

**TOWNSHIP OF DENNIS
DENNISVILLE, NJ
MARCH 23, 2021**

5:30 P.M. (PREVAILING TIME) TWP. COMMITTEE REGULAR MEETING

DUE TO THE COVID-19 OUTBREAK, WE ARE CONDUCTING THE MEETING BY TELE-CONFERENCE AND THE PUBLIC MAY CALL IN. CONFERENCE CALL INFORMATION WAS INCLUDED AS A COVER PAGE TO THIS AGENDA

The Clerk opened the meeting in compliance with the Open Public Meetings Act requirements.

The Clerk conducted the roll call with VanArtsdalen, Germanio, Cox, Turner and Matalucci present.

The Clerk requested that everyone please rise for the pledge of allegiance.

The Clerk indicated that the Township Administrator/Chief Finance Officer would be giving a brief presentation on the 2021 Municipal Budget.

The Clerk asked if there were any questions, comments or concerns regarding the consent agenda.

There being none, the Clerk asked for a motion adopting the consent agenda, motion was made by Matalucci, seconded by Germanio, with 5 ayes and no nays, that the consent agenda be adopted.

The following minutes were approved as part of the Consent Agenda: 03/09/2021 Work Session & Regular Meeting.

The following correspondence was approved as part of the Consent Agenda: Consolidated Land Use Board's Review of the Applications before the Zoning Board 2019 – 2020.

The following resolution numbers 2021-60 thru 2021-65 were a part of the Consent Agenda:

RESOLUTION NO. 2021-60

**RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT
BY AND BETWEEN THE TOWNSHIP OF DENNIS AND
THE DENNIS TOWNSHIP BOARD OF EDUCATION
FOR A JOINT SUMMER CAMP PROGRAM**

WHEREAS, the Township of Dennis and the Dennis Township Board of Education are desirous on reaching a mutually beneficial arrangement for a joint Summer Camp Program; and

WHEREAS, a Shared Services Agreement has been prepared to allow for a joint Summer Camp Program under terms agreeable to the Township and the Board of Education, a copy of which is annexed to this Resolution; and

WHEREAS, the Township is authorized to enter into such agreements under the authority of N.J.S.A. 40:8A-1 *et seq.*; and

WHEREAS, the Township of Dennis finds that such an agreement in this instance would be in the interests of the health, safety and welfare of the citizens of the Township;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Dennis in the County of Cape May and the State of New Jersey, duly assembled in public session this 23rd day of March, 2021, as follows:

1. The Preamble of this Resolution is hereby adopted and incorporated herein by reference;
2. The aforementioned and annexed Shared Services Agreement is hereby approved;
3. The Mayor and Clerk are hereby authorized and directed to execute the said Shared Services Agreement on behalf of the Township of Dennis.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Zeth A. Matalucci, Mayor

RESOLUTION NO. 2021-61

RESOLUTION AUTHORIZING ADDITIONAL APPROPRIATIONS IN THE TEMPORARY BUDGET FOR CY 2021 FOR THE TOWNSHIP OF DENNIS

WHEREAS, a condition has arisen with respect to the appropriation of funds when budget dates have been extended until final adoption of the budget pursuant to N.J.S. 40A:4-19.1; and

WHEREAS, an additional \$50,000 is required to be included in the temporary budget.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that in accordance with N.J.S. 40A:4-19.1:

1. Temporary appropriation is hereby made in the total amount of \$50,000.
2. That one certified copy of this resolution be filed with the Director of Local Government Services.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Zeth A. Matalucci, Mayor

RESOLUTION NO. 2021-62

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH FRALINGER ENGINEERING, PA FOR ENGINEERING, SURVEYING AND INSPECTION SERVICES IN REGARDS TO THE CHESTNUT STREET & EAST AVE. RECONSTRUCTION PROJECT

WHEREAS, Dennis Township has received grant funding from the New Jersey Department of Transportation's (NJDOT) Fiscal Year 2021 Municipal Aid Program for the Reconstruction of Chestnut Street and a Portion of East Ave.; and

WHEREAS, the Township Committee believe it is in the best interest of the Township to take advantage of said grant funds; and

WHEREAS, Fralinger Engineering, PA are the Engineer for Dennis Township, and

WHEREAS, Fralinger Engineering, PA has submitted a proposal, for said project, in an amount not to exceed \$32,500.00. for Professional Engineering, Surveying and Inspection Services.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, in the County of Cape May and State of New Jersey, that a contract for the same is hereby awarded to Fralinger Engineering, PA as a Professional Services Contract, in an amount not to exceed \$32,500.00, for professional engineering services.

BE IT FURTHER RESOLVED, that the Municipal Clerk be and is hereby authorized and directed to publish in the official newspaper of the Township a copy of this Resolution.

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk Zeth A. Matalucci, Mayor

RESOLUTION NO. 2021-63

RESOLUTION AMENDING RESOLUTION NO. 2021-25 DESIGNATING THE OFFICIAL NEWSPAPERS FOR PUBLICATION

WHEREAS, the Governing Body desires to amend Resolution No. 2021-25; and

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 Press of Atlantic City be and the same is hereby designated as the official newspaper of the Township of Dennis for the remainder of the year 2021 to receive any and all meeting notices of the Township of Dennis and Land Use Development Application Notices.
2. The Cape May County Herald Times 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 Press of Atlantic City.
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. 2020-168.
6. This Resolution shall take effect immediately.

