

**TOWNSHIP OF DENNIS  
DENNISVILLE, NJ  
SEPTEMBER 28, 2021**

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

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

The Clerk conducted the roll call with VanArtsdalen, Germanio, and Matalucci (via telephone) present, Committeeman Cox & Deputy Mayor Turner were absent.

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

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

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

The following minutes were approved as part of the Consent Agenda: 09/14/2021 Work Session & Regular Meeting.

The following resolution numbers 2021-148 thru 2021-155 were a part of the Consent Agenda:

**RESOLUTION NO. 2021-148**

**RESOLUTION AUTHORIZING THE EXECUTION OF A  
PROMISE OF INDEMNIFICATION WITH THE COUNTY OF CAPE MAY  
FOR THE TEMPORARY PLACEMENT OF HOLIDAY WREATHS ABOVE PETERSBURG  
ROAD AND MAIN STREET IN DENNISVILLE**

**WHEREAS**, the Township has requested that the County of Cape May permit temporary placement of holiday wreaths on utility poles above portions of County Route 610 (Petersburg Road and Main Street) in Dennisville; and

**WHEREAS**, the Holiday Wreath Project would last approximately November 19, 2021 thru January 12, 2022; and

**WHEREAS**, the Township has been notified by the County Engineer that the County requires the Township to execute a Promise of Indemnification in order to process our request.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Mayor and Clerk are hereby authorized and directed to execute the Promise of Indemnification so that the County of Cape May can approve the temporary placement of Holiday Wreaths above a portion of County Route 610 (Petersburg Road and Main Street) in Dennisville.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution shall accompany the executed Promise of Indemnification to the County Engineer's Office.

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

**RESOLUTION NO. 2021-149**

**RESOLUTION AUTHORIZING THE PROVISIONAL APPOINTMENT OF A PART-TIME ELECTRICAL SUBCODE OFFICIAL AND A PART-TIME FIRE SUBCODE OFFICIAL**

**WHEREAS**, there is a vacancy in the position of Part-time Electrical Subcode Official and Part-time Fire Subcode Official due to the retirement of William Hoffmann; and

**WHEREAS**, it is the desire of the Governing Body to fill this position on a provisional basis pending further action of the New Jersey Civil Service Commission; and

**WHEREAS**, the Township Administrator has conducted interviews of the applicants and has made her recommendation to the Committee.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Dennis that Frank C. Primavera, Sr., of 620 Petersburg-Dennisville Road, Woodbine, NJ 08270 be provisionally appointed the Part-time Electrical Subcode Official and the Part-time Fire Subcode Official effective 10/01/2021 at the hourly rate of \$48.72 per hour, pending the creation of an appropriate list and/or other official action by the Civil Service Commission and the Governing body.

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

**RESOLUTION NO. 2021-150**

**RESOLUTION AUTHORIZING THE ISSUANCE OF A 2021 CAMPGROUND LICENSE**

**WHEREAS**, pursuant to Chapter 75 of the Code of the Township of Dennis, the Township Committee is required to approve the issuance of Campground Licenses; and

**WHEREAS**, Resorts Campground Country Club was sold; and

**WHEREAS**, Campground Licenses are deemed “Non-Transferable”; and

**WHEREAS**, the Clerk’s Office has received the necessary compliance items to issue the license under the current owner.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Clerk’s Office is hereby authorized and directed to issue the 2021 Campground License for Down the Shore Seasonal Campground to the new owners, Big Rib VII, LLC.

