

**TOWNSHIP OF DENNIS
DENNISVILLE, NJ
APRIL 16, 2012**

4:00 P.M. TWP. COMMITTEE REGULAR MEETING

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

Mayor Glembocki asked for a Moment of Silence for the Troops and asked everyone to say a prayer for Roe Essig the Senior Center Director who was having heart surgery tomorrow. He indicated that with the help of a couple of volunteers the Senior Center's services would not be interrupted.

Mayor Glembocki as Committeeman DiCicco if he had the list of service men and women who lost their lives this week and Committeeman DiCicco apologized and indicated that he did not, but would bring it to the next meeting.

Mayor Glembocki presided with Committeemembers: DiCicco, Murphy, Germanio and Teefy present.

Motion was made by Germanio, seconded by Murphy, with 5 ayes and no nays, that the following minutes were approved:

Regular Meeting - February 21, 2012

Motion was made by Murphy, seconded by Teefy, with 5 ayes and no nays, that the following Officer's Report was approved:

Tax Collector's Report - March, 2012

The Mayor indicated that the Committee had discussed the issue of a letter of support for the City of Bridgeton's application for a FCC license at the previous worksession. He indicated that the frequency was very close to ours and that the Committee wanted the Municipal Solicitor to respond to the City of Bridgeton's request. Motion was made by Germanio, seconded by Teefy, with all in favor, that the Municipal Solicitor be authorized to respond to the City of Bridgeton regarding their request for a letter of support regarding their application for a FCC License.

The Mayor indicated that the Committee had discussed the issue of having the Worksessions recorded and allowing the audio recordings of the Worksession and Regular Meetings be posted on the Township's website at the previous worksession. He asked for a motion to allow for this and a motion was made by Teefy, seconded by DiCicco, with all in favor.

The Mayor asked for a motion to authorize Career Day for the 3rd Graders in Dennis Township. Motion was made by Murphy, seconded by Germanio, with all in favor.

Mark Senior of Marsh & McLennan, the Township's insurance broker, indicated that they have had discussions with members of the Township Committee regarding possible ways to reduce the rising costs of Health Care. He indicated that the first step would be to purchase a Claims Experience from the State of New Jersey to determine what the loss ratio is. Mr. Senior indicated that if the ratio was low we could market to groups such as AmeriHealth, Joint Health Insurance Fund, and Horizon Blue Cross & Blue Shield. However, our ratio came back very high and they recommended that we remain with the State Health Benefits. He indicated that the next step was to explore the existing plans within the State Health Benefits and try to determine if there were alternative programs that would have minimal impact to the employees while maintaining the same level of benefit. Mr. Senior commented on changes that are taking place such as the employee's required contribution. He explained the NJ Direct 10 program. Mr. Senior indicated that the next program that is less expensive but provides a very good level of benefit in NJ Direct 15 and he explained the difference. He indicated that this change would net some savings, however they took another look at the health benefits costs. Mr. Senior commented on the existing prescription program and recommended that the Township switch to the prescription program that is part of the medical plan. He stated that if this were to be done you would be looking at a savings of approximately \$47,000.00 annually. Mr. Senior indicated that if the Township Committee was looking to make a change, this is their recommendation that would have the least impact on the employees. He stated that to make the change the State must receive the request in writing with a resolution 60 days prior to the open enrollment were you would limit the enrollment to NJ Direct 15 plan and that representatives would come down to be available to the employees to review this and re-enroll them in the NJ Direct 15 with the prescription built right in the plan. He commented further on the savings and indicated that it is a win/win plan. Mr. Senior introduced his assistant, Kelli Seib and indicated that she is very knowledgeable and that if any employees have personal questions they will share their phone numbers. Mr. Senior asked if anyone had any questions. Michele Heim questioned if the employees have to pay more out-of-pocket will the Public Works employees be reimbursed by the Township. Mrs. Heim also commented on employees that make minimal wages that have families and that they will have to pay the prescription upfront and then put in to be reimbursed. Mr. Senior indicated that the pharmacy automatically submits for them. Mrs. Heim stated because of the lower salaries a lot of the employees do not have the money to put out and wait to get reimbursed. Mr. Senior indicated that it was a legitimate concern and that they recommend that you place the prescription charge on a charge-card and the reimbursement process takes approximately 10 to 14 days and by the time you get the charge-card bill you have the reimbursement check. Mrs. Heim questioned what you do if you do not have a charge-card and Mr. Senior indicated that would be a challenge. Mrs. Heim again questioned the Committee if the Public Works employees were going to be reimbursed by the Township. The Committee indicated that it has not been discussed. Mrs. Heim indicated that if that is to be the case, she is not in agreement, because the Public Works employees got a 2% raise when no one else did. Kim Herron commented that she agreed with Michele and that we are either all in this together or not. Deputy Mayor Teefy indicated that these questions might be for Mr. Blaney regarding the union contract and he introduced the Township's Labor Counsel, Bill Blaney. Mr. Blaney commented that if there is Collective Bargaining Agreement that sets forth what the health benefits require, depending upon the language, to change it you may have to have negotiations to change it. He commented on PERC (Public Employment Relations Commission) and indicated that sometimes they require that you establish a fund. Mr. Blaney stated that it all depends on what the language is and what the Union will and won't do. Mrs. Heim indicated that then Mr. Blaney is saying depending on the language in the contract, that the Public Works employees, who already got a 2% raise, will be reimbursed and that the other employees who go nothing will not be reimbursed. Mr. Blaney indicated that it depends. Mrs. Heim indicated that she feels that is not fair to the other employees and that the public needs to know that the non-union employees have not had raises for several years. She commented on the low salaries and ones with families that can't afford to put the prescription money out first and wait to be reimbursed. Mrs. Heim stated that if the Committee is going to change the prescription plan and the Public Works employees are going to be reimbursed than everyone should be reimbursed. Danny Grace indicated that he is a union employee and that he pays union dues and they negotiated the contract for him. Mr. Grace also commented on when

