

**TOWNSHIP OF DENNIS
DENNISVILLE, NJ
JUNE 15, 2010**

6:30 P.M. TWP. COMMITTEE REGULAR MEETING

Mayor Murphy opened the meeting in compliance with the Open Public Meetings Act requirements.

Mayor Murphy presided with Committeemembers: DiCicco, O'Connor, Blessing and Crippen present.

SPECIAL PRESENTATIONS:

The Mayor and Township Committee presented the following proclamations:

Shane Pinckney, Jeff Hamer, Nick Crippen & Richie Walters – for their efforts in reviving and organizing the 16-20 Boys Basketball League at the Rec.

Alison DiDonato – Serving as Class President, Captain of the Tennis Team; President of the Bible Club; recipient of the President's Scholarship at American University & the John Glassford Scholarship; and being a member of the National Honor Society.

Stephanie Fowler – being a member of the Middle Twp Girls Varsity Basketball Team; making 1st Team CAL; reaching the SJ Finals for 2 years; being MVP & the NJSIAA Scholar/Athlete for MTHS; winning the Bo Pergaman Award for most improved in the CAL and being a member of the National Honor Society.

Danielle O'Connor – being a member of the 2010 Middle Twp Girls Varsity Lacrosse Team; making 2nd Team CAL; being a 4 year starter; being Senior Captain; for scoring the first playoff goal in school history; for her Senior year stats of 55 goals and 25 assists and her career stats of 155 goals and 60 assists.

Stephanie Fowler, Matt Riggitano, Alison DiDonato, Tommy Jamison and Andrew Moran for placing in the Top Ten of Middle Township High School's graduating class.

Ben Campbell and Annie Buono for placing in the Top Five of Cape May County Technical High School's graduating class.

Coach Frank Riggitano & Assistant Coach Betsy Brown – for coaching the 2009 Dennis Township Girls Varsity Basketball Team who have achieved the overall record of 54 – 19 and won the Scoop Taylor Tournament Championship in 2007 & 2009 as well as back to back Optimist Tournament Championships in 2009 & 2010.

The 2009 Dennis Township Varsity Girls Basketball Team – Taylor Brown, Chelsea Fossett, Summer Herlihy, Rochelle Izzi, Jessica McAnulty, Holly McKaig, Alexis Olson, Victoria Raffaele, Julianna Riggitano and Sarah Shields for achieving the overall

record of 54 – 19 and winning the Scoop Taylor Tournament Championship in 2007 & 2009 as well as back to back Optimist Tournament Championships in 2009 & 2010.

Motion was made by O’Connor, seconded by Crippen, with 5 ayes and no nays, that the following Officer’s Report were approved:

Tax Collector’s Report	-	May, 2010
Construction Official’s Report	-	May, 2010

Let the record reflect that the following Resolution Nos. 2010-96 thru 2010-103 were part of a consent agenda with a block roll call vote.

Motion was made by O’Connor, seconded by Crippen, with 5 ayes and no nays, that the following resolutions were adopted:

RESOLUTION NO. 2010-96

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR THE ATHLETIC FIELD FENCING, PROJECT #DNT001

WHEREAS, the Township of Dennis has contracted with Master Wire Manufacturing Co., Inc. of Folsom, New Jersey for the construction of Athletic Field Fencing, Project #DNT001; and

WHEREAS, throughout this project there has been an increase and decrease in certain items of work and the net increase in the contract amounts to \$500.00; and

WHEREAS, the nature and reason of the change is to reflect as-built quantities as further described below:

EXTRA ORDER

<u>ITEM</u>	<u>DESCRIPTION</u>	<u>UNIT QUANTITY</u>	<u>PRICE</u>	<u>AMOUNT</u>
5.	Galvanized Chain Link Fence, 8’ High	25 L.F.	\$ 20.00	\$ 500.00
		TOTAL EXTRA		\$ 500.00
	Amount of Original Contract	\$49,000.00	Extras	\$ +500.00
	Amount of Change Order No. 1	\$ +500.00		

ADJUSTED AMOUNT OF CONTRACT BASED ON CHANGE ORDER NO. 1 IS \$49,500.00

1.02% INCREASE IN CONTRACT.

