REGULAR MEETING OF THE DENNIS TOWNSHIP COMMITTEE – SEPTEMBER 26, 2023 – 5:30 P.M.

Meeting called to order:

The meeting is now open. Adequate notice of the meeting was provided by posting a copy of the time and place on the Municipal Clerk's bulletin board and by publishing notice in the official newspaper on the Township.

Will the Clerk please call the Roll to determine a quorum.

Will everyone please rise to salute the flag.

Public Comment on Agenda Items:

Review of Consent & Regular Agenda Items

Consent Agenda

Minutes	09/12/2022 Work Session & Regular Meeting.
Res. #2023-137	Providing for the Insertion of a Special Item of Revenue in the 2023 Municipal Budget. (CV-Community Development Block Grant Funds).
Res. #2023-138	Adopting the Required Control of Hazardous Energy Lockout / Tagout Program.
Res. #2023-139	Recognizing October 6, 2023 as Knock Out Opioid Abuse Day in Dennis Township.
Res. #2023-140	Appointing the Dennis Township Historian.
Res. #2023-141	Authorizing a Refund of a Use of Facilities Fee from the Dennis – Woodbine Democrats Club.
Res. #2023-142	Authorizing the Execution of a Promise of Indemnification with the County of Cape May for the Temporary Placement of Holiday Wreaths Above Petersburg Road and Main Street in Dennisville.
Res. #2023-143	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 – Matters Relating to Negotiations – Real Estate.
Ord. #2023-08	An Ordinance of the Township of Dennis Establishing Article II, Chapter 144 of the Dennis Township Code, Temporary Structures. (for Introduction and First Reading).

REGULAR MEETING OF THE DENNIS TOWNSHIP COMMITTEE - SEPTEMBER 26, 2023 – 5:30 P.M. (page 2)

Consent Agenda Continued:

Ord. #2023-09	Article II, Chapter 12	Township of Dennis Amending 8 of the Dennis Township Code, or and Peace. (for Introduction and
Regular Agenda:		
Motion for the Bills		
Motion authorizing the payment of that funds are available.	he bills, providing that General Account	
Administrative Reports		
General Public Comments		
Committee Comments		
Executive Session		
Adjournment		

COUNTY OF CAPE MAY STATE OF NEW JERSEY

RESOLUTION NO. 2023-137

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 \$15,402.00 from the County of Cape May 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 \$15,402.00 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:

CV-Community Development Block Grant Funds

BE IT FURTHER RESOLVED, that a like sum of \$15,402.00 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:

CV-Community Development Block Grant Funds

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	\overline{z}	Zeth A. Matalucci, Mayor	

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
VanArtsdalen						
Germanio						
Cox						
Turner						
Matalucci						

This is to certify that this is a true copy of a Resolution adopted by the Dennis Township Committee at their regular meeting held on September 26, 2023 at 5:30 p.m. at the Dennis Township Municipal Building located at 571 Petersburg Road, Dennisville, NJ.

ATTEST		
	Jacqueline B. Ju	stice, RMC/Clerk

BOARD OF COUNTY COMMISSIONERS CAPE MAY COUNTY, NEW JERSEY RESOLUTION

No. 90-23

RESOLUTION AMENDING RESOLUTION NOS. 485-21 AND 487-21 APPROPRIATING GRANT FUNDING RECEIVED FROM THE STATE OF NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

WHEREAS, by Resolution No. 485-21, the County of Cape May ("County") authorized the acceptance of an Award Agreement from the New Jersey Department of Community Affairs for Small Cities Community Development Block Grant ("CDBG") COVID-19 CV1 Program in the amount of \$397,191.00; and

WHEREAS, by Resolution No. 487-21, the County authorized the acceptance of an Award Agreement from CDBG COVID-19 CV1 Program in the amount of \$1,140,271.00; and

WHEREAS, by Resolution No. 488-21, the County authorized the amendment of the 2021 Budget for Small Cities Community Development Block Grant (CDBG) COVID-19 CV2 Program in the amount of \$1,140,271.00

WHEREAS, the County was unable to distribute the grant funding for the purposes set forth in Resolution Nos. 485-21 and 487-21; and

WHEREAS, the County received authorization from the State to extend the Grant from December 31, 2022 to December 31, 2023; and

WHEREAS, the County determined that the funding could be properly utilized for air quality improvements in public facilities that either serve eligible populations or are located in geographically eligible areas; and

WHEREAS, the County shall seek authorization from CDBG to repurpose the grant funding as set forth herein; and

WHEREAS, the County hereby amends Resolution Nos. 485-21 and 487-21 insofar as the grant funding is appropriated as follows:

