

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

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

The Mayor requested the roll call with VanArtsdalen, Germanio, Cox, Turner and Matalucci present.

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

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

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

The following minutes were approved as part of the Consent Agenda: 03/08/2022 Work Session & Regular Meeting.

The following correspondence was approved as part of the Consent Agenda: The Consolidated Land Use Board's 2021 Annual Report.

The following resolution numbers 2022-65 thru 2022-68 were a part of the Consent Agenda:

**RESOLUTION NO. 2021-65**

**RESOLUTION AUTHORIZING ADDITIONAL APPROPRIATIONS IN THE TEMPORARY BUDGET FOR CY 2022 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 \$100,000 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 \$100,000.
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. 2022-66**

**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 2022 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. 2022-67**

**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.

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.

**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 22, 2022, that an Executive Session closed to the public shall be held on March 22, 2022 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

**RESOLUTION NO. 2022-68**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AMENDMENT  
TO THE COMMUNICATIONS SITE LEASE AGREEMENT  
WITH AMERICAN TOWER ASSET SUB, LLC.**

**WHEREAS**, the Township of Dennis, pursuant to Resolution No. 98-160, executed a Communications Site Lease Agreement with Nextel Communications for the placement of a 170' lattice tower on Township owned property known as Block 120, Lot 111; and

**WHEREAS**, the Township desires to amend the terms of the Lease to extend the term thereof and modify the Lease as expressly provided in the attached Fifth Amendment; and

**WHEREAS**, the Administrator/CFO and Solicitor have received correspondence from American Tower Asset Sub, LLC, the successor in interest to Nextel Communications, regarding the execution of an Amendment to the Communications Site Lease Agreement with respects to the leased premises.

**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 is hereby authorized and directed to execute an Amendment to the Communications Site Lease Agreement with American Tower Asset Sub, LLC .

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

The following Ordinance No. 2022-04 was introduced for first reading as part of the Consent Agenda:

**TOWNSHIP OF DENNIS**

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

**ORDINANCE NO. 2022-04**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Dennis in the County of Cape May finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee hereby determines that a 3.5 % increase in the budget for said year, amounting to \$38,753.37 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Dennis, in the County of Cape May, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Township of Dennis shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$135,636.80, and that the CY 2022 municipal budget for the Township of Dennis be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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Zeth A. Matalucci, Mayor

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Scott J. Turner, Deputy Mayor

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Thomas VanArtsdalen, III, Committee Member

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Matthew Cox, Committee Member



**MUNICIPAL BUDGET NOTICE**

RESOLUTION NO. 2022-69

**Section 1.**

Municipal Budget of the TOWNSHIP of DENNIS, County of CAPE MAY for the Fiscal Year 2022

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2022:

Be it Further Resolved, that said Budget be published in the Press of Atlantic City

in the issue of March 28th, 2022

The Governing Body of the TOWNSHIP of DENNIS does hereby approve the following as the Budget for the year 2022:

**RECORDED VOTE**

(Insert Last Name)

Ayes	Nays	Abstained	Absent

Notice is hereby given that the Budget and Tax Resolution was approved by the COMMITTEEPERSONS of the TOWNSHIP

of DENNIS, County of CAPE MAY, on March 22nd, 2022.

A Hearing on the Budget and Tax Resolution will be held at DENNIS TOWNSHIP MUNICIPAL BUILDING, on April 26th, 2022 at

5:30 o'clock P.M. at which time and place objections to said Budget and Tax Resolution for the year 2022 may be presented by taxpayers or other interested persons.

Deputy Mayor Turner commented about concerns with some of the language in Ordinance No. 2022-03 and asked that the Ordinance be tabled.