raises weren't given and Mrs. Heim disagreed. Mayor Glembocki requested that everyone direct their comments to the Township Committee. Patty Sutton questioned if it would be better for the administrative & recreation employees to join a union prior to these changes taking place. Mayor Glembocki indicated that it may be best to do away with half of the employees in the offices and rotate the other half out on the trash trucks. He indicated that he does not have control over an existing contract. Mrs. Heim commented on the minimal number of employees in the administrative building. Mayor Glembocki acknowledged this issue and indicated that it is something that they have to deal with and he reiterated that this is something that they are having to deal with from the past and that they are trying to do what is best for everyone. Mrs. Heim stated that administrative employees were ok with not getting a raise and we were ok with changing the Health Benefits to a higher co-pay, but now you are raising the prescription and will be reimbursing the Public Works employees. Committeeman Germanio advised Mrs. Heim that the Committee has asked Mr. Senior to get some information for them and that is where they are right now and Mayor Glembocki and Deputy Mayor Teefy concurred. Mrs. Heim indicated that she is commenting so that the Committee knows how we feel prior to making any decisions. Deputy Mayor Teefy indicated that he understood and that right now they just asked Mr. Senior to give explanations on different plans, he also indicated that it is not fair at this time to ask Mr. Blaney to give an opinion on reimbursing the Public Works employees when he does not have a copy of the union contract in front of him the Committee won't do anything without that legal opinion. Mrs. Heim asked if the employees will receive notice prior to changes being done and Deputy Mayor Teefy indicated without a doubt they would. Mrs. Heim reiterated that if these changes must be done, ok but don't reimburse some and not all. Committeeman Germanio indicated that if these changes must be done the first thing the Committee would do is have Mr. Senior meet with all the employees to inform them and give them a chance to ask questions. Mrs. Heim asked if the labor attorney was going to look into the matter of reimbursing and Mr. Blaney indicated that he will look into the reimbursement and give an opinion and that generally you notify the union and give them the documents to review and then negotiate. Mr. Blaney indicated that there are issues with costs savings and he has been in contact via email with union representatives and that they are going to have a meeting within the next week to discuss these issues. Mrs. Heim that they realize cut backs must be made and Mayor Glembocki indicated that they were trying to keep everything intact and doing the best they can. Mayor Glembocki stated that the Committee was in the initial stages and trying to share this information with all the employees. He indicated that they were taking time to discuss these issues and that he appreciated the input. Mayor Glembocki stated that the cuts were hard on them and that they wanted only minimal impact. Mrs. Sutton questioned whether it was possible for an employee to keep NJ Direct 10 and pay the difference. Mr. Senior explained. Mrs. Sutton questioned the change in the prescription and Mr. Senior explained further such as out of pocket expense. Kim Herron asked if the \$47,000 savings that was quoted included all the employees or just the administration and recreation and Mr. Senior indicated that it included all 26 enrollees.

