

**TOWNSHIP OF DENNIS  
DENNISVILLE, NJ  
JUNE 28, 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 Board of Health Meeting (Germanio, Cox, VanArtsdalen, Turner and Matalucci present).

At this time there was a Special Presentation from: Paul Miola, Municipal JIF Strategist, regarding an Overview of the JIF and its benefits to the members.

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

Carol O'Hara of 266 Fidler Road thanked the Committee for getting Fidler Road paved. The Mayor commented on the drainage work that is scheduled for Fidler Road and the Petersburg Road Project. Mayor Matalucci and Committeeman Germanio commented on their ongoing efforts to with the County for County Roadway improvements.

There being no further comments, the Mayor asked for a motion adopting the consent agenda, motion was made by Cox, seconded by Turner, with 5 ayes and no nays, that the consent agenda be adopted.

The following minutes were approved as part of the Consent Agenda: 06/14/2022 Work Session and Regular Meeting.

The following resolution numbers 2022-113 thru 2022-116 were a part of the Consent Agenda:

**RESOLUTION NO. 2022-113**

**RESOLUTION AUTHORIZING THE RENEWAL OF MEMBERSHIP IN THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

**WHEREAS**, the Township of Dennis (hereinafter the "MUNICIPALITY") is a member of the Atlantic County Municipal Joint Insurance Fund (hereinafter the "FUND"); and

**WHEREAS**, the MUNICIPALITY'S membership terminates as of January 1, 2023 unless earlier renewed by a Contract between the MUNICIPALITY and the FUND; and

**WHEREAS**, N.J.S.A. 40A:11-5 (1)(m) provides that Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the subject matter is for the purchase of insurance coverage and consultant services, provided that the award is in accordance with the requirements for extraordinary unspecifiable services; and

**WHEREAS**, N.J.S.A. 40A:11-6.1(b) provides that the MUNICIPALITY shall make a documented effort to secure competitive quotations; however, a Contract may be awarded upon determination, in writing, that the solicitation of competitive quotations is impracticable; and

**WHEREAS**, in accordance with N.J.A.C. 5:34-2-3, a designated official of the MUNICIPALITY, has filed a certificate with the governing body describing in detail, as set forth below in this Resolution, why this Contract meets the provisions of the statutes and the regulations and why the solicitation of competitive quotations is impracticable; and

**WHEREAS**, it has been determined that the purchase of insurance coverage and insurance consultant services by the MUNICIPALITY requires a unique knowledge and understanding of the municipal exposures and risks associated with the operation of a municipal entity, and many insurance professionals are not qualified to assess these risks and exposures based upon their inherent complexity; and

**WHEREAS**, insurance coverage for municipal entities can vary greatly in the type, limits, and exceptions to coverage, and therefore particularized expertise in determining and obtaining the appropriate coverage is required to protect the MUNICIPALITY; and

**WHEREAS**, it is the goal of the MUNICIPALITY to obtain a single integrated program to provide all types of insurance coverage with a plan to limit the MUNICIPALITIES exposure; and

**WHEREAS**, the FUND has provided comprehensive insurance coverage to member municipalities since 1987; and

**WHEREAS**, since 1987, the FUND has continually refined all of the types of coverage that it provides to its members so that it offers comprehensive insurance and limits to all members that is unique and cannot be purchased from a single entity in the commercial insurance market; and

**WHEREAS**, the FUND has also developed and made available to its members Safety, Risk Management and Litigation Management programs that address the specific exposures and risks associated with municipal entities; and

**WHEREAS**, the FUND provides the MUNICIPALITY with Fund Administration, Claims Review, Claims Processing, Claims Administration, Actuarial and Legal Services; and

**WHEREAS**, the FUND is one of the most financially sound Municipal Joint Insurance Funds in New Jersey, and the FUND operates with strong fiscal controls, member oversight, and meets all of the requirements promulgated by the New Jersey Department of Community Affairs and the Department of Banking and Insurance; and

**WHEREAS**, as an existing member of the FUND, the MUNICIPALITY would be renewing its membership in an organization with experienced and dedicated FUND Professionals who provide specialized services to the members; and

**WHEREAS**, the membership of the FUND includes many neighboring municipalities that uniquely have similar exposures to the MUNICIPALITY, and with whom the MUNICIPALITY has existing inter-local arrangements; and

**WHEREAS**, all of the aforementioned factors categorize the award of this Contract as an “extraordinary, unspecifiable service” that cannot be duplicated, accounted for, accurately detailed, or described in a manner that truly depicts the value of the MUNICIPALITY’S membership in the FUND; and

**WHEREAS**, for all of the aforementioned reasons, it is impracticable for the MUNICIPALITY to seek competitive quotations for a Contract to provide the procurement of insurance coverage and consultant services; and