BOARD OF COUNTY COMMISSIONERS CAPE MAY COUNTY, NEW JERSEY RESOLUTION

No. 90-23

LOCATION	ADDRESS	EQUIMENT	ESTIMATED COST	DISCRIPTION
LOWER TOWNSHIP SENIOR CENTER	2612 Bayshore Rd., Villas, NJ 08251	THREE DUCTED SPLIT UNITS	\$68,181	Two units have exceeded their useful life expectancy. One unit is approaching its useful life expectancy.
MIDDLE TOWNSHIP SENIOR CENTER	23 Romncy Place Cape May Court House, NJ 08210	TWO DUCTED SPLIT UNITS	\$48,000	One unit has past its useful life expectancy. One unit is approaching useful life expectancy. Duct work should be cleaned/replaced. Thermostats should be upgraded (programmable).
MIDDLE TOWNSHIP MLK CENTER	207 West Main St. Middle Township, NJ 08252	FOUR ROOF TOP PACKAGE UNITS	\$124,880	Existing equipment is antiquated, inefficient and approaching its expected useful life expectancy. Thermostats should be upgraded (programmable).
CAPE MAY COUNTY YOUTH SHELTER	151 Crest Haven Rd. Cape May Courthouse, NJ 08210	FOUR DUCTED SPLIT UNITS	\$113,635	Two units have exceeded their useful life expectancy. Two units are failing.
DENNIS TOWNSHIP SENIOR CENTER	571 Petersburgh Rd. Dennisville, NJ 08214		\$60,000	
CAPE MAY COUNTY SPECIAL SERVICES SCHOOL	148 Crest Haven Rd. Cape May Courthouse, NJ 08210	FOUR ROOF TOP PACKAGE UNITS	\$800,000	Units should be replaced in order to improve overall Indoor Air Quality.
CAPE MAY COUNTY LOWER TOWNSHIP LIBRARY	2600 Bayshore RD Ste 1 Villas, NJ 08251	ONE ROOF TOP VARIABLE PACKAGE UNIT	\$266,487	Unit should be replaced to improve overall Indoor Air Quality

\$1,481,183

BOARD OF COUNTY COMMISSIONERS

CAPE MAY COUNTY, NEW JERSEY RESOLUTION

No. 90.23

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Cape May as follows:

- 1. The above recitals are incorporated herein by reference as if repeated at length.
- 2. The Board of Commissioners of the County of Cape May, to wit, the Director and Clerk of the Board, hereby amends Resolution Nos. 485-21 and 487-21 insofar as the grant funding is appropriated.

STATEMENT

This Resolution amends Resolution Nos. 485-21 and 487-21 appropriating grant funding received from the State of New Jersey Department of Community Affairs for Small Cities Community Development Block Grant (CDBG).

cc: New Jersey Department of Community Affairs/Division of Housing and Community Resources

STATE OF NE		•	5.:				_
							ty of Cape May. State of New Jersey, do hereby certify that the ta meeting duly held on the day of
Februar	у,			202	3		Signed.
	i i	RECOR	D OF VO	re			Clerk of the Board /pn
Commissioners	Ayes	Nays	Abstain	Absent	Moved	Second	
Mr. Bulakowski	1./					/	1 V
Ms. Hayes	1	I		T	V	1	1
Mr. Morey	7			i i			1

Mr. Pierson Mr. Desiderio

v - Indicates Vote Moved-Resolution Offered Second-Resolution Seconded

COUNTY OF CAPE MAY STATE OF NEW JERSEY

RESOLUTION NO. 2023-138

RESOLUTION ADOPTING THE REQUIRED CONTROL OF HAZARDOUS ENERGY LOCKOUT / TAGOUT PROGRAM

WHEREAS, the Occupational Safety and Health Administration (OSHA) Hazard Energy Sources Communication Standard (HCS) 29 CFR 1910.147, the NJPEOSH Hazard Communication Standard N.J.A. C. 12:100-11.1 requires the development of a control of hazardous energy lockout/tagout program to effect isolation of hazardous energy and materials; and

WHEREAS, the Township's insurance provider, Atlantic County Municipal Joint Insurance Fund, has developed a Control of Hazardous Energy Lockout / Tagout Program to comply with the requirements of the above.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the attached Control of Hazardous Energy Lockout / Tagout Program is hereby adopted.

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

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
VanArtsdalen						
Germanio						
Cox		· -				
Turner						
Matalucci						

This is to certify that this is a true copy of a Resolution adopted by the Dennis Township Committee at their regular meeting held on September 26, 2023 at 5:30 p.m. (prevailing time) at the Dennis Township Municipal Building located at 571 Petersburg Road, Dennisville, NJ.

ATTEST		
	Jacqueline B. Justice, RMC/Clerk	_

COUNTY OF CAPE MAY STATE OF NEW JERSEY

RESOLUTION NO. 2023-139

RESOLUTION RECOGNIZING OCTOBER 6, 2023 AS KNOCK OUT OPIOID ABUSE DAY IN Dennis Township

WHEREAS, New Jersey is in the midst of a life-threatening opioid abuse epidemic; and

WHEREAS the State Senate and General Assembly jointly resolved that October 6 shall be permanently designated as Knock Out Opioid Abuse Day in New Jersey in order to raise awareness about the dangers of, and the link between, opioid abuse and heroin addiction and to educate health care providers, community leaders, state lawmakers and members of the public about the opioid abuse epidemic and its effects throughout the State of New Jersey and across the country; and

WHEREAS there were 44 suspected overdose deaths in Cape May County in 2022 according to the NJ Office of the Attorney General and the majority of the County's treatment admissions were for heroin/other opiates in 2021 according to the NJ Department of Human Services Division of Mental Health and Addiction Services; and

WHEREAS the Knock Out Opioid Abuse Day campaign is sponsored by the Partnership for a Drug Free New Jersey in cooperation with the Governor's Council for Alcoholism and Drug Abuse and the NJ Department of Human Services Division of Mental Health and Addiction Services to raise awareness of the potential for dependency on prescribed pain medicine and its link to heroin use rates in our state, reduce stigma of addiction and shine a light on the need for recovery support, and communicate to physicians information on safer prescribing messages found in the Centers for Disease Control and Prevention guidelines for prescribing opioids, which include considering other therapies, setting realistic treatment goals with patients and discussing with patients the positives and negatives of opioids; and

WHEREAS, the Dennis Township Committee supports initiatives designed to raise awareness about opioid abuse in New Jersey and take steps to prevent addiction.