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

1. The foregoing facts are hereby ratified and affirmed.
2. The allegations of the preamble hereto are incorporated herein as is set forth in full.
3. The amount of Change Order No. 1 is \$500.00.
4. The adjusted amount of the contract based on Change Order No. 1 is \$49,500.00.
5. The appropriate Township Officials are herewith authorized and instructed to do all things necessary to carry out the intention of this Resolution.
6. The authorization for the proper officials to execute Change Order No. 1 be and is hereby given.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2010-97

RESOLUTION APPROVING THE SPECIFICATIONS FOR CUSTODIAL SERVICES FOR THE TOWNSHIP BUILDINGS AND AUTHORIZING THE MUNICIPAL CLERK TO GO TO BID FOR THE SAME

WHEREAS, the Township Committee has directed the Director of Public Works and Chief Finance Officer to prepare specifications for the Custodial Services for the Township Buildings; and

WHEREAS, the Township Committee has reviewed the specifications as prepared by the Administration & Finance Office; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds.

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 the specifications prepared by the Administration & Finance Office are hereby approved.
2. That the Municipal Clerk is hereby authorized and directed to advertise for bids for the Custodial Services for the Township Buildings.
3. That the specifications will be available at the Administration & Finance Office located at 571 Petersburg Road, Dennisville, NJ from 8:30 a.m. to 4:00 p.m. for the fee of \$5.00.

BE IT FURTHER RESOLVED, that the Township Committee reserves the right to reject any and all bids.

ATTEST _____ **ATTEST** _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2010-98

RESOLUTION ACCEPTING AND AWARDING THE BID FOR THE CHESTNUT STREET PARK ADA IMPROVEMENTS, PROJECT #DNT8538.2

WHEREAS, the Clerk and Engineer received bids on May 27, 2010 at 2:00 P.M. for the Chestnut Street Park ADA Improvements Project; and

WHEREAS, the Township received eight (2) bids from: Fred M. Schaivone Construction—\$129,688.00 and Krisanna Construction, Inc. - \$141,091.59; and

WHEREAS, the Engineer has reviewed the bids, determined all are in order, and made his recommendation to the Township Committee.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that this governing body hereby awards the bid for the Chestnut Street Park ADA Improvements Project to the low bidder, Fred M. Schaivone Construction, P.O. Box 416, Malaga, NJ 08328 for the bid amount of \$129,688.00.

BE IT FURTHER RESOLVED, that the Clerk is in receipt of the Certificate of Availability of Funds for this award from the Chief Financial Officer.

ATTEST _____
Jacqueline B. Justice, RMC/Clerk

ATTEST _____
John Murphy, Mayor

RESOLUTION NO. 2010-99

RESOLUTION AUTHORIZING THE EXTENSION OF A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF WOODBINE AND THE TOWNSHIP OF UPPER FOR THE SHARING OF A RADAR EQUIPPED VEHICLE FOR AN ADDITIONAL TERM OF ONE (1) YEAR COMMENCING JULY 1, 2010 TO JUNE 30, 2011

WHEREAS, pursuant to Ordinance No. 99-09 the Township of Dennis was authorized to enter into an Interlocal Services Agreement with the municipalities of Woodbine and Upper for the sharing of a radar equipped vehicle; and

WHEREAS, the parties desire to extend the term of such Agreement for an additional term of one (1) year; and

WHEREAS, the matter has been duly considered by the Township Committee, which has concluded that such extension is in the public interest and will promote the public health, safety and welfare.

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 allegations of the preamble are incorporated herein by reference.
2. The Interlocal Services Agreement, dated May 10, 1999, entered into by the municipalities of Woodbine and Upper for the sharing of a radar equipped vehicle is hereby extended for an additional term of one (1) year, commencing July 1, 2010 through and inclusive of June 30, 2011, upon the same terms and conditions.
3. Paragraph 5 of Item 2 of the Agreement of May 10, 1999 is hereby deemed amended so that the Contract term will expire on June 30, 2011.

4. This Resolution extending the term of the aforesaid Contract is conditioned upon similar action being taken by the Governing Bodies of the Borough of Woodbine and the Township of Upper.
5. All officers and officials of the Township of Dennis are authorized, directed and empowered to take such action as may be reasonable, required or necessary to carry out the intent and purpose of this Resolution.
6. A certified copy of this Resolution shall be forwarded to each of the municipalities who are parties to such Interlocal Services Agreement.

