments made by cash, check, or money order.
3. Any payments not made in accordance with item two of this resolution shall be charged interest from the due date as set forth in item one of this resolution.
4. The Clerk is hereby authorized and directed to provide a copy of this resolution to the Tax Collector, Township Solicitor, and the Municipal Auditor for the Township of Dennis.
5. This resolution shall take effect immediately.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-17

RESOLUTION AUTHORIZING A FEE TO BE CHARGED FOR ALL RETURNED CHECKS

WHEREAS, upon occasion, various persons have issued checks to the Township of Dennis for payment of taxes, permit fees, registrations, etc.; and

WHEREAS, when such payments are returned to the Township for non-payment or insufficient funds, it causes a burden on the various departments, with additional bookkeeping and increased paperwork.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that a fee of thirty dollars (\$30.00) be and is hereby authorized to be collected for each check returned to the Township for non-payment or insufficient funds.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-18

**RESOLUTION AUTHORIZING THE TAX COLLECTOR TO
CHARGE FOR POSTAGE**

WHEREAS, upon occasion, it is necessary to return tax bills, late notices and other pertinent information to taxpayers who have not enclosed the correct postage fees; and

WHEREAS, the Township Committee, desires to charge the correct fees to the taxpayer requesting such information.

NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Dennis, County of Cape May, State of New Jersey, that the Tax Collector is hereby authorized and directed to charge the current postage rate, plus costs for each piece of mail required to be returned and not having the correct postage fees.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-19

**RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CREDIT
OVERPAYMENTS TO THE 2011 TAX YEAR**

WHEREAS, during the 2010 tax year, odd payments, deductions granted, and assessment corrections result in the overpayment of taxes on some properties; and

WHEREAS, the Township Committee desires to authorize the Tax Collector to credit the aforementioned overpayments to the 2011 Tax Year.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Tax Collector is hereby authorized and directed to credit the aforementioned overpayments to the 2011 Tax Year.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-20

**RESOLUTION AUTHORIZING THE DISPOSITION OF A TAX APPEAL
BY THE COUNTY TAX BOARD**

WHEREAS, pursuant to N.J.A.C. 18:12A-1.6 c. a directive from the Cape May County Board of Taxation indicates that any and all tax appeals for the increase or decrease of assessments submitted to the Cape May County Board of Taxation by the Tax Assessor and/or the Tax Collector on behalf of the Township of Dennis for the year 2011 must be authorized by this governing body for disposition by the County Board of Taxation.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, as follows:

1. That the Tax Assessor is hereby authorized to file any and all tax appeals for the increase or decrease of assessments to the Cape May County Board of Taxation for disposition.

2. The Tax Assessor shall have the right to terminate and/or settle by stipulation of otherwise any such tax appeals that the Assessor may institute.

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized and directed to forward a copy of this resolution to the Cape May County Board of Taxation and to furnish copies of the same to the Tax Assessor, Tax Collector and the Solicitor.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-21

RESOLUTION AUTHORIZING THE TAX ASSESSOR TO FILE TAX APPEALS

WHEREAS, by a directive from the Cape May County Board of Taxation pursuant to N.J.A.C. 18:12A-1 ©, all tax appeals submitted to the Cape May County Board of Taxation by the Tax Assessor on behalf of the Township of Dennis must be authorized by resolution of the Township Committee for the tax year 2011.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, as follows:

1. The Township Committee hereby authorizes the Tax Assessor to file Tax Appeals on behalf of the Township of Dennis for Farmland Assessment Roll Back Taxes for the properties.
2. The Tax Assessor shall have the right to terminate and/or settle by stipulation of otherwise any such Tax Appeals that the Assessor may institute.

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized and directed to forward a copy of this resolution to the Cape May County Board of Taxation and to furnish copies of the same to the Tax Assessor and the Solicitor.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-22

RESOLUTION ESTABLISHING A FEE FOR DUPLICATE TAX BILLS

WHEREAS, upon occasion, property owners request duplicate tax bills from the Tax Collector's Office; and

WHEREAS, the Township Committee desires to establish a fee to be charged for the duplicate tax bills.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Tax Collector is hereby authorized and directed to charge the current postage rate and \$2.00 for each duplicate tax bill requested by the property owner.

