

**TOWNSHIP OF DENNIS
DENNISVILLE, NJ
AUGUST 08, 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 Work Session (VanArtsdalen, Germanio, Cox, Turner and Matalucci were present).

The Mayor announced that after discussion during the Work Session, Resolution No. 2023-124 – Resolution of the Township of Dennis, Requesting the Left Turn Signal Phase at the intersection of Route 47 & Tyler Road (CR 611) by the NJDOT and Committing to provide the Required 25% Municipal Contribution Estimated at \$12,500 if Warranted, was added to the Consent Agenda.

At this time the Township Committee discussed Resolution No. 2023-122, Authorizing an Extension of the Mining Permit for A.E. Stone, Inc./Dennis Township Sand & Gravel Now owned by Kiely Holdings, LLC, and commented on the process Mining Operations complete for the Consolidated Land Use Board, the timeline, frequency and discussed possible changes to the ordinance know as Chapter 95 of the Township's Code. The Committee indicated that they were ok to move forward with adopting Resolution No. 2023-122 and it remained in the Consent Agenda.

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

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

The following minutes were approved as part of the Consent Agenda: 07/25/2023 Regular Meeting.

The following resolution numbers 2023-115 thru 2023-124 were a part of the Consent Agenda:

RESOLUTION NO. 2023-115

RESOLUTION ACCEPTING THE AWARD OF THE LOCAL EFFICIENCY ACHIEVMENT PROGRAM (LEAP) GRANT FOR THE CONSTRUCTION OF A SHARED COMMUNICATIONS TOWER AND AUTHORIZING THE EXECUTION OF SAID GRANT AGREEMENT

WHEREAS, the State of New Jersey has allocated \$150,000 within each county for a statewide total of \$3.15 million in Local Efficiency Achievement Program (LEAP) funds to promote innovation among peer local units across New Jersey, and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) administers the LEAP grant program; and

WHEREAS, the LEAP Challenge Grant exists to challenge municipalities and counties to collaborate on more extensive partnership and collaborations to produce efficiencies through shared services; and

WHEREAS, the Dennis Township School District has agreed to be the lead agency in this program; and

WHEREAS, the Governing Body of Dennis Township School District, is acknowledging and accepting the responsibility of acting as administrator for this grant on behalf of all participating local units; and

WHEREAS, the Governing Body of the Dennis Township School District received a Notice of Award from the Department of Community Affairs, Division of Local Government Services (DLGS) its eligibility to receive a LEAP Grant in the amount of \$150,000.00; and,

WHEREAS, the purpose of the award is to construct a shared communications tower for the purpose of increasing the range for the District's Transportation Department and the Township's Office of Emergency Management systems.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of Dennis Township, that the Governing Body does hereby join with the Dennis Township School District in accepting the award of \$150,000.00, for the purpose of the construct of a shared communications tower for the purpose of increasing the range for the District's Transportation Department and the Township's Office of Emergency Management systems.

BE IT FURTHER RESOLVED, that the Chief Executive Officer of the Dennis Township School District be and hereby is authorized to execute a Grant Agreement with the New Jersey Department of Community Affairs on behalf of Dennis Township School District and the Township of Dennis, and upon execution of said Agreement, the Dennis Township School District does accept the Terms and Conditions specified in the Agreement in connection to this grant award.

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

RESOLUTION NO. 2023-116

RESOLUTION AWARDING THE CONTRACT FOR THE FURNISHING AND DELIVERING OF ONE (1) 2022 OR NEWER KENWORTH CONVENTIONAL CHASSIS WITH 10.5' STAINLESS STEEL DUMP BODY, PLOW AND SPREADER (OR EQUIVALENT) FOR THE DENNIS TOWNSHIP PUBLIC WORKS DEPARTMENT

WHEREAS, the Dennis Township Purchasing Agent, as authorized Contracting Agent for Dennis Township Committee has requested, received and opened sealed bids on July 13, 2023 at 2:00 PM prevailing time for Furnishing and Delivering One (1) 2022 or Newer Kenworth Conventional Chassis with 10.5' Stainless Steel Dump Body, Plow and Spreader (Or Equivalent) for the Dennis Township Public Works Department. The receipt of said bids were duly advertised in accordance with the law and in such case made and provided; and

WHEREAS, all bid results and recommendations are on file in the Office of the Purchasing Agent, 571 Petersburg Road, Dennisville, New Jersey, as required by law: and

WHEREAS, it has been determined that the company of Gabrielli Kenworth of New Jersey, LLC was the lowest responsible bidder and did substantially meet the necessary qualifications for the fulfillment of this contract, and further has provided the documentation necessary to successfully fulfill the requirements of the Township of Dennis; Said bid shall become a part of this contract; and

WHEREAS, the Dennis Township Treasurer has certified that the funding for this contract in 2023 shall be encumbered in accordance with N.J.A.C. 5:30-5.4 and this agreement shall further be contingent upon the availability and appropriation of sufficient funds for this purpose in the Township's budget.

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 be awarded for Furnishing and Delivering One (1) 2022 or Newer Kenworth Conventional Chassis with 10.5' Stainless Steel Dump Body, Plow and Spreader (Or Equivalent) for the Dennis Township Public Works Department, in the amount not to exceed \$212,989.56, subject to the review of the Township Solicitor to Kyle D. Weinberg, Blaney, Donohue & Weinberg, PC, 2123 Dune Drive, Suite 11, Avalon, NJ 08202. The contract shall commence August 8, 2023 and terminate with the delivery of the equipment. This shall be completed in full accordance with the terms and conditions of the contract.

ATTEST _____
Jacqueline B. Justice, RMC/Clerk

ATTEST _____
Zeth A. Matalucci, Mayor

RESOLUTION NO. 2023-117

**RESOLUTION PROVIDING FOR THE INSERTION OF A
SPECIAL ITEM OF REVENUE IN THE 2023 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 \$15,000.00 from the State of New Jersey and wishes to amend its 2023 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 2023 in the sum of \$15,000.00 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:
Spotted Lanternfly Reimbursement Program

BE IT FURTHER RESOLVED, that a like sum of \$15,000.00 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:
Spotted Lanternfly Reimbursement Program

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 _____
Jacqueline B. Justice, RMC/Clerk

ATTEST _____
Zeth A. Matalucci, Mayor

RESOLUTION NO. 2023-118

**RESOLUTION AUTHORIZING THE CONCURRENCE OF THE APPOINTMENT OF A
PUBLIC DEFENDER FOR THE MUNICIPAL COURT.**

WHEREAS, N.J. Stat. 2B:24-4 provides for the requirements for Municipal Public Defenders; and

WHEREAS, Dennis Township has a Shared Services Agreement with the Township of Upper for Municipal Court Services; and

WHEREAS, said law requires the governing bodies of each municipality in a joint municipal court to concur with the appointment of the Public Defender; and

WHEREAS, the Township of Upper has adopted Resolution No. 003-2023 appointed Edmund F. X. Devlin, Esq. as the Public Defender for the year 2023.

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 does hereby concur the appointment of Edmund F. X. Devlin, Esq. as the Public Defender for the year 2023.

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

RESOLUTION NO. 2023-119

RESOLUTION APPOINTING A DEPUTY REGISTRAR

WHEREAS, N.J.S.A. 26:8-17 et seq. requires the municipality to have a Deputy Registrar to act in the Registrar’s absence, etc.; and

WHEREAS, Monica Heim the Dennis Township Tax Collector has obtained the Certified Municipal Registrar designation.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that Monica Heim, CMR #5664 be appointed as the Deputy Registrar for the Township of Dennis at the annual salary of \$500.00 effective 08/01/2023.

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

RESOLUTION NO. 2023-120

RESOLUTION AUTHORIZING VARIOUS REFUNDS OF RECREATION PAYMENTS

WHEREAS, the Recreation Department has notified the Municipal Clerk of the need for refund of a Football Registration Fee due to moving, a Baseball/Softball Concession Stand Fee paid in error, a Summer Basketball registration due to having moved and a Fall Soccer Registration due to moving; and

WHEREAS, the payments were completed thru RecDesk.

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 Finance Officer is hereby authorized and directed to facilitate the refunds of the above referenced payments thru RecDesk:

Samantha Camerlengo	\$ 75.00	Rachel Stanton	\$ 75.00
Rebecca Beaman	\$ 45.00	Joseph DiCicco	\$ 45.00

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

RESOLUTION NO. 2023 - 121

RESOLUTION CANCELLING GRANT BALANCES

WHEREAS, it has been determined that the following grants are closed and/or otherwise discontinued and the balances should be removed from the Balance Sheets of the Township.

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 cancel the following grants:

SEE ATTACHED SCHEDULE

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

Resolution No. 2023 - 121

Schedule A		
Title	Receivable	Appropriation
FY2023 MUNICIPAL ALLIANCE	1,199.61	1,600.36
PRIOR YEARS MUNICIPAL ALLIANCE	7,299.00	9,212.00
	<u>\$ 8,498.61</u>	<u>\$ 10,812.36</u>
		2,313.75

RESOLUTION NO. 2023-122

RESOLUTION AUTHORIZING AN EXTENSION OF THE MINING PERMIT FOR A. E. STONE, INC./DENNIS TOWNSHIP SAND & GRAVEL

WHEREAS, A.E. Stone, Inc./Dennis Township Sand & Gravel had been issued a mining permit which expired on December 31, 2019; and

WHEREAS, due to extenuating circumstances the application process was not completed; and

WHEREAS, A. E. Stone, Inc./Dennis Township Sand & Gravel was sold to Kiely Holdings on 02/05/2021; and

WHEREAS, the Township has received a request from Kiely Holdings, LLC for an extension of their Mining Permit to allow them time to complete the application process required to the Consolidated Land Use Board for their review and recommendation.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the permit heretofore issued to A. E. Stone, Inc./Dennis Township Sand & Gravel (now owned by Kiely Holdings, LLC) for a mining operation be and is hereby extended until October 31, 2023.

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

RESOLUTION NO. 2023-123

**RESOLUTION AUTHORIZING THE LEAVE OF ABSENCE
FOR A PUBLIC WORKS EMPLOYEE**

WHEREAS, the Clerk has received a request from a Township Employee for a leave of absence; and

WHEREAS, John Pilieri, Sr. has requested a leave of absence for a family member's medical condition; and

WHEREAS, said leave would be effective on or about 08/24/2023 and would end on 11/16/2023 with Mr. Pilieri returning to work on or about 11/17/2023; and

WHEREAS, the leave of absence shall run concurrent with a leave under the provisions of the Family Leave Act for the balance of eligible time with the remainder being that of general leave of absence.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that a leave of absence be granted for John Pilieri, Sr. effective on or about 08/24/2023 through 11/16/2023.

BE IT FURTHER RESOLVED, that a leave under the Family Leave Act will be granted for a portion of the leave not to exceed the Federal and State provisions of the Act.

BE IT FURTHER RESOLVED, that the Administrator is hereby authorized and directed to file the necessary paperwork with the N.J. Civil Service Commission.

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

RESOLUTION NO. 2023-124

**RESOLUTION OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY,
STATE OF NEW JERSEY, REQUESTING THE LEFT TURN
SIGNAL PHASE AT THE INTERSECTION OF US ROUTE 47
WITH TYLER ROAD (COUNTY ROUTE #611) BY THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION AND
COMMITTING TO PROVIDE THE REQUIRED 25% MUNICIPAL
CONTRIBUTION ESTIMATED AT \$12,500 IF WARRANTED**

WHEREAS, the Township of Dennis has referred a traffic safety and volume concern regarding left turning vehicles from Route 47 & Tyler Road (County Route #611) to the New Jersey Department of Transportation (NJDOT); and

WHEREAS, the New Jersey Department of Transportation will proceed with an investigation and installation of these traffic signals request upon receipt of a written commitment from Dennis Township to contribute twenty-five percent or \$12,500.00 towards the cost of the state owned electrical revisions to the existing traffic control devices, if deemed appropriate; and

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 Township Committee of the Township of Dennis hereby requests that NJDOT investigate a left-turn signal phase from US Route 47 onto Tyler Road (County Route #611) to address safety and traffic volume concerns.
2. The Township Committee of the Township of Dennis hereby requests that NJDOT install a left-turn signal phase from US Route 47 onto Tyler Road (County Route #611) if deemed appropriate, to address safety and traffic volume concerns.
3. The Township of Dennis hereby agrees to pay an amount of \$12,500.00 which is twenty-five percent (25%) of the total estimated cost for these improvements. If the

cost is greater than the estimated amount, the Township of Dennis will contribute 25% toward the incremental increase. If the cost is less than the estimated amount, the Township of Dennis shall be due a refund for the difference.