ATTEST _____ ATTEST _____
 Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

RESOLUTION NO. 2010-100

RESOLUTION AUTHORIZING THE RENEWAL OF THE LIQUOR LICENSES FOR THE YEAR 2010-2011

WHEREAS, application has been made by the persons, firms, and/or corporations hereinafter named for renewal of Plenary Retail Consumption Licenses and Plenary Retail Distribution License, heretofore granted by this issuing authority; and

WHEREAS, all things required to be done by the said applicants have been done, including the payment of the required fees and all laws and regulations for the control of alcoholic beverages; and

WHEREAS, no objections have been filed; and

WHEREAS, this governing body is of the opinion that said applications should be granted and licenses issued.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, the Municipal Issuing Authority, that the license be issued to the person, firms and/or corporations named on the attached Schedule "A" for the period of one year commencing July 1, 2010 through June 30, 2011.

ATTEST _____ ATTEST _____
 Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor

2010-2011 LIQUOR LICENSES RENEWAL

SCHEDULE "A" – RESOLUTION NO. 2010-100

<u>Number</u>	<u>Name & Address</u>	<u>Type</u>	<u>Amount</u>
0504-33-001-002	Shore Gate, Inc 35 School House Lane Ocean View, NJ 08230 Dennis Twp.	PRC	\$1,200.00

0504-44-002-003

Gleeson Liquors, Inc.
565 Sea Isle Boulevard
Ocean View, NJ 08230
Dennis Twp.

PRD

\$1,200.00

RESOLUTION NO. 2010-101

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.

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 June 15, 2010, that an Executive Session closed to the public shall be held on June 15, 2010 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 _____
Jacqueline B. Justice, RMC/Clerk

ATTEST _____
John Murphy, Mayor

RESOLUTION NO. 2010-102

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICE CONTRACT FOR SCHAEFER PYROTECHNICS, INC., TO PROVIDE A FIREWORKS DISPLAY

WHEREAS, the Township is hosting a National Night Out scheduled for August 3, 2010; and

WHEREAS, a fireworks display has been scheduled and planned for this event; and

WHEREAS, the Township Committee desires to employ the services of a company that specializes in the furnishing of fireworks exhibitions; and

WHEREAS, Schaefer Pyrotechnics, Inc. has provided the Township with a proposed contract in the amount of \$4,500.00 to furnish a fireworks exhibition for the National Night Out event.

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 averments of the preamble are incorporated herein by reference.
2. The Recreation Director and the Mayor are hereby authorized and directed to enter into a professional services contract with Schaefer Pyrotechnics, Inc., for the furnishing of fireworks exhibition.
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, for the following reasons and that the total sum will not exceed the limits established in P.L. 2004 Chapter 19:
 - A. Professional services of the type herein sought are of such a nature as to require a high degree of trust or confidence in the individual providing the service.
 - B. The individual who will provide these services has demonstrated his competence and particular expertise in the services required, and is familiar through prior association with the specialized area of fireworks exhibition.
 - C. The services include advice to and consultation with the municipality and its agents that requires both knowledge and judgement on the part of the individual providing the services as well as the confidence of the municipal officials, such that competitive bidding is not feasible or practical.
5. This resolution shall take effect immediately.

ATTEST _____
Jacqueline B. Justice, RMC/Clerk

ATTEST _____
John Murphy, Mayor

RESOLUTION NO. 2010-103

RESOLUTION APPROVING OF THE DISCHARGE OF FIREWORKS DURING THE ACTIVITIES AT NATIONAL NIGHT OUT IN AUGUST

WHEREAS, the Township scheduled its National Night Out Event for Tuesday, August 3, 2010 at the Recreation Complex located at 565 Dennisville Road, South Dennis; and

WHEREAS, a fireworks display has been scheduled for the event; and

WHEREAS, the State requires that the municipality pass a resolution authorizing the discharge of fireworks.

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 approves and authorizes the discharge of fireworks during the National Night Out Event scheduled for August 3, 2010.

ATTEST

ATTEST

Jacqueline B. Justice, RMC/Clerk

John Murphy, Mayor

This being the time and place of the Public Hearing on Ordinance No. 2010-03. The Title was read by the Mayor. Motion was made by O'Connor, seconded by DiCicco, that the Hearing be open for public comment. There being no comment from those present, motion was made by O'Connor, seconded by Crippen, that the Hearing be closed.