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-23

RESOLUTION APPOINTING THE REGISTRAR AND DEPUTY REGISTRAR OF VITAL STATISTICS FOR THE YEAR 2011

WHEREAS, it is necessary to appoint a Registrar and Deputy Registrar of Vital Statistics for the year.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that Jacqueline B. Justice is appointed as the Registrar of Vital Statistics.

BE IT FURTHER RESOLVED, that Janice M. Kenney be appointed as Deputy Registrar of Vital Statistics.

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-24

RESOLUTION ESTABLISHING THE HOLIDAY SCHEDULE FOR 2011

WHEREAS, it is necessary for the Township to have a schedule of holidays when Municipal Services will be closed.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the following is a listing of the official holidays for the Township of Dennis:

New Year's Day	Dec.	31, 2010
Martin Luther King Day	Jan.	17, 2011
Lincoln's Birthday	Feb.	11, 2011
President's Day	Feb.	21, 2011
Good Friday	Apr.	22, 2011
Memorial Day	May	30, 2011
Independence Day	July	04, 2011
Labor Day	Sept.	05, 2011
Columbus Day	Oct.	10, 2011
General Election Day	Nov.	08, 2011
Veteran's Day	Nov.	11, 2011
Thanksgiving Day	Nov.	24, 2011
Day After Thanksgiving	Nov.	25, 2011
Christmas Day	Dec.	26, 2011

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-25

RESOLUTION AUTHORIZING AND DESIGNATING THE BANK DEPOSITORIES

WHEREAS, it is necessary according to the statutes to name depositories for the various Township Officials.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the depositories are as follows:

Chief Financial Officer - Glenn O. Clarke, CMFO #N00551090

Investment Account at MBIA - CLASS, New Jersey.

Savings, General Checking, Payroll, Armored Car Account, Municipal Alliance, Dog Account, Construction Office, Planning Escrows and any other accounts deemed necessary by the Chief Financial Officer will be maintained at Sturdy Savings Bank.

Tax Collector - Michele T. Heim, CTC #T-1090

Tax Title Lien Redemption Account will be maintained at Sturdy Savings Bank.

Municipal Court - Rosemary Bonner, Court Administrator

Municipal Court Account and the Bail Account will be maintained at TD Bank, National Association.

BE IT FURTHER RESOLVED, that investments will be made by the Chief Financial Officer with any financial institution having New Jersey G.U.D.P.A. certification, and in accordance with the Township of Dennis's Cash Management Plan.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-26

RESOLUTION AUTHORIZING A CASH MANAGEMENT PLAN

WHEREAS, N.J.S.A. 40A: 5-14 mandates that the governing body shall, by resolution passed by a majority vote of the full membership thereof, authorize a cash management plan.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that this governing body does hereby authorize the attached Cash Management Plan for the year 2011.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is hereby authorized to deposit its funds pursuant to said plan.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-27

**RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPERS
FOR PUBLICATION**

WHEREAS, the Open Public Meetings Act requires that certain notices of meetings be submitted to the official newspaper(s) of the municipality for publication; and

WHEREAS, the aforesaid act permits the Township Committee to fix a reasonable sum to be charged to persons who request notices of the Township Committee as provided for under said Act; and

WHEREAS, the Township Committee has duly considered the matter.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, as follows:

1. The Cape May County Herald Times be and the same is hereby designated as the official newspaper of the Township of Dennis for the year 2011 to receive any and all meeting notices of the Township of Dennis and Land Use Development Application Notices.
2. The Press be and the same is also designated to receive any and all meeting notices of the Township of Dennis and Land Use Development Application Notices which cannot reasonably be published in the Cape May County Herald Times.
3. The Bulletin Board in the Municipal Building at 571 Petersburg Road, Dennisville, NJ is hereby designated as the place where all official notices are to be posted.
4. A fee of \$5.00 per notice is hereby established as the charge to persons requesting individual notices as provided for under the Open Public Meetings Act.
5. The Clerk is hereby authorized and directed to supply to the aforesaid newspaper the annual notice and the required forty-eight (48) hour notice and to otherwise carry into effect the provisions of the Resolution. The said notices shall advise the public that the regularly scheduled meetings of the Township Committee shall be held pursuant to Resolution No. 2010-184.
6. This Resolution shall take effect immediately.