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

**RESOLUTION NO. 2021-151**

**RESOLUTION CANCELLING FUNDED APPROPRIATION BALANCES UNDER CERTAIN BOND ORDINANCES PREVIOUSLY ADOPTED BY THE TOWNSHIP OF DENNIS FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS IN THE TOTAL AMOUNT OF \$133,446.99**

**WHEREAS**, the Township previously adopted Bond Ordinances for the purpose of funding various capital projects and improvements of the Township as more fully specified in the Bond Ordinances; and

**WHEREAS**, as of the date hereof, the projects have been completed and/or funded balances remain open and unexpended; and

**WHEREAS**, the Township now desires to cancel such appropriations and transfer the funded balances to their respective fund surplus:

<b>Ordinance</b>	<b>Description</b>	<b>Amount</b>
15-05 D Reconstruct Academy/Fidler Road C-04-55-005-109	Reconstruction of Academy and Fidler Roads in the Township, together with the acquisition of all materials and equipment and completion of all work necessary therefor and related to.	126,670.74
16-04 Various Improvements – Generators C-04-55-160-117	Improvements to Municipal Building and Senior Center Building generators.	6,776.25

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

1. The appropriation amounts associated with the Capital Projects under each of the aforementioned Bond Ordinances are canceled; and
2. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this Resolution are to the extent of such conflict hereby repealed.

**ATTEST** \_\_\_\_\_  
Jacqueline B. Justice, RMC/Clerk

**ATTEST** \_\_\_\_\_  
Zeth A. Matalucci, Mayor

**RESOLUTION NO. 2021-152**

**RESOLUTION AUTHORIZING THE REFUND OF A  
TAX OVERPAYMENT – BLOCK 239, LOT 1**

**WHEREAS**, the Tax Collector’s Office has notified the Clerk of a tax overpayment on Block 239, Lot 1; and

**WHEREAS**, the overpayment was a result of the property owner being awarded a 100% Disabled Veteran Deduction; and

**WHEREAS**, the amount of the overpayment requested to be refunded for Block 239, Lot 1 is three hundred eighty six dollars and fifty-eight cents (\$386.58).

**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 be and is hereby authorized and directed to refund the \$386.58 to the following:

Block 239, Lot 1  
Thomas J. McCarty  
2662 Route 9  
Ocean View, NJ 08230

**ATTEST** \_\_\_\_\_  
Jacqueline B. Justice, RMC/Clerk

**ATTEST** \_\_\_\_\_  
Zeth A. Matalucci, Mayor

**RESOLUTION NO. 2021-153**

**RESOLUTION AUTHORIZING THE REFUND OF A  
TAX OVERPAYMENT – BLOCK 96, LOT 7**

**WHEREAS**, the Tax Collector's Office has notified the Clerk of a tax overpayment on Block 96, Lot 7; and

**WHEREAS**, the overpayment was a result of the property owner being awarded a 100% Disabled Veteran Deduction; and

**WHEREAS**, the amount of the overpayment requested to be refunded for Block 96, Lot 7 is three hundred fifty-four dollars and one cent (\$354.01).

**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 be and is hereby authorized and directed to refund the \$354.01 to the following:

Block 96, Lot 7  
Merrill Lee Prickett  
811 Dennisville Road  
Cape May Court House, NJ 08210

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

**RESOLUTION NO. 2021-154**

**RESOLUTION AUTHORIZING THE REFUND OF A  
SUMMER CAMP FEE**

**WHEREAS**, the Recreation Department has notified the Clerk of a refund of a Summer Camp Fee; and

**WHEREAS**, the refund is the result of child being unable to participate; and

**WHEREAS**, the amount of the requested refund is two hundred eighty dollars (\$280.00).

**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 be and is hereby authorized and directed to refund the \$280.00 to the following:

Breanna Matalucci Wilson  
940 Court House/South Dennis Road  
Cape May Court House, NJ 08210

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

**RESOLUTION NO. 2021-155**

**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 the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving, the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.

**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 September 28, 2021, that an Executive Session closed to the public shall be held on September 28, 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 following Ordinance No. 2021-06 was introduced for first reading as part of the consent agenda:

**TOWNSHIP OF DENNIS**

**COUNTY OF CAPE MAY  
STATE OF NEW JERSEY**

**ORDINANCE NO. 2021-06**

**AN ORDINANCE OF THE TOWNSHIP OF DENNIS AMENDING ARTICLE II, CHAPTER 72  
OF THE DENNIS TOWNSHIP CODE, GOVERNING BUSINESS LICENSES AND  
REGISTRATION**

**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 72 of the Revised General Ordinances of the Township of Dennis currently outlines the requirements for Business Licenses and Registration within the confines the Township of Dennis;

**WHEREAS**, Specifically, Chapter 72, Section 5 of the Revised General Ordinances of the Township of Dennis sets forth, among other things, a requirement that anyone transacting business in the Township of Dennis or conducting a business, except those to which other ordinances, licensing or registration requirements apply, shall pay a yearly license fee of \$50.