Motion was made by Crippen, seconded by DiCicco, with 5 ayes and no nays, that the following Ordinance No. 2010-03 was adopted:

ORDINANCE NO. 2010-03

AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY, AND STATE OF NEW JERSEY AMENDING ORDINANCE NO. 2008-09 ENTITLED "AN ORDINANCE OF THE TOWNSHIP OF DENNIS, COUNTY OF CAPE MAY AND STATE OF NEW JERSEY ESTABLISHING THE COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF DENNIS".

ATTEST

ATTEST

Jacqueline B. Justice, RMC/Clerk

John Murphy, Mayor

Motion was made by Blessing, seconded by Crippen, with 5 ayes and no nays, that providing that proper vouchers have been filed and that funds are available, the following bills are authorized to be paid:

GENERAL ACCOUNT:

032097-Twp of Dennis Payroll Account	\$ 69,994.53
032098-A. C. Moore, Inc.	127.78
032099-Albertsons	443.63
032100-Advantage Rental Center, Inc.	2,517.60
032101-Atlantic City Electric	4,091.56
032102-Atlantic Cnty Municipal Joint Insurance Fund	65,252.00
032103-Barry Corrado Grassi	2,020.00
032104-Donna L. Batchelor	200.00
032105-Catherine Dougherty	425.67

032106-Deborah M. Berg	200.00
032107-Belleplain Emergency Corp.	46,852.36
032108-Belleplain V.F.W. Post #6257	75.00
032109-Bounce U	222.82
032110-Kathleen Bresan	200.00
032111-Cape Seal Coating & Lining	2,289.00
032112-Cape May County M.U.A.	15,543.03
032113-Cape May County Bd of Taxation	25.00
032114-Caprioni Portable Toilets, Inc.	375.00
032115-Caprioni Sewerage Service	1,240.00
032116-Computer Access Systems	98.75
032117-John S. Champion	225.00
032118-Glenn O. Clarke (Petty Cash)	453.35
032119-John L. Collins	381.35
032120-Comcast	198.13
032121-Conover Swanson, Inc.	201.00
032122-Kelly Cramer	200.00
032123-Nelson B. Creamer	138.95
032124-Crystal Springs	61.16
032125-Daley's Pit	65.00
032126-Daycare Cleaning Services, Inc.	2,003.18
032127-Dennis Twp Fire District #1	82,000.00
032128-Dennis Twp Fire District #2	61,509.00
032129-Dennis Twp Fire District #3	37,245.50
032130-Duffers Challenge	358.50
032131-Jeanette M. Ennis	101.01
032132-Erica Erb	200.00
032133-Township of Dennis	150.00
032134-Fleetwash – Bensalem	325.28
032135-Garden State Highway	739.00
032136-The Gem Grocery & Gas	23.12
032137-Gentilini Ford, Inc.	804.93
032138-G & K Services	516.54
032139-Donna Sue Glembocki	200.00
032140-Paul Glynn	200.00
032141-Griffin Auto-Manual Sales, Inc.	285.00
032142-Raymond Michael Haig	200.00
032143-Anna I. Haig	200.00
032144-Marie T. Trout	225.00
032145-Charles Haig	225.00
032146-Meggan Haig	225.00
032147-Gerald C. Harris	108.61
032148-Herald Newspaper, Inc.	96.03
032149-Home Depot Credit Services	726.31
032150-Roy J. Hope	275.80
032151-J.C. Miller Co., Inc.	2,082.81
032152-Keen Compressed Gas Co., Inc.	20.26
032153-Heidi Kern	200.00
032154-K-Mart	32.74
032155-K-Mart	321.89
032156-Sara C. Koczur	200.00
032157-Kohler's Auto Glass	145.00
032158-Edward F. Leith, Jr.	177.33
032159-Robin S. Light	200.00
032160-Matthew Bender & Co. Inc.	132.00
032161-Master Wire Manufacturing Co.	49,500.00
032162-McManimon & Scotland, LLC	773.84
032163-Modern Gas Co., Inc.	590.29
032164-North American Benefits Co.	256.73
032165-George B. Neidig, Jr.	622.16
032166-Nextel Communications	59.57
032167-NJ Dept Health/Senior Services	195.00