**WHEREAS**, the FUND has been organized pursuant to N.J.S.A. 40A:10-36 et seq., and as such is an agency of the municipalities that created it; and

**WHEREAS**, , N.J.S.A. 40A:11-5 (2) also provides that Contract which exceeds the bid threshold may be negotiated and awarded by the governing body without public advertising for bids and bidding therefor, if the Contract is entered into with a municipality or any board, body, officer, agency or authority thereof; and

**WHEREAS**, the FUND meets the definition of an agency as set forth in N.J.S.A. 40A:11-5(2); and

**WHEREAS**, for all of the aforementioned reasons, the MUNICIPALITY desires to enter into a Contract to renew its membership with the FUND for a period of three (3) years, for insurance coverage and consultant services, as an exception to the public bidding requirements of the Local Public Contracts Law.

**NOW THEREFORE, BE IT RESOLVED,** by the governing body of the MUNICIPALITY as follows:

1. The MUNICIPALITY agrees to renew its membership in the FUND and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the FUND.
2. The Mayor and Clerk of the MUNICIPALITY shall be and hereby are authorized to execute the "Contract to Renew Membership" annexed hereto and made a part hereof and to deliver same to the FUND evidencing the MUNICIPALITY'S renewal of its membership.
3. In accordance with N.J.A.C. 5:34-2.3, the certificate of a designated official of the MUNICIPALITY, which details why the solicitation of competitive quotations is impracticable, is attached hereto and made a part of this Resolution.
4. The Clerk of the MUNICIPALITY is authorized and directed to place a notice of the adoption of this Resolution and the award of this Contract in the official newspaper of the MUNICIPALITY.

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

**RESOLUTION NO. 2022-114**

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT FOR SURENIAN, EDWARDS & NOLAN, LLC TO ACT AS SPECIAL COUNSEL ON BEHALF OF THE TOWNSHIP OF DENNIS WITH RESPECTS TO AFFORDABLE-HOUSING OBLIGATIONS**

**WHEREAS,** the Solicitor has notified the Municipal Clerk of the need to obtain special legal services in regards to addressing the Township's responsibilities with respect to its affordable-housing obligations in any proceedings involving (a) a New Jersey court of competent jurisdiction and /or (b) the New Jersey Council on Affordable Housing (COAH); and

**WHEREAS,** the Solicitor has provided the resume of an attorney who specializes in affordable-housing obligations.

**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 Solicitor is hereby designated to negotiate the terms of the contract with Surenian, Edwards & Nolan, LLC.
2. The Mayor and Clerk are hereby authorized and directed to enter into a Professional Service Contract with Surenian, Edwards & Nolan, LLC for special legal services with regards to Affordable-Housing Obligations.
3. The Clerk shall cause of notice of the award of this contract to be published in the official newspaper of the Township of Dennis as required by N.J.S.A. 40A: 11-5(1)(a)(i).
4. This contract is awarded without competitive bidding, pursuant to the Local Public Contract Law, N.J.S.A. 40A:11-1 et seq and that the total sum will not exceed the limits established in P.L. 2004 Chapter 19.
5. This resolution shall take effect immediately.

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

**RESOLUTION NO. 2022-115**

**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 \$5,685.56 from the State of New Jersey Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund 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 \$5,685.56 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:  
Alcohol Education, Rehabilitation,  
And Enforcement Fund.

**BE IT FURTHER RESOLVED**, that a like sum of \$5,685.56 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:  
Alcohol Education, Rehabilitation,  
And Enforcement Fund  
Municipal Court Other Expenses

**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. 2022-116**

**RESOLUTION AUTHORIZING THE REFUNDS OF VARIOUS  
SENIOR CENTER TRIPS**

**WHEREAS**, the Dennis Township Senior Citizen Center has a trip "The Drifters" scheduled for 07/28/2022 and a trip "The Assisted Living" scheduled on 09/22/2022; and

**WHEREAS**, the Clerk has received notification from the Senior Center's Director that the trips have not generated enough interest to make them feasible and therefor need to be cancelled; and

**WHEREAS**, the Township has received payments that must be refunded.

**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 following payments due to the cancellation of aforementioned trips :

Cathy Cannuli 1731 S. Shore Rd, Unit #148 Ocean View, NJ 08230	\$176.00	Dorothy Wood P.O. Box 125 South Seaville, NJ 08246	\$176.00
Karen Switek P.O. Box 622 Woodbine, NJ 08270	\$44.00	Susan L. Reese P.O. Box 716 Woodbine, NJ 08270	\$44.00
Eileen Boltz 39 Highland Ave. Marmora, NJ 08223	\$88.00	Gina Shinn 219 Dennisville Road P.O. Box 557 South Seaville, NJ 08246	\$88.00