NOW, THEREFORE, BE IT RESOLVED, that the Dennis Township Committee encourages all residents to utilize the prescription drug drop boxes, located at every Police Department in Cape May County, to dispose of unused and expired medications safely and securely.

RESOLUTION NO. 2023-139 PAGE 2

BE IT FURTHER RESOLVED that October 6, 2023 be recognized as Knock Out Opioid Abuse Day in Dennis Township.

ATTEST					AT.	ГЕST
	Jacqueline	B. Justic	ce, RN	MC/C		Ze
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
VanArtsdalen						
Germanio					L	
Cox						
Turner						
Matalucci	 					

This is to certify that this is a true copy of a Resolution adopted by the Dennis Township Committee at their regular meeting held on September 26, 2023 at 5:30 p.m. (prevailing time) at the Dennis Township Municipal Building located at 571 Petersburg Road, Dennisville, NJ.

ATTEST			
	Jacqueline B. Justice.	RMC/Clerk	

COUNTY OF CAPE MAY STATE OF NEW JERSEY

RESOLUTION NO. 2023-140

RESOLUTION APPOINTING THE DENNIS TOWNSHIP HISTORIAN

WHEREAS, N.J.S.A. 40:10A-1 et seq. authorizes the creation of local historians; and

WHEREAS, with the adoption of Ordinance No. 2005-06 entitled, "An Ordinance of the Township of Dennis, County of Cape May and State of New Jersey Creating a Position of "Dennis Township Historian" and Providing for the Duties Therefore" the Township has created the position of Dennis Township Historian.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that Raymond C. Rebmann of 29 Maple St., Cape May Court House, NJ 08210 be appointed Dennis Township Historian for a three (3) year term effective 01/01/2023 pursuant to Ordinance No. 2005-06 and N.J.S.A. 40:10A-1 et seq.

ATTEST					АТ	TEST_
•	Jacqueline	B. Justic	e, RN	AC/C	lerk	Z
 	LACTION	A E O O U D	L VEO	Lua		L
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
VanArtsdalen						
Germanio						
Cox						
	1		l			

This is to certify that this is a true copy of a Resolution adopted by the Dennis Township Committee at their regular meeting held on September 26, 2023 at 5:30 p.m. at the Dennis Township Municipal Building located at 571 Petersburg Road, Dennisville, NJ.

ATTEST					
	Jacqueline	В.	Justice,	RMC/Clerk	

Matalucci

COUNTY OF CAPE MAY STATE OF NEW JERSEY

RESOLUTION NO. 2023-141

RESOLUTION AUTHORIZING A REFUND OF A USE OF FACILITIES FEE FROM THE DENNIS – WOODBINE DEMOCRATS CLUB

WHEREAS, the Recreation Department has notified the Municipal Clerk of the need for a refund of a Use of Facilities Fee; and

WHEREAS, the Dennis-Woodbine Democrats Club completed the required paperwork and submitted the necessary fee to use the Township Pavilion at the Recreation Complex.

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 refund of \$150.00 to the Dennis – Woodbine Democrats Club, P.O. Box 449, South Seaville, NJ 08246.

ATTEST	ATTEST						
	Jacqueline	e B. Justic	ce, RN	AC/C	lerk	Sc	ott J. Turner, Deputy Mayor
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	1
VanArtsdalen		SECOND	ILS	NO	ADSTAIR	ADSENT	4
Germanio	·						1
Cox							1
Turner						<u> </u>	1
Matalucci	 						1

This is to certify that this is a true copy of a Resolution adopted by the Dennis Township Committee at their regular meeting held on September 26, 2023 at 5:30 p.m. at the Dennis Township Municipal Building located at 571 Petersburg Road, Dennisville, NJ.

ATTEST			
	Jacqueline	B. Justice,	RMC/Clerk

COUNTY OF CAPE MAY STATE OF NEW JERSEY

RESOLUTION NO. 2023-142

RESOLUTION AUTHORIZING THE EXECUTION OF A PROMISE OF INDEMNIFICATION WITH THE COUNTY OF CAPE MAY FOR THE TEMPORARY PLACEMENT OF HOLIDAY WREATHS ABOVE PETERSBURG ROAD AND MAIN STREET IN DENNISVILLE

WHEREAS, the Township has requested that the County of Cape May permit temporary placement of holiday wreaths on utility poles above portions of County Route 610 (Petersburg Road and Main Street) in Dennisville; and

WHEREAS, the Holiday Wreath Project would last approximately November 17, 2023 thru January 10, 2024; and

WHEREAS, the Township has been notified by the County Engineer that the County requires the Township to execute a Promise of Indemnification in order to process our request.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Mayor and Clerk are hereby authorized and directed to execute the Promise of Indemnification so that the County of Cape May can approve the temporary placement of Holiday Wreaths above a portion of County Route 610 (Petersburg Road and Main Street) in Dennisville.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall accompany the executed Promise of Indemnification to the County Engineer's Office.