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

Bob Grace from 659 Petersburg Road in Dennisville commented on speeding and cell phone use. He indicated that they are getting no cooperation from anyone, the County or the Sheriff Department. Mr. Grace commented on how dangerous it is and he does not want to see anyone get hit. He indicated that any official was welcome to use his driveway to sit in to slow them down. Mr. Grace commended Jack Connolly for getting some of the trucks to slow down. Mr. Grace commented on the buses pulling out from Academy Road and how they have to pull out to see. He stated that the State Police can do a good job, but they need to come out at different times.

Committeeman Germanio indicated that he would look into it.

Alma George questioned if it was time to comment on an Ordinance and the Committee advised her that would be later.

There being no further comment from those present, motion was made by Murphy, seconded by Teefy, that the public comment portion be closed. The motion carried.

Let the record reflect that the following Resolution Nos. 2012-61 and 2012-63 were part of a consent agenda with a block roll call vote.

Motion was made by Teefy, seconded by Germanio, with 5 ayes and no nays, that the following resolutions were adopted:

RESOLUTION NO. 2012-61

RESOLUTION RENEWING THE RECOGNITION OF THE DENNIS TOWNSHIP BASEBALL/SOFTBALL ASSOCIATION, DENNIS TOWNSHIP BASKETBALL ASSOCIATION, DENNIS TOWNSHIP FOOTBALL & CHEERLEADING ASSOCIATION, DENNIS TOWNSHIP HOCKEY ASSOCIATION AND THE DENNIS TOWNSHIP SOCCER ASSOCIATION, PURSUANT TO CHAPTER 139, ARTICLE 2 OF THE CODE OF THE TOWNSHIP OF DENNIS

WHEREAS, the Recreation Director has received applications from the following Dennis Township Associations: Baseball/Softball, Basketball, Football & Cheerleading, Hockey and Soccer for renewal of their recognition by the governing body for the promotion of recreation activities in the Township of Dennis; and

WHEREAS, the Recreation Director has reviewed the applications in accordance with Chapter 139, Article 2, and has submitted a recommendation to the Township Committee for renewal of their recognition.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Dennis Township Baseball/Softball Association, Dennis Township Basketball Association, Dennis Township Football & Cheerleading Association, Dennis Township Hockey Association and the Dennis Township Soccer Association are hereby recognized as organizations for the promotion of recreational activities pursuant to Chapter 139, Article 2 for the year 2012.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Eugene L. Glembocki, Mayor

RESOLUTION NO. 2012-63

RESOLUTION AUTHORIZING THE REFUND OF A SPECIAL ESCROW FEE – LATHERS ESTATE

WHEREAS, the Clerk has received a request for a refund of the balance of the Special Escrow Fee for the Lathers Estate; and

WHEREAS, said fee was to cover the costs associated with granting an easement over Township property for the Lathers Estate which has been completed .

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 Special Escrow balance:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Applicant</u>
71	1.01	\$ 220.16	Majorie Lathers Estate c/o Judith Grace 659 Petersburg Road Dennisville, NJ 08214

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

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Eugene L. Glembocki, Mayor

Mayor Glembocki asked for a motion for Resolution No. 2012-62 and Mr. Donohue, Township Solicitor, recommended that the 4 ordinances have their public hearings first.

