

**TOWNSHIP OF DENNIS
DENNISVILLE, NJ
MARCH 28, 2023**

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, Turner and Matalucci were present, VanArtsdalen was absent).

At this time the Township Administrator/Chief Finance Officer, Jessica Bishop, gave a presentation of the 2023 Municipal Budget and answered questions from the Township Committee.

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

Kevin Carroll of 52 Cedar Mill Lane questioned the status of the Wawa Project in Dennisville and the Connors Clermont Lodge Variance Plan. Mayor Matalucci stressed that they both were applications before the Consolidated Land Use Board (CLUB) which is totally separate from the Township Committee. Deputy Mayor Turner indicated that the CLUB denied the Wawa Project and they appealed and won. He also shared that the CLUB granted the Clermont Lodge their required variances however, the applicant has many permits etc. from other entities that they still must obtain.

There being no further comments from those present, the Mayor asked for a motion adopting the consent agenda, motion was made by Cox, seconded by Turner, with 4 ayes and 1 absent (VanArtsdalen), that the consent agenda be adopted.

The following minutes were approved as part of the Consent Agenda: 03/14/2023 Work Session & Regular Meeting.

The following resolution numbers 2023-60 thru 2023-63 were a part of the Consent Agenda:

RESOLUTION NO. 2023-60

**RESOLUTION AUTHORIZING THE HIRING OF A PART-TIME
RECREATION ATTENDANT FOR THE RECREATION DEPARTMENT**

WHEREAS, the Dennis Township Recreation Department is in need of additional part-time attendants to cover the recreation facilities during the wide range of programs; and

WHEREAS, the Township Administrator has reviewed the applications and has made her recommendation.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that Samuel Caraballo, Jr. of 7 Sand Dollar Drive, Cape May Court House, NJ 08210 be hired as part-time Recreation Attendant at the hourly rate of \$16.00 per hour effective 03/28/2023.

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

RESOLUTION NO. 2023-61

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 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 28, 2023, that an Executive Session closed to the public shall be held on March 28, 2023 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. 2023-62

RESOLUTION AUTHORIZING A CHANGE IN THE EMPLOYMENT STATUS OF A LABORER ASSIGNED TO THE PUBLIC WORKS DEPARTMENT

WHEREAS, Brandon Sibitzky, a Laborer with the Public Works Department, has his CDL License and meets the requirements for a Truck Driver position.

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. That Brandon Sibitzky is hereby promoted to the Truck Driver classification, effective 03/27/2023.
- 2. That his hourly rate be \$20.3269 per hour.
- 3. That this is a provisional appointment pending any and all requirements from the Civil Service Commission.

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

RESOLUTION NO. 2023-63

RESOLUTION APPOINTING THE SAFETY COORDINATOR

WHEREAS, the Township of Dennis is a member of the Atlantic County Municipal Joint Insurance Fund, hereinafter referred to as the FUND; and

WHEREAS, the FUND requires that in the manner generally prescribed by law, each member shall appoint a Safety Coordinator to chair the Member Safety Committee, coordinate and oversee the Member safety efforts, and act as a liaison between the municipality, the JIF Safety Director and other outside agencies; and

WHEREAS, the Township of Dennis recommends the appointment of Frank Laughlin to serve as Safety Coordinator in accordance with the FUND requirements.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that it does hereby appoint Frank Laughlin as Municipal Safety Coordinator.

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

The following Ordinance No. 2023-03 was introduced for first reading as part of the consent agenda:

TOWNSHIP OF DENNIS
COUNTY OF CAPE MAY
STATE OF NEW JERSEY
ORDINANCE NO. 2023-03
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 2023 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 \$40,422.51 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 2023 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 \$141,478.79, and that the CY 2023 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.

Zeth A. Matalucci, Mayor

Scott J. Turner, Deputy Mayor

Thomas VanArtsdalen, III, Committee Member

Matthew Cox, Committee Member

Frank L. Germanio, Jr., Committee Member

PRESENTED BY: COX

SECONDED BY: TURNER

ROLL CALL VOTE:

AYES: GERMANIO, COX, TURNER & MATALUCCI

NAYS:

ABSTAINING:

ABSENT: VANARTSDALEN

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on March 28, 2023. Publication will be held on April 03, 2023 and a Public Hearing will be held at a meeting of the said Township Committee to be held on April 25, 2023 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 to adopt Resolution No. 2023-64, motion was made by Germanio, seconded by Turner with 4 ayes and 1 absent (VanArtsdalen), the following resolution was adopted:

MUNICIPAL BUDGET NOTICE

RESOLUTION NO. 2023-64

Section 1.

Municipal Budget of the _____ TOWNSHIP _____ of _____ DENNIS _____, County of _____ CAPE MAY _____ for the Fiscal Year 2023

Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2023;

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

in the issue of _____ April 3rd _____, 2023

The Governing Body of the _____ TOWNSHIP _____ of _____ DENNIS _____ does hereby approve the following as the Budget for the year 2023:

RECORDED VOTE

(Insert Last Name)

Ayes	Nays	Abstained	Absent
Matalucci Turner Cox Germanio			Van Artsdalen

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 _____ 28th _____, 2023.

A Hearing on the Budget and Tax Resolution will be held at _____ DENNIS TOWNSHIP MUNICIPAL BUILDING _____, on _____ April _____ 25th _____, 2023 at _____ 5:30 _____ o'clock _____ P.M. _____ at which time and place objections to said Budget and Tax Resolution for the year 2023 may be presented by taxpayers or other interested persons.

