

**TOWNSHIP OF DENNIS
DENNISVILLE, NJ
MAY 10, 2022**

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 that the roll call and flag salute be carried over from the Work Session (Germanio, Cox, Turner and Matalucci present, Committeeman VanArtsdalen was absent).

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 4 ayes and 1 absent (VanArtsdalen), that the consent agenda be adopted.

The following minutes were approved as part of the Consent Agenda: 04/26/2022 Regular Meeting.

The following resolution numbers 2022-86 thru 2022-93 were a part of the Consent Agenda:

RESOLUTION NO. 2022-86

**RESOLUTION PROVIDING FOR THE INSERTION OF A
SPECIAL ITEM OF REVENUE IN THE 2022 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 additional funds in the amount of \$3,201.00 from the County of Cape May and wishes to amend its 2022 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 2022 in the sum of \$3,201.00 which is now available as a revenue from:

Miscellaneous Revenues:

Section F: 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:

Municipal Alliance Grant

BE IT FURTHER RESOLVED, that a like sum of \$3,201.00 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:

Municipal Alliance Grant

BE IT FURTHER RESOLVED, that the sum of \$800.25 representing the amount required for the municipality's share of the aforementioned undertaking or improvement appears in the budget of the year 2022 is hereby appropriated under the caption of:

General Appropriations:

(A) Operations Excluded from "Caps" - Public and Private Programs Off-Set by Revenues:
Municipal Alliance Grant – Local Match

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 Zeth A. Matalucci, Mayor

RESOLUTION NO. 2022-87

**RESOLUTION PROVIDING FOR THE INSERTION OF A
SPECIAL ITEM OF REVENUE IN THE 2022 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 an additional \$1,000.00 from the Atlantic County Joint Insurance Fund (ACJIF) and wishes to amend its 2022 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 2022 in the sum of \$1,000.00 which is now available as a revenue from:

Miscellaneous Revenues:

Section F: 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:

ACM JIF Safety Incentive

BE IT FURTHER RESOLVED, that a like sum of \$1,000.00 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:
ACM JIF Safety Incentive

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 Zeth A. Matalucci, Mayor

RESOLUTION NO. 2022-88

**RESOLUTION PROVIDING FOR THE INSERTION OF A
SPECIAL ITEM OF REVENUE IN THE 2022 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 funds in the amount of \$399,594.18 from the State of New Jersey and wishes to amend its 2022 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 2022 in the sum of \$399,594.18 which is now available as a revenue from:

Miscellaneous Revenues:

Section F: 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:

Small Cities CDBG Grant – ADA Municipal Building

BE IT FURTHER RESOLVED, that a like sum of \$399,594.18 be and the same is hereby appropriated under the caption of:

General Appropriations:

(B) Operations Excluded from “Caps” - Public and Private Programs Off-Set by Revenues:
Small Cities CDBG Grant – ADA Municipal Building

BE IT FURTHER RESOLVED, that the sum of \$59,939.13 representing the amount required for the municipality’s share of the aforementioned undertaking or improvement appears in the budget of the year 2022 is hereby appropriated under the caption of:

General Appropriations:

(B) Operations Excluded from “Caps” - Public and Private Programs Off-Set by Revenues:
Small Cities CDBG Trust & Capital – ADA Municipal Building - Local Match

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 Zeth A. Matalucci, Mayor

RESOLUTION NO. 2022-89

RESOLUTION AUTHORIZING THE CHANGE IN EMPLOYMENT STATUS OF A FULL-TIME SEASONAL LABORER WITH THE PUBLIC WORKS DEPARTMENT

WHEREAS, Zachary Creamer is currently employed in the position of Full-Time Seasonal Laborer with the Public Works Department; and

WHEREAS, a review of his employment performance was conducted and a recommendation was made by the Administrator to hire him as a full-time permanent employee.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that Zachary Creamer is hereby given the status of a full time Laborer at the hourly rate of \$15.00 per hour effective 05/09/2022.

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

RESOLUTION NO. 2022-90

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 May 10, 2022, that an Executive Session closed to the public shall be held on May 10, 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. 2022-91

RESOLUTION AUTHORIZING THE EXECUTION OF AN APPLICATION FOR A SOCIAL AFFAIR PERMIT FOR THE STARFISH EQUINE RESCUE

WHEREAS, the organization known as the Starfish Equine Rescue has requested permission from the State of New Jersey Division of Alcoholic Beverage Control for a Social Affair Permit; and

WHEREAS, the request has been made to dispense alcoholic beverages on October 22, 2022 from 12:00 p.m. to 5:00 p.m. at the Dennis Township Recreational Facilities as a fundraiser to benefit Starfish Equine Rescue to Rescue and Dennis Township Sports Programs ; and

WHEREAS, the Clerk has certified that not more than 25 special permits have been authorized for these premises during this calendar year.

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 is authorized and directed to sign the aforementioned permit application.

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

RESOLUTION NO. 2022-92

**RESOLUTION AUTHORIZING THE APPOINTMENT OF THE
CODE ENFORCEMENT OFFICER**

WHEREAS, Resolution No. 2020-61 authorized the appointment of the Part-Time Code Enforcement Officer; and

WHEREAS, the Administrator has reviewed this position and has made the determination that the maximum 8-hour work week needs to be increased to 30-hour work week.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis that Brian L. Vergantino be appointed the Part-time Code Enforcement Officer at an annual salary of \$32,463.60 effective retroactive to 05/1/2022.