This being the time and place for the Public Hearing on Ordinance No. 2012-03. The title was read by the Mayor. Motion was made by Teefy, seconded by Germanio, that the Hearing be open for public comment. Jessica Daher, 18 McDonald Dr., Seaville indicated that she is with the American Littoral Society and spoke highly regarding the Environmental and urged the Committee to reconsider adopting the ordinance to abolish the Commission. Ms. Daher questioned the Committee why. Committeeman Germanio commented on applicants having to submit plans to the Environmental Commission and indicated by abolishing the Commission you are removing an un-necessary layer. Committeeman Germanio commented on an applicants process and the agencies they must apply to. Ms. Daher indicated that she disagrees with that. Committeeman Germanio indicated that he respected that, he commented the members of the Environmental Commission and indicated that he hopes some of them carry over to the new Natural Resources Committee. Ms. Daher commented on federal and state regulations and what is best for the residents. She commented on an application for an asphalt recycling plant and indicated that the Environmental Commission shared valuable information. Committeeman Germanio indicated that information can be shared with the Natural Resources Committee also and that the Township Committee can refer issues to the Natural Resources Committee for review. Committeeman Germanio indicated that there would be more transparency. Mayor Glembocki commented on the asphalt plant application and commended the Environmental Commission. He indicated that members have been asked to continue to serve on the Natural Resources Committee and that they are making it more transparent. Mayor Glembocki commented on a issue that is stemming up now within the Township and with the Natural Resources Committee it will be brought out to the fore-front. Mayor Glembocki questioned Ms. Daher if the Littoral Society would share their resources with the Natural Resources Committee. Ms. Daher indicated that the Environmental Commission could do much more. Mayor Glembocki and Ms. Daher discussed Environmental Commission and the Natural Resources Committee. Ms. Daher and the Committee continued to discuss the pros and cons of Environmental Commission vs. Natural Resources Committee. Kim Gansert, 2538 Route 9, Ocean View, questioned why the Committee feels the need to disband the Environmental Commission and what the Committee means by not being transparent.

Mayor Glembocki indicated that the Environmental Commission did not do anything wrong, the Committee is establishing a Natural Resources Committee and you do not need both and they are doing business a better way. Mrs. Gansert asked what about the Environmental Commission that wasn't transparent and the Committee commented. Alma George, 2424 Route 9, Ocean View, commented on the layers of environmental and commented on NJDEP, CAFRA and the Pinelands and she shared copies of information. Mrs. George commented the transparency issued and indicated that the only thing an applicant has to do when applying is to make an extra copy of the application for the Environmental Commission, no application to fill-out and no meeting that they have to attend. Mrs. George questioned how the Natural Resources Committee will know when an application is before the Board and Mayor Glembocki explained about the "cross-over" member. Mayor Glembocki and Mrs. George discussed the membership of the Natural Resources Committee. Mrs. George indicated that Mr. Pierson did not have to make application to the DEP, CAFRA or Pinelands and commented on their application. Mrs. George discussed the language in Ordinance No. 2012-03 and how transparent they will be. The Committee and Mrs. George discussed when the Natural Resources Committee would meet. Township Solicitor, Mr. Donohue, explained the minimal meeting requirement and indicated that they could meet as often as they wish. Mrs. George commented on the term of office and indicated that she believes that this doesn't make sense. She indicated that the Environmental Commission is very important and commented on the Forestry Plan. The Committee discussed correspondence from the State regarding the Annual Accomplishment Report that is required to be submitted with Mrs. George. Mrs. George indicated that there were record keeping problems with the Environmental Commission in the past. The Committee and Mrs. George discussed membership of the Natural Resources Committee. Mrs. George requested that Ordinance No. 2012-03 be tabled and re-written. Linda Williams, 35 Holly Glen Lane, indicated that it is her understanding that the Committee feels that the Environmental Commission is redundant because of the State regulations. Ms. Williams stated that she does not trust the State to manage anything in Dennis Township. She commented on our eco-system and indicated that we need something locally to manage it. Ms. Williams also voiced concern that the Natural Resource Committee would be a puppet of the Committee and indicated that it needs to be an independent body. Mayor Glembocki stated to try and keep that from happening the Natural Resource Committee will be appointed every year. Mayor Glembocki commented that they are trying to put the power back to the people and that the people elect the Township Committee. Ms. Williams indicated that another concern she has is that our wonderful, rich, environment that we have will be decimated for more commercialism. Ms. Williams stated that out in the community it is being implied that the Environmental Commission is be abolished for not supporting the asphalt recycling application. Mayor Glembocki commented that he is aware of this and that it is a "political spin" and anyone that knows him knows that he has been dead set against that application from the start. Committeeman Germanio commented on the application and what is being implied out in the community. Ed Chelius Ravenwood Dr., indicated that he has served on the Environmental Commission since 2007 and commented on issues with the Environmental Commission such as membership. He thanked members of the Committee for attending their last meeting and indicated that in 2007 he attended the Zoning Board meetings regarding the asphalt application and made a statement opposing the application on behalf of the Environmental Commission. Mayor Glembocki stated that he believes that very few people knew about the application in 2007. Mr. Chelius commented on the Environmental Commission being an obstacle to applicants before the Boards and indicated that it isn't so and that they reviewed applications and the application regarding the asphalt plant was the first one they had issues with. Mr. Chelius closed with advising the Committee that he believes they are making a mistake. Eileen Turner, Chairperson of the Environmental Commission, indicated that she has served for 22 years being appointed by various Mayors. She stated that over the years they had many great members who volunteered their time. Mrs. Turner indicated that they have received many praises over the years especially from the children. She commented on the past and how previous Mayors took an interest in their projects and how the new Committee want to take a different approach. Mrs. Turner indicated that she will always support the Environmental Commission as the best way to go. Mrs. Turner closed with wishing the Committee luck and indicating that Dennis Township is a wonderful place to live, work and raise a family. She indicated that taking care of everyone's quality of life is a big responsibility that she hopes the Committee is up for.