The Mayor asked for a motion to adopt Resolution No. 2023-65, motion was made by Germanio, seconded by Cox with 4 ayes and 1 absent (VanArtsdalen), the following resolution was adopted:

RESOLUTION NO. 2023-65

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 2023 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

Jacqueline B. Justice, RMC/Clerk

ATTEST

Zeth A. Matalucci, Mayor

The Mayor asked for a motion to adopt Resolution No. 2023-66, motion was made by Turner, seconded by Germanio with 4 ayes and 1 absent (VanArtsdalen), the following resolution was adopted:

RESOLUTION NO. 2023-66

RESOLUTION AWARDING RE-BID FOR THE FY 2021 NJDCA SMALL CITIES BLOCK GRANT#21-0323-00 – ADA IMPROVEMENTS TO CHESTNUT STREET PARK PROJECT

WHEREAS, Resolution No. 2023-59 Rejected the bids and authorized the re-bid of the FY 2021 NJDCA Small Cities Block Grant #21-0323-00 - ADA Improvements to Chestnut Street Park Project; and

WHEREAS, the Chief Finance Officer/Administrator and Township Engineer received the re-bids on March 28, 2023 at 10:00 A.M. for the FY 2021 NJDCA Small Cities Block Grant #21-0323-00- ADA Improvements to Chestnut Street Park Project; and

WHEREAS, the Township received two (2) bids from: CTX Infrastructure – Lump Sum Base Bid of \$226,700.00, and Ricky Slade Construction, Inc. – Lump Sum Base Bid of \$149,435.00.

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 re-bid of the FY 2021 NJDCA Small Cities Block Grant #21-0323-00 – ADA Improvements to Chestnut Street Park Project to Ricky Slade Construction, Inc. for the Lump Sum Base Bid amount of \$149,435.00. contingent upon the review of the Engineer, Solicitor and Grant Consultant.

BE IT FURTHER RESOLVED, that the Certification of Availability of Funds from the Chief Finance Officer is attached.

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 Germanio, with 3 ayes, 1 absent (VanArtsdalen) and 1 abstaining (Turner), that the payment of the following bills was approved:

GENERAL ACCOUNT:

047576-Atlantic City Electric	\$	7,198.76
047577-Batting Cages Inc.		2,907.86
047578-CMC Municipal Clerks Assoc.		35.00
047579-Cape May County P.W.A.		1,427.18
047580-Capri Construction Co., Inc.		163,319.88
047581-Scott Turner		329.94
047582-Cody's Power Equipment		757.99
047583-Comcast		715.04
047584-Daley's Pit		25.00
047585-Dennis Twp. Basketball Assoc.		500.00
047586-Dennis Twp. Board of Education		800.00
047587-Deptcor		420.00
047588-Door Jockey, Inc.		635.50
047589-FP Mailing Solutions		171.00
047590-Fralinger Engineering, PA		890.00
047591-Gardner True Value Hardware		349.45

047592-Eric M. Krise Electrical.	187.00
047593-Michele T. Heim	989.40
047594-Inspira Medical Centers, Inc.	110,000.00
047595-NAPA Auto Parts	267.81
047596-Lacal Equipment Inc.	6,100.13
047597-Nat. Alliance for Youth Sports	80.00
047598-Professional Government	90.00
047599-Public Employees' Retirement System	19.40
047600-Reliable Power Plus, LLC	1,295.00
047601-Seashore Asphalt Corp.	168.30
047602-Cooltronics, Inc.	3,409.34
047603-Staples Advantage	729.44
047604-Suburban Propane – 2115	1,505.07
047605-Sunbelt Rentals, Inc.	1,947.21
047606-David D. Glassford, Jr., LLC	10,800.00

CONSTRUCTION CODE:

None.

GENERAL CHECKING WIRES:

None.

DOG TRUST:

None.

FIRE SAFETY & PREVENTION:

2-AT&T Mobility	124.46
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ESCROW TURNER PARTNERS:

None.

ESCROW HRD HOLDINGS:

None.

ESCROW GOLF CARS UNLIMITED

None.

PLANNING ESCROW:

None.

PAYROLL TRUST:

1-Public Employees' Retirement System	116,111.00
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RECREATION TRUST:

1487-The Gem Grocery & Gas	312.38
1488-Oriental Trading	249.28
1489-Shop-Rite	163.33
1490-2 the Tee Outfitters	2,082.00

The Township Engineer, Mike Fralinger, commented on: Bid Opening for the Chestnut Street Park ADA Project, the Chestnut Street Park Project with additional comments from Mayor Matalucci and the Township's Biennial Report for the State Development & Redevelopment Plan.

The Mayor asked for a motion to accept the Engineer's verbal report, motion was made by Germanio, seconded by Turner, with 4 ayes and 1 absent (VanArtsdalen).

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 Township Committee.

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 indicated he has questions regarding the Budget and he stated that inflation is hurting us and commented on the Consumer Price Index. He requested that the Budget topic be placed on the next Work Session agenda.

Mayor Matalucci indicated that he had no comment at this time.

The Mayor announced that the Township Committee needed to go into an Executive Session for Matters Relating to Employment Relationship and that formal action may be taken.

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. 2023-61. All were in favor and the motion carried.

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

The Mayor asked for a motion to adjourn the Township Committee meeting.

Motion was made by Germanio, 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