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk Zeth A. Matalucci, Mayor

RESOLUTION NO. 2021-64

SELF-EXAMINATION OF BUDGET RESOLUTION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Dennis, County of Cape May has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2021 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Dennis, County of Cape May that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Zeth A. Matalucci, Mayor

RESOLUTION NO. 2021-65

**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.

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 March 23, 2021, that an Executive Session closed to the public shall be held on March 23, 2021 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 Zeth A. Matalucci, Mayor

The Clerk indicated that we would be moving on to the regular items on the agenda.

This being the time and place of the Public Hearing for Ordinance No. 2021-02. The title was read by the Clerk. Motion was made by VanArtsdalen, seconded by Turner, that the Hearing be open for public comment. There being no comment from those present, motion was made by Matalucci, seconded by Germanio that the Hearing be closed.

The Clerk asked for a motion to adopt Ordinance No. 2021-02, motion was made by Germanio, seconded by Turner with 5 ayes, and no nays, the following ordinance was adopted:

ORDINANCE NO. 2021-02

**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 Zeth A. Matalucci, Mayor

The Clerk asked for a motion authorizing the payment of the bills, providing that proper vouchers have been filed and that funds are available.

Motion was made by Cox, seconded by Matalucci, with 5 ayes and no nays, that the payment of the following bills was approved:

GENERAL ACCOUNT:

045608-Advantage Equipment Sales

\$ 223.07

045609-Atlantic City Electric	2,883.48
045610-AT&T	55.31
045611-Cub Scout Pack 56	1,000.00
045612-Cape May County M.U.A.	14,678.63
045613-Cape May County P.W.A.	1,554.24
045614-CEUnion	55.00
045615-Comcast	147.66
045616-Delta Dental of NJ	2,211.26
045617-Fralinger Engineering, PA	1,485.05
045618-Gann Law Books, Inc.	161.00
045619-Gardner True Value Hardware	66.48
045620-Eric M. Krise Electrical	515.00
045621-Gramco Business Communications	1,045.00
045622-K. Gannon Plumbing	825.00
045623-New Jersey Planning Officials	491.00
045624-Nat. Alliance for Youth Sports	100.00
045625-Petty Cash c/o Jessica Bishop	404.42
045626-Principal Life Insurance Co.	49.98
045627-Reliable Power Plus LLC	1,200.00
045628-Staples Advantage	190.87
045629-Suburban Propane – 2115	352.96
045630-Upper Township	1,277.66
045631-Verizon Wireless	38.01
045632-Verizon	45.07

CONSTRUCTION CODE:

1032-Municipal Construction	75.00
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GENERAL CHECKING WIRES:

29-The Bank of New York Mellon	14,025.00
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DOG TRUST:

None.

ESCROW PINELANDS CONSTRUCTION:

None.

ESCROW R. E. PIERSON CONSTRUCT:

None.

ESCROW TURNER PARTNERS:

None.

ESCROW HRD HOLDINGS:

None.

ESCROW RIVERVIEW PLUMBING HEATING & C:

None.

ESCROW GOLF CARS UNLIMITED

None.

PLANNING ESCROW:

None.

RECREATION TRUST:

1243-Petty Cash c/o Jessica Bishop

45.36

Let the record reflect that there were no Administrative Reports.

The Clerk asked if there were any comments from the public this evening.

Let the record reflect that there were no comments from those present.

The Clerk asked for comments from the Township Committee.

Committeeman VanArtsdalen indicated that Baseball is kicking off and that Travel Basketball & Rec Basketball are done and that we are moving on with Baseball & Softball.

Committeeman Germanio thanked the Senior Center Director, Roe Essig, and her team of volunteers for their efforts in making 100 boxes of Irish Potatoes. He shared that Mrs. Essig will be having a drive thru Luncheon for Memorial Day on May 19th and to contact the Senior Center for more information and to RSVP. Committeeman Germanio complemented the Administrator/CFO, Jessica Bishop, on the great job she has done with the Budget. He expressed his condolences to the family of Mark Kohler and indicated that the Township has lost a friend.

Committeeman Cox thanked the Administrator/CFO, Jessica Bishop, for the awesome job she did on the Budget.

Deputy Mayor Turner commented on the Township working together with the School on the Summer Camp this year and indicated that it is a good year to try this format out and thanked everyone who worked on this program. He indicated that Public Works has been very responsive as always.

Mayor Matalucci expressed his condolences to the Kohler family and indicated that he was a great guy and his passing is a huge loss to the Township. He thanked the Administrator/CFO, Jessica Bishop, for all her work with the Budget. Mayor Matalucci indicated that there will be a Community Clean Up day along the new Bikeway and stated that there is a lot of trash along the area with the power lines prior to the project and he would like to see some community involvement along with Public Works who will have trucks and equipment that would be needed. Mayor Matalucci indicated that he has found items such as a boat and piles of shingles.

The Clerk indicated that at this time the Township Committee and the Administrator will be going into an Executive Session. She asked for a motion to recess the regular meeting, motion was made by Matalucci, seconded by Germanio, that the regular meeting go into recess at this time.

The Clerk asked for a motion to reconvene the regular meeting, motion was made by Matalucci, seconded by Germanio, that the regular meeting be reconvened at this time.

The Clerk asked if any formal action was needed and the Administrator indicated no.

The Clerk asked for a motion to adjourn the Township Committee Meeting.

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

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk Zeth A. Matalucci, Mayor