The Mayor asked for a motion to table Ordinance No. 2022-03, motion was made by Turner, seconded by Germanio, with 5 ayes and no nays, the following Ordinance No. 2022-03 was **tabled**:

**ORDINANCE NO. 2022-03**

**AN ORDINANCE BY THE TOWNSHIP COMMITTEE AMENDING THE TOWNSHIP OF DENNIS CODE OF ORDINANCES TO REPEAL CHAPTER 105 FLOOD DAMAGE PREVENTION; TO ADOPT A NEW CHAPTER 105 FLOODPLAIN MANAGEMENT REGULATIONS; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

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

The 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 VanArtsdalen, with 5 ayes, no nays, that the payment of the following bills was approved:

**GENERAL ACCOUNT:**

046593-Acme (Supervalu)	\$	54.91
046594-Advantage Equipment Sales		148.69
046595-Atlantic City Electric		1,817.71
046596-Blaney Donohue & Weinberg, PC		3,857.00
046597-Block Line Systems, LLC		1,234.84
046598-Cape May County M.U.A.		15,570.35
046599-Cape May County P.W.A.		1,689.65
046600-Cody's Power Equipment		618.04
046601-Comcast		537.41
046602-Corelogic Centralized Refunds		2,006.38
046603-Crystal Springs		229.83
046604-Dun-Rite Sand & Gravel Co., Inc.		4,638.41
046605-East Coast Distributors		153.96
046606-Ford, Scott & Associates, LLC		9,500.00
046607-Gann Law Books, Inc.		167.00
046608-Gardner True Value Hardware		444.54
046609-Gracetown Lumber Co.		603.76
046610-NAPA Auto Parts		503.89
046611-Surenian, Edwards & Nolan, LLC		437.00
046612-Marsh & McLennan Agency, LLC		9,375.00
046613-Mike & Sons Auto Glass, LLC		50.00
046614-Petty Cash c/o Jessica Bishop		470.84
046615-The Press of Atlantic City		236.80
046616-Service Tire Truck Centers		559.55
046617-Snap-On, Inc.		352.75
046618-South Jersey Gas		1,544.50
046619-Staples Advantage		483.59
046620-Suburban Propane – 2115		5,705.28
046621-Tax Collector & Treasurer NJ		50.00
046622-Upper Township		1,037.67
046623-Verizon Wireless		38.01

046624-Vital Communications, Inc.	2,344.53
046625-Xerox Corporation	188.78

**CONSTRUCTION CODE:**

1054-Staples Credit Plan	45.36
1055-Trinity Solar	252.00

**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.

**PLANNING ESCROW:**

1075-DLB Holdings, LLC	2,024.00
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**RECREATION TRUST:**

1348-Gopher Sport	335.78
1349-Petty Cash c/o Jessica Bishop	11.72

The Mayor asked the Engineer, Mike Fralinger, if he had any reports. The Engineer reported on the scheduling a meeting regarding the speed tables in the County's Petersburg Road Project, the County's Paving Program particularly Handmill Road & Fidler Road, the Stormwater Tier A Report and the N.J. Clean Watersheds Needs Survey.

The Township Administrator reported that at the April 26<sup>th</sup> Meeting she will have a formal Budget Presentation for everyone.

Motion to approve the verbal Administrative Reports was made by Matalucci, seconded by Cox, with 5 ayes and no nays.



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

Joe Berg from Handsmill Road in Belleplain asked if Ordinance No. 2022-03 was tabled due to the new PAC regulations and commented on research he has done on the different studies. He shared that he was the best dressed at tonight's meeting.

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

The Mayor asked for comments from the Township Committee.

Committeeman VanArtsdalen indicated that Baseball & Softball were in full swing and thanked Joe Berg for being a volunteer coach. Committeeman VanArtsdalen commented on the benefit for the family of Nick Doughty this past weekend and indicated that it was awesome and raised a lot of money for the family. He thanked everyone who made the event possible and stated how impressive it was.

Committeeman Germanio joked that Coach Berg was the best dressed coach as well.

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

Deputy Mayor Turner commented on the Flood Plain grid maps.

Mayor Matalucci commented on the Township receiving a CDBG Grant in the amount of \$399,600 for ADA improvements to the Municipal Building. The Mayor commented on the ongoing County Road Paving Projects.

Motion was made by VanArtsdalen, seconded by Germanio, that the regular meeting be recessed for the Township Committee to go into Executive Session pursuant to Resolution No. 2022-67. All were in favor and the motion carried.

Motion was made by Cox, seconded by Turner, that the regular meeting be reconvened at this time.

The Clerk indicated that no formal action was required as a result of the Executive Session and asked for a motion to adjourn the regular meeting.

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

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

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