Mayor Glembocki indicated that he believes they all intend to do so. There being no further comment from those present, motion was made by Teefy, seconded by Murphy, that the hearing be closed.

Mayor Glembocki asked the Committee if they had any comments.

Committeeman DiCicco indicated that the residents that commented gave valid points and that he is against abolishing the Environmental Commission. He stated that he respected Committeeman Germanio's position, but cannot agree with it.

At this point Mrs. Babbitt requested that the audience modify their comments as she was having difficulty hearing the Committee. Mayor Glembocki asked everyone to hold off on their comments and chatter.

Motion was made by Germanio, seconded by Teefy, with 3 ayes and 2 nays (DiCicco & Murphy), that Ordinance No. 2012-03 was adopted:

ORDINANCE NO. 2012-03

AN ORDINANCE OF THE TOWNSHIP OF DENNIS AMENDING AND SUPPLEMENTING CHAPTER 17 (ENVIRONMENTAL COMMISSION) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF DENNIS, TO ELIMINATE AND DISSOLVE THE ENVIRONMENTAL COMMISSION AND ESTABLISH A NATURAL RESOURCES COMMITTEE

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk Eugene L. Glembocki, Mayor

This being the time and place for the Public Hearing on Ordinance No. 2012-04. The title was read by the Mayor. Motion was made by Germanio, seconded by Teefy, that the Hearing be open for public comment. There being no comment from those present, motion was made by Murphy, seconded by Teefy, that the Hearing be closed.

Committeeman DiCicco requested that the Solicitor explain the transition and what the final product will be.

Michael Donohue, Township Solicitor, explained abolishing the Zoning Board of Adjustment and vesting the powers to the Planning Board so that the Planning Board will wear both hats. He stated that the Zoning Board and continue with any pending applications to their completion. Mr. Donohue advised that different towns call it different things, but you can just call it a Planning Board with 9 members and the zoning function. He stated that 2 additional alternates will be added. He reiterated what other towns call the joint board.

Committeeman DiCicco questioned the membership and asked if it is 9 members, the 2 alternates that currently serve and we will add 2 more alternates for a total of 13 and Mr. Donohue concurred.

Mr. Donohue indicated that the Board Solicitor will manage what is zoning and what is planning and have the appropriate number of votes, quorum, etc.

Committeeman DiCicco questioned the ratio for zoning and asked if it has to still be a super majority and Mr. Donohue indicated yes depending on what you are voting on.

Motion was made by Teefy, seconded by Germanio, with 5 ayes and no nays, that Ordinance No. 2012-04 was adopted:

ORDINANCE NO. 2012-04

AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY, AMENDING CHAPTER 185 OF THE CODE OF DENNIS TOWNSHIP, ENTITLED "ZONING" TO VEST THE POWERS OF THE ZONING BOARD IN THE PLANNING BOARD IN ACCORDANCE WITH LAW

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk Eugene L. Glembocki, Mayor

This being the time and place for the Public Hearing on Ordinance No. 2012-05. The title was read by the Mayor. Motion was made by Murphy, seconded by Teefy, that the Hearing be open for public comment. There being no comment from those present, motion was made by Teefy, seconded by Germanio, that the Hearing be closed.

