

**TOWNSHIP OF DENNIS
DENNISVILLE, NJ
AUGUST 09, 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, Turner and Matalucci present, Committeemen Cox and VanArtsdalen were 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 Turner, seconded by Germanio, with 3 ayes and 2 absent (VanArtsdalen & Cox), that the consent agenda be adopted.

The following minutes were approved as part of the Consent Agenda: 07/26/2022 Regular Meeting.

The following resolution numbers 2022-130 thru 2022-135 were a part of the Consent Agenda:

RESOLUTION NO. 2022-130

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 2021 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 _____
Jacqueline B. Justice, RMC/Clerk

ATTEST _____
Zeth A. Matalucci, Mayor

RESOLUTION NO. 2022-131

**RESOLUTION SUPPORTING ASSEMBLY CONCURRENT
RESOLUTION NO. 31 INCREASING THE PROPERTY TAX DEDUCTION FOR
VETERANS TO \$1,000.00 AND BASE FUTURE DEDUCTIONS ON ANNUAL
CONSUMER PRICE INDEX INCREASES**

WHEREAS, Dennis Township is home to a veteran population in the State of New Jersey with an estimated 229 Veterans; and

WHEREAS, New Jersey residents suffer from the highest property taxes in the Country; and

WHEREAS, the Constitution of the State of New Jersey, adopted in 1947, provides a property tax deduction to Veterans who were honorably discharged or released under honorable circumstances from active service in time of war; and

WHEREAS, the Constitution was amended in 1999 to provide eligible honorably discharged United State Armed Forces Veterans with a fixed \$250.00 property tax deduction; and

WHEREAS, the Veterans property tax deduction has not increased since 2003; and

WHEREAS, Assemblyman Ronald S. Dancer has introduced Assembly Concurrent Resolution No. 31, proposing a constitutional amendment to increase the Veterans property tax deduction; and

WHEREAS, the proposed constitutional amendment would increase the fixed annual property tax deduction for New Jersey Veterans from \$250.00 to \$1,000.00 with future deductions to be based on the annual Consumer Price Index increase, and rounded to the next highest multiple of \$1.00; and

WHEREAS, the Dennis Township Committee supports the efforts of Assemblyman Dancer and urges the New Jersey Legislature to increase the annual property tax deduction for New Jersey Veterans; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May and State of New Jersey, that we hereby support Assembly Concurrent Resolution No. 31, which would increase the property tax deduction for Veterans to \$1,000.00 and base future deductions on annual Consumer Price Index increase.

BE IT FURTHER RESOLVED that the Municipal Clerk shall forward a certified copy of this resolution to the Governor of the State of New Jersey; Lieutenant Governor of the State of New Jersey; the President of the New Jersey Senate; the Speaker of General Assembly; the members of the Cape May County Legislative Delegation; and the New Jersey League of Municipalities.

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

RESOLUTION NO. 2022-132

**RESOLUTION AUTHORIZING THE REFUND OF A
PLANNING/ZONING ESCROW FEE**

WHEREAS, the Administrator to the Planning and Zoning Boards has requested the refund of a Planning/Zoning Escrow Fee; and

WHEREAS, said Planning/Zoning application project has been substantially completed or withdrawn and the escrow fund balance remains.

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 refund the following Planning/Zoning Escrow balance:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Applicant</u>
120	62	\$ 450.00	Cooperwood, LLC c/o Ira Niedweski, Member 812 Dennisville Road Cape May Court House, NJ 08210

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 Zeth A. Matalucci, Mayor

RESOLUTION NO. 2022-133

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH
FRALINGER ENGINEERING, PA FOR ENGINEERING, SURVEYING, BIDDING AND
INSPECTION SERVICES IN REGARDS TO THE SUNNY LANE AND SHADY LANE
RESURFACING – 2022 & 2023 NJDOT PROJECT**

WHEREAS, Dennis Township has received grant funding from the New Jersey Department of Transportation's (NJDOT) Municipal Aid Program for the Resurfacing of Sunny Lane and Shady Lane; and

