

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

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

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

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

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

There being no comment on consent agenda items, the Deputy Mayor asked for a motion adopting the consent agenda, motion was made by Cox, seconded by Germanio, with 3 ayes and 2 absent (VanArtsdalen & Matalucci), that the consent agenda be adopted.

The following minutes were approved as part of the Consent Agenda: 07/13/2021 Work Session & Regular Meeting.

The following resolution numbers 2021-117 thru 2021-122 were a part of the Consent Agenda:

RESOLUTION NO. 2021-117

RESOLUTION AUTHORIZING THE ISSUANCE OF THE 2021-2022 KENNEL LICENSE FOR CLERMONT COUNTRY KENNELS

WHEREAS, the N.J.S.A. 4:19-15.8 requires persons operating a kennel to obtain a license to operate said establishment from the municipality; and

WHEREAS, the Township is in receipt of the application for the 2021-2022 Kennel License from Clermont Country Kennels along with the required fee; and

WHEREAS, the Township has received the necessary approval from the Cape May County Health Department approving the issuance of said Kennel License.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Municipal Clerk be and is hereby authorized and directed to issue the 2021-2022 Kennel License to Clermont Country Kennels.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2021-118

RESOLUTION APPOINTING AN EMERGENCY MANAGEMENT COORDINATOR FOR A THREE (3) YEAR TERM

WHEREAS, N.J.S.A. Appendix A:9- 40.1 requires the appointment of an Municipal Emergency Management Coordinator for a three (3) year term; and

WHEREAS, Dennis Township’s Municipal Emergency Management Coordinator, John Berg, appointment expired on 06/25/2021 and a new appointment is required.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that John Berg be appointed as the Emergency Management Coordinator for a three (3) year term effective 06/25/2021 and expiring 06/25/2024

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2021-119

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2021 MUNICIPAL BUDGET

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Dennis will receive \$321,541.80 from the U.S. Department of the Treasury Coronavirus State and Local Fiscal Recovery Funds and wishes to amend its 2021 Budget to include this amount as a revenue.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that this governing body hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$321,541.80 which is now available as a revenue from:

- Miscellaneous Revenues
- Special Items of General Revenue Anticipated with
- Prior Written Consent of the Director of Local Government Services:
- Public And Private Revenues Off-Set with Appropriations:
- Coronavirus Local Fiscal Recovery Fund.

BE IT FURTHER RESOLVED, that a like sum of \$321,541.80 be and the same is hereby appropriated under the caption of:

- General Appropriations
- (a) Operations Excluded from “Caps”
- Public and Private Programs Off-Set by Revenues:
- Coronavirus Local Fiscal Recovery Fund

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized and directed to forward the necessary documentation to the Director of Local Government Services.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2021-120

RESOLUTION CERTIFYING REVIEW OF ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Dennis, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2021-121

RESOLUTION ACCEPTING AND AWARING THE BID(S) FOR RECREATION CENTER REPLACEMENT HVAC UNIT

WHEREAS, the Township received bids on July 15, 2021 at 11:00 A.M. for the Recreation Center Replacement HVAC; and

WHEREAS, the Township received four (5) bids from various vendors (summary of bids sheet is attached); and

WHEREAS, the Project Engineer, Alaimo Group, has reviewed the bids and made their recommendation to the Township Committee.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that this governing body hereby awards the bid for the Recreation Center Replacement HVAC Unit to the lowest responsible and responsive bidder, McCloskey Mechanical Contractors Inc., 445 Lower Landing Road, Blackwood, NJ 08012 for the bid amount of \$108,000.00.

BE IT FURTHER RESOLVED, that the Clerk is in receipt of the Certificate of Availability of Funds for this award from the Chief Financial Officer.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

RESOLUTION NO. 2021-122
RESOLUTION AUTHORIZING REDUCTION NO. 1
OF A PERFORMANCE BOND FOR BLOCK 121, LOTS 21.01 & 21.10
HRD HOLDINGS (HAWKS RIDGE)

WHEREAS, the Administrator to the Planning and Zoning Boards has requested the reduction no. 1 of a Planning/Zoning Performance Bond for Block 121, Lots 21.01 & 21.10 due to the partial completion of the site improvements; and

WHEREAS, Planning Board Engineer has authorized a reduction of the performance bond which is in the form of a Bond No.

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 reduce the \$875,317.20 performance bond in the form a Bond No. to the amount of \$613,596.81, which is a reduction of \$261,720.39.

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

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor

The following Ordinance No. 2021-05 was introduced for first reading as part of the consent agenda:

TOWNSHIP OF DENNIS
COUNTY OF CAPE MAY
STATE OF NEW JERSEY
ORDINANCE NO. 2021-05

AN ORDINANCE OF THE TOWNSHIP OF DENNIS AMENDING ARTICLE II, CHAPTER 145 OF THE DENNIS TOWNSHIP CODE, GOVERNING PROPERTY MAINTENANCE

WHEREAS, Township of Dennis, a township form of government, is governed by statutes, specifically N.J.S.A. 40A:63-1, *et seq.* that allow the Township Committee to pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law;

WHEREAS, Article II, Chapter 145 of the Revised General Ordinances of the Township of Dennis currently outlines property maintenance requirements for owners and tenants within the confines of the Township of Dennis;

WHEREAS, currently, Chapter 145 of the Revised General Ordinances of the Township of Dennis sets forth, among other things, that the Superintendent of Public Works or Supervisor of the Roads shall be responsible for the investigation of property maintenance complaints and shall abate the complained of properties if necessary;

WHEREAS, the Township Committee believes it desirable, and in the best interest of the Township and its citizens to transfer the investigation and remediation authority to the Township's Code Enforcement Official;

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

Section 1. Portions of Article II, Chapter 145 of the Township of Dennis Municipal Code are amended as follows (additions are underlined; deletions are [bracketed]):

ARTICLE II, Chapter 145 Property Maintenance

145-2. Investigation of complaints; notification of owner or occupant; reinspection.

