

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, and Matalucci were present, Cox and Turner 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 Germanio, seconded by VanArtsdalen, with 3 ayes and 2 absent (Cox & Turner), that the consent agenda be adopted.

The following minutes were approved as part of the Consent Agenda: 04/23/2024 Regular Meeting.

The following resolution numbers 2024-74 thru 2024-81 were a part of the Consent Agenda:

RESOLUTION NO. 2024-74

**RESOLUTION PROVIDING FOR THE INSERTION OF A
SPECIAL ITEM OF REVENUE IN THE 2024 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 an additional \$2,250.00 from the Atlantic County Joint Insurance Fund (ACJIF) and wishes to amend its 2024 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 2024 in the sum of \$2,250.00 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:

ACM JIF Safety Incentive

BE IT FURTHER RESOLVED, that a like sum of \$2,250.00 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:

ACM JIF Safety Incentive

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized and directed to forward the necessary documentation to the Director of Local Government Services.

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

RESOLUTION NO. 2024-75

**RESOLUTION AUTHORIZING VARIOUS REFUNDS OF
TAX OVERPAYMENTS**

WHEREAS, the Tax Collector has notified the Clerk of tax overpayments on Block 67, Lot 4 & 4QFARM, Block 97, Lot 30.02 and Block 256.06, Lot 10; and

WHEREAS, the overpayments were a result of the Mortgage Company and/or servicing agent making payments on properties that: Block 67, Lot 4 & 4 QFARM have been awarded 100% Disabled Veteran and Block 97 Lot 30.02 & Block 256.06 Lot 10 being payments sent in error; and

WHEREAS, the amounts of the overpayments requested to be refunded for Block 67, Lot 4 is one thousand three hundred seventy-nine dollars and fifty-nine cents (\$1,379.59), Block 67, Lot 4QFARM seven dollars and seventy-five cents (\$7.75), Block 97, Lot 30.02 one thousand three hundred five dollars and fifty-four cents (\$1,305.54) and for Block 256.06, Lot 10 one thousand eight hundred ninety-three dollars and ten cents (\$1,893.10).

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Chief Financial Officer be and is hereby authorized and directed to refund the aforesaid amounts for Block 67, Lot 4 & 4 QFARM and Block 97, Lot 30.02 to: Corelogic Centralized Refunds, P.O. Box 9202, Coppell, TX 75019 and the refund amount for Block 256.06, Lot 10 to: 1st Bank of Sea Isle City, 137 J.F. Kennedy Blvd., Sea Isle City, NJ 08243.

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

RESOLUTION NO. 2024-76

**RESOLUTION AUTHORIZING THE DISTRIBUTION OF THE ATLANTIC COUNTY
MUNICIPAL JOINT INSURANCE FUND PROPERTY DAMAGE CLAIM TO THE OCEAN
VIEW VOLUNTEER FIRE COMPANY**

WHEREAS, the Ocean View Volunteer Fire Company had storm damage to their Social Hall located at 2545 Route 9 in Ocean View and completed property damage claim process through Qual-Lynx for the Atlantic County Municipal Joint Insurance Fund; and

WHEREAS, the Qual-Lynx issued the settlement payment in the amount of \$10,872.38 to the Township of Dennis.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Chief Financial Officer be and is hereby authorized and directed to distribute the property damage settlement in the amount of \$10,872.38 to the Ocean View Volunteer Fire Company, P.O. Box 508, 2545 Route 9, Ocean View, NJ 08230.

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

RESOLUTION NO. 2024-77

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

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

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

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

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

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

RESOLUTION NO. 2024-78

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 May 14, 2024, that an

Executive Session closed to the public shall be held on May 14, 2024 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. 2024-79

**RESOLUTION AUTHORIZING VARIOUS REFUNDS OF
FIRE PERMIT OVERPAYMENTS**

WHEREAS, the Fire Inspector has notified the Clerk of fire permit overpayments that need to be refunded; and

WHEREAS, Smoker & Adel made an overpayment of \$21.00 for their Food Truck Permit and Ocean Food and Fuel, LLC has made an overpayment of \$54.00 for their registration

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Chief Financial Officer be and is hereby authorized and directed to refund: \$21.00 to Smoker & Adel, 8 Meridian Lane, Cape May Court House, NJ 08210 and \$54.00 to Ocean Food and Fuel, LLC, 3890 Route 47, Dorchester, NJ 08316.

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

RESOLUTION NO. 2024-80

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 2023 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. 2024-81

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 OF THE NJDCA SMALL CITIES BLOCK GRANT – ADA IMPROVEMENTS TO THE MUNICIPAL BUILDING PROJECT

WHEREAS, the Township Committee of the Township of Dennis is desirous to make the various adjustments to the ADA Municipal Building Project as per the attached upgrades list; and,

WHEREAS, the change order will result in an increase of \$38,239.00 to the original contract amount of \$480,500.00 for an amended contract amount of \$518,739.00.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May and State of New Jersey that Change Order No.1 of the NJDCA Small Cities Block Grant – ADA Improvements to the Municipal Building Project is hereby authorized and approved in the amount of \$38,239 .00 and that the Mayor is authorized to sign as presiding officer.