Motion was made by Murphy, seconded by Germanio, with 5 ayes and no nays, that Ordinance No. 2012-05 was adopted:

ORDINANCE NO. 2012-05

AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY APPOINTING AN ENGINEER, FIXING COMPENSATION AND TERM OF OFFICE

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk Eugene L. Glembocki, Mayor

This being the time and place for the Public Hearing on Ordinance No. 2012-06. The title was read by the Mayor. Motion was made by Teefy, seconded by DiCicco, that the Hearing be open for public comment. There being no comment from those present, motion was made by Murphy, seconded by DiCicco, that the Hearing be closed.

Motion was made by Murphy, seconded by Germanio, with 5 ayes and no nays, that Ordinance No. 2012-06 was adopted:

ORDINANCE NO. 2012-06

**AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY,
AND STATE OF NEW JERSEY ENTITLED THE CALENDAR YEAR 2012
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk Eugene L. Glembocki, Mayor

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

GENERAL ACCOUNT:

034520-Twp of Dennis Payroll Account	\$ 56,944.13
034521-Super Valu	278.56
034522-A T & T	203.16
034523-Atlantic Cnty Mun Jnt Ins Fund	69,030.00
034524-Catherine Dougherty	714.87
034525-Blaney & Donohue, PA	2,073.50
034526-Cape May County M.U.A.	13,207.56
034527-Cape May Cnty Tax Assess Assoc	35.00
034528-County of Cape May	6,300.75
034529-Computer Access Systems	81.25
034530-John L. Collins	291.80
034531-Nelson B. Creamer	151.90
034532-Daycare Cleaning Services, Inc.	1,903.08
034533-Twp of Dennis Payroll Account	139,443.00
034534-Collins Iron Works, Inc.	24.00
034535-East Coast Distributors	499.07
034536-Jeanette M. Ennis	104.51
034537-Mike Gardner & Son, Inc.	56.62
034538-The Gem Grocery & Gas	446.33
034539-Gentilini Ford, Inc.	23.00
034540-G & K Services, Inc.	739.48
034541-Gerald C. Harris	159.90
034542-Herald Newspaper, Inc.	1,066.76
034543-Home Depot Credit Services	71.88
034544-Seaville NAPA Auto Parts	1,431.64
034545-Keen Compressed Gas Co., Inc.	20.57
034546-Edward F. Leith, Jr.	201.45
034547-Nextel Communications	491.74
034548-NJ Division of Fire Safety	846.00
034549-Patti's Party World	76.02
034550-Pioneer Manufacturing Co.	624.95
034551-Power of Production Studio	200.00
034552-Seashore Food Distributors, Inc.	629.06
034553-Shop Rite	413.19

034554-S.S.C.I.	\$260.00
034555-Staples Credit Plan	1,113.82
034556-Stewart Business Systems	654.84
034557-Township of Upper	4,883.78
034558-Verizon	1,338.47

Mayor Glembocki asked for a motion to adopt Resolution No. 2012-62, which authorizes the Township Committee to go into an Executive Session for discussion of potential restructuring of various positions and possible filing of a Civil Service Layoff Plan.

Patty Sutton questioned going into an Executive Session due to all employees requesting that the discussion be held in open session.

Township Solicitor, Mike Donohue, explained the procedures and indicated that per the request of the Township Committee, Bill Blaney who has been handling labor issues is present tonight to discuss certain requests from various Committee Members about structure of Township employees in the context of the budget issues that have been discussed with the Township Auditor. He indicated that as a consequence to this, the Township is required to give what is called a Rice Notice to all employees because the discussion would include everyone. He commented on the statute under title 10:4 that requires municipalities to notice which came from a lawsuit of Rice vs. a Board of Education, thus the name Rice Notice. Mr. Donohue indicated that the employees have to be provided reasonable time so that the employee can indicate in writing whether they want the discussion in public session and in this case most of the employees had been notified and almost every employee has responded that they would like the discussion in open session. However from the legal stand point in the section that allows for this, N.J.S.A. 10:4-12(b8) which Mr. Donohue read said section which indicates all employees must request open session. Mr. Donohue indicated that the Township is bound by the statute and due to the fact that some employees did not respond they cannot make the discussions public. Mr. Donohue indicated that Mr. Blaney agreed, but that he (Mr. Blaney) suggested that he explain how a Layoff Plan works without disclosing any confidential information and then vote on having an Executive Session.