**WHEREAS**, the Township Committee believes it desirable, and in the best interest of the Township and its citizens to lessen the yearly license fee for those transacting and/or conducting business in the Township of Dennis to alleviate some of their financial burden;

**WHEREAS**, the Township Committee further believes that it is desirable, and in the best interest of the Township and its citizens to delegate the authority under Chapter 72 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 Chapter 72 of the Township of Dennis Municipal Code are amended as follows (additions are underlined; deletions are [bracketed]):

## Article II. Business License and Registration

### § 72-5. License fee.

There is no initial and/or renewal fee due at the time of registration for anyone transacting business in the Township of Dennis or conducting a business, except those to which other ordinances, licensing or registration requirements apply, [shall pay a yearly license fee of \$50].

### § 72-7. Preemptive regulation.

The township recognizes that certain occupations are licensed and regulated by the State of New Jersey to a degree that preempts municipal business licensing. Such occupations shall not be required to obtain a local mercantile license [or pay a local licensing fee]; however, such occupations must comply with the registration requirements of § 72-6, except that they do not, unless applicable, have to execute the certification referred to therein.

### § 72-9. Term of license.

The [licensing fee] business license provided for in § 72-3 shall be valid for the year in which it is issued and shall expire on December 31 of that year. All [license fees] business licenses shall be [payable] applied for and/or renewed on or before January 31 of the year of issue.

### § 72-10. Application for license.

The Township Clerk is authorized to issue any such licenses upon [payment of the appropriate license fee and] completion by the applicant of an application in writing on a form approved by the Township Committee and which, at a minimum, shall require the applicant to specify the nature and location of the business conducted.

### § 72-11. Referral to [Zoning Officer] Code Enforcement Official.

A copy of all applications for license or registration shall be furnished to the Township [Zoning Officer] Code Enforcement Official, who shall determine whether the information set forth is accurate and make an appropriate report of his findings to the Township Clerk. Issuance of the license or registration shall not be delayed pending the [Zoning Official's] Code Enforcement Official's review.

## Article V. Miscellaneous Provisions

### § 72-32. Violations and penalties.

- A. Any person, corporation or other entity who is operating without a valid license as required in this Chapter shall be issued a written warning and have ten (10) calendar days to apply and obtain a license in accordance with this Chapter. Failure to obtain the required license after ten (10) days following a written notice shall be a violation of the chapter.
- B. Any person, corporation or other entity who shall violate any provision of this chapter shall, upon trial and conviction, be subject to a fine of not less than \$100 nor more than \$1,000, to imprisonment for a term not exceeding 90 days, to a period of community service not exceeding 90 days or to any combination of these penalties. Each day upon which a violation of this chapter shall continue to exist shall be deemed a separate offense.
- C. Any person who is convicted of violating any provision of this chapter within one year of the date of the previous violation of this chapter and who was fined for the previous violation shall be sentenced by the court to an additional fine as a repeat offender, such fine to be not less than \$100 nor more than \$1,000. Said penalty shall be calculated separately from the fine imposed for the violation of the chapter.
- D. The Township Code Enforcement Official and/or his designee shall have the authority to enforce all provisions of this Chapter 72 and pursue legal remedies of § 72-32.