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

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
VanArtsdalen						
Germanio						
Cox						
Turner						
Matalucci						

RESOLUTION NO. 2023-142 PAGE 2

This is to certify that this is a true copy of a Resolution adopted by the Dennis Township Committee at their regular meeting held on September 26, 2023 at 5:30 p.m. at the Dennis Township Municipal Building located at 571 Petersburg Road, Dennisville, NJ.

ATTEST			
	Jacqueline 1	B. Justice,	RMC/Clerk

COUNTY OF CAPE MAY STATE OF NEW JERSEY

RESOLUTION NO. 2023-143

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:

- (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual, unless the individual concerned (or in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- (4) Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

RESOLUTION NO. 2023-143 PAGE 2

- (5) Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds: Any matter involving, the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
- (7) 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.
- (8) 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.
- (9) Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THERFORE 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 September 26, 2023, that an Executive Session closed to the public shall be held on September 26, 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	ATTE	ST
Jacqu	eline B. Justice, RMC/Clerk	Zeth A. Matalucci, Mayor

	MOTION	SECOND	YEŞ	NO	ABSTAIN	ABSENT
VanArtsdalen				L		
Germanio						
Cox						
Turner						
Matalucci						

This is to certify that this is a true copy of a Resolution adopted by the Dennis Township Committee at their special meeting held on September 26, 2023 at 5:30 p.m. at the Dennis Township Municipal Building located at 571 Petersburg Road, Dennisville, NJ.

ATTEST			
	Jacqueline	B. Justice,	RMC/Clerk

TOWNSHIP OF DENNIS COUNTY OF CAPE MAY STATE OF NEW JERSEY

ORDINANCE NO. 2023-08

AN ORDINANCE OF THE TOWNSHIP OF DENNIS ESTABLISHING ARTICLE II, CHAPTER 144 OF THE DENNIS TOWNSHIP CODE, TEMPORARY STRUCTURES

WHEREAS, Township of Dennis, a township form of government, is governed by statutes, specifically N.J.S.A. 40A:63-1, et seq. that allow the Township Committee to pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law;

WHEREAS, Article II of the Revised General Ordinances of the Township of Dennis is silent as to the parameters of temporary structures erected on commercial or residential properties;

WHEREAS, the Township Committee believes it desirable, and in the best interest of the Township and its citizens to establish a new Chapter within Article II to ensure the health and safety and reasonable enjoyment of one's property for all residents of Dennis Township by providing requirements and time limits for temporary structures;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey as follows:

Section 1. Article II, Chapter 144 of the Township of Dennis Municipal Code is hereby established and shall read as follows:

Chapter 144. TEMPORARY STRUCTURES

§144-1. Purpose.

The purpose of this chapter is to ensure the health and safety and reasonable enjoyment of one's property for all residents of the Township of Dennis by providing requirements and time limits on temporary structures erected on commercial or residential property located within the confines of the Township.

This Chapter is not intended to regulate licensed campgrounds pursuant to Chapter 75 of the Township of Dennis Municipal Code.

§144-2. Definitions.

ATTRACTIVE NUISANCE

A public or private condition that would constitute a nuisance according to the laws of the state and/or Township ordinance, and specifically including, but not limited to, the following:

- 1. Any open, unsecured, or unsupervised temporary structure fond to be an attraction to trespassers shall be deemed to be an attractive nuisance.
- 2. Any temporary structure that has defective or unsanitary plumbing facilities or defective electrical equipment.
- 3. Any temporary structure considered to be a fire hazard or is otherwise unsafe or unsecured so as to endanger life, limb or property.
- 4. Any temporary structure that is in need of repair or is in a state of dilapidation, decay, faulty construction, vacant or abandoned, damage by fire, in danger of collapse or failure, or otherwise dangerous to anyone on or near the premises.

TEMPORARY STRUCTURE

Structures utilized on a short-term, seasonal or intermittent basis, such as tents, canopies, membrane structures or similar structures without a permanent foundation and not classified as a premanufactured garden-type utility shed in accordance with the New Jersey Uniform Construction Code. Children's play tents and equipment or other leisure seasonal canopies not used for storage or habitation are exclude from the requirements of this chapter.

TENT

A structure, enclosure or shelter constructed of fabric or pliable material supported by any manner except by air or the contents that it protects, with sidewalls or drops on more than twenty-five (25) percent of the perimeter.

CANOPY

A structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity or decoration, and may be structurally independent or supported by attachment to a building on one end and by not less than one stanchion on the outer end.

MEMBRANE STRUCTURE.

An air-inflated, air-supported, cable or frame-covered structure not otherwise defined as a tent or canopy.

§144-3. Setbacks; structural requirements.