032168-New Jersey State	128.00
032169-Ocean View Volunteer Fire Co.	225.00
032170-Tully M. O’Clisham	200.00
032171-Oriental Trading Company, Inc.	244.01
032172-Patti’s Party World	85.50
032173-Fernando Patino	75.00
032174-Philip & Henry	279.00
032175-Cynthia Pikolycky	225.00
032176-Frank R. Podlaski	200.00
032177-Geraldine Porter	200.00
032178-Power of Production Studio	100.00
032179-Public Works Assoc of NJ	60.00
032180-QC, Inc.	123.00
032181-Vickie L. Robinson	225.00
032182-S & S Worldwide, Inc.	613.32
032183-Seashore Food Distributors, Inc.	477.58
032184-Service Tire Truck Centers	394.18
032185-Shop Rite	95.69
032186-Melisa Sides	200.00
032187-Signworks, dba	220.00
032188-Gertrude Singer	200.00
032189-Felicia H. Smith	200.00
032190-South Jersey Paper Products	1,063.92
032191-Richard F. Spille, Jr.	200.00
032192-Staples Credit Plan	1,060.26
032193-Staples Business Advantage	256.89
032194-Michele Tozer	225.00
032195-Tri-County Animal Control	700.00
032196-Tri State Office Solutions	26.86
032197-Noel Turner	200.00
032198-The Southwest Council	1,075.00
032199-United States Treasury	639.04
032200-Township of Upper	33,313.78
032201-Usher Publishing Co.	61.00
032202-U.S. Bank	1,077.50
032203-Vital Communications, Inc.	75.00
032204-Maser Consulting, PA	10,782.50
032205-James H. Waltz	225.00
032206-West Payment Center	391.00
032207-Cintas First Aid & Safety	75.65
032208-Young’s Skating Center	300.00

Committeewoman Blessing announced that this Saturday night the Senior Center was having its first outside concert from 5:00 p.m. to 8:00 p.m. there will be food and the D.J. will be Johnny Taco. She also stated that if anyone sees a “for sale” sign on the Museum, the Museum is not for sale.

Committeeman DiCicco indicated that he spoke with the Superintendent of our School District today and he invited the Township Committee to the 8th Grade Graduation it will be held on Tuesday, June 22nd at 6:30 p.m. at the PAC.

Committeeman O’Connor indicated that he had no comment at this time.

Deputy Mayor Crippen indicated that it was a historic day last Saturday when Gleeson’s Liquor opened up in the Township. He wished them much success.

Motion was made by O'Connor, seconded by DiCicco, that the meeting be open for public comment.

Committeeman DiCicco asked the OEM Coordinator, John Berg, for a report regarding the automobile accident that occurred Sunday.

John Berg gave a review of the automobile accident that occurred on Route 47 near the Dennisville Lake on Sunday. He indicated that this accident was a perfect example of why we need the message boards, we could have placed a message board out and help alleviate some of the traffic.

There being no further comment from those present, motion was made by O'Connor, seconded by Crippen, that the public comment portion of the meeting be closed.

Motion was made by DiCicco, seconded by O'Connor, that the Township Committee take a 2 minute recess.

Motion was made by O'Connor, seconded by DiCicco, that the Township Committee go into Executive Session at this time.

PLEASE NOTE:

Minutes from the Executive Session will be made available at a later date upon completion of the matter and after approval by the Township Committee.

Motion was made by O'Connor, seconded by Crippen, that the Executive Session be closed and the regular meeting be reconvened at this time.

Acting Township Solicitor, Janice Ciallella, indicated that the record should reflect that in the closed Executive Session the Committee discussed the Pierson litigation as well as employees COBRA benefits. She indicated that no formal action was taken and none was needed in open session.

Committeeman DiCicco commented on the Master Plan Re-Exam and the Hagen Road area residents concerns.

Township Engineer, Andy Previti, commented the existing draft of the plan and indicated that the new law that is pending (S-1 COAH) needed to be reviewed and than the draft should be amended accordingly.

Committeeman DiCicco indicated that delay moving forward while this review is processed and how S-1 moves forward.

Deputy Mayor Crippen commented on residents feeling that they were not notified. He reiterated that a notice will be going out in the new tax bills were residents can register to receive blast email updating them on what is going on in the Township.

Motion was made by O'Connor, seconded by Crippen, that the meeting be adjourned.

ATTEST _____ ATTEST _____
Jacqueline B. Justice, RMC/Clerk John Murphy, Mayor