After an investigation of a complaint of a resident, officer or employee of the township relative to a violation of this chapter or upon his own motion, the [Superintendent of Public Works or Supervisor of Roads] Code Enforcement Official and/or his designee, shall investigate the complaint. If the reported conditions are found to exist, the [Superintendent of Public Works or Supervisor of Roads] Code Enforcement Official and/or his designee, shall notify the owner, tenant or person in possession of the lands complained of, in writing, either personally or by certified mail to his last known address, to remove such brush, weeds, ragweed, dead or dying trees, stumps, roots, obnoxious growth, filth, garbage, trash or debris within 10 days after notice. The [Superintendent of Public Works or Supervisor of Roads] Code Enforcement Official and/or his designee, shall reinspect the lands in question after the ten-day period expires to determine if the complaint about conditions have been cured. [and report, in writing, to the Township Committee if the condition has not been altered or remedied.]

145-3. Abatement of township; costs to become lien.

If the owner, tenant or person in possession of the lands in question shall fail to abate the condition complained of within 10 days after notice, the [Superintendent of Public Works or Supervisor of the Roads] Code Enforcement Official and/or his designee shall cause the condition complained of to be abated and shall certify the cost to the Township Committee, which shall examine the certificate and, if it is correct, cause the cost as shown thereon to be charged against the lands. The amount so charged shall become a lien upon the lands and shall be added to and become a party of the taxes next to be assessed and levied upon the lands, shall bear interest at the same rate as taxes and shall be collected and enforced by the same officer and in the same manner as taxes. Costs shall be in addition to any penalties imposed for any violation of this chapter.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 4. This Ordinance shall take effect within twenty (20) days of final passage and publication, as provided by law.

Zeth A. Matalucci, Mayor

Scott J. Turner, Deputy Mayor

Thomas Van Artsdalen, III, Committee Member

Matthew Cox, Committee Member

Frank L. Germanio, Jr., Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on July 27, 2021. Publication will be held on August 02, 2021 and a Public Hearing will be held at a meeting of the said Township Committee to be held on August 10, 2021 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST

Jacqueline B. Justice, RMC/Clerk

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

The Deputy Mayor 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 Germanio, with 3 ayes and 2 absent (VanArtsdalen & Matalucci), that the payment of the following bills was approved:

GENERAL ACCOUNT:

045934-Atlantic City Electric	\$ 2,182.54
045935-AT&T	55.31
045936-The Alaimo Group, Inc.	850.00
045937-Battelini Transportation, Inc.	612.50
045938-Block Line Systems, LLC	1,303.05
045939-Blue Star of NJ, Inc.	2,046.85
045940-Cape May County M.U.A.	19,424.02
045941-Cape May County P.W.A.	1,701.91
045942-County of Cape May	669,945.91
045943-Caprioni Family Septic	895.00
045944-Comcast	216.40
045945-Central Jersey Equipment	284.65
045946-Delta Dental of NJ	2,211.26
045947-Ford, Scott & Associates, LLC	11,000.00
045948-Eric M. Krise Electrical	415.68
045949-John C. Gibon, P.E.	2,000.00
045950-Gracetown Lumber Co.	355.92

045951-Haberman Landscaping Inc.	3,910.00
045952-NAPA Auto Parts	117.98
045953-K. Gannon Plumbing	1,300.00
045954-Rutgers, the State Univ. of NJ	1,517.00
045955-South Jersey Gas	89.77
045956-Suburban Propane - 2115	188.49
045957-Verizon Wireless	38.01
045958-Verizon	45.66
045959-Cintas Corporation	57.21

CONSTRUCTION CODE:

None.

GENERAL CHECKING WIRES:

None.

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.

ESCROW JOHN C. GIBSON

None.

PLANNING ESCROW:

None.

RECREATION TRUST:

1283-Mr. Magico	395.00
1284-Cape May County Park & Zoo	160.00
1285-Pa for the Course LLC	750.00
1286-Dennis Twp. Board of Education	12,019.79
1287-Harbor Square Private Theatre	975.00
1288-Horner Enterprises, LLC	555.00

1289-Philly Pretzel Factory	240.00
1290-Sea Isle Ice Co., Inc.	120.00
1291-Splash Zone Water Park	1,536.00
1292-The Rajel Co. LLC	35.00
1293-Young's Skating Center	1,232.50

The Deputy Mayor asked the Municipal Engineer, Mike Fralinger, if he had any comments this evening. Mr. Fralinger commented on his Engineer's Report which gave an update on the various projects.

The Deputy Mayor asked for a motion to approve the Administrative Reports. Motion was made by Germanio, seconded by Cox, with 3 ayes and 2 absent (VanArtsdalen & Matalucci), that the following Administrative Reports were approved:

Municipal Engineer's Report 07/27/2021

The Deputy Mayor asked the Administrator if she had any comments. The Township Administrator, Jessica Bishop, commented on National Night Out scheduled for Tuesday, August 3rd starting at 6:30 and concluding at dusk with the fireworks display, Football and Soccer sign-ups going on and that Summer Camp is almost over.

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

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

The Deputy Mayor asked for comments from the Township Committee.

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

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

Deputy Mayor Turner thanked Township Retiree, Fred Tripoli, for his 25 years of service and indicated that Committeeman VanArtsdalen was absent due to the Basketball Playoffs.

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

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

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk Scott J. Turner, Deputy Mayor