Committeeman Germanio indicated he would like to hear Mr. Blaney explain how a Layoff Plan works and Mayor Glembocki requested that Mr. Blaney do so.

Mr. Bill Blaney, Labor Counsel, explained the Executive Session process as well as the Rice Notice requirements. Mr. Blaney explained the Civil Service Layoff process.

Mayor Glembocki asked for a motion to adopt Resolution 2012-62.

Committeeman DiCicco asked how many employees did not respond. The Clerk indicated 1. Committeeman DiCicco stated that 99% of the employees want the discussion in open session and he recommends tabling the Executive Session and having the discussion another time.

Committeeman Germanio stated that we could certainly do that. Mr. Donohue asked Committeeman DiCicco if he was making that motion.

Committeeman DiCicco made a motion to table Resolution No. 2012-62. Mr. Blaney advised the Committee that tabling the Executive Session pushes you time line back and the later you do a layoff the less cost savings you realize. Committeeman DiCicco

indicated that the Auditor had indicated that but they were here to get it right and the employees are entitled to their say and not shut them down.

Deputy Mayor Teefy indicated that they were not shutting them down the law is. Committeeman DiCicco stated that you were because you could choose to table Resolution No. 2012-62. Deputy Mayor Teefy and Committeeman DiCicco discussed the law.

Mr. Blaney discussed noticing employees more in advance.

Mayor Glembocki stated that Committeeman DiCicco made a motion to table Resolution No. 2012-62 and asked for a second, Deputy Mayor Teefy seconded, with 5 ayes and no nays that Resolution No. 2012-62 was tabled.

Patty Sutton asked the Committee to forego their salary or take a reduction to save a job.

Committeeman DiCicco indicated that that has been part of the discussions.

Mayor Glembocki stated that there should be a way the Township can recall the salaries of previous administrations.

Frank Laughlin and Carly Creamer of the Public Works Department questioned if the Committee new how many employees would have to be laid off.

Mr. Blaney indicated that the Committee has to make some policy decisions regarding items like reducing hours or losing a person. He indicated that there are no numbers yet.

Carly Creamer asked if reducing hours meant full-time to part-time and Mr. Blaney reducing hours to anything less than full-time.

Township Auditor, Leon Costello, asked were we are on the agenda and Mayor Glembocki indicated that we just have Committee comments left.

The Clerk asked if the Committee was going to decide when this issue would be placed on another agenda.

Mr. Costello indicated that the public hearing on the Budget is May 1st and at that time you need to take some action. He stated that he has spoken to the Finance Officer and he needs to go line-item by line-item and note what is committed and what is not. Mr. Costello cautioned that with everyday that goes by what you have to do gets greater.

The Committee discussed having a Special Meeting on April 23rd at 5:00 p.m. and Mr. Costello reiterated to the Chief Finance Officer what he needs him to do prior to that meeting.

Mr. Costello indicated that the Committee has not done any thing with the changes to the health insurance that was discussed and cautioned them again that it is a 60 day process. He reiterated that you are spending money everyday.

Committeeman DiCicco asked Mr. Donohue a due process question of once the employees are noticed do they have to be noticed again. Mr. Donohue indicated yes and Mr. Blaney stated that this should be done as soon as possible.

The Committee discussed having the special meeting and Mayor Glembocki stated that it would be Monday, April 23, 2012 at 5:00 p.m., the Clerk with notice all employees and the Finance Officer will get the Auditor what he needs.

Mr. Costello advised that Committee if a line item was \$42,000 and they reduce it to \$35,000 you have to live with the \$35,000 for the year and that they must be hard numbers.

Mayor Glembocki asked for comments from the Committee.

Committeeman Murphy indicated that he had no comment at this time.

Committeeman DiCicco commented on the 65th anniversary of Jackie Robinson breaking the color barrier a second time in baseball and gave a brief history lesson.