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-28

**RESOLUTION AUTHORIZING TRI-COUNTY SPORTSMEN'S MOTORCYCLE
CLUB, INC. TO CONDUCT THEIR ANNUAL GREENBRIER ENDURO**

WHEREAS, the Clerk has received a request from the Tri-County Sportsmen's Motorcycle Club, Inc. for permission to use existing trails and roads that cross Township owned property for the 2011 National Greenbrier Enduro; and

WHEREAS, said Enduro is scheduled for March 13, 2011; and

WHEREAS, the Club carries two (2) million dollars of liability insurance which would name the Township as an additional insured.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Clerk is hereby authorized and directed to execute the permission form for the use of Township property by the Tri-County Sportsmen's Motorcycle Club, Inc. for its annual Greenbrier Enduro on March 13, 2011.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-29

RESOLUTION AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES CONTRACTS FOR VARIOUS TOWNSHIP OFFICIALS FOR THE YEAR 2011

WHEREAS, there exists a need for various professional services as follows:

Municipal Solicitor, Municipal Engineer, Labor Counsel, Bond Counsel and Municipal Auditor; and

WHEREAS, the maximum amount contracted for each of the aforesaid professional services shall not exceed the amount appropriated in the temporary budget in the said time period and will thereafter not exceed the amount appropriated in the budget as finally adopted: and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of contracts of "Professional Services" without competitive bids and the contract itself must be available for public inspection.

NOW THEREFORE BE IT RESOLVED, by the Township Committee, of the Township of Dennis, County of Cape May, State of New Jersey, as follows:

1. The Mayor and Clerk are directed to execute contracts with the following professional personnel:

Jeff April, Esq.	- Municipal Solicitor
Andrew A. Previti, PE	- Municipal Engineer
Christine P. O'Hearn, Esq.	- Labor Counsel
Ronald J. Ianoale, Esq.	- Bond Counsel
Leon Costello, RMA/CPA	- Municipal Auditor

2. These contracts are awarded without competitive bidding as a "Professional Services" in accordance with N.J.S.A. 40A: 11-5 (a) of the Local Public Contracts Law because the services are to be rendered by a person authorized by law and the services require a prolonged formal course of specialized instruction.
3. A notice of this action shall be printed once in the official newspaper of the municipality.
4. This Resolution shall take effect retroactive to 01/01/11.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-30

**RESOLUTION AUTHORIZING THE ISSUANCE OF VARIOUS
2011 CAMPGROUND LICENSES**

WHEREAS, pursuant to Chapter 75 of the Code of the Township of Dennis, the Township Committee is required to approve the issuance of Campground Licenses; and

WHEREAS, the Clerk's Office has received the necessary compliance items to issue the following licenses:

Ocean View Campground – 1,171 Sites
Sea Grove Camping Resort – 190 Sites
Tamerlane Campground – 315 Sites
Avalon Campground, Inc. – 363 Sites
Jersey Shore Haven, Inc. – 207 Sites
Little Oaks Campground – 100 Sites
Dennisville Lake Camper Resort – 132 Sites

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Clerk's Office is hereby authorized and directed to issue the 2011 Campground Licenses to the aforementioned campgrounds.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-31

**RESOLUTION APPOINTING THE FUND COMMISSIONER FOR THE
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, the Township of Dennis is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the Bylaws of the FUND require that in the manner generally prescribed by law, each member shall appoint one (1) Fund Commissioner to the FUND and each Fund Commissioner shall be either a member of the local unit's governing body or one of its employees and that no individual may serve as Fund Commissioner for more than one (1) member; and

WHEREAS, N.J.A.C. 11:15-2.6 states that a Fund Commissioner who is a member of the appointing local unit's governing body, shall hold office for two years or for the remainder of his/her term of office as a member of the local unit's governing body, whichever shall be less; and

WHEREAS, N.J.A.C. 11:15-2.6 states that a Fund Commissioner who is an employee of the appointing member shall hold office at the pleasure of the member and can be removed by the member at any time without cause; and

WHEREAS, the Township of Dennis recommends the appointment of Glenn O. Clarke to serve as Fund Commissioner in accordance with the FUND Bylaws.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that this governing body does hereby appoint Glenn O. Clarke as Fund Commissioner to the Atlantic County Municipal Joint Insurance Fund.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-32

