

**TOWNSHIP OF DENNIS  
DENNISVILLE, NJ  
MAY 01, 2012**

**7:00 P.M. TWP. COMMITTEE REGULAR MEETING**

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

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

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

Worksession Meeting	-	March 06, 2012
Regular Meeting	-	March 06, 2012

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

Municipal Clerk's Report	-	April, 2012
Registrar's Report	-	April, 2012

Mayor Glembocki announced that we received a Press Release regarding the Clean Communities Grants and Dennis Township is to received \$17,076.59.

Motion was made by Murphy, seconded by DiCicco, with 5 ayes and no nays, that the correspondence be received and filed.

Deputy Mayor Teefy commented on the Integrated Pest Management Plan that was changed in 2007. He indicated the new Plan requires appointing representatives to an Organic Pest Management Advisory Committee. Mayor Glembocki indicated that the recommendation is for: Brian Teefy, Frank Germanio, Kimberly Herron, Jerry String, Dave Hofmann and Dave Glassford make up said Committee. Motion was made by Murphy, seconded by DiCicco, that the aforementioned representatives be appointed to the Organic Pest Management Advisory Committee. The motion carried.

Mayor Glembocki commented on a joint meeting with the Planning where representatives of the Pinelands Commission were present to discuss amendments to the Pinelands Comprehensive Management Plan. He indicated that it was decided that a Sub-Committee would be created to review these amendments. Mayor Glembocki indicated that the following individuals are appointed to the Sub-Committee to review the Amendments to the Pineland's Comprehensive Management Plan: Larry Stevens, Nick Germanio, Lorraine Baldwin, Frank Germanio and David Bohm. Mayor Glembocki asked for a motion to appoint, motion was made by Teefy, seconded by Germanio, and the motion carried.

Mayor Glembocki commented on forwarding a letter to the N.J. Division of Pensions and Benefits requesting to change the Prescription Drug Benefit. He indicated that this has been discussed previously with Mark Senior and asked for a motion to authorize. Motion was made by Germanio, seconded by Teefy and the motion carried.

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

Alma George Route 9, Ocean View questioned the procedures and indicated that the now abolished Environmental Commission had forwarded information to the Township Committee regarding outdoor boilers/burners and she inquired when that issue will be on an agenda.

Mayor Glembocki indicated that everyone had received the information and he was unsure why it was not on the agenda. He assured Mrs. George that it will be one of the first issues for the Natural Resources Committee and that the Natural Resources Committee will be underway soon.

Mrs. George commented on the importance of the outdoor boiler issue and Mayor Glembocki agreed and indicated that is why the Natural Resources Committee was going to start with that issue.

Walt Noll Grave Hole Road in South Dennis addressed his comment to Municipal Engineer, Jack Gibson. He commented on the Beaver Dam Road drainage issue and whether the County had any liability regarding the design issue with the work that the County previously did backing up and causing damage.

Committeeman Murphy questioned the location and Mr. Noll clarified the area on County House/So. Dennis Road that backed up and flooded Mr. Dempsey's property and Beaver Dam Road.

Mr. Noll commented on Mr. Dempsey's lawyer talking with the County and indicated that seems to have stopped and now the Township is in for expenses and a portion of the costs of what it will take to fix the issue. Mr. Noll asked Mr. Gibson if he was aware of all of the issue.

Mr. Gibson indicated that he was not aware of everything that Mr. Noll discussed, and that for him to recommend to the Township Committee to participate with the County it would only be if the Township would be saving from the money already appropriated for an independent project.

Mr. Noll questioned the County's responsibility to make right a problem with design issue of theirs and that this should be done prior to the Township throwing money into a pot that might be fixed with the County correcting their design error.

Committeeman Murphy indicated that Mr. Gibson may want to talk with County Engineer, Dale Foster, to discuss what the County may have done. Mr. Noll indicated that he heard that the County blocked one of the drainage holes and Committeemen Murphy and DiCicco indicated that they had heard that also. Mr. Noll discussed this fix and indicated that it is a partial fix. Mr. Noll continued regarding the possible design flaw and Mr. Dempsey's lawyer.

Mr. Gibson commented on trying to find the best solution to the problem with the County paying the largest majority of the funds.