All temporary structures including but not limited to tents, canopies, and membrane structures erected or located in any zone adjacent to or on any commercial or residential properties shall be subject to the following requirements:

A. Setbacks and general requirements.

- 1. No temporary structure shall be erected on any property, in any zone, where there is not already an existing principal structure for which a certificate of occupancy has been issued.
- 2. Temporary structure(s) in any zone shall be not permitted within a front yard and only within a side yard or rear yard that does not about a public right-of-way with the exception of an alley.
- 3. Temporary structures in any zone may not be sited within six (6) feet of any side or rear property line except on waterfront lots where they may be sited up to the bay front, lagoon front, or ocean scarp line. All measurements shall be taken from the furthest projection or overhang.
- 4. Temporary structures in the rear yard which abut an alley and are used as a garage with its access from the roadway shall be set back fifteen (15) feet from the rear or side property line which abuts the roadway. All measurements shall be taken from the furthest projection or overhang.

B. Additional structural requirements and dimensions.

- 1. All temporary structures including but not limited to tents, tension membrane and formed or rolled extruded aluminum or steel structures shall be adequately anchored to the ground in accordance with the New Jersey Uniform Construction Code where applicable. Temporary structures shall not exceed fifteen (15) feet in height if detached from the main structure.
- 2. Temporary structures including but not limited to tents, canopies, and membrane structures may be erected for use only as a temporary building. They may not be utilized for habitation.
- 3. All tents, canopies, and temporary structures generally must be constructed of approved fire-retardant fabric or material and so marked.
- 4. Gasoline, gas, charcoal or other cooking devices or any other unapproved open flame shall not be permitted inside or located within twenty (20) feet of any temporary structure.
- 5. Any temporary structure in excess of nine hundred (900) square feet or with a side dimension greater than thirty (30) lineal feet shall not be permitted.
- 6. Temporary structures will not be permitted if the structure(s) create an attractive nuisance or pose any other threat to the health, safety and/or well-being of the community.

§144-4. Time Limitations and Removal.

No temporary structure shall remain for longer than seven (7) days in a one-hundred-eighty (180) day period before being removed. All such temporary structures shall be removed from the property no later than the expiration of the seven (7)-day time period.

§144-5. Violations and Penalties.

Violations of this chapter shall be punished by a fine not exceeding \$2,000.00 or by imprisonment in the county jail not exceeding ninety (90) days or by ninety (90) days of community service, or any combination thereof. Each day that any violation shall continue shall constitute a separate offense. Whenever any such fine shall be imposed upon any corporation, such fine and costs and charges incident thereto may be collected by an action of debt or in such other manner as may be provided by law.

- Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.
- **Section 3.** Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.
- **Section 4.** This Ordinance shall take effect in the time and manner prescribed by law.

eth A. Matalucci, Mayor
ott J. Turner, Deputy Mayor
nomas VanArtsdalen, III, Committee Member
atthew Cox, Committee Member
ank L. Germanio, Jr., Committee Member

The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on September 26, 2023. Publication will be held on October 03, 2023 and a Public Hearing will be held at a meeting of the said Township Committee to be held on October 24, 2023 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST

Jacqueline B. Justice, RMC/Clerk

TOWNSHIP OF DENNIS COUNTY OF CAPE MAY STATE OF NEW JERSEY

ORDINANCE NO. 2023-09

AN ORDINANCE OF THE TOWNSHIP OF DENNIS AMENDING ARTICLE II, CHAPTER 128 OF THE DENNIS TOWNSHIP CODE, LOITERING, GOOD ORDER, AND PEACE

WHEREAS, Township of Dennis, a township form of government, is governed by statutes, specifically N.J.S.A. 40A:63-1, et seq. that allow the Township Committee to pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law;

WHEREAS, Article II, Chapter 128 of the Revised General Ordinances of the Township of Dennis currently outlines the certain types of loitering prohibited within the confines the Township of Dennis;

WHEREAS, the Township Committee believes it desirable, and in the best interest of the Township and its citizens to expand the aforementioned Chapter to address the need for good order in peace within the Township;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey as follows:

Section 1. Portions of Chapter 128 of the Township of Dennis Municipal Code are amended as follows (additions are <u>underlined</u>; deletions are [bracketed]):

Chapter 128. Loitering, Good Order, and Peace

ARTICLE 1

§ 128-1. Definitions.

As used in this chapter.

LOITERING

Remaining idle or walking aimlessly about in essentially one location.

PARENT or GUARDIAN

Any adult person having care or custody of a minor, whether by reason of blood relationship, the order of any court or otherwise.

PUBLIC PLACE

A place to which the public has access and shall include any public building and grounds, street, boardwalk or sidewalk. It shall also include the front or neighborhood of a store, shop, restaurant, tavern or other place of business, and public grounds, areas, parks and marinas, as well as parking lots or other vacant private property not owned by or under the control of the person charged with violating this section or in the case of a minor, not owned or under the control of his parent or guardian.

QUASI-PUBLIC PLACE

<u>Private or publicly owned property utilized for proprietary or business uses which invites</u> patronage by the public or which invites public ingress and egress.

§ 128-2. Certain Types of Loitering Prohibited.

No person shall loiter in a public or quasi-public place in such a manner as to:

- A. Obstruct the free passage of pedestrians or vehicles.
- B. Obstruct, molest or interfere with any person lawfully in a public <u>or quasi-public</u> place. This section shall include the making of unsolicited remarks of an offensive, disgusting or insulting nature or which are calculated to annoy or disturb the person to, or in whose hearing, they are made.