Committeeman Germanio commented on items that have been in the paper that are not accurate. He commented on the Public Works contract length and the wage increases. Committeeman Germanio also indicated that it was said that they are in favor of a referendum which is not true. He explained the state law and deadlines and how they had to use the referendum as a back-up plan. Committeeman Germanio indicated that no one wanted to do a referendum and fortunately they are going to be able to find cuts so that it will not be necessary. Committeeman Germanio commented on the notion that we were going to have to have a referendum because of appointing Mr. Donohue and not Mr. Baldini. He stated that is not true and that Mr. Donohue's proposal was the same as Mr. April's which was what Mr. April has been compensated for years. He stated that Mr. Donohue is going to handle tax appeals at no additional costs to the Township and that the labor rate for Mr. Blaney is \$25.00 an hour cheaper and given the quality and quantity of labor work that is needed will result in a significant savings. He indicated that aside from the Layoff Plan there are some general housekeeping items that need to be done. Mr. Blaney concurred.

Deputy Mayor Teefy indicated that he wanted to set the record straight from items that have been in the newspaper the last couple weeks concerning the budget. Deputy Mayor Teefy asked Mr. Costello approximately how long he has been the Auditor for Dennis Township and Mr. Costello indicated from about 1991. Deputy Mayor Teefy shared comments made by former Committeeman Crippen in an article such as they are just complaining and saying half truths and that this years' budget is no different from previous years budget problems, that they are novice and have not looked at all the options. He stated that he agrees with the comment that they are novices, because they have only been in office for 106 days, however they have been in full contact with the Auditor and has taken his expert advise and it would appear that the former administration did not. Deputy Mayor Teefy asked the Auditor to explain how the former Committee handled shortfalls in previous years budgets.

Mr. Costello indicated that he advised the former administration that there will be a tremendous problem in 2012 and they indicated they will deal with it and they wanted no tax increase. He stated he is always in favor of a small tax increase, not doing so you eat up your money and when it goes away you are left with a big hole. Mr. Costello commented on last year's budget and the use of the fund balance. He commented on the act of deferring the School Tax which is not a reoccurring revenue and now you are faced

with a shortfall. Mr. Costello commented on the CAP law which will not allow you to have a 5¢ tax increase and you are faced with how you are going to handle the problem.

Deputy Mayor Teefy indicated that we have to man-up and do what has to be done which is very painful. He indicated that his other issue is with Committeeman DiCicco's comments indicating that the new administration is causing a panic and that the budget situation is not that bad. Deputy Mayor Teefy questioned Mr. Costello if the Township is in the situation where the proposed cuts are necessary.

Mr. Costello indicated that they are in that situation, you are not making any money and he reiterated that you cannot continue to defer the school that because it is not a recurring revenue.

Deputy Mayor Teefy wanted to make sure he understood the financial situation and Mr. Costello indicated that he understood correctly and he commented on the cuts that have been made so far and acknowledged that we have a problem. He commented further on cuts that have been done to make the budget "legal" and that it will have the 2.5¢ tax increase and that he does not want to scare people, but it is what it is.

Mayor Glembocki indicated that he believed there were three options, a referendum, the sizable cuts that are going to effect the employees or receivership.

Mr. Costello commented on what the State would allow to get out of receivership which would result in a tax increase.

Mayor Glembocki commented on receivership and indicated they did not want the State coming in and telling them what was going to happen so they were left with referendum or cuts that would effect the employees.

Deputy Mayor Teefy indicated that he wanted to get the some of the comments in the article in the newspaper on the record and to verify that he was not misunderstanding the financial situation the Township is in.

Mr. Costello stated that it is a real problem and Committeeman Murphy stated which we will deal with.

Mayor Glembocki thanked the members of the Environmental Commission who have served and he indicated that he hopes they will move forward and embrace the Natural Resources Committee for the best interest in the Township which is what they are after. He also thanked the members of the Zoning Board of Adjustment and indicated he hopes the Planning Board will be fine in picking up the responsibilities. Mayor Glembocki addressed the employees and indicated that they are working very hard to do the best they can for the employees and he acknowledge that the employees are what makes the Township work on the daily basis. He stated that there are very difficult decisions to be made and there are many nights that he has difficulty sleeping because he worries about each and everyone one of the employees. Mayor Glembocki thanked the Committee for their work on what they are trying to accomplish for Dennis Township.

Motion was made by Teefy, seconded by DiCicco, that the meeting be adjourned.
Motion carried.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Eugene L. Glembocki, Mayor