RESOLUTION APPOINTING THE ALTERNATE FUND COMMISSIONER FOR THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Township of Dennis is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the Bylaws of the FUND recommend that each Municipality appoint one (1) Alternate Fund Commissioner; and

WHEREAS, the Township of Dennis recommends the appointment of Clarence F. Ryan as Alternate Fund Commissioner.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that this governing body does hereby appoint Clarence F. Ryan as Alternate Fund Commissioner for the Atlantic County Municipal Joint Insurance Fund.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2010-33

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT FOR POGUE, INC. TO COORDINATE ALCOHOL AND DRUG TESTING SERVICES

WHEREAS, the Township's Alcohol and Drug Testing Services Agreement expires on 12/31/2010; and

WHEREAS, Pogue, Inc. has submitted a proposal for Alcohol and Drug Testing Services in the Township of Dennis; and

WHEREAS, the Clerk has reviewed the proposal and finds that it meets the needs of the Township and has recommended acceptance by the Township Committee.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, as follows:

1. The averments of the preamble are incorporated herein by reference.
2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Service Contract with Pogue, Inc. for services related to Alcohol and Drug Testing Services for the 2011 year.

3. The Clerk shall cause of notice of the award of this contract to be published in the official newspaper of the Township of Dennis as required by N.J.S.A. 40A:11-5(1)(a)(i).
4. This contract is awarded without competitive bidding, pursuant to the Local Public Contract Law, N.J.S.A. 40A:11-1 et seq. and the total sum of the contract does not exceed the limits established in P.L. 2004 c. 19.
5. This resolution shall take effect immediately.

ATTEST _____ ATTEST _____
 Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-34

**RESOLUTION AUTHORIZING A REFUND OF A
 TAX OVERPAYMENT**

WHEREAS, the Tax Collector, Michele T. Heim, has notified the Clerk of a tax overpayment on Block 20, Lot 1; and

WHEREAS, the overpayment was a result of the County Tax Board awarding a 100% Disabled Veteran exemption; and

WHEREAS, the amount of the overpayment requested to be refunded for Block 20, Lot 1 is two thousand three hundred twenty four dollars and twenty-six cents (\$2,324.26).

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Chief Financial Officer be and is hereby authorized and directed to refund the total amount of \$2,324.26 to: Mr. & Mrs. Harry Creamer, 624 B Woodbine Ave., Belleplain, NJ 08270.

ATTEST _____ ATTEST _____
 Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-35

**RESOLUTION AUTHORIZING A REFUND OF A
 SPECIAL ESCROW ACCOUNT**

WHEREAS, the Township of Dennis entered into an Interlocal Government Agreement with the Woodbine M.U.A. with respects to the construction of a water main from the M.U.A.'s existing service facilities to the Belleplain State Forest; and

WHEREAS, the Belleplain State Forest was required to post funds in a special escrow account to cover the costs associated with said Agreement; and

WHEREAS, said project has been completed and Belleplain State Forest have requested that the remaining escrow funds be returned.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Chief Financial Officer be and is hereby authorized and directed to refund the balance of the special escrow in the amount of \$717.50 to: Churchill, P.C., 344 North Route 73, Suite A, Berlin, NJ 08009, ATTN: Luis I. Garcia, P.E., Project Manager.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-36

RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Dennis is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Dennis to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12 b and designated below:

Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW, THERFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, assembled in public session on January 18, 2011, that an Executive Session closed to the public shall be held on January 18, 2011 prior to the close of the above night's meeting in the Dennis Township Municipal Complex, 571 Petersburg Road, Dennisville, New Jersey, for the discussion of matters relating to the specific items designed above.

BE IT FURTHER RESOLVED, that it is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-37

RESOLUTION APPOINTING THE RISK MANAGEMENT CONSULTANT FOR REPRESENTATION WITH THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND AND AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT

WHEREAS, the Governing Body of the Township of Dennis has resolved to join the Atlantic County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis; and

WHEREAS, the By-laws of said Fund require that each Municipality appoint a **RISK MANAGEMENT CONSULTANT** to perform various professional services as detailed in the By-laws; and

WHEREAS, the By-laws indicated a fee not to exceed six percent (6%) of the Municipal Assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Governing Body; and

WHEREAS, the judgmental nature of the Risk Management Consultant's duties renders comparative bidding impractical.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that said Committee hereby appoints Charles Pessagno of the firm NIA Group, 510 Bank Street Commons, Cape May, NJ 08204 a Marsh & McLennan Agency, LLC as its Risk Management Consultant in accordance with N.J.S.A. 40A: 11-5 and the total sum will not exceed the limits established in P.L. 2004 c.