§ 128-3. Violation.

Any person violating the provisions of this chapter shall be ordered to move on by a police officer, constable or other law enforcement officer and failing which shall be guilty of a violation of this chapter.

§ 128-4. Loitering by minors; notice; presumption.

The parent or guardian of a minor under the age of 18 years shall knowingly permit that minor to loiter in violation of this chapter. Whenever any minor under the age of 18 years is charged with a violation of this chapter, his parent or guardian shall be notified of this fact. If at any time within 30 days following the giving of notice, the minor to whom such notice relates again violates this chapter, it shall be presumed in the absence of evidence to the contrary that the minor did so with the knowledge and permission of his parent or guardian.

§ 128-5. Penalty.

Any person violating the terms or provisions of this Article I of Chapter 128 for a first offense shall be liable for a fine of up to \$500, incarceration in the Cape May County Jail for a period not to exceed 30 days and ordered to perform community service for a period of time not to exceed 100 hours.

§ 128-6. Observance of lawful orders and posted traffic regulations.

No person shall disobey or fail to follow the order, direction or other signal of any police officer, sheriff's deputy, New Jersey State Trooper, constable or other properly authorized law enforcement official within the Township; nor shall any persons disobey or fail to follow the traffic instructions on any properly posted traffic control device or traffic signal within the Township.

ARTICLE II - GOOD ORDER AND PEACE

§ 128-7. Obstruction.

- A. No person shall intentionally obstruct pedestrian or vehicular traffic upon the public streets, public sidewalks, public pavilions, public parks or other public places. Acts authorized as an exercise of one's Constitutional right to picket or legally protest and acts authorized by a permit issued pursuant to the Code of the Township of Dennis shall not constitute obstruction of pedestrian or vehicular traffic.
- B. No person shall sleep in or on any public or quasi-public street, sidewalk, pavilion, park or other place so as to obstruct or interfere with the passage of any person or persons lawfully being on or upon said streets, sidewalks, pavilions, parks or places.
- C. It shall be unlawful to sleep in any parked vehicle, either day or night, within the Township limits or to sleep or lie upon any public or quasi-public bench or seat or to usurp the use of such bench or seat for the storage of bundles or other objects so as to prevent the reasonable use thereof by others.
- D. No person shall loiter on governmentally owned property within the confines of the Township of Dennis between the hours of between the hours of 10:00 p.m. to sunrise except for unusual and unforeseen emergencies, township sponsored activities, and/or otherwise approved by Township Committee.

§ 128-8. Illegal entry.

It shall be unlawful and illegal to enter, without legitimate and reasonable errand or business, upon any private property, hotel, rooming house, lodging place or other place of public accommodation, and not having previously obtained express or implied permission of the owner or person in lawful control and possession of such places above described, to make use of the furniture, showers, toilets or other like facilities there installed, or wander or roam about the premises.

§ 128-9. Disturbing good order and peace.

A. <u>It shall be unlawful and offensive conduct for any individual, either alone, or in the company of others, to revel, quarrel, brawl, disport or behave in a</u>

noisy, boisterous manner, emitting loud cries and other noises, or jostling those about them, or causing inconveniences to those about them, or to otherwise disrupt and disturb the public peace and dignity, in any public or quasi-public place, public rights-of-way, public sidewalk, public park, or in any building open for the accommodation of the public for entertainment, or for room accommodations.

B. It shall be unlawful and offensive to enter upon any public or quasi-public place or private property without the consent of the owner or person in lawful control and possession thereof and to there picnic, change apparel, dress or undress or to urinate or defecate upon the premises or commit any other nuisance.

§ 128-10. Violations and penalties.

Any person of association or persons convicted of a violation of any provision of this Article II of Chapter 128 shall, upon conviction thereof, be subject to a fine not exceeding \$2,000 or 90 days imprisonment in the City or county jail, or for a period of community service not exceeding 90 days, or any combination of the three.

- Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such conflict or inconsistency.
- Section 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.
- **Section 4.** This Ordinance shall take effect within twenty (20) days of final passage and publication, as provided by law.

eth A. Matalucci, Mayor	
cott J. Turner, Deputy Mayor	
homas VanArtsdalen, III, Committee Membe	r
fatthew Cox, Committee Member	

Frank L. Germanio, Jr., Comn	nittee	: Mem	ber
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The foregoing Ordinance was introduced at a meeting of the Township Committee of the Township of Dennis on September 26, 2023. Publication will be held on October 03, 2023 and a Public Hearing will be held at a meeting of the said Township Committee to be held on October 24, 2023 at 5:30 p.m. in the Municipal Building located at 571 Petersburg Road in Dennisville.

ATTEST	 		
		DMC/Class.	

