

**TOWNSHIP OF DENNIS
CONSOLIDATED LAND USE BOARD
571 Petersburg Road
Dennisville, NJ 08214
(609) 861-9705**

JANUARY 10, 2013 (Reorganization)

MINUTES

This meeting was published in accordance with the "Open Public Meetings Act". Notice of this meeting was published in an annual meeting notice in the Cape May County Herald and posted in Township Hall.

The meeting was called to order by Eileen McFillin. The following members were present: Mr. Watson, Mr. Germanio, Mr. Glembocki, Mr. Stafford, Mr. Butto, Mr. Daniels, Mr. Teefy, and Mr. Pettit. Also in attendance was Jacqueline Justice, Township Clerk.

Jacqueline Justice administered the oath of office to Eugene Glembocki, Brian Teefy, Clay Pettit, Dave Daniels, Albert Butto and Peter Stafford. All new members then took their seats on the Board.

Ms. McFillin asked for nominations for the position of Board Chairman. A motion was made by Mr. Teefy to nominate Mr. Butto as Chairman for the Consolidated Land Use Board, seconded by Mr. Glembocki and carried by a majority vote.

The meeting was then turned over to Chairman Butto.

Mr. Butto then asked for nominations for the position of Vice Chairman to the Board. A motion was made to nominate Mr. Daniels as Vice Chairman, seconded by Mr. Teefy and carried by a majority vote.

Mr. Butto then asked for nominations for Secretary to the Board. A motion was made by Mr. Watson to nominate Carla Coffey as Secretary to the Board, seconded by Mr. Teefy and carried by a majority vote.

Mr. Butto then asked for nominations for Board Attorney. A motion was made by Mr. Teefy to nominate Jon Batastini, Esquire, seconded by Mr. Germanio and carried by a majority vote.

Mr. Butto then asked for nominations for Board Engineer. A motion was made by Mr. Pettit to nominate Fralinger Engineering, which was seconded by Mr. Germanio. The roll call

vote tied with 4 “yes” votes and 4 “no” votes.

Mr. Batastini suggested that a discussion be held concerning the appointment of Board Engineer.

Mr. Butto said that he looked over proposals, and feels that Mr. Gibson is familiar with the Township and is easily accessible.

Mr. Pettit said that he believes Fralinger Engineering is untouchable, their work is impeccable, and you get answers from them.

Mr. Watson said that Mr. Gibson is familiar with the Township’s Master Plan, the Township in general and that he is the Township Engineer, all to his credit. Mr. Watson also said that Brian Murphy is familiar with Township as well and they are a small firm, and that Fralinger and Maser are huge firms. He likes small and local firm sand is leaning toward Mr. Gibson or Mr. Murphy.

Mr. Germanio said he is familiar with Fralinger, and they get things done. Mr. Gibson is a nice guy, but Mr. Germanio feels he is too involved with the Township. He further said that Fralinger is impeccable and professional, and that the same person will be here every meeting, and their prices are not outrageous.

Mr. Daniels indicated that he likes to keep it local. Mr. Murphy is local and very good; Mr. Gibson is also very good. He believes that the Board will get personal and professional from both.

Mr. Stafford added that Mr. Gibson lives here.

Jon Batastini, Esquire, the newly appointed Board Solicitor, was sitting in the audience. He came forward and advised that Ms. Justice is pulling the Ordinance and he is looking up information regarding a tie vote.

Mr. Watson added that he is a little confused looking at Fralinger's proposal and charges listed.

A period of general discussion followed.

Mr. Germanio said he is concerned with Mr. Gibson being involved too much with the Township, and that he has had work done by Mr. Gibson and has never had a

problem, but he is still in favor of Fralinger.

Mr. Pettit added that Fralinger will follow through.

Mr. Glembocki indicated that even if another motion is made now, it will probably come out with the same result, and it is best to wait for an opinion from the attorney.

While waiting for the Board's Solicitor to render his opinion, Mr. Butto continued with other Board business. He asked for a motion to approve the proposed meeting schedule. A motion to approve said meeting schedule was made by Mr. Teefy, seconded by Mr. Stafford and carried by a majority vote.

Ms. McFillin advised that a sign-in sheet was being passed around to sign up for work sessions, and everyone, with the exception of Mr. Glembocki and Mr. Teefy, who are exempt, should sign up for 4 work sessions each. Mr. Teefy reiterated that everyone has to sign up for 4 work sessions each.

A period of general discussion then followed while waiting for the Board Attorney's opinion regarding engineer's vote.

Mr. Watson made a motion to nominate Jack Gibson, which was seconded by Mr. Stafford. Mr. Batastini advised that it was too soon to hold another nomination, as it needs to be determined whether or not the first vote will hold up. He advised that there are certain circumstances where a tie vote doesn't necessarily result in a denial and he was still researching same.

Another period of general discussion while Mr. Batastini continued to research the situation.

Mr. Pettit indicated that he had just received word from Lorraine Baldwin that she is home and can come to the meeting. Mr. Batastini said that if Ms. Baldwin can come, he suggested that she do so. Mr. Pettit said he would call her back and ask her to come. It was later determined that Ms. Baldwin would not be able to attend the meeting.

Mr. Teefy then made a motion for a 10 minute recess, which was seconded by Mr. Stafford, with all members in favor.

The meeting called back to order.

Mr. Batastini then rendered his opinion as to the tie vote. He advised that Cox says if there is nothing on point, to refer to Robert's Rules, which says that since there is a tie in either case and the Chairman votes "No," it leaves a failed motion. He suggested that another motion be made and the Board try again.

Mr. Butto then asked for nominations for Board Engineer. A motion was made by Mr. Stafford to nominate Jack Gibson, seconded by Mr. Daniels. Mr. Batastini indicated that if there is any discussion regarding the position of Engineer, it should be done now. There was none. Mr. Butto asked for a roll call on the motion. The vote resulted in 3 "yes" votes and 5 "no" votes and, therefore, the motion failed.

A motion was then made by Mr. Pettit to nominate Fralinger Engineering as Board Engineer, which was seconded by Mr. Germanio. There was a general discussion regarding the motion to appoint Fralinger. Mr. Butto asked for a roll call on the motion. The vote resulted in 8 "yes" votes and the motion carried.

Mr. Butto asked if anyone had any comments to make at this time. There were none.

There being no further business to come before the Board at this time, a motion was made and seconded to adjourn meeting. The meeting was adjourned at 8:01 p.m..

Carla _____ A. _____ Coffey

Carla A. Coffey, Secretary
Dennis Township Consolidated Land Use Board