Mr. Noll questioned if it was ever proven that there were flooding issues prior to the work that the County did. Mr. Gibson indicated that he believes Mr. Dempsey has documents indicating flood issues with the property going back 30 years. He commented on french drain and positive outfall systems. Mr. Noll indicated that he was unsure of the intent of the project.

Committeeman DiCicco indicated that he believes that problem is on Court House/So. Dennis Road and it overflows onto Mr. Dempsey's property and then Beaver Dam Road. Committeeman DiCicco commented on Mr. Dempsey's property drainage issue.

Mayor Glembocki and Committeeman DiCicco commented on Mr. Dempsey's property and the County's drainage easement.

Mr. Noll and Mayor Glembocki continued to comment on the drainage issue.

Committeeman DiCicco commented on tiering the project with the County doing their part first to see how that effects the problem.

Mayor Glembocki commented on urging the County to take action and hopefully Mr. Gibson can work with Mr. Foster to get this done.

Mr. Noll commented on Mr. Previti's discussions with the County and his design for the improvement for Beaver Dam Road. Mayor Glembocki indicated that Mr. Gibson has Mr. Previti's design.

Mr. Noll, Mayor Glembocki and Committeeman Murphy continued regarding the drainage issue and Mr. Dempsey's research.

Mayor Glembocki asked that Mr. Gibson keep the Township Committee posted on this issue.

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

Mayor Glembocki questioned which resolutions could be covered with a consent agenda and the Clerk indicated Resolution Nos. 2012-67 thru 2012-72 and Resolution Nos. 2012-64 thru 2012-66 required separate motions & roll calls.

Let the record reflect that the following Resolution Nos. 2012-67 thru 2012-72 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. 2012-68**

**RESOLUTION CEASING THE CONTRIBUTIONS TO THE BELLEPLAIN EMERGENCY CORPS**

**WHEREAS**, N.J.S.A. 40:5-2 allows for contributions to first aid and emergency or volunteer ambulance or rescue squad associations; and

**WHEREAS**, the Township has been contributing the specified \$70,000 annually as well as the additional amount of \$35,000 due to extraordinary need to the Belleplain Emergency Corps; and

**WHEREAS**, due to financial restraints, the Township is unable to contribute said funds for 2012.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Township cease the contributions allowed by N.J.S.A. 40:5-2 for 2012.

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

**RESOLUTION NO. 2012-69**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE COUNTY OF CAPE MAY TO PROVIDE MEALS AT THE SENIOR CENTER**

**WHEREAS**, the Township of Dennis in the County of Cape May and State of New Jersey operates a Senior Center which provides programs for our Senior Citizens; and

**WHEREAS**, the County of Cape May has offered to provide meals to participating Seniors as the Dennis Township facility; and

**WHEREAS**, the Upper Township Senior Center operated by the County is currently closed for renovations relocating some seniors residing in Upper Township to the Ocean City Senior Center; and

**WHEREAS**, due to the closing of the Upper Township Senior Center for renovations some seniors were unable or unwilling to attend the Ocean City Senior Center due to proximity or transportation concerns resulting in seniors not receiving congregate meals; and

**WHEREAS**, both the County and the Township of Dennis identify a need for adequate nutrition for county residents over the age of 60; and

**WHEREAS**, the County has provided the Township with a form of agreement for the provision of such meals, which is attached hereto and incorporated herein by reference.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Dennis, duly assembled in public session this 1<sup>st</sup> day of May, 2012, that the Mayor and Clerk are hereby authorized and directed to execute the aforementioned agreement with the County of Cape May on behalf of the Township.

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

**RESOLUTION NO. 2012-70**

**A RESOLUTION SUPPORTING FULL REINSTATEMENT  
AND PERMANENT OPEN SPACE PILOT FUNDING**

**WHEREAS**, the preservation of Open Space benefits all New Jersey citizens; and

**WHEREAS**, it does, however, impose costs on the citizens of the host municipality; denying them the economic, budgetary and property tax rate benefits of a developed ratable; and

**WHEREAS**, in recognition of these facts, the State of New Jersey has pledged to provide host municipalities with Payments In Lieu Of Taxes (PILOTs); and

**WHEREAS**, these PILOTs then, serve two crucial public policy purposes; first, providing property tax relief, and second, promoting environmental protection; and

**WHEREAS**, in recognition of those dual benefits, and of the lost opportunity costs imposed on the host municipalities a long line of Governors, Legislatures and Commissioners of Environmental Protection have seen the fairness of consistently making the promised Payments In Lieu of Taxes; and

**WHEREAS**, the policy has been ratified by the citizens of New Jersey, who have, consistently, approved ballot questions that would provide funding to meet Open Space PILOT needs; and

**WHEREAS**, the municipalities that host preserved Open Spaces tend to be less populous, and more extensive, than the average New Jersey municipality; yet they, too, will need to serve their citizens within the constraints of the 2% levy cap; and

**WHEREAS**, in recent budgetary years, State policy makers have made immediate cuts in PILOT funding; and

**WHEREAS**, these cuts have had devastating budgetary impacts on the residents of host municipalities; and

**WHEREAS**, the Mayor and Township Committee of Dennis Township believe that these cuts have unfairly damaged host municipalities and urge State policy makers to correct this unfairness and fully reinstate and permanently fund Open Space PILOT funding;

**NOW THEREFORE, BUT IT RESOLVED**, that the Dennis Township Committee does, hereby, call on all State policy makers to reaffirm their commitment to property tax relief, environmental protection and fiscal fairness by reversing the decision to cut Open Space PILOT funding and support the full reinstatement and permanent funding of PILOT Open Space Funding; and

**BE IT FURTHER RESOLVED**, that copies of this resolution be forwarded to Governor Christie, Lieutenant Governor Guadagno, Environmental Protection Commissioner Bob Martin, Community Affairs Commissioner Richard E. Constable III, our State Senator Jeff VanDrew, our Representative in the General Assembly Nelson T. Albano and Matthew W. Milam, and to the New Jersey Leagues of Municipalities.

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

**RESOLUTION NO. 2012-71**

**RESOLUTION URGING THE STATE LEGISLATURE TO APPROVE A-2454,  
WHICH WOULD ALTER ELIGIBILITY REQUIREMENTS FOR  
UNEMPLOYMENT INSURANCE FOR SEASONAL PUBLIC ENTITY  
WORKERS**

**WHEREAS**, many municipal seasonal jobs in the State are offered for only 10 to 12 weeks in a given year such as beach taggers, recreation personnel, seasonal laborers and lifeguards due to the short summer season; and

**WHEREAS**, there should be no expectation by an employee who has applied for a seasonal job that when the season ends that there would be continued employment, in fact, that individual consciously made the choice to apply for and accept a seasonal job rather than seeking year-round employment; and

**WHEREAS**, when the length of employment is clearly defined by the public entity as a seasonal job with a specific beginning and ending date, this seasonal job should not be included in unemployment calculations for individuals working other jobs during the unemployment period of eligible benefits; and

**WHEREAS**, unlike private employers, municipalities and other public entities are unique in that unemployment claims arising from seasonal employment require the expenditure of taxpayers funds to pay unemployment claims for these individuals thereby burdening the already overwhelmed taxpayer in the State New Jersey; and

**WHEREAS**, in many cases municipalities and other public entities pay claims quarterly and do not pay into the unemployment compensation fund due to budgetary constraints and the high cost of unemployment insurance; and

**WHEREAS**, these unexpected quarterly payments have forced some municipalities to do special emergency appropriations just to pay this year's claims thereby affecting next year's municipal budget which by all accounts will be equally as difficult as the present year's ; and

**WHEREAS**, Assemblywoman Amy Handlin and Assemblyman Sean Kean have introduced A-2454, which would prohibit all seasonal workers from receiving unemployment insurance benefits during a period between two successive seasons if the worker has a reasonable assurance that the worker will perform those services in the second of such seasons;

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of Dennis Township urges the legislature to approve A-2454 as swiftly as possible, and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to Senator Jeff Van Drew, Assemblyman Nelson Albano, Assemblyman Matt Milam, the Commissioner of the Department of Labor, the Lieutenant Governor and the Governor of State of New Jersey and the League of Municipalities.

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

## **RESOLUTION OPPOSING SENATE BILLS 1451 and 1452**

**WHEREAS**, legislation has been introduced to reform and modernize both the Open Public Meetings Act (S-1451) and the Open Public Records Act (S-1452); and

**WHEREAS**, the Township of Dennis Mayor and Committee agrees with and supports the statement that “the right of the public to be present at all meetings of public bodies, and to witness in full detail all phases of the deliberation, policy formulation, and decision making of public bodies, is vital to the enhancement and proper functioning of the democratic process”; and

**WHEREAS**, the changes, however, proposed in S-1451 will not only be a cost driver for local and State government but make government less effective; and

**WHEREAS**, S-1451 includes a number of proposed requirements which involve costly unfunded mandates, impractical requirements and impediments to the democratic process, including the following:

- A new definition of subcommittees that expands subcommittees to be overly inclusive so that, for example, even research projects assigned to one member of a public body could be covered; and
- A new requirement that all subcommittees meetings include notice of their meeting and the preparation of minutes, which would, among other things, necessitate additional administrative support for all meetings of subcommittees as well as increased legal advertising cost; and
- A new requirement that agendas provide a description of all agenda items, including the names of parties to and approximate dollar amounts of any contracts to be acted upon, which will delay the award of contracts and could lead to the loss of grant monies; and
- A new requirement that the governing body may discuss, but not act upon, an item brought up by a citizen at a public meeting if it was not published as an agenda item, that not only runs contrary to the time honored tradition of holding a public meeting for the very purpose of soliciting such input and acting upon it but is impractical, ineffective and unnecessarily inhibits the operations of municipal government; and
- A new requirement for advance notification of estimated start times for the public portion of the meeting and the portion of the meeting from which the public is to be excluded that is unworkable and disruptive; and
- A new requirement that recordings of meetings become a part of the minutes that renders the recordings a permanent municipal record and is not only counter to the already-established records retention schedule of Division of Archive and Records Management for such records but which will be costly to preserve the records to ensure that they are permanent; and
- A new requirement that electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting become part of the minutes and renders the recordings a permanent municipal record, is unworkable and unmanageable as the technology does not always exist to make “hard copies” or digital copies of text messages and the records custodian does not always have access to them, and which is an unprecedented expansion of the meeting concept; and
- A new requirement that public bodies be permitted to exclude the public from discussion of personnel matters only with the written consent of the employee and potentially affected employees which will inhibit the public bodies’ ability to take necessary actions on personnel matters and could lead to costly litigation; and

- A new requirement that comprehensive minutes that must include each member's stated reason for their actions or vote, the identity of each member of the public who spoke, and summary of what was said, be made available to the public as soon as possible but no later than 45 days after the meeting that will not only be costly but the historical value of minutes will be lost in order to meet an arbitrary deadline; and

**WHEREAS**, the Dennis Township Mayor and Committee agrees that government records should be readily accessible and transparent but there must be an appropriate balance between the need for openness and transparency in government and citizens' reasonable expectation of privacy; and

**WHEREAS**, among the costly unfunded mandates and impractical new requirements of S-1452 are the following:

- The expansion of the definition of government record to include records that are required by law to be made, maintained or kept on file by any public agency that will lead to a records custodians to be in violation of OPRA for the non-existence of a government records created before their tenure with the public body; and
- The creation of a definition for "advisory, consultative or deliberative" material that may be contrary to the well established definition in case law leading to costly litigation; and
- The expanding of the definition of government record to include electronic communications, such as e-mails and text messages, concerning public business among an effective majority of the members that occurred prior to a meeting that is unworkable and unmanageable as the technology does not always exist to make "hard copies" or digital copies of text messages, the records custodian does not always have access to the electronic communications and certain cell phone carriers will not provide this information without a subpoena; and
- The inclusion of a subjective definition for "reasonable" that may be contrary to the well established definition in case law leading to costly litigation; and
- A new requirement that any video or audio recordings or public meetings should be available in unedited form will be in direct violation of the Open Public Meetings Act requirement that requires the redacting of discussions in closed session until the matter can legally be released; and
- A new requirement on how to handle redactions and special services fees is time consuming and costly, especially considering that the Government Records Council has already addressed these procedures in their Custodians' Toolkit, which should be codified; and
- A provision that permits the records custodian to advise a requestor that a government record is readily available on the public agency's website; however, the bill requires the records custodian to directly provide the records to the requestor if they do not have access to a computer but does not define what is meant by "access to a computer"; and
- A new costly requirement that when there is a special service charge the requestor must be provided, at no cost, an index generally describing the responsive government records to be provided and to the greatest extent possible the index shall include the name of each record or brief description of the record or general categories of records, a detailed breakdown of how the special charges were assessed and if records are exempt or redacted, the records custodian must provide a description of those records; and

- A provision that prohibits the assessment of a special service charge for requests for budgets, bills, vouchers, contracts and public employee salaries and overtime unless the request is deemed voluminous, which is undefined and subjective; and

**WHEREAS**, the provisions of S-1451 and S-1452 place financial, time, manpower and other burdens on municipalities at a time when municipalities are forced to layoff municipal employees, impose furloughs and reduce departmental budgets so that municipalities can meet the strict CAP requirements with decreased revenues and increasing operating expense; and

**WHEREAS**, the totality of the new requirements of S-1451 and S-1452 will be a significant cost driver for local and State government with no known appropriation contemplated or any alternate means to offset these costs, such a reasonable increase in fees; and

**WHEREAS**, while the Dennis Township Mayor and Committee strives for and agrees that open and transparent government is essential to the democratic process, the provisions of S-1451 and S-1452 will make government inefficient;

**NOW, THEREFORE, BE IT RESOLVED** that the Dennis Township Mayor and Committee, of the County of Cape May and State of New Jersey for reasons stated above, does hereby oppose S-1451 and S-1452, as currently drafted, and strongly urges the State Senate and Assembly to oppose these bills; and

**BE IT FURTHER RESOLVED** that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Senator Loretta Weinberg, Senator Barbara Buono, Senator Shirley Turner, Assembly Speaker Shelia Oliver, Assemblyman Gordon Johnson, Assemblyman Upendra Chivukula, the legislators of the 1<sup>st</sup> State Legislative District, Governor Chris Christie, the New Jersey State League of Municipalities and the Municipal Clerks' Association of New Jersey.

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

Motion was made by Murphy, seconded by Teefy, with 5 ayes and no nays, that the following resolution be adopted:

**RESOLUTION NO. 2012-64**

**RESOLUTION ALLOWING THE BUDGET TO BE READ BY TITLE ONLY AT THE HEARING**

**WHEREAS**, N.J.S. 40A:4-8 provides that the Budget be read by title only at the time of the Public Hearing if a Resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing a complete copy of the approved Budget, as advertised, has been posted in the Municipal Hall and copies have been made available by the Clerk to persons requiring them; and

**WHEREAS**, these two conditions have been met.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Budget shall be read by title only.

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

This being the time and place for the Public Hearing on the 2012 Municipal Budget. Title was read by the Mayor. Motion was made by Teefy, seconded by Germanio, that the Hearing be open for public comment. There being no comments from those present, motion was made by Murphy, seconded by Teefy, that the Hearing be closed.

Motion was made by Teefy, seconded by Murphy, with 5 ayes and no nays, that the following resolution be adopted:

Motion was made by Teefy, seconded by DiCicco, with 5 ayes and no nays, the following resolution was adopted:

**RESOLUTION NO. 2012-66**

**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 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. Attorney-Client Privilege – Complaint by Harry Scheeler regarding 03/20/2012 Closed Session and letter to the Cape May County Prosecutor’s Office.

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. Discussion of Potential Restructuring of Various Positions and Possible Filing of a Civil Service Layoff Plan, FMLA Leave & Potential Separations for Economic Reasons. Formal Action May be taken.

**NOW, THEREFORE 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 May 01, 2012, that an Executive Session closed to the public shall be held on May 01, 2012 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 Eugene L. Glembocki, Mayor

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

Committeeman DiCicco commented on Frank Germana Day at the Dennisville Post Office. He indicated that Frank was the beloved Postmaster of 20+ years in Dennisville and that it was a very nice ceremony. Committeeman DiCicco stated that Jack Connolly and the Dennisville Historic Home Owners Association took the lead and that it was very well attended and that they have dedicated a bench out front of the Post Office in Frank's memory and he invited everyone to stop and see it.

Committeeman DiCicco asked Deputy Mayor Teefy if he knew of a status report on the School's discussions with South Jersey Gas. Deputy Mayor Teefy indicated that he has not heard anything and Committeeman DiCicco indicated that he may attend the Thursday School Board meeting to inquire the status.

Committeeman DiCicco commented on the \$1,000.00 that the Lathers Estate donated to the Museum. He indicated that the Township needed to purchase a plaque for at the Museum out of said funds and he did not know the status of the \$1,000.00 and how to go about using some of it for the plaque. Committeeman DiCicco stated that he would get the proper wording from Bob Grace so that we will have it when the issue of the \$1,000.00 is sorted out.

Committeeman DiCicco and the Committee joked about the Flyers game being on. Committeeman Germanio indicated that he had contacted the Station Commander out at the Woodbine State Police Barracks in regards to Mr. Grace's speeding concerns on County Route 610. He stated that the Commander indicated that he will do his best to set-up patrols on County Route 610 and Committeeman Germanio indicated that he stated on of the specific concerns were when the buses have to pull out onto 610 from Academy and he stated the Station Commander will attempt to stagger patrols to address that issue also. Committeeman Germanio indicated that hopefully this will slow the traffic in this area down and he indicated that the State Police will also be placing their Speed Trailer out on site for a couple of days and it will collect data on when the speeding is occurring.

Deputy Mayor Teefy commented on the sprinkler systems pump at the Academy Road baseball field breaking. He indicated that it is a 2HP submerged pump and that Recreation is currently obtaining quotes.

Mayor Glembocki indicated that his thoughts and prayers are with the family of Ocean View Fire Company's Assistant Chief with the passing of Mr. Ed Williams. Mayor Glembocki announced that for the remainder of this year we will be able to provide meals for our Seniors at the Senior Center. He stated that it is a County Program that is funded by the Federal Government and will not cost Dennis Township. He projected that it will be starting May 21<sup>st</sup> and will be on Mondays, Wednesdays and Fridays at no cost to the Seniors, however, they do have to sign up in advance and can make a donation. Mayor Glembocki indicated that it will be a nice addition and reiterated that they will have to sign up in advance (the day before) and this is done to limit the waste of food.

Mr. Waltz asked if the program was limited to Dennis Township residents and Mayor Glembocki indicated that it is a federally funded program and open to everyone and he explained that one of the reasons we are able to have the program is because it is a Pilot Program due to the Upper Township Senior Center being closed currently. He stated that the funds were already there and he discussed the idea with Freeholder Gabor and Dennis Township would be more convenient for the Upper Township Seniors who are currently having to go to Ocean City. Mayor Glembocki also indicated that he has spoken to Freeholder Morey regarding more Fare Free Transportation at the Senior Center.

Committeeman DiCicco advised Mr. Waltz that our Senior Center is already open to any senior in the County.

A member from the public questioned how the Senior Center Director, Rose, was doing.

Mayor Glembocki indicated that she is recovering and that they were currently respecting her desire not to receive callers and that he hoped to speak with her soon and that she had to have a quadruple bypass with a valve replacement. He indicated that she is a very lucky woman and that he thanks God everyday that she came through it ok.

Mr. Waltz questioned if they were going to pay the bills. Mayor Glembocki joked about skipping the bill section of the agenda.

Motion was made by Teefy, seconded by DiCicco, that providing that proper vouchers have been filed and that funds are available, the following bills are authorized to be paid:

**GENERAL ACCOUNT:**

034559-Twp of Dennis Payroll Account	\$ 57,216.18
034560-Atlantic City Electric	1,889.06
034561-Airline Hydraulics Corp.	73.33
034562-Barry, Corrado, Grassi PC	400.00
034563-Belleplain Emergency Corp.	5,452.36
034564-Blaney & Donohue, PA	4,583.33
034565-County of Cape May	535,585.58
034566-Computer Access Systems	87.25
034567-Glenn O. Clarke (Petty Cash)	133.28
034568-Cody's Power Equipment	21.99
034569-Comcast	515.96
034570-Crystal Springs	74.67
034571-Dennis Twp Board of Education	672,649.50
034572-Collins Iron Works, Inc.	24.00
034573-Delta Dental	2,878.30
034574-Deptcor	185.00
034575-East Coast Distributors	195.98
034576-Ford, Scott & Associates, LLC	5,000.00
034577-Anthony J. Harvatt, II, Esq.	500.00
034578-Roy J. Hope	326.26
034579-Matthew Bender & Co., Inc.	196.02
034580-McManimon & Scotland, LLC	2,350.86
034581-Modern Gas Co., Inc.	1,046.47
034582-North American Benefits Co.	238.03
034583-The Press	59.28
034584-QC, Inc.	842.00
034585-Cooltronics, Inc.	270.98
034586-Service Tire Truck Centers	682.84
034587-Shore Animal Control	1,300.00
034588-Smeltzer & Sons Feed	359.60
034589-S.S.C.I.	60.00
034590-Township of Upper	28,750.00
034591-Vision Service Plan	970.61
034592-Vital Communications, Inc.	150.00
034593-Maser Consulting, PA	80.00

Mayor Glembocki asked for a 2 minute recess.

Motion was made by DiCicco, seconded by Murphy, that the Committee take a 2 minute recess and then proceed with the Executive Session. All in favor and the motion carried.

Motion was made by Teefy, seconded by Germanio, that the Township Committee reconvene the regular meeting. All in favor and the motion carried.

Mr. Blaney, Township's Labor Counsel, indicated that the Township had noticed multiple employees for this evening and that Clarence Ryan is one of the employees that the Clerk has advised has requested that the discussion be held in open session. Mr. Blaney indicated that this is a follow-up regarding separation of employees and we dealt with Civil Service employees at the last special meeting.

Mr. Blaney indicated that he has been reviewing the Civil Service status and what employees have permanent status those who do not. He stated that in the original paperwork he received from the Township, the only title for Mr. Ryan was Director of Public Works and that it was listed as Provisional Status. He indicated that at some point from when he originally obtain the job history which was approximately early March, additional paperwork was filed with Civil Service attempting to appoint Mr. Ryan for permanent status from the Certification of Eligibles on which Mr. Ryan was ranked #2. He stated that Mr. Ryan got on the list by taking a test. Mr. Blaney commented on the Civil Service Rule of Three and indicated that normally you could reach Mr. Ryan, which the Township attempted to do, however, it was missed that #1 was a veteran and you can not bypass a veteran without significant reasons to do so which the Township does not have. Mr. Blaney indicated that he had contacted Civil Service to verify the permanent/non-permanent status of Mr. Ryan and Ms. Andrews realized that the 1<sup>st</sup> ranked was a veteran. Mr. Blaney stated that the Certification of Eligibles expired on 4/25/12, however, Civil Service has extended the date of the list to resolve this issue and that our options are appoint the veteran that is ranked #1 or separate the provisional employee which will do away with the need for the List. Mr. Blaney explained that appointing a provisional is usually what triggers the testing procedure and the List being created and if you do away with the provisional/job than that ends your need to use the List and the people that took the test will remain in Civil Service's computer and if there is ever the job listed again they will come up on the List. Mr. Blaney stated as it stands now, per Civil Service, we cannot appoint Mr. Ryan as a permanent and the Committee must decide if they are going to separate him as a provisional from the title and do away with the title or appoint the veteran that is ranked #1 on the List.

Mr. Blaney commented on an additional issue with Mr. Ryan, which is he holds an additional title of Recycling Coordinator, which he receives a small stipend of approximately \$3,000.00 and he does have permanent status in. Mr. Blaney indicated that the Committee needed to decide if they were going to keep Mr. Ryan in that title or include that title of Recycling Coordinator in the Lay-Off Plan.

Mr. Blaney indicated that traditionally these items are addressed by motions, first motion being whether or not the Township is going to appoint the 1<sup>st</sup> ranked or separate him from the provisional title of Director of Public Works and the second motion being whether the Township is going to add the Recycling Coordinator to the Lay-off Plan. Mr. Blaney explained that because the Recycling Coordinator is a Civil Service title you have to follow all the same procedures that were discussed at the last meeting which would mean they would be included in the Plan and the Plan takes approximately 30 days to be reviewed by Civil Service and if they approve it 45 day notices must be sent out. Mr. Blaney indicated that we needed direction in the form of motions, he for the Lay-off and the Clerk for the separation and/or appointment.

Mr. Blaney clarified the motion regarding the Director of Public Works title. The Township Committee agreed that it was very unfortunate and Committeeman DiCicco indicated that it was rough because Mr. Ryan has done a good job.

Motion was made by Germanio, seconded by Teefy, with 5 ayes and no nays, to eliminate the position of Director of Public Works and separate Clarence Ryan as a provisional employee.

Mr. Blaney explained that the next motion needed is in regards to the Recycling Coordinator position and that is to add that position to the Lay-off Plan or to not add it.

Committeeman DiCicco questioned who would then do recycling and Mr. Blaney indicated that the issue would have to be discussed later and you would have to review different job titles.

Motion was made by Teefy, seconded by Germanio, with 5 ayes and no nays, that the Labor Counsel add the position of Recycling Coordinator to the Lay-off Plan.

Mr. Blaney stated that there were two more motions required to separate or not separate the provisional Emergency Management individuals. Mr. Blaney indicated that the first Emergency Management provisional is Peter J. Stafford.

Motion was made by Germanio, seconded by Murphy, that the Emergency Management provisional Peter J. Stafford be separated with 2 weeks notice.

Mr. Blaney questioned if the Committee was also using the 2 week notice for Mr. Ryan.

Mr. Blaney indicated that the second Emergency Management provisional was Albert DeLuca and a motion is required to separate him.

Motion was made by Teefy, seconded by Germanio, that the Emergency Management provisional Albert M. DeLuca be separated with 2 weeks notice.

Committeeman DiCicco indicated that he was in charge of Emergency Management for a while and these guys did a fabulous job and very dependable. He voiced concerns about cutting emergency services and indicated that he would have to vote no. Committeeman Murphy and Committeeman Germanio voted yes. Deputy Mayor Teefy indicated that he understood Committeeman DiCicco's concerns and that he understands that they have done a great job, however, he indicted he has seen municipalities with just one or two in Emergency Management and questioned the need for four and pointed out the Township's financial situation and voted yes. Mayor Glembocki voted yes.

Mayor Glembocki asked for a motion to adopt Resolution No. 2012-72, which is authorizes a leave of absence for an administrative employee.

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

### **RESOLUTION NO. 2012-73**

#### **RESOLUTION AUTHORIZING THE LEAVE OF ABSENCE FOR AN ADMINISTRATIVE EMPLOYEE**

**WHEREAS**, the Clerk has received a request from a Township Employee for a leave of absence; and

**WHEREAS,** Rosemarie Essig has requested a leave of absence for a medical condition ;  
and

**WHEREAS,** said leave would be effective retroactive to April 17, 2012 and would end  
on July 10, 2012 with Mrs. Essig returning to work on July 11, 2012; and

**WHEREAS,** the leave of absence shall run concurrent with a leave under the provisions  
of the Family and Medical Leave Act.

**NOW THEREFORE BE IT RESOLVED,** by the Township Committee of the  
Township of Dennis, County of Cape May, State of New Jersey, that a leave of absence  
be granted for Rosemarie Essig retroactive from April 17, 2012 through July 10, 2012.

**BE IT FURTHER RESOLVED,** that a leave under the Family and Medical Leave Act  
will be granted for a portion of the leave not to exceed the Federal and State provisions of  
the Act.

**BE IT FURTHER RESOLVED,** that the Clerk is hereby authorized and directed to file  
the necessary paperwork with the N.J. Department of Personnel.

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

The Solicitor indicated that he required a motion to authorize him to send a letter to the  
County Prosecutor. Motion was made by Murphy, seconded by Teefy, with 5 ayes and  
no nays, that the Township Solicitor be authorized to send the letter to the County  
Prosecutor.

Mayor Glembocki commented on a No Tolerance disc provided by the JIF and requested  
that all the employees take the 10 to 15 minutes to watch it. Motion was made by Teefy,  
seconded by Germanio, that the Clerk create a sign-in sheet and have all the employees  
view the No Tolerance disc provided by the JIF.

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

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

Motion was made by Germanio and seconded DiCicco, that the Township Solicitor, Mr. Donohue and Labor Counsel, Mr. Blaney, be authorized to proceed with what was discussed in Executive Session. All in favor and the motion carried.

Motion was made by Germanio, seconded by Murphy, that the meeting be adjourned. All in favor and the motion carried.

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