BE IT FURTHER RESOLVED, that the Governing Body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause notice of this decision to be published according to N.J.S.A. 40A: 11-5(1), (a), (I).

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-38

RESOLUTION AUTHORIZING THE REFUND OF VARIOUS PLANNING/ZONING ESCROW FEES

WHEREAS, the Administrator to the Planning and Zoning Boards has requested the refund of various Planning/Zoning Escrow Fees; and

WHEREAS, said Planning/Zoning application projects have been completed or withdrawn and the escrow fund balances remain.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Chief Financial Officer is hereby authorized and directed to refund the following Planning/Zoning Escrow balances:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Applicant</u>
261	31.02	\$ 156.25	Eileen Christaldi 15 Eagles Way Cape May Ct House, NJ 08210
226	12.02 & 13	\$1,041.00	Lawrence Fenimore P.O. Box 58 Ocean View, NJ 08230

BE IT FURTHER RESOLVED, that the Clerk forward a certified copy of this resolution to the Administrator to the Planning and Zoning Boards and the Chief Financial Officer.

ATTEST _____ **ATTEST** _____
 Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2011-39

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT FOR SHORE ANIMAL CONTROL SERVICES, LLC FOR ANIMAL CONTROL SERVICES

WHEREAS, the Township’s Animal Control Services Agreement expires on 12/31/2010; and

WHEREAS, Tri-County Animal Control Services and South Jersey Animal Services have submitted proposals for Animal Control Services in the Township of Dennis; and

WHEREAS, the Chief Financial Officer and Municipal Clerk have reviewed the proposals and recommended that the Township Committee award a 1 year agreement with the option of two (2) one (1) year extensions to Shore Animal Control Services, LLC.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, as follows:

1. The averments of the preamble are incorporated herein by reference.
2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Service Contract with Shore Animal Control Services, LLC for services related to Animal Control within the Township of Dennis for a period of 1 year with the option of two (2) one (1) year extensions.
3. The Clerk shall cause of notice of the award of this contract to be published in the official newspaper of the Township of Dennis as required by N.J.S.A. 40A: 11-5(1)(a)(i).
4. This contract is awarded without competitive bidding, pursuant to the Local Public Contract Law, N.J.S.A. 40A:11-1 et seq and that the total sum will not exceed the limits established in P.L. 2004 Chapter 19.
5. This resolution shall take effect immediately.

ATTEST _____ **ATTEST** _____
 Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

Committeeman Glembocki questioned Committeeman DiCicco regarding the process for choosing Ray Rebmann as the historian. Committeeman DiCicco and Committeeman Glembocki discussed further the proposed Resolution No. 2011-40, which appoints the Dennis Township Historian and Committeeman DiCicco shared his vision for the Museum.

Motion was made by DiCicco, seconded by Crippen, with 4 ayes and 1 nay (Glembocki), the following resolution was adopted:

RESOLUTION NO. 2011-40

RESOLUTION APPOINTING THE DENNIS TOWNSHIP HISTORIAN

WHEREAS, N.J.S.A. 40:10A-1 et seq. authorizes the creation of local historians; and

WHEREAS, with the adoption of Ordinance No. 2005-06 entitled, “An Ordinance of the Township of Dennis, County of Cape May and State of New Jersey Creating a Position of “Dennis Township Historian” and Providing for the Duties Therefore” the Township has created the position of Dennis Township Historian.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that Raymond C. Rebmann of 344 Hagen Road, Cape May Court House, NJ 08210 be appointed Dennis Township Historian for a three (3) year term effective 01/01/2011 pursuant to Ordinance No. 2005-06 and N.J.S.A. 40:10A-1 et seq.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

Motion was made by O’Connor, seconded by Crippen, with 5 ayes and no nays, that providing that proper vouchers have been filed and that funds are available, the following bills are authorized to be paid:

GENERAL ACCOUNT:

032898-Atlantic City Electric	\$ 4,128.80
032899-Computer Access Systems	126.75
032900-Coastal Landscaping	48.75
032901-Comcast	290.64
032902-Crystal Springs	71.52
032903-Dennis Twp Board of Education	672,649.50
032904-East Coast Distributors	208.00
032905-Mike Gardner & Son, Inc.	56.42
032906-The Gem Grocery & Gas	566.70
032907-Gov’t Purchasing Assn. of NJ	90.00
032908-Gramco Business Communications	114.00
032909-James M. Rutula Associates, LLC	270.00
032910-Johnson & Towers, Inc.	21.83
032911-Modern Gas Co., Inc.	202.91
032912-North American Benefits Co.	227.33
032913-Oceanport Industries, Inc.	6,579.62
032914-Oriental Trading Company, Inc.	149.80
032915-Service Tire Truck Centers	917.16
032916-Signworks, dba	190.00
032917-S.S.C.I.	40.00

032918-Staples Credit Plan	1,060.98
032919-Carolyn P. Swagler	104.40
032920-Treasurer, State of New Jersey	205.00
032921-Tri-County Animal Control	700.00
032922-Tri State Office Solutions	26.86
032923-Vision Service Plan	1,056.49
032897-Twp of Dennis Payroll Account (manual check)	59,159.83
032924-Glenn O. Clarke (Petty Cash)	477.20
032925-Dennis Twp Fire District #1	82,000.00
032926-Dennis Twp Fire District #2	61,509.00
032927-Dennis Twp Fire District #3	37,245.50
032928-Twp of Dennis Payroll Account	63,932.79
032929-Super Valu	60.75
032930-Albertsons	76.86
032931-Advantage Rental Center, Inc.	410.40
032932-Atlantic City Electric	8,587.31
032933-A T & T	135.30
032934-Atlantic Cnty Municipal Joint Ins Fund	40,247.00
032935-Atlantic Coast Alarm, Inc.	165.00
032936-Catherine Dougherty	249.72
032937-Belleplain Emergency Corp.	8,750.00
032938-Cape May Cnty Municipal Clerk's Assoc.	200.00
032939-County of Cape May	15,613.25
032940-Capriani Portable Toilets, Inc.	700.00
032941-Computer Access Systems	98.75
032942-Chemsearch Corp.	1,602.56
032943-John L. Collins	273.79
032944-Mr. & Mrs. Harry Creamer	2,324.26
032945-Nelson B. Creamer	163.40
032946-Crystal Springs	69.49
032947-Dan's Welding	4,100.00
032948-Daycare Cleaning Services, Inc.	1,903.08
032949-Dennis Twp Football/Cheer Assoc	1,000.00
032950-Jeanette M. Ennis	101.01
032951-Johnson Wilshire, Inc.	1,005.00
032952-Mike Gardner Plumbing	510.00
032953-Gentilini Ford, Inc.	1,384.52
032954-G & K Services	765.27
032955-Gerald C. Harris	144.40
032956-Herald Newspaper, Inc.	308.25
032957-Roy J. Hope	280.80
032958-J. C. Miller Co., Inc.	211.27
032959-Johnson & Towers, Inc.	21.83
032960-Keen Compressed Gas Co., Inc.	20.26
032961-Edward F. Leith, Jr.	180.38
032962-Masune First Aid & Safety	131.15
032963-Matting World	1,198.98
032964-Modern Gas Co., Inc.	6,992.63
032965-George B. Neidig, Jr.	690.09
032966-Nextel Communications	455.68
032967-Power of Production Studio	537.50
032968-Shore Veterinarians	77.05
032969-S.J.T.P.	90.00
032970-T.C.T.A. of NJ	150.00
032971-Treasurer, State of New Jersey	50.00
032972-Pardo's Truck Service	57.57
032973-Township of Upper	3,508.58
032974-Sports Supply Group, Inc.	368.02
032975-Verizon	1,346.94
032976-Vital Communications, Inc.	175.00
032977-Maser Consulting, PA	4,205.00

Committeeman Glembocki indicated that he looks forward to seeing the Museum open and he hopes that Mr. Rebmann does a good job for the Township.