Jacqueline B. Justice, RMC/Clerk

05408 BLANEY DONOHUE & WEINBERG PC 23-00010 01/03/23 2023 ADDITIONAL LEGAL SERVICES 7 AUG 2023 LEGAL SERVICES 29.00 Vendor Total: 29.00	03871 THE BANK OF NEW YORK MELLON 23-00372 09/17/23 2023 PAYING AGENT ADMIN FEE 750.00 1 2023 PAYING AGENT ADMIN FEE 750.00	01214 AT&T MOBILITY 23-00011 01/03/23 2023 IPAD SERVICE 9 AUG 2023 IPAD SERVICE 124.46 Vendor Total: 124.46	01201 ATLANTIC CITY ELECTRIC 23-00006 01/03/23 2023 ELECTRIC BILLS 17 AUGUST 2023 ELECTRIC BILLS 3,019.24 Vendor Total: 3,019.24	00364 ACME (SUPERVALU) 23-00055 01/03/23 2023 MISC. SUPPLIES 21 SOCCER 9/7/23 Vendor Total: 48.84	Vendor # Name PO # PO Date Description Item Description Amoun	P.O. Type: All Include Range: First to Last Format: Detail without Line Item Notes Vendors: All Includ Rcvd Batch Id Range: First to Last
B 3-01-20-155-027	3-01-20-130-029	124.46 T-21-00-000-201 124.46	3,019.24 3-01-31-430-071 3,019.24	48.84 T-05-00-000-208	Contract PO Type Amount Charge Account	Include Project Line Items: Yes s Include Non-Budgeted: Y
B LEGAL SERVICES - 0/E	B FINANCIAL ADMIN - OTHER CONTRACTUAL	B FIRE SAFETY AND PREVENTION - 0/E	B UTILITIES - ELECTRIC	B RECREATION TRUST - SOCCER ASSOCIATION	Acct Type Description	es Open: N Paid: N Void: N Rcvd: Y Held: Y Aprv: N Bid: Y State: Y Other: Y
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a]:	10630 CZAR ENGINEERING, LLC 23-00262 06/06/23 2023 STRUCTURAL ENGINEERING 2 2023 STRUCTURAL ENGINEERING 1,847	Vendor Total: 1	10215 CRYSTAL SPRINGS 23-00019 01/03/23 2023 WATER COOLER RENTAL 9 AUG 2023 WATER COOLER RENTAL 1	Vendor Total: 1,8	09666 CODY'S POWER EQUIPMENT 23-00097 01/06/23 2023 MISC, TOOLS & PARTS 16 2023 MISC, TOOLS & PARTS 17 2023 MISC, TOOLS & PARTS 1,6	Vendor Total: 3	07715 CAPRIONI PORTABLE TOILETS, INC 23-00102 01/12/23 2023 PORTABLE TOILETS 12 SEPT PORTABLE TOILETS NNO	Vendor Total: 20,3	07700 CAPE MAY COUNTY M.U.A. 23-00018 01/03/23 2023 TIPPING FEES 8 AUG 2023 TIPPING FEES 20,3	Vendor Total: 6	05411 BLAUER ASSOCIATES 21-00356 09/16/21 ADA GRANTS ADMIN SERVICES 31 CHESTNUT ST PARK ADA INV #13 6	Vendor # Name PO # PO Date Description Item Description A
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23-00346 07/24/23 ENGINEERING - STORMWATER MAPS B 4 ENGINEERING - STORMWATER MAPS 103.97 G-02-41-564-011	23-00036 01/03/23 2023 ESCROW ENGINEERING 52 PICKERING FILIPPO GIBSON 53 EDWARDI ENGINEERING REVIEW 54 WEIGEL VARIANCE 55 DRIFTWOOD ENGINEERING REVIEW 56 BALDACCI ENGINEERING REVIEW 57 OV FIRE ENGINEERING REVIEW 57 OV FIRE ENGINEERING REVIEW 58 1,305.00 E-00067 3,798.13	21425 FRALINGER ENGINEERING, PA 23-00035 01/03/23 2023 ENGINEERING SERVICES 12 AUG 2023 ENGINEERING SERVICES 1,109.56 3-01-20-165-028	Vendor Total: 165.00	15294 EAST COAST DISTRIBUTORS 23-00094 01/06/23 2023 MISC. PARTS & SUPPLIES 9 2023 MISC. PARTS & SUPPLIES 165.00 3-01-26-290-036	Vendor Total: 65.90	12704 DISCOUNT HYDRAULICS CORP 23-00351 07/31/23 2023 MISC. PARTS & SUPPLIES 5 2023 MISC. PARTS & SUPPLIES 65.90 3-01-26-290-025	Vendor Total: 25.00	11461 DALEY'S PIT 23-00096 01/06/23 2023 QUARY BLEND 5 2023 QUARY BLEND 25.00 3-01-26-290-021	Vendor # Name PO # PO Date Description Contract PO Type Item Description Amount Charge Account
-011 B STORMWATER ASSISTANCE GRANT	P PICKERING REAL ESTATE INVEST. P PINELAND CONSTRUCTION, LLC P WEIGEL, HENRY & CHERYL P DRIFTWOOD RV CENTER P BALDACCI PROPERTIES LLC P OCEAN VIEW VOL. FIRE CO.	-028 B ENGINEERING SERVICES- 0/E		-036 B PUBLIC WORKS - SUPPLIES		-025 B PUBLIC WORKS - VEHICLE MAINTENANCE		-021 B PUBLIC WORKS - ROAD REPAIRS/STORM DRAIN	Type unt Acct Type Description
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40079 KO PEST CONTROL 23-00368 09/05/23 SPOTTED LANTERN FLY TREATMENT 2 REC COMPLEX BLOCK 98 LOT 98 750.00 3 BLOCK 257 LOT 12 150.00	Vendor Total:	27278 CAPE MAY COUNTY HERALD 23-00027 01/03/23 2023 PUBLIC NOTICES 6 AUG 2023 PUBLIC NOTICES	Vendor Total:	25285 GRACETOWN LUMBER CO. 23-00083 01/06/23 2023 MISC. SUPPLIES 10 2023 MISC. SUPPLIES	Vendor Total:	22920 EPIC SPORTS 23-00209 04/18/23 2023 SPORTS EQUIPMENT 1 2023 SPORTS EQUIPMENT	Vendor Total:	22899 GARDNER TRUE VALUE HARDWARE 23-00093 01/06/23 2023 MISC. PARTS & SUPPLIES 9 AUG 2023 MISC. PARTS/SUPPLIES 525	Vendor Total:	21505 FRED HARZ & SON, INC. 23-00325 06/26/23 TIRES 3 TIRES	Vendor # Name PO # PO Date Description Item Description
750.00 150.00 900.00	453.00	453.00	12.19	12.19	429.95	429.95	525.32	PLIES 525.32	499.74	499.74	Amount
8 G-02-41-621-011 G-02-41-621-011		3-01-20-120-021		8 12.19 3-01-26-290-036		429.95 T-05-00-000-208		IES 525.32 3-01-26-290-036		B 499.74 3-01-26-290-026	Contract PO Type Charge Account
B SPOTTED LANTERNFLY REIMBURSEMENT PROGRAM R B SPOTTED LANTERNFLY REIMBURSEMENT PROGRAM R		B TOWNSHIP CLERK - LEGAL ADVERTISING		B PUBLIC WORKS - SUPPLIES		B RECREATION TRUST - SOCCER ASSOCIATION		B PUBLIC WORKS - SUPPLIES		B PUBLIC WORKS - SIGNS	Acct Type Description
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Vendor Total:	53003 NAT. ALLIANCE FOR YOUTH SPORTS 23-00057 01/03/23 2023 COACH TRAINING FEES 8 AUG 2023 COACH TRAINING FEES	Vendor Total:	50813 NJ DEPT HEALTH/SENIOR SERVICES 23-00121 02/01/23 2023 DOG LICENSES 17 AUG 2023 DOG LICENSES	Vendor Total:	46786 MIKE & SONS AUTO GLASS LLC 23-00336 07/13/23 WINDSHIELD REPAIR 3 WINDSGIELD REPAIR	Vendor Total:	43565 GARRETT & BATASTINI PA 23-00038 01/03/23 2023 LAND USE ATTORNEY 11 AUG 2023 LAND USE ATTORNEY	Vendor Total: 1	42171 L.J. ZUCCA, INC. 23-00198 04/05/23 2023 CONCESSION STAND SUPPLIES 4 2023 CONCESSION STAND SUPPLIES 1,012.55	Vendor Total: J	40079 KO PEST CONTROL 23-00369 09/05/23 REC CONCESSION & GYM TREATMENT 1 REC CONCESSION & GYM TREATMENT 350.00	Vendor # Name PO # PO Date Description Item Description
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						204.99	Vendor Total:
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1099 Exc1	/oid Invoice	First Rcvd Chk/Void Stat/Chk Enc Date Date	Stat/C	Acct Type Description	Contract PO Type Charge Account	Amount	Vendor # Name PO # PO Date Description Item Description

