

**TOWNSHIP OF DENNIS
DENNISVILLE, NJ
AUGUST 08, 2017**

5:00 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 Meeting (Tozer, Fry-DeRose and Matalucci present, Salimbene & Smith were absent).

The Mayor asked if there were any comments on the consent agenda. There being no comment, the Mayor asked for a motion adopting the consent agenda, motion was made by Tozer, seconded by Fry-DeRose, with 3 ayes and 2 absent (Salimbene & Smith), that the consent agenda be adopted.

The following minutes were approved as part of the consent agenda: 04/11/2017 Work Session & Regular Meeting.

The following resolution numbers 2017-116 thru 2017-120 were a part of the Consent Agenda:

RESOLUTION NO. 2017-116

RESOLUTION AUTHORIZING THE ISSUANCE OF THE 2017-2018 KENNEL LICENSE FOR CLERMONT COUNTRY KENNELS

WHEREAS, the N.J.S.A. 4:19-15.8 requires persons operating a kennel to obtain a license to operate said establishment from the municipality; and

WHEREAS, the Township is in receipt of the application for the 2017-2018 Kennel License from Clermont Country Kennels along with the required fee; and

WHEREAS, the Township has received the necessary approval from the Cape May County Health Department approving the issuance of said Kennel License.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Dennis, County of Cape May, State of New Jersey, that the Municipal Clerk be and is hereby authorized and directed to issue the 2017-2018 Kennel License to Clermont Country Kennels.

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

RESOLUTION NO. 2017-117

RESOLUTION ADOPTING THE PROVISIONS OF CHAPTER 48 UNDER WHICH A PUBLIC EMPLOYER MAY AGREE TO PAY FOR STATE HEALTH BENEFITS PROGRAM COVERAGE OF CERTAIN RETIREES

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 of Dennis in the County of Cape May, SHBP Id Number #046900, hereby elects to adopt the provisions of N.J.S.A. 52:14-17.38 and adhere to the rules and regulations promulgated by the State Health Benefits Commission and School Employees' Health Benefits Commission to implement the provisions of that law.
2. This Resolution affects employees as shown on the attached Chapter 48 Resolution Addendum. It is effective on the 1st day of September, 2017.
3. We are aware that adoption of this resolution does not free us of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any Chapter 88 Resolution or Chapter 48 Resolution adopted previously by this governing body.
4. We agree that this Resolution will remain in effect until properly amended or revoked with the SHBP and/or SEHBP. We recognize that, while we remain in the SHBP and/or SEHBP, we are responsible for providing the payment for post-retirement medical coverage as listed in the attached Chapter 48 Resolution Addendum for all employees who qualify for this coverage while this Resolution is in force.
5. We understand that we are required to provide the Division of Pensions and Benefits complete copies of all contracts, ordinances and resolutions that detail post-retirement medical payment obligations we undertake. We also recognize that we may be required to provide the Division with information needed to carry out the terms of this Resolution.

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

RESOLUTION NO. 2017-118

RESOLUTION APPROVING THE SPECIFICATIONS AND AUTHORIZING TO RECEIVE BIDS FOR THE PROJECT TO CONSTRUCT A BICYCLE PATH AND PARKING AREA ADJACENT TO THE DENNIS TOWNSHIP RECREATION COMPLEX

WHEREAS, the Dennis Township Committee has determined to Construct a Bicycle Path and Parking Area adjacent to the Dennis Township Recreation Complex; and

WHEREAS, plans and specifications have been prepared for the project, "Construct a Bicycle Path and Parking Area adjacent to the Dennis Township Recreation Complex".

NOW THEREFORE BE RESOLVED, by the Township Committee of the Township of Dennis, that said plans and specifications are hereby approved.

BE IT FURTHER RESOLVED, that the Township Clerk be and is hereby directed to advertise for bids for said project.

BE IT FURTHER RESOLVED, that the Township Engineer is authorized to apply for a Soil Erosion and Sediment Control Plan Certification for said project.

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

RESOLUTION NO. 2017-119

RESOLUTION AUTHORIZING THE REFUND OF A PLANNING/ZONING ESCROW FEE

WHEREAS, the Administrator to the Planning and Zoning Boards has requested the refund of a Planning/Zoning Escrow Fee; and

WHEREAS, said Planning/Zoning application project has been completed or withdrawn and the escrow fund balance remains.