WHEREAS, the Township Committee believe it is in the best interest of the Township to take advantage of said grant funds; and

WHEREAS, Fralinger Engineering, PA are the Engineer for Dennis Township, and

WHEREAS, Fralinger Engineering, PA has submitted a proposal, for said project, in an amount not to exceed \$37,500.00. for Professional Engineering, Surveying, Bidding and Inspection Services; and

WHEREAS, the Chief Finance Officer has issued a Certification of Funds for said project.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, in the County of Cape May and State of New Jersey, that a contract for the same is hereby awarded to Fralinger Engineering, PA as a Professional Services Contract, in an amount not to exceed \$37,500.00, for professional engineering, surveying, bidding and inspection services.

BE IT FURTHER RESOLVED, that the Municipal Clerk be and is hereby authorized and directed to publish in the official newspaper of the Township a copy of this Resolution.

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

RESOLUTION NO. 2022-134

**RESOLUTION ACCEPTING AND AWARDING THE BID(S) FOR THE
CAPE MAY COUNTY OPEN SPACE –
CHESTNUT STREET PARK “RE-ADVERTISED” PROJECT**

WHEREAS, the Township received bids on August 09, 2022 at 10:00 A.M. for the Cape May County Open Space – Chestnut Street Park “Re-Advertised” Project; and

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

WHEREAS, the Project Engineer 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 Cape May County Open Space – Chestnut Street Park “Re-Advertised” Project to the lowest responsible and responsive bidder, Capri Construction, 4266 Post Road, Vineland, NJ for the bid amount of - \$1,154,000.00.

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 Zeth A. Matalucci, Mayor

RESOLUTION NO. 2022-135

**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.

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 August 09, 2022, that an Executive Session closed to the public shall be held on August 09, 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

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

This being the time and place of the Public Hearing for Ordinance No. 2022-07. The title was read by the Mayor. The Mayor asked for a motion to open the Hearing for public comment, motion was made by Turner, seconded by Germanio, that the Hearing be open for public comment. Let the record reflect that there were no comments from those present, and motion was made by Germanio, seconded by Turner that the Hearing be closed.

The Mayor asked for a motion to adopt Ordinance No. 2022-07, motion was made by Germanio, seconded by VanArtsdalen with 3 ayes, and 2 absent (Cox & Turner), the following ordinance was adopted:

ORDINANCE NO. 2022-07

AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY, AND STATE OF NEW JERSEY AMENDING ORDINANCE NO. 2022-01 ENTITLED, "AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY, AND STATE OF NEW JERSEY ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF DENNIS".

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

GENERAL ACCOUNT:

046972-Amazon.Com Services, Inc.	\$	809.82
046973-Animal Control of South Jersey		600.00

046974-Archer & Greiner, PC	2,765.48
046975-Siteone Landscaping Supply	520.00
046976-County of Cape May	805,636.51
046977-Cody's Power Equipment	115.49
046978-John L. Collins	340.20
046979-Nelson B. Creamer	170.10
046980-Dennis Twp. Board of Education	907,109.59
046981-Larry C. Dixon	170.10
046982-East Coast Distributors	15.96
046983-Ford, Scott & Associates, LLC	1,600.00
046984-Fox Fence Enterprises, Inc.	72,685.00
046985-F&W Grafix	649.25
046986-falasca Mechanical, Inc.	2,208.00
046987-Gardner True Value Hardware	433.56
046988-John C. Gibson, P.E.	4,760.00
046989-Future Pro, Inc.	499.00
046990-Randy A. Grant, Sr.	170.10
046991-Scheule Planning Solutions, LLC	1,937.50
046992-Green Technology Services	6,618.46
046993-Michele T. Heim	340.20
046994-Home Depot Credit Services	54.42
046995-Roy J. Hope	340.20
046996-Surenian, Edwards & Nolan, LLC	350.00
046997-K. Gannon Plumbing	325.00
046998-LC Equipment, Inc.	453.00
046999-Edward F. Leith, Jr.	170.10
047000-Garrett & Batastini, PA	1,000.00
047001-Mark Grant	340.20
047002-Eileen M. McFillin	340.20
047003-Mariann Murphy	178.10
047004-Pineland Construction, LLC	39,805.56
047005-New Jersey Registrars' Assoc.	90.00
047006-South Jersey Paper Products	574.20
047007-S.S.C.I.	20.00
047008-Carolyn P. Swagler	170.10
047009-Treasurer, State of New Jersey	5,000.00