4. That the Township Clerk shall forward a certified copy of this Resolution to the following:

- a. New Jersey Department of Transportation
- b. All Interested Parties

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

GENERAL ACCOUNT:

047929-571 Petersburg Road, LLC	\$	1,403.24
047930-Atlantic City Electric		3,749.64
047931-Amazon.com Services, Inc.		1,510.22
047932-Animal Control of South Jersey		600.00
047933-Cody's Power Equipment		245.24
047934-John L. Collins		500.62
047935-Nelson B. Creamer		164.90
047936-Dennis Twp. Board of Education		932,635.92
047937-Larry C. Dixon		164.90
047938-Fralinger Engineering, PA		2,444.35
047939-F&W Grafix		162.00
047940-Green Technology Services		623.98
047941-American Bounce		1,170.00
047942-Roy J. Hope		329.80
047943-Edward F. Leith, Jr.		164.90
047944-Rutgers Pest Management Office		99.00
047945-Garrett & Batastini, PA		500.00
047946-Mike & Sons Auto Glass, LLC		75.00
047947-Mariann Murphy		164.90
047948-NJ Div. of Alcoholic Beverage		6.00
047949-Petty Cash c/o Jessica Bishop		97.10
047950-Philly Pretzel Factory		260.00
047951-Pineland Construction, LLC		39,805.56
047952-Rutgers, The State Univ. of NJ		745.00
047953-Seashore Asphalt Corp.		61.05
047954-Suburban Propane - 2115		520.05
047955-Carolyn P. Swagler		164.90
047956-Treasurer, State of New Jersey		5,000.00

CONSTRUCTION CODE:

1093-Amazon.com Services, Inc.		69.90
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GENERAL CHECKING WIRES:

None

DOG TRUST:

178-NJ Dept Health/Senior Services 6.60

FIRE SAFETY AND PREVENTION:

8-Alert-All Corporation 234.00
9-United Uniforms 522.00

ESCROW PINELAND CONSTRUCTION:

100050-Fralinger Engineering, PA 508.50

ESCROW DRIFTWOOD RV CENTER:

11-Fralinger Engineering, PA 1,243.00

ESCROW TWO BREWS LLC:

1010-Fralinger Engineering, PA 395.50

ESCROW OCEAN VIEW VOL FIRE:

4-Fralinger Engineering, PA 678.00

ESCROW SEABOARD STORAGE:

60-Fralinger Engineering, PA 1,035.00
61-Garrett & Batastini, PA 320.00

ESCROW 72 W. RISION SUN DRIVE, LLC:

50-Fralinger Engineering, PA 720.00
51-Garrett & Batastini, PA 560.00

PLANNING ESCROW:

1107-Fralinger Engineering, PA 113.00

RECREATION TRUST:

1546-Acme (Supervalu) 115.16
1547-Amazon.com Services, Inc. 827.20
1548-Coombs Barnyard 1,715.00
1549-Shop-Rite 12.96
1550-Get Air Mays Landing, LLC 2,750.00
1551-South Jersey Paper Products 1,846.40

The Township Engineer, Mike Fralinger, gave an update on the Chestnut Street Park Playground, Bleachers & Lights, his inspection of Lake Vista Drive and he indicated that it would be a good candidate for the NJDOT Municipal Aid Application next year, the drainage issue on Cedar Lane East and indicated that debris should be cleared from the drains and a status update on the Sunny & Shady Lanes Project.

Frank Laughlin, the Assistant Supervisor of Public Works, gave a report on the Public Works Department.

Frank Laughlin and Jessica Bishop commented on the punch-list items for the Chestnut Street Park Project.

Mayor Matalucci questioned the status of the Book Kiosk and the Administrator and the Assistant Public Works Supervisor gave an update.

The Township Administrator, Jessica Bishop, and the Assistant Supervisor of Public Works gave an update on the time line for the new Kenworth Dump Truck and the new Vac Truck.

Christina Jamison, Recreation Director gave a report on the Recreation Department.

The Administrator commented on Ale-0-Ween scheduled for 10/21/2023 and discussed Soccer & Football scheduling around that date.

The Municipal Clerk indicated that she has reports from the other Department Heads and the Committee indicated that she should email the reports to them and if anyone has any questions they can contact that department.

The Mayor asked for a motion to approve the Administrative Reports. Motion was made by Germanio, seconded by VanArtsdalen, with 5 ayes and no nays, that the following Administrative Reports were approved:

Municipal Clerk's Report	July, 2023
Registrar's Report	July, 2023
Tax Collector's Report	July, 2023
Construction Official's Report	July, 2023
Chief Finance Officer's Report	July, 2023

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

Let the record reflect that there were no comments from the public.

The Mayor asked for comments from the Township Committee.

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

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

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

Deputy Mayor Turner indicated that he had no comment at this time.

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

The Mayor asked for a motion to adjourn the Township Committee 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