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 refund the following Planning/Zoning Escrow balance:

<u>Block</u>	<u>Lot</u>	<u>Amount</u>	<u>Applicant</u>
245	37.01	\$ 125.00	Shore Gate Golf Course c/o Sea Quest Enterprises, LLC P.O. Box 607 Ocean View, NJ 08230

BE IT FURTHER RESOLVED, that the Clerk forward a certified copy of this resolution to the Administrator to the Planning and Zoning Boards and the Chief Financial Officer.

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

RESOLUTION NO. 2017-120

**RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR THE
PROVISION OF ELECTRIC GENERATION SUPPLY SERVICE
FOR THE SOUTH JERSEY POWER COOPERATIVE**

WHEREAS, the South Jersey Power Cooperative (SJPC) is a purchasing cooperative that consists of various counties and their participating co-op members, and includes numerous municipalities, K-12 school districts, vocational-technical schools, utilities authorities and other municipal agencies. Dennis Township is a Participating Member of the SJPC through our respective county pricing co-operative; and

WHEREAS, the County of Camden is the current and acting lead purchasing agency for the SJPC; on behalf of the SJPC, Camden County publicly advertised bids for the purpose of procuring Electric Generation Supply Service (Bid #A15-17); and

WHEREAS, the County of Camden received and opened bids on Thursday, July 20, 2017, for Electric Generation Supply Service for the SJPC; and

WHEREAS, South Jersey Energy Company was the lowest responsible bidder for the Bid Lots 1, 3 & 9. This low bid rate is \$0.0735 per kilowatt-hour (kWh); Dennis Township hereby acknowledges and accepts this bid rate for a service period of 12-months, commencing with the first meter reading after August 31, 2017; and

WHEREAS, on behalf of the Participating Members of the SJPC, the County of Camden has executed a master agreement with South Jersey Energy Company of the Participating Members of the SJPC as described above commencing on the above specified dates; and

BE IT RESOLVED, that each currently Participating Member of the SJPC, including Dennis Township shall encumber funds in accordance with applicable law and hereby acknowledge the terms and conditions of the aforementioned bid and master contract to which it will be bound for the duration of the agreement as noted herein.

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

The Mayor indicated that we were moving on to the Regular portion of the agenda.

The Mayor asked for a motion to adopt Resolution No. 2017-121.

Motion was made by Tozer, seconded by Fry-DeRose, with 3 ayes and 2 absent (Salimbene & Smith), the following resolution was adopted:

RESOLUTION NO. 2017-121

RESOLUTION AUTHORIZING DENNIS TOWNSHIP SAND & GRAVEL TO FILE FOR THE RENEWAL OF THEIR MINING PERMIT

WHEREAS, the Dennis Township Sand & Gravel’s Mining Permit expired 12/31/2016; and

WHEREAS, due to extraordinary circumstances said applicant failed to comply with the renewal process outlined in Chapter 95 – Excavations in the Township’s Code; and

WHEREAS, Dennis Township Sand & Gravel have maintained a valid mining permit continuously since the late 1990’s and the Township Committee recognize that there are times when extraordinary circumstances arise.

NOW THEREFORE BE RESOLVED, by the Township Committee of the Township of Dennis, that this governing body does hereby authorize the relaxation of the time period for renewal stated in Chapter 95 of the Code of the Township so that Dennis Township Sand & Gravel may present their renewal application to the Consolidated Land Use Board for their review and consideration.

BE IT FURTHER RESOLVED, that in the event that Dennis Township Sand & Gravel receive the recommendation for renewal from the Consolidated Land Use Board the Mining Permit will expire on December 31, 2019.

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

The Mayor asked for a motion to adopt Resolution No. 2017-122.

Motion was made by Tozer, seconded by Fry-DeRose, with 3 ayes and 2 absent (Salimbene & Smith), the following resolution was adopted:

RESOLUTION NO. 2017-122

RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Dennis is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Dennis to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12 b and designated below:

Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting. Employment Relationship – Tax Assessor position.

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 August 08, 2017, that an Executive Session closed to the public shall be held on August 08, 2017 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

The Mayor asked for a motion to adopt Resolution No. 2017-123.