**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.

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Zeth A. Matalucci, Mayor

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Scott J. Turner, Deputy Mayor

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Thomas Van Artsdalen, III, Committee Member

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Matthew Cox, Committee Member

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Frank L. Germanio, Jr., Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on September 28, 2021. Publication will be held on October 04, 2021 and a Public Hearing will be held at a meeting of the said Township Committee to be held on October 12, 2021 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST  

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**Jacqueline B. Justice, RMC/Clerk**

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

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 Germanio, seconded by Matalucci, with 3 ayes and 2 absent (Cox & Turner), that the payment of the following bills was approved:

**GENERAL ACCOUNT:**

046079-Advantage Equipment Sales	\$	37.69
046080-Atlantic City Electric		3,467.13
046081-AT&T		55.31
046082-Berco Fleet Services, Inc.		744.70
046083-Blauer Associates		3,975.00
046084-Block Line Systems, LLC		1,311.79
046085-Breanna Matalucci Wilson		280.00
046086-Caprioni Portable Toilets, Inc.		360.00
046087-Comcast		148.86
046088-Dan's Welding		540.00

046089-Central Jersey Equipment	11.57
046090-Dennis Twp. Football/Cheer Assoc.	400.00
046091-Delta Dental of NJ	2,093.03
046092-East Coast Distributors	52.48
046093-Edmunds & Associates, Inc.	1,250.62
046094-Fralinger Engineering, PA	3,160.00
046095-Gardner True Value Hardware	113.38
046096-Estate of Gerald C. Harris	50.16
046097-NAPA Auto Parts	149.99
046098-Johnson & Towers, Inc.	5,154.69
046099-MGL Printing Solutions	360.00
046100-N.J. League of Municipalities	180.00
046101-Ocean View Trailer Sales	29.74
046102-Principal Life Insurance Co.	70.65
046103-QBE Specialty Insurance Co.	45,714.88
046104-Seashore Food Distributors, Inc.	203.23
046105-Service Tire Truck Centers	178.40
046106-South Jersey Gas	80.61
046107-Star Hollow IEA Team	500.00
046108-Staples Advantage	733.52
046109-Tuckahoe Sand & Gravel, Co., Inc.	366.39
046110-BSN Sports, Inc.	205.00
046111-Verizon	45.66
046112-Whibco of New Jersey, Inc.	331.02

**CONSTRUCTION CODE:**

1039-Gentilini Ford, Inc.	41,539.90
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**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.



**ESCROW JOYCE BREWER**

None.

**PLANNING ESCROW:**

None.

**RECREATION TRUST:**

1315-Acme (Supervalu)	111.74
1316-Uniforms for All Sports, Inc.	1,221.10

In the absence of Township Engineer, Mike Fralinger, Committeeman Germanio gave an update of the following: Pre-Construction Meetings regarding the Chestnut Street & a Portion of East Ave. Reconstruction Project and the 2021 Capital Roadway Improvement Project; Stoney Court drainage improvements; and discussions with the NJDOT regarding the timing of the traffic signals at Rt. 47/Petersburg Road, Rt. 47/ Tyler Road and Rt. 9/School House Lane.

With no further Administrative Reports, the Clerk asked for a motion to approve the Administrative Reports, motion was made by VanArtsdalen, seconded by Germanio, with 3 ayes and 2 absent (Cox & Turner), the Administrative Reports were approved.

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 Rec is in full swing with Soccer and Football and that this Sunday there will be football games all day at Chestnut Street Park. He shared that we will be having our 2<sup>nd</sup> Ale-O-Ween on Saturday, October 23<sup>rd</sup> and that our Recreation Director, Frank Riggitano, is Middle Township High School's Football Coach and they are 4-0 for the first time in quite a few years.

Committeeman Germanio indicated that Coach Riggitano was his high school football coach as well and he congratulated Coach Riggs.

Mayor Matalucci thanked the Recreation Director and Christina for doing a phenomenal job and that participation is thru the roof and that everyone appreciates their efforts.

Township Administrator, Jessica Bishop, announced that the Rec is now having Open Gym and she and Committeeman VanArtsdalen advised everyone to check facebook, website or call the Rec for the schedule.

The Clerk indicated that at this time the Township Committee will be going into an Executive Session. The Clerk indicated that no formal action is anticipated after the Executive Session. Motion was made by Germanio, seconded by VanArtsdalen, that the regular meeting be in recess as the Committee convene the Executive Session.

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

The Clerk confirmed that no formal action was required and asked for a motion to adjourn the Township Committee Meeting.

Motion was made by VanArtsdalen, 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