BE IT FURTHER RESOLVED, that said appointment will follow all Civil Service procedures.

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

RESOLUTION NO. 2022-93

**RESOLUTION AUTHORIZING THE PROVISIONAL APPOINTMENT OF A PUBLIC
WORKS EMPLOYEE TO SERVE AS THE MECHANIC/HEAVY EQUIPMENT OPERATOR
PENDING THE OFFICIAL ACTION OF THE CIVIL SERVICE COMMISSION
AND THE GOVERNING BODY**

WHEREAS, there is a vacancy in the position of Mechanic/Heavy Equipment Operator due to the retirement of the current Mechanic; 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;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis that Public Works Employee Nelson Kern be provisionally appointed Mechanic/Heavy Equipment Operator effective retroactively to 08/01/2021 at the hourly rate of \$26.0733, 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

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

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 Turner, seconded by Cox, with 4 ayes, 1 absent (VanArtsdalen), that the payment of the following bills was approved:

GENERAL ACCOUNT:

046711-571 Petersburg Road LLC	\$	752.83
046712-Amazon.Com Services, Inc.		155.90
046713-Animal Control of South Jersey		600.00
046714-A.N.J.E.C.		375.00
046715-Cub Scout Pack 56		1,500.00
046716-Cape May Technical High School		300.00
046717-County of Cape May		681,967.00
046718-John L. Collins		340.20
046719-Comcast		113.17
046720-Nelson B. Creamer		170.10
046721-Dennis Twp. 8 th Grade Class		300.00
046722-Dennis Twp. Board of Education		886,676.25
046723-Degler-Whiting, Inc.		4,880.00
046724-Deptcor		168.00
046725-Larry C. Dixon		170.10
046726-Ford, Scott & Associates, LLC		5,000.00
046727-Eric M. Krise Electrical		9,678.00
046728-The Gem Grocery & Gas		512.00
046729-Randy A. Grant, Sr.		170.10
046730-Green Technology Services		2,360.63
046731-Michele T. Heim		754.31
046732-Roy J. Hope		394.17
046733-JP Monzo Municipal Consulting		100.00
046734-K. Gannon Plumbing		1,112.00
046735-LC Equipment, Inc.		160.00
046736-Edward F. Leith, Jr.		296.74
046737-Garrett & Batastini PA		1,428.00
046738-Mark Grant		340.20
046739-Eileen M. McFillin		340.20
046740-Middle Township High School		300.00
046741-Mariann Murphy		196.58
046742-Pineland Construction, LLC		39,805.56
046743-Premiums & Specialties, Inc.		334.00
046744-Seashore Asphalt Corp.		532.95
046745-Shop-Rite		143.91
046746-Suburban Propane – 2115		3,416.40
046747-Carolyn P. Swagler		170.10
046748-Tax Collector & Treasurer NJ		245.00
046749-United States Postal Service		4,142.65
046750-V.E. Ralph & Son, Inc.		318.00
046751-Vision Service Plan		778.95

CONSTRUCTION CODE:

None.

GENERAL CHECKING WIRES:

44-NJSHBP	43,407.38
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DOG TRUST:

161-NJ Dept. of Health & Senior Services	9.60
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ESCROW JOHN C. GIBSON:

95-Fralinger Engineering, PA 495.00

ESCROW PINELANDS CONSTRUCTION:

None.

ESCROW R. E. PIERSON CONSTRUCT:

None.

ESCROW TURNER PARTNERS:

None.

ESCROW HRD HOLDINGS:

77-Fralinger Engineering, PA 1,485.00

ESCROW RONALD WALTERS:

50-John C. Gibson, PE 1,187.50

ESCROW DOMINICK CAPRIONI

89-Dominick & Carly Caprioni 8,208.00

ESCROW SITE WORK CONTRACTING, LLC:

1006-Fralinger Engineering, PA 440.00

PLANNING ESCROW:

1078-Fralinger Engineering, PA 275.00

RECREATION TRUST:

1359-Amazon.com Services, Inc.	108.44
1360-L. J. Zucca, Inc.	943.84
1361-Seashore Food Distributors, Inc.	1,144.15
1362-Jacqueline Brackin	148.00

The Mayor asked for a motion to approve the Administrative Reports. Motion was made by Germanio, seconded by Cox, with 4 ayes and 1 absent (VanArtsdalen), that the following Administrative Reports were approved:

Municipal Clerk's Report	April, 2022
Registrar's Report	April, 2022
Tax Collector's Report	April, 2022
Construction Official's Report	April, 2022
Chief Finance Officer's Report	April, 2022

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

Let the record reflect that there were none.

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

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

Deputy Mayor Turner commented on the Committee being pleased with the various Rec Associations being in control of their particular sport at the Rec as well as allowing sign-ups being done online. The Mayor echoed these comments and stated that each group is in charge of their league. Deputy Mayor Turner commented further on the improvement to the sign-up policy.

Mayor Matalucci indicated that they are pleased with the direction the Rec is going.

The Mayor announced that the Township Committee needed to go into an Executive Session for Employment Relationship & matters relating to Litigation, Negotiations and Attorney-Client Privilege.

Motion was made by Germanio, seconded by Cox, that the regular meeting be recessed for the Township Committee to go into Executive Session pursuant to Resolution No. 2022-90. All were in favor and the motion carried.

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

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