CONSTRUCTION CODE:

1061-Amazon.com Services, Inc.	45.48
1062-Treasurer, State of New Jersey	100.00

GENERAL CHECKING WIRES:

47-NJSHBP	39,410.61
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DOG TRUST:

164-NJ Dept. of Health & Senior Services	4.20
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ESCROW JOHN C. GIBSON:

96-Fralinger Engineering, PA	1,595.00
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ESCROW PINELANDS CONSTRUCTION:

None.

ESCROW R. E. PIERSON CONSTRUCT:

None.

ESCROW DRIFTWOOD RV CENTER:

5-Fralinger Engineering, PA 1,767.50

ESCROW TWO BREWS LLC:

1002-Fralinger Engineering, PA 302.50

ESCROW HRD HOLDINGS:

78-Fralinger Engineering, PA 220.00

ESCROW SITE WORK CONTRACTING, LLC:

1007-Fralinger Engineering, PA 275.00

PLANNING ESCROW:

1081-Fralinger Engineering, PA 3,077.65

1082-Garrett & Batastini, PA 1,008.00

RECREATION TRUST:

1406-VOID

1407-VOID

1408-VOID

1409-VOID

1410-VOID

1411-Amazon.com Services, Inc. 63.89

1412-Harbor Square Private Theatre 1,008.00

1413-Sky Zone Moorestown 3,275.00

1414-Gina Shinn 88.00

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

Municipal Clerk's Report	July, 2022
Registrar's Report	July, 2022
Tax Collector's Report	July, 2022
Construction Official's Report	July, 2022
Chief Finance Officer's Report	July, 2022
Engineer's Report	08/09/2022

At this time the Mayor made the following Appointments:

Consolidated Land Use Board (effective 07/27/2022)

Thomas McEvoy, Alt. #3 term expiring 12/31/2023

Brian K. VanArtsdalen, Jr., Alt. #4 term expiring 12/31/2022

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 comments at this time.

Deputy Mayor Turner indicated that it is nice to see the Chestnut Street Park Improvement Project moving forward.

Mayor Matalucci announced that this morning we received the bids for the Chestnut Street Park – Cape May County Open Space Improvement Project and tonight we have awarded the job to Capri Construction who are the apparent low bidder. He indicated that this project has been 5 years in the making and that he is thankful that it is moving forward. He thanked the Township Administrator for her work in getting this project on the right track. Mayor Matalucci clarified an article in the Cape May County Herald which reflected the Administrator’s salary at \$99,000.00 and indicated that Mrs. Bishop received \$15,000.00 for Administrator and the balance is for her positions of Chief Finance Officer and QPA/Purchasing Agent.

The Township Administrator, Jessica Bishop, indicated that the tax bills have arrived and that we hope to have them stuffed and mailed by the end of the week. She commented on the online portal where you can view and pay your taxes online. Deputy Mayor Turner indicated that you can pay online with an e-check as well and save the more expensive charge for using a credit card.

The Mayor announced that the Township Committee needed to go into an Executive Session for Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege and that no formal action was anticipated.

Motion was made by Turner, seconded by Germanio, that the regular meeting be recessed for the Township Committee to go into Executive Session pursuant to Resolution No. 2022-135. All were in favor and the motion carried.

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

The Mayor 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 Turner, seconded by Germanio, that the meeting be adjourned. All in favor and the motion carried.

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