ATTEST _____
Jacqueline Justice, RMC/Clerk

ATTEST _____
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 Germanio, with 3 ayes and 2 absent (Cox & Turner), that the payment of the following bills was approved:

GENERAL ACCOUNT:

048556-Acme (Supervalu)	\$	153.77
048557-Advantage Equipment Sales		14.70
048558-Atlantic City Electric		2,502.87
048559-Amazon.com Services, Inc.		1,770.34
048560-Aliano Brothers Gen Contractor		62,401.98

048561-Animal Control of South Jersey	700.00
048562-Clean Maxx Commercial Office	2,502.25
048563-Blaney, Donohue & Weinberg, PC	33,185.00
048564-County of Cape May	743,777.90
048565-Cody's Power Equipment	139.80
048566-June Collins	246.04
048567-Country Barn Florist, Inc.	100.00
048568-Nelson B. Creamer	174.70
048569-Crystal Springs	89.80
048570-Dennis Twp. Board of Education	932,635.92
048571-Delta Dental of NJ	10,263.46
048572-Larry C. Dixon	174.70
048573-Ford, Scott & Associates, LLC	36,500.00
048574-Fortune Title Agency, Inc.	5,450.00
048575-FP Mailing Solutions	171.00
048576-Gardner True Value Hardware	256.28
048577-The Gem Grocery & Gas	452.90
048578-Goldenberg Mackler Sayegh	397.70
048579-Green Technology Services	23,553.57
048580-Michele T. Heim	1,048.20
048581-Cape May County Herald	1,090.42
048582-American Bounce	1,225.00
048583-Roy J. Hope	394.88
048584-Johnson & Towers, Inc.	22,896.85
048585-J. W. Pedersen Architect, P.C.	5,325.59
048586-Edward F. Leith, Jr.	174.70
048587-Garrett & Batastini, PA	4,500.00
048588-Marsh & McLennan Agency, LLC	9,656.00
048589-Messick Farm Equipment, Inc.	36.96
048590-Middle Township High School	300.00
048591-Mariann Murphy	30.00
048592-Ocean City Sentinel	30.00
048593-Ocean View Volunteer Fire Co.	10,872.38
048594-Phyliss A. Schlegel	700.00
048595-Pineland Construction, LLC	39,805.56
048596-R. H. Vassallo, Inc.	36,000.00
048597-Reliable Power Plus, LLC	787.50
048598-Service Tire Truck Centers	264.00
048599-Shop-Rite	70.32
048600-South Jersey Gas	675.91
048601-S.S.C.I.	200.00
048602-Staples Advantage	365.28
048603-Suburban Propane - 2115	212.59
048604-Carolyn P. Swagler	174.70
048605-Tightlines 4-H Fishing Club	500.00
048606-Titan Manufacturing &	1,884.92
048607-Total Turf Solutions	900.00
048608-Treasurer, State of New Jersey	1,092.00
048609-United Rentals	4,486.00
048610-Upper Township	2,265.35
048611-Vision Service Plan	794.51
048612-Cintas	61.97

CONSTRUCTION CODE:

None.

GENERAL CHECKING WIRES:

68-NJSHBP	45,734.52
-----------	-----------

DOG TRUST:

187-NJ Dept Health/Senior Services	15.00
------------------------------------	-------

FIRE SAFETY AND PREVENTION:

21-AT&T Mobility 124.46

ESCROW PINELAND CONSTRUCTION:

100055-Fralinger Engineering, PA 846.50

ESCROW SEABOARD STORAGE:

200050-Fralinger Engineering, PA 696.00

ESCROW TURNER PARTNERS:

20-Fralinger Engineering, PA 638.00

ESCROW JOHN KLEBAUR:

54-Fralinger Engineering, PA 232.00

PLANNING ESCROW:

1126-Fralinger Engineering, PA 1,204.42

1127-Garrett & Batastini, PA 320.00

RECREATION TRUST:

1611-Acme (Supervalu) 20.97

1612--Amazon.com Services, Inc. 212.26

1613-Seashore Food Distributors, Inc. 124.14

1614-VOID

1615-BSN Sports, Inc. 714.52

The Township Engineer, Mike Fralinger, commented on: Sunny & Shady Lanes Project punch list, the ADA Playground Equipment at the Rec. and the NJDOT 2025 Local Aide Grant and discussed possible road projects to submit.

The Township Administrator/CFO, Jessica Bishop, commented on the Administrative Offices starting the Summer Hours and updated the Committee on the Municipal Building ADA Improvements Project and discussed the necessary Change Order.

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

Municipal Clerk's Report	April, 2024
Registrar's Report	April, 2024
Tax Collector's Report	April, 2024
Construction Official's Report	April, 2024
Chief Finance Officer's Report	April, 2024

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

Let the record reflect that there were no comments from those present.

The Mayor asked for comments from the Township Committee.

Committeeman VanArtsdalen commented on the Summer Basketball sign-ups.

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

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

The Mayor indicated that at this time the Township Committee would be going into an Executive Session and that no formal action is anticipated.

Motion was made by Germanio, seconded by VanArtsdalen, that the regular meeting be recessed and that the Executive Session be convened.

Motion was made by VanArtsdalen, seconded by Germanio, that the regular meeting be reconvened.

The Mayor indicated that no formal action was required and asked for a motion to adjourn the Township Committee meeting.

Motion was made by Germanio, seconded by VanArtsdalen, that the meeting be adjourned. All in favor and the motion carried.

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