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

**TOWNSHIP OF DENNIS**

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

**ORDINANCE NO. 2022-06**

**AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY,  
STATE OF NEW JERSEY AMENDING CHAPTER 40 OF THE CODE OF THE TOWNSHIP OF  
DENNIS, ENTITLED "PERSONNEL POLICIES"**

**WHEREAS**, the Township Committee of the Township of Dennis, have determined that certain amendments to Chapter 40 entitled "Personnel Policies" are necessary; and

**WHEREAS**, in all other respects Chapter 40 entitled "Personnel Policies" shall remain in full force and effect.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Dennis, in the County of Cape May and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

**Section 1.**

**§40-2.** entitled "Cost of Coverage" shall be amended as follows:

**§ 40-2. Costs of coverage.2**

- A. As to retired employees with twenty-five (25) years or more of service, or with fifteen years (15) of continuous service upon attaining the age sixty-two (62), the township shall assume the entire costs of such coverage for the retired employees and their spouses, as provided by N.J.S.A. 40A:10-23.
- B. As to retired employees on a disability pension, who have met the State of New Jersey Public Employees' Retirement System qualifications, the township shall assume the entire costs of such coverage for the retired employees and their dependents, as provided by N.J.S.A. 40A:10-23.

**Section 2.**

**§40-4.** entitled "Policy established" shall be amended as follows:

**§ 40-4. Policy established.**

A. The averments of the preamble are incorporated herein by reference.

B. Employees employed by the Township As of May 8, 2022.

All covered members who end their employment with the Township through a qualified service retirement, early retirement, or disability retirement as established by and under the NJ Public Employees Retirement System and their spouse shall continue to receive health insurance benefits which shall be defined as Medical/Prescription/Dental/Vision) as afforded to all other Township employees until they qualify for Medicare.

C. Employees employed by the Township After May 8, 2022.

All covered members who end their employment with the Township through a qualified service retirement, early retirement, or disability retirement as established by and under the NJ Public Employees Retirement System and their spouse shall continue to receive health medical and prescription benefits as afforded to all other Township employees until they qualify for Medicare.

D. Contributions

1. Notwithstanding the terms set forth in §40-2, the Chapter 78 requirement for retiree health insurance contributions does not apply to employees who had twenty (20) years or more of service in a state or local retirement system as of June 28, 2011, and/or meet the eligibility requirements N.J.S.A. 40A:10-23.

2. Notwithstanding the terms set forth in §40-2, under Chapter 78, if an employee had twenty (20) or more years of service credit before June 28, 2011, they would only contribute one and one-half (1.5%) percent of their retirement allowance provided they retired with twenty-five (25) years of credible service pursuant to P.L. 2010, Chapter 2.

3. Notwithstanding the terms set forth in §40-2, at no time shall any retired employee hired after May 21, 2010, contribute less than one and one-half (1.5%) percent of their retirement allowance pursuant to P.L. 2010, Chapter.

E. Expiration

1. Upon becoming eligible for Medicare, the retiree shall no longer be eligible for Township-provided health insurance benefits of any kind. After reaching Medicare age, the Township will pay for supplemental insurance pursuant to the provisions under the New Jersey State Health Benefits Plan, but the Township shall not be responsible for any payments under Medicare Parts A, B or D. Employees hired after May 8, 2022, shall not be eligible for supplemental insurance paid by the Township.

2. Should an employee, who is employed on or before May 8, 2022 and retire after January 1, 2022, pass away, the employee's spouse will be provided medical and prescription coverage as established herein until the surviving spouse reaches Medicare age. However, all said benefits shall immediately cease upon remarriage. This provision shall not apply to employees hired after May 8, 2022, as spouse of retirees shall not be eligible for coverage.

3. At any point, that an employee's surviving spouse (except if ineligible for benefits as set forth above) be employed or accepts employment where they have access to health care through that employer, the surviving spouse shall be required to accept such health care benefits regardless of the benefit level. The failure of the surviving spouse to accept health benefits from their employer shall result in an immediate waiver of health benefits

F. All employees who retire with twenty-five (25) years of continuous service, or with fifteen years (15) of continuous service upon attaining the age sixty-two (62), shall, for themselves and their spouses, continue to receive those health insurance benefits afforded to full time employees until they qualify for Medicare at which time the township will continue to supply the necessary supplemental insurance pursuant to the provisions then existing with the New Jersey State Health Benefits Plan, as provided by N.J.S.A. 52:14-17.38.

G. All employees who retire on a disability pension, who have met the State of New Jersey Public Employees' Retirement System qualifications shall, for themselves and their dependents, continue to receive those health insurance benefits afforded to full time employees until they qualify for Medicare at which time the township will continue to supply the necessary supplemental insurance pursuant to the provisions then existing with the New Jersey State Health Benefits Plan.