3,798.13	0.00	1,272.30	48,176.58	0.00	48,176.58	Total Of All Funds:
9 0 3 8		0.00	124,46 2,227,42	0.00	124.46 2.227.42	FIRE SAFETY AND PREVENTION Year Total:
0.00	0	0.00	7.80	0.00	7.80	DOG TRUST FUND T-13
0.00		0.00	2,095.16	0.00	2,095.16	RECREATION TRUST FUND T-05
0.00	0	0.00	1,003.97	0.00	1,003.97	G-02
0.00		0.00	8,925.00	0.00	8,925.00	GENERAL CAPITAL FUND C-04
0.00		1,272.30	36,020.19	0.00	36,020.19	Year Total:
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0.00		0.00	0.00	0.00	0.00	3-42
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0.00		1,272.30	36,020.19	0.00	36,020.19	3-01
ota]	G/L Total	Revenue Total	Budget Total	Budget Held	Budget Rcvd	Totals by Year-Fund Fund Description Fund

Total Of All Projects:	WEIGEL, HENRY & CHERYL	PICKERING REAL ESTATE INVEST.	BALDACCI PROPERTIES LLC	OCEAN VIEW VOL. FIRE CO.	DRIFTWOOD RV CENTER	PINELAND CONSTRUCTION, LLC	Project Description
jects:	P-00097	P-00095	E-00067	E-00065	E-00058	E-00042	Project No.
3,798.13	495.63	585.00	1,305.00	169.50	113.00	1,130.00	Rcvd Total
0.00	0.00	0.00	0.00	0.00	0.00	0.00	Held Total
3,798.13	495.63	585.00	1,305.00	169.50	113.00	1,130.00	Project Total