Motion was made by Tozer, seconded by Fry-DeRose, with 3 ayes and 2 absent (Salimbene & Smith), the following resolution was adopted:

RESOLUTION NO. 2017-123

**RESOLUTION AUTHORIZING THE EXECUTION OF A
PROFESSIONAL SERVICES CONTRACT TO
SHORE COUNSELING, LLC FOR THE
EMPLOYEE ASSISTANCE PROGRAM**

WHEREAS, the Township of Dennis established an Employee Assistance Program in October, 1997; and

WHEREAS, the Clerk has received one (2) quotes from: The Southwest Council, Inc. and Shore Counseling, LLC for the Employee Assistance Program; and

WHEREAS, the Committee has reviewed the program and quotes and has deemed it beneficial to the Township to continue this program as part of the Drug Free Workplace Act; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of contracts of “Professional Services” without competitive bids and the contract itself must be available for public inspection.

041168-Goldenberg Mackler Sayegh	44.09
041169-Gerald C. Harris	124.99
041170-Herald Newspaper, Inc.	217.05
041171-Home Depot Credit Services	395.44
041172-Roy J. Hope	313.64
041173-Christina Jamison	387.72
041174-NAPA Auto Parts	35.42
041175-Keen Compressed Gas Co., Inc.	40.67
041176-Edward F. Leith, Jr.	121.96
041177-Lindemon Wincklemann DeuPree	9,277.65
041178-M.G.L. Printing Solutions	576.00
041179-M.T.H.S. After Prom Committee	400.00
041180-M & N International	394.11
041181-NJ Dept Health/Senior Services	4.80
041182-One World Hosting	119.00
041183-Oriental Trading Company, Inc.	306.77
041184-Pioneer Manufacturing Co.	241.45
041185-Power of Production Studio	490.00
041186-Rhode Island Novelty	404.91
041187-Arthur Schellinger	109.00
041188-Seashore Food Distributors, Inc.	227.09
041189-Sea Isle Ice Co., Inc.	100.00
041190-Service Tire Truck Centers	2,192.35
041191-Thomas G. Smith, P.C.	77.20
041192-Staples Credit Plan	183.96
041193-Carolyn P. Swagler	137.90
041194-Vital Communications, Inc.	75.00
041195-Waste Management of NJ, Inc.	14,733.00
041196-Cintas First Aid & Safety	117.08

The Mayor asked for approval for the Administrative Reports.

Motion made by Tozer, seconded by Fry-DeRose, all in favor and the motion carried, that the following Administrative Reports were adopted:

Municipal Clerk's Report	July, 2017
Registrar's Report	July, 2017
Construction Official's Report	July, 2017
Engineer's Report	08/08/2017

Township Engineer, Jack Gibson, commented on the Bike Path.

The Mayor asked if there were any comments from the public this evening, let the record reflect that there were none.

The Mayor asked for comments from the Township Committee.

Committeeman Tozer indicated that he had no comment at this time.

Deputy Mayor Fry-DeRose commented on car break-ins and urged everyone to keep their vehicles locked. There was a general discussion regarding the break-ins and the different areas with Mr. Berg and Mayor Matalucci.

Mayor Matalucci commented on what a nice event National Night Out was.

Let the record reflect that Committeewoman Salimbene arrived.

Motion was made by Salimbene, seconded by Fry-DeRose, that the regular meeting be recessed for the Executive Session.

Motion was made by Fry-DeRose, seconded by Salimbene, that the regular meeting be reconvened.

Mayor Matalucci asked for a motion to adopt Resolution No. 2017-124.

Motion was made by Fry-DeRose, seconded by Salimbene, with 4 ayes and 1 absent (Smith), that the following resolution was adopted:

RESOLUTION NO. 2017-124

RESOLUTION APPOINTING A PART-TIME TAX ASSESSOR FOR A FOUR (4) YEAR TERM

WHEREAS, there is currently a vacancy in the position of Tax Assessor for the Dennis Township due to the retirement of the longtime Assessor; and

WHEREAS, applications were accepted and interviews were conducted with the Mayor making his recommendation to the Committee.

NOW THEREFORE BE RESOLVED, by the Township Committee of the Township of Dennis, that this governing body does hereby appoint Alexandra Fasy as the part-time Tax Assessor for a four (4) year term effective 08/22/2017.

BE IT FURTHER RESOLVED, that said appointment is pursuant to the New Jersey State Statutes and the attached appendix A which details the terms and conditions of her employment.

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

Acting Township Solicitor indicated that in the Executive Session he explained the process of appointing a Tax Assessor. He indicated that Resolution No. 2017-124 is adopted pursuant to N.J. Statutes and an email dated 08/04/2017 detailing the contract terms.

Motion was made by Fry-DeRose, seconded by Tozer, that the meeting be adjourned. All in favor and the motion carried.

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