H. In the event that the township, at its sole option, becomes self-insured or it provides any other form of health insurance to its full-time employees, for medical coverage, the retired and the

disabled retired employees and their qualifying dependents, if any, shall receive the same benefits afforded to full time employees including the same supplements then necessary to supplement Medicare benefits in order to equalize them with the then existing benefits given to full time employees.

- I. This policy shall be incorporated into the Township of Dennis Personnel Handbook under the section entitled, "Employee Benefits".

**Section 3.**

**Severability.**

Should any section, clause, sentence, phrase, or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**Section 4.**

**Repealer.**

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

**Section 5.**

**When effective.**

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

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Zeth A. Matalucci, Mayor

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Scott J. Turner, Deputy Mayor

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Frank L. Germanio, Jr., Committee Member

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Matthew Cox, Committee Member

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Thomas Van Artsdalen, Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on June 28, 2022. Publication will be held on July 04, 2022 and a Public Hearing will be held at a meeting of the said Township Committee to be held on July 12, 2022 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

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

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

**GENERAL ACCOUNT:**

046869-Advantage Equipment Sales	\$ 88.46
046870-Atlantic City Electric	2,827.07
046871-Cub Scout Pack 56	500.00
046872-Cape May County P.W.A.	2,942.68
046873-Cody's Power Equipment	892.32
046874-Comcast	686.82
046875-Daley's Pit	50.00
046876-Delta Dental of NJ	2,452.94
046877-East Coast Distributors	1,111.64
046878-Gardner True Value Hardware	554.27
046879-Eric M. Krise Electrical	2,655.00
046880-General Code	710.00
046881-Georgia Golf Construction, Inc.	2,400.00
046882-Gopher Sport	201.26
046883-NAPA Auto Parts	1,720.65
046884-McCloskey Mechanical	107,570.00
046885-Petty Cash c/o Jessica Bishop	44.00
046886-NJPS Court Builders, Inc.	26,900.00
046887-Principal Life Insurance Co.	5.30
046888-Service Tire Truck Centers	282.78
046889-Shop-Rite	216.72
046890-Snap-On Inc.	768.95
046891-Star Hollow IEA Team	500.00
046892-V.E. Ralph & Son, Inc.	510.00
046893-Woodland Power Products, Inc.	767.00

**CONSTRUCTION CODE:**

None.

**GENERAL CHECKING WIRES:**

None.

**DOG TRUST:**

None.

**ESCROW JOHN C. GIBSON:**

None.

**ESCROW PINELANDS CONSTRUCTION:**

None.

**ESCROW R. E. PIERSON CONSTRUCT:**

None.



**ESCROW TURNER PARTNERS:**

None.

**ESCROW HRD HOLDINGS:**

None.

**ESCROW RONALD WALTERS:**

None.

**ESCROW SITE WORK CONTRACTING, LLC:**

None.

**PLANNING ESCROW:**

1080-Estate of Helen Wolf	275.00
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**RECREATION TRUST:**

1379-American Bounce	555.00
1380-Petty Cash c/o Jessica Bishop	379.39
1381-Philadelphia Zoo	2,160.00
1382-Schaefer Pyrotechnics, Inc.	2,780.00
1383-Island Bowl	910.00
1384-Urie's Waterfront Restaurant	1,414.80
1385-Karen Switek	88.00

The Municipal Engineer gave the following verbal report/update on the County Paving Projects and the Township's 2022 Maintenance Paving Program. Mayor Matalucci commented on an issue with the County's Dennisville Road (County Route 628) Paving Project involving Garfield Ave. and indicated that he was able to get it corrected.

The Mayor asked for a motion to approve the Administrative Report from the Engineer. Motion was made by Germanio, seconded by VanArtsdalen, with 5 ayes and no nays, that the verbal report from the Engineer is approved.

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

Let the record reflect that there were none.

The Mayor asked for comments from the Committee.

Committeeman VanArtsdalen congratulated the Major and Minor Softball Champions, he commented on the girls playing on the All Star Team and indicated that Summer Basketball starts tonight.

Committeeman Germanio congratulated the Softball Teams and indicated that the Essig family are in his thoughts and prayers for the loss of Rosemarie.

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

Deputy Mayor Turner thanked the O'Hara's for coming this evening and commented on the Committee working with the County to get the County Roadways improved. He indicated that his thoughts and prayers are with the Essig family.

Mayor Matalucci indicated that his thoughts and prayers are with the Essig family and shared that Roe was a phenomenal employee who really cared for our seniors and is a big loss to the community.

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 Zeth A. Matalucci, Mayor