Committeeman DiCicco commented on the Ocean View Vol. Fire Company's Installation Dinner on February 5th and on the Chicken Pot Pie Dinner that the Belleplain V.F.W. is having this Friday. He indicated that there are a lot of great people at the V.F.W. and he urged everyone to attend and help them. Committee DiCicco also commented on his work at St. Vincent DePaul which is a thrift shop/food bank and increased number of people in need due to the economic times. He listed several organizations and asked everyone to support them. Committeeman DiCicco reported on the Solar Sub-Committee and their meeting with the Board of Education.

Committeeman O'Connor commented on Basketball Season being in full swing at the Recreation Center. He indicated that the basketball fundraiser, Hoops & Hula, is scheduled for January 29th at the Rocking Chair in Avalon. Committeeman O'Connor indicated that its always a good time and that 100% of the moneys raised goes back to the kids.

Deputy Mayor Crippen commented on the Louis Bay 2nd Future Municipal Leaders Scholarship Competition for high school Juniors and Seniors. He indicated that applicants are required to write a 500 essay and that last year a Dennis Township applicant reached the semi-finals.

Mayor Murphy commented on the tragic house fire of former Mayor Harry Creamer's son Carly.

Harry Creamer commented on the phenomenal outpouring of help from the community and the next steps they need to take care of.

Mr. Creamer commented on their request to have the road Carly house is on re-named. He commented on the different names and areas that Head of the River Road is known by. Mr. Creamer also commented on the problem they experienced with using the cell phone to make the 9-1-1 call.

Committeeman DiCicco indicated that they would be meeting with Senator Van Drew to discuss this whole issue.

Mayor Murphy asked that Belleplain Emergency Corps. Chief, Bill King, comment.

Bill King, Chief of Belleplain Emergency Corps., commented on the issue of roads that have multiple names. He indicated that this has been a problem from the start some 15 years ago and that it really needs to be addressed.

Mayor Murphy asked Chief King to work with the other Public Safety personnel at their next meeting to create a packet that the Township can take to the County.

Chief King commented on the issue of School House Road in So. Dennis and it being dissected by the railroad tracks and not be a through street. He indicated that it would be a good thing to have the Tax Assessor work on it with them.

Committeeman DiCicco commented on Belleplain being on top of things and on creating a list of streets with issues and recommendations to correct them.

Chief King indicated that they had the idea to send out a flyer of some type to effected residents of a road like Head of the River and let them decide on a name.

Mayor Murphy commented on the inconveniences it may cause at first but indicated that it needs to be done. Chief King agreed and indicated that it needs to be done on a Municipal and County level.

Motion was made by O'Connor, seconded by DiCicco, that the meeting be open for public comment.

Chief King comment on the terrible condition of County Route 550 when it snows. He indicated that it is a main route for the ambulances and during the last storm they were barely getting through. Chief King asked if the Township could talk with the County to have this main corridor taken care of.

Committeeman O'Connor commented on his many discussions with the County Road Department regarding the County Roads during storms and that he feels that there was an improvement with this last storm.

Chief King reiterated the problems that the ambulances had.

Committeeman DiCicco echoed Chief King's concerns with the need to have this main artery plowed. He indicated that he has discussed this with Committeeman O'Connor. Committeemen O'Connor and DiCicco indicated that during the Christmas storm no County Roads seemed to get plowed and that County Route 550 must be the first one plowed.

Chief King joked that the County Maintenance Yard is even located on 550.

Harry Creamer commented on possible shared services agreements with the County.

There being no further comments from those present, motion was made by O'Connor, seconded by Crippen, that the public comment portion of the meeting be closed.

Motion was made by DiCicco, seconded by O'Connor, that the Township Committee go into Executive Session at this time.

PLEASE NOTE: Minutes from the Executive Session will be made available at a later date upon completion of the matter and after approval by the Township Committee.

Motion was made by O'Connor, seconded by Crippen, that the Executive Session be closed and the regular meeting be reconvened at this time.

Township Solicitor, Jeff April, indicated that the record should reflect that in closed Executive Session the Committee discussed: the ongoing labor negotiations with the status quo remains;

having a meeting with the retirees to discuss bring the co-pays in line with the existing law; modifying hours of a part-time employee and perhaps modifying office hours to provide later hours; and a proposed easement between the Township and the Estate of Marjorie Lathers which will result in an ordinance being adopted in the near future. He stated that no formal action was taken and none was needed in open session.

Motion was made by O'Connor, seconded by Crippen, that the meeting be adjourned.

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor