

Kondor, Andrew [DCA]

From: Kilmer, Louis [DCA]
Sent: Monday, September 26, 2022 9:35 AM
To: Kondor, Andrew [DCA]
Subject: FW: [EXTERNAL] Dennis Township - Fire Safety and Prevention

From: Jessica Bishop <jbishop@dennistwp.org>
Sent: Tuesday, September 13, 2022 9:03 AM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Cc: Zeth Matalucci <matalucci@dennistwp.org>; Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>
Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Lou,

Hope you enjoyed your vacation. Just following up, the Township has a Committee meeting scheduled for this evening and I have been asked to provide an update to the Board.

Thanks,

Jessica Bishop, CPM, CMFO, QPA
Dennis Twp. Administrator & Chief Financial Officer
571 Petersburg Road
PO Box 204, Dennisville, NJ 08214
Phone: 609.861.9700 ext. 225
Fax: 609.861.9719

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From: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
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Jessica,

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Ms. Bishop,

Thank you for your reply. I certainly understand if the mayor is unable to make the 26th. Unfortunately, my schedule is already filled for the remainder of this week and next. If the municipality has other competing issues to take care of that are more pressing prior to October 1st, I can certainly schedule a meeting after that date. When we spoke yesterday, I provided you with several dates that I would be available to meet. If you need me to send you those dates again I would be pleased to. Thanks.

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To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Cc: matalucci@dennistwp.org
Subject: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Mr. Kilmer,

Please see attached.

Thank you,

Jessica Bishop, CPM, CMFO, QPA
Dennis Twp. Administrator & Chief Financial Officer
571 Petersburg Road
PO Box 204, Dennisville, NJ 08214
Phone: 609.861.9700 ext. 225
Fax: 609.861.9719

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Kondor, Andrew [DCA]

From: Kilmer, Louis [DCA]
Sent: Monday, September 26, 2022 9:36 AM
To: Kondor, Andrew [DCA]
Subject: FW: [EXTERNAL] Dennis Township - Fire Safety and Prevention

From: Zeth Matalucci <matalucci@dennistwp.org>
Sent: Thursday, September 15, 2022 12:40 PM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>; Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>
Cc: Jessica Bishop <jbishop@dennistwp.org>; kyle@blaneydonohue.com; sentesta@njleg.org
Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

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Be advised that I have received your email dated September 14, 2022 indicating that you do not have any availability prior to October 1, 2022 aside from September 26, 2022 to meet with Jessica Bishop and I regarding the Township's proposed acquisition of Fire Safety and Prevention services from the State.

Respectfully, back in July of 2022, we advised the DCA and yourself of our desire to take over the Fire Safety and Prevention within the Township. Since that time, the Township has been taking proactive steps and complied with all requests of the DCA to see that this transition is completed by October 1, 2022. As you previously acknowledged, N.J.A.C. 5:71-2.7 only permits changes to Enforcing Agencies on January 1, April 1, July 1, and October 1, respectively.

As a result, meeting after October 1, 2022 would not be beneficial in seeing that the October 1, 2022 deadline is met. The Township would then have to wait until January 1, 2023 to see the move through. Moreover, as you were previously advised by Ms. Bishop, meeting on September 26, 2022 is not practicable inasmuch there is additional leg work that needs to be completed prior to the October 1, 2022 date.

With that said, it is imperative that we meet within the next two weeks. While not ideal, Ms. Bishop and I will be willing to accommodate your schedule in any fashion necessary to see this through (i.e., via zoom or in person, after hours, etc.). The goal of the Township is to meet the October 1, 2022 deadline and without your input, the Township cannot finalize the steps they need to take.

I am hopeful that you will understand the Township's position and the sense of urgency the Township is working with. If you would like to discuss this matter further or have any questions, please do not hesitate to contact me or Jessica. On behalf of myself and the Township, I thank you for your time and consideration throughout this process.

Thank you,
Mayor Zeth Matalucci
609-602-3927

From: Jessica Bishop <jbishop@dennistwp.org>
Sent: Wednesday, September 14, 2022 12:37 PM
To: kyle@blaneydonohue.com

Cc: Zeth Matalucci <matalucci@dennistwp.org>
Subject: FW: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Forwarding per Mayors request.

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Please let me know.

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Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

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Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Ms. Bishop,

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Once we receive the letters, we will begin processing your request. Please be advised that pursuant to N.J.A.C. 5:71-2.7 changes to the Registry of Enforcing Agencies can only occur on January 1st, April 1st, July 1st and October 1st. As the State is currently the Local Enforcing Agency in Dennis Township, please be advised that Mr. Belles is unable to perform Fire Code inspections until the jurisdiction is transferred over on one of the above available dates. If all paperwork is in order the next available date would be October 1st.

If you have any questions, please feel free to contact me. Thank you.

Lou Kilmer

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To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
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Please see attached.

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Kondor, Andrew [DCA]

From: Kilmer, Louis [DCA]
Sent: Monday, September 26, 2022 9:36 AM
To: Kondor, Andrew [DCA]
Subject: FW: IMPORTANT: Dennis Township - Fire Safety and Prevention LEA
Attachments: FireOffice.pdf

From: Kilby, Arvene <AKilby@njleg.org> **On Behalf Of** Testa, Sen. D. O.
Sent: Monday, September 19, 2022 5:04 PM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>; Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>
Cc: Jessica Bishop <jbishop@dennistwp.org>; 'Zeth Matalucci' <matalucci@dennistwp.org>; Kilby, Arvene <AKilby@njleg.org>
Subject: [EXTERNAL] IMPORTANT: Dennis Township - Fire Safety and Prevention LEA

Good afternoon, Mr. Kilmer.

Would you be so kind to verify that a meeting has been scheduled with the Dennis Township Mayor Matalucci and staff to review the application they made last July 14, 2022 to have the LEA return back to Dennis Township control?

The township has been trying to get this request and application to be implemented by October 1st, when they sent their request on July 14, 2022.

I would like to get a status from you regarding the meeting.

Best regards,

Senator Michael L. Testa Jr.
New Jersey State Senator

Legislative District 1
Senator Michael L. Testa Jr.
Assemblyman Antwan McClellan
Assemblyman Erik Simonsen

610 E. Landis Ave.
Vineland, NJ 08360
Telephone: 609-778-2012
Fax: 856-212-3374
SenTesta@njleg.org

211 S. Main Rd, Ste. 104
Cape May Court House, NJ 08210
Telephone: 609-778-2012
Fax: 609-778-2033
AsmMcClellan@njleg.org
AsmSimonsen@njleg.org

From: Jessica Bishop <jbishop@dennistwp.org>
Sent: Monday, September 19, 2022 1:44 PM

To: Kilby, Arvene <AKilby@njleg.org>

Subject: FW: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Mrs. Kilby,

See below and attached.

Thank you,

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Dennis Twp. Administrator & Chief Financial Officer

571 Petersburg Road

PO Box 204, Dennisville, NJ 08214

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Lou Kilmer

From: Jessica Bishop <jbishop@dennistwp.org>
Sent: Wednesday, July 20, 2022 10:05 AM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Cc: matalucci@dennistwp.org
Subject: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Mr. Kilmer,

Please see attached.

Thank you,

Jessica Bishop, CPM, CMFO, QPA

Dennis Twp. Administrator & Chief Financial Officer

571 Petersburg Road

PO Box 204, Dennisville, NJ 08214

Phone: 609.861.9700 ext. 225

Fax: 609.861.9719

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Kondor, Andrew [DCA]

From: Kilmer, Louis [DCA]
Sent: Monday, September 26, 2022 9:36 AM
To: Kondor, Andrew [DCA]
Subject: FW: [EXTERNAL] Dennis Township - Fire Safety and Prevention
Attachments: RE: [EXTERNAL] Dennis Township 0504; RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

From: Kilmer, Louis [DCA]
Sent: Tuesday, September 20, 2022 2:46 PM
To: matalucci@dennistwp.org
Cc: Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>; Jessica Bishop <jbishop@dennistwp.org>; kyle@blaneydonohue.com
Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Mayor Matalucci,

Thank you for your response and your patience while I responded. I certainly understand your sense of urgency as noted below, but I believe that it is important to note the timeline and how the request has been handled by the State Division of Fire Safety since the original inquiry was received from Dennis Township on February 2, 2022 from Brian L. Vergantino Sr. your Code Enforcement Official/ Assistant Zoning Enforcement Officer. In that e-mail Mr. Vergantino was looking to find out how much money the State collected during 2021 from properties in Dennis Township as they were looking to get the Local Enforcing Agency back in house.

As the process of enforcing the Fire Code locally is much more involved than how many fees are generated, I attempted to reach out to Mr. Vergantino for clarification. After leaving messages and not receiving a return call I contacted Jessica Bishop, the Township Administrator. When I spoke with her she noted that the Township was looking for ways to increase revenue flow into the municipality and was looking to perform the fire inspections. Again, I explained that the decision to enforce the Fire Code locally needs to include the commitment to perform all of the duties required in the Fire Code, not just the Life Hazard Uses for which the fees are generated from.

Still unable to contact Mr. Vergantino, On March 3, 2022 I sent what information I believed would be useful to the Township concerning revenue collected, lists of businesses inspected, responsibilities of a Local Enforcing Agency and instructions on what needed to be done to create the Local Enforcing Agency. Most importantly, it was noted in my e-mail to please keep us informed as to your plans. This was asked of the Township so we would be able to assist you through the process and not have issues arise that would delay the transfer. On March 4, 2022 I received an e-mail from Mr. Vergantino thanking me for the information and apologizing for not returning my call. I have attached a copy of that e-mail to this e-mail.

No further communication was received from Dennis Township until an e-mail from Ms. Bishop was received on July 20, 2022 with an attached letter dated July 14, 2022 stating that the Township had created a Local Enforcing Agency. Unfortunately, as requested in my March 3, 2022 e-mail, The Township did not work with the Division keeping us advised as to your plans so we could assist with drafting and adopting the required ordinance creating the Local Enforcing Agency. In Ms. Bishop's letter of July 20, 2022 she noted that she had contacted the three fire districts in town and none of the districts wished to enforce the Fire Code.

On July 25, 2022 I e-mailed Ms. Bishop requesting copies of the correspondence showing that the three fire districts were not interested in enforcing the Fire Code. This is important as N.J.A.C. 5:71-2.3(a)3 states "The governing body may designate as its local enforcing agency a requesting fire department, fire district, or an available county agency. In the event that none of the entities enumerated are available for designation, the governing body may elect to create or designate a local enforcing agency within the municipality. If no agency is created or designated, the Division shall exercise jurisdiction in accordance with N.J.A.C. 5:71-2.2(b)3." Prior to starting the review of the documents for the Township to be the enforcing agency we needed to determine that the fire districts did not want to enforce the Fire Code.

It was not until August 18, 2022 that I received the requested copies of the letters from the three fire districts from Ms. Bishop. It is interesting to note that the letters are dated March 31, 2022 and received by the Township on April 26th, May 9th and May 12th. In each case the fire districts marked off option 3 provided by the Township, which was to remain with the State as the Enforcing Agency for Life Hazard Uses. I have attached the e-mail regarding this. The delay in sending the letters to my office further delayed the start of the review process for transferring the Local Enforcing Agency over to the Township. On August 18th I replied to Ms. Bishop to confirm that the fire districts did not want to enforce the Fire Code. She replied that is correct and it is the Township that is making application. I advised her that we would start the review process. It needs to be noted that as recently as last Thursday September 15th, the Division continues to receive calls from the leadership of the fire districts asking what is going on and expressing their desire to have the State remain as the enforcing authority.

While I certainly understand your sense of urgency as we approach the next available date for changes of October 1st, I hope that you can see from the timeline that I have provided that the Division of Fire Safety has not been stalling or not acting in good faith with the transition. On September 13th, I contacted Ms. Bishop by phone asking to meet with yourself and her to go over what was needed to finalize this transition. We tentatively set a date to meet for September 26th, my first available open day. I received an e-mail back from her on September 14th stating that you denied my request to meet. That e-mail is attached below.

On September 15th I received an e-mail from you in which you stated that it is imperative that we meet within the next two weeks. That e-mail is below. Two weeks would cover the period of September 15, 2022 to September 29, 2022. I have previously offered to meet with you at your office on September 26th which is within the requested time frame yet you denied that request. My offer to meet with you and your team is still open for September 26th.

More concerning though is the ordinance that was passed by Dennis Township to create the Local Enforcing Agency. The ordinance has a number of inconsistencies in the ordinance, is referencing incorrect code citations and permitting actions that are not permitted under the Act and Regulations. For that reason, I am unable to approve the Township moving forward. As stated above, normally when a transition occurs the municipality works closely with the Division to ensure that the ordinance and resolutions are correct prior to adoption. Unfortunately, the Township did not consult with us during this process.

At this point, my recommendation is that we schedule a meeting at a mutually agreeable time to go over what needs to be corrected in the ordinance and what else needs to be done to transfer jurisdiction with an effective date of January 1, 2023. I do not believe that the changes will be able to be made to the ordinance to meet the October 1st deadline. As public safety is my number one priority, I want to assure you that the required inspections for 2022 have been completed or are being completed as we speak with an estimated completion date of this week. When the transfer of jurisdiction does occur, please be advised that it is the policy of the Division to retain jurisdiction on any properties that have outstanding violations until they are abated. Staff advises me that currently two properties fall into this category. The two properties are a nursing home and catering facility. The delay in transfer of jurisdiction will have no impact on public safety whatsoever.

Please be assured that the Division stands ready to assist you in any possible way to reach your goals. I will wait to hear back from you on what we may do to assist. Thank you.

Lou Kilmer

From: Zeth Matalucci <matalucci@dennistwp.org>

Sent: Thursday, September 15, 2022 12:40 PM

To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>; Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>

Cc: Jessica Bishop <jbishop@dennistwp.org>; kyle@blaneydonohue.com; sentesta@njleg.org

Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Mr. Kilmer:

Be advised that I have received your email dated September 14, 2022 indicating that you do not have any availability prior to October 1, 2022 aside from September 26, 2022 to meet with Jessica Bishop and I regarding the Township's proposed acquisition of Fire Safety and Prevention services from the State.

Respectfully, back in July of 2022, we advised the DCA and yourself of our desire to take over the Fire Safety and Prevention within the Township. Since that time, the Township has been taking proactive steps and complied with all requests of the DCA to see that this transition is completed by October 1, 2022. As you previously acknowledged, N.J.A.C. 5:71-2.7 only permits changes to Enforcing Agencies on January 1, April 1, July 1, and October 1, respectively.

As a result, meeting after October 1, 2022 would not be beneficial in seeing that the October 1, 2022 deadline is met. The Township would then have to wait until January 1, 2023 to see the move through. Moreover, as you were previously advised by Ms. Bishop, meeting on September 26, 2022 is not practicable inasmuch there is additional leg work that needs to be completed prior to the October 1, 2022 date.

With that said, it is imperative that we meet within the next two weeks. While not ideal, Ms. Bishop and I will be willing to accommodate your schedule in any fashion necessary to see this through (i.e., via zoom or in person, after hours, etc.). The goal of the Township is to meet the October 1, 2022 deadline and without your input, the Township cannot finalize the steps they need to take.

I am hopeful that you will understand the Township's position and the sense of urgency the Township is working with. If you would like to discuss this matter further or have any questions, please do not hesitate to contact me or Jessica. On behalf of myself and the Township, I thank you for your time and consideration throughout this process.

Thank you,
Mayor Zeth Matalucci
609-602-3927

From: Jessica Bishop <jbishop@dennistwp.org>

Sent: Wednesday, September 14, 2022 12:37 PM

To: kyle@blaneydonohue.com

Cc: Zeth Matalucci <matalucci@dennistwp.org>

Subject: FW: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Forwarding per Mayors request.

From: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>

Sent: Wednesday, September 14, 2022 12:31 PM

To: Jessica Bishop <jbishop@dennistwp.org>

Cc: Zeth Matalucci <matalucci@dennistwp.org>; Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>

Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Ms. Bishop,

Thank you for your reply. I certainly understand if the mayor is unable to make the 26th. Unfortunately, my schedule is already filled for the remainder of this week and next. If the municipality has other competing issues to take care of that are more pressing prior to October 1st, I can certainly schedule a meeting after that date. When we spoke yesterday, I provided you with several dates that I would be available to meet. If you need me to send you those dates again I would be pleased to. Thanks.

Lou Kilmer

From: Jessica Bishop <jbishop@dennistwp.org>

Sent: Wednesday, September 14, 2022 12:10 PM

To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>

Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Lou,

I spoke with Mayor Matalucci regarding meeting September 26th. He has denied your request to meet on that date, stating that there is a lot of leg work in our offices to be done before October 1st; and therefore meeting in late September would not be advantageous to the Township. If a meeting is required to complete the review process, he would like to meet this week or early next week. We can do the meeting via zoom if that makes it easier with your schedule.

Please let me know.

Thank you,

Jessica Bishop, CPM, CMFO, QPA

Dennis Twp. Administrator & Chief Financial Officer

571 Petersburg Road

PO Box 204, Dennisville, NJ 08214

Phone: 609.861.9700 ext. 225

Fax: 609.861.9719

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From: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>

Sent: Friday, September 9, 2022 8:40 AM

To: Jessica Bishop <jbishop@dennistwp.org>

Cc: Zeth Matalucci <matalucci@dennistwp.org>; Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>

Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Correct, the request to change is being made by the Township not the Fire Districts.

Jessica Bishop, CPM, CMFO, QPA
Dennis Twp. Administrator & Chief Financial Officer
571 Petersburg Road
PO Box 204, Dennisville, NJ 08214
Phone: 609.861.9700 ext. 225
Fax: 609.861.9719

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From: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Sent: Thursday, August 18, 2022 2:28 PM
To: Jessica Bishop <jbishop@dennistwp.org>
Cc: Zeth Matalucci <matalucci@dennistwp.org>; Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>
Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Ms. Bishop,

Thank you for your reply. At the present time the correspondence will suffice. It appears upon review that all three fire districts do not want a change. Is that correct?

Lou Kilmer

From: Jessica Bishop <jbishop@dennistwp.org>
Sent: Thursday, August 18, 2022 2:11 PM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Cc: Zeth Matalucci <matalucci@dennistwp.org>; Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>
Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Lou,

Attached please find the original correspondence sent to the fire districts and their returned responses. Does the statute required us to secure letters or does this correspondence suffice?

Regards,

Jessica Bishop, CPM, CMFO, QPA
Dennis Twp. Administrator & Chief Financial Officer
571 Petersburg Road
PO Box 204, Dennisville, NJ 08214
Phone: 609.861.9700 ext. 225
Fax: 609.861.9719

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From: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Sent: Monday, July 25, 2022 2:33 PM
To: Jessica Bishop <jbishop@dennistwp.org>
Cc: matalucci@dennistwp.org; Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>
Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Ms. Bishop,

Thank you for the attached documentation. In order to start the review process, I will first need copies of the three letters sent to the three Dennis Township Fire Districts asking if they wanted to enforce the Fire Code locally. Based on your letter, it is my understanding that all three Fire Districts refused. Please send me a copy of each District's letter stating that they were not interested in enforcing the Fire Code locally.

Once we receive the letters, we will begin processing your request. Please be advised that pursuant to N.J.A.C. 5:71-2.7 changes to the Registry of Enforcing Agencies can only occur on January 1st, April 1st, July 1st and October 1st. As the State is currently the Local Enforcing Agency in Dennis Township, please be advised that Mr. Belles is unable to perform Fire Code inspections until the jurisdiction is transferred over on one of the above available dates. If all paperwork is in order the next available date would be October 1st.

If you have any questions, please feel free to contact me. Thank you.

Lou Kilmer

From: Jessica Bishop <jbishop@dennistwp.org>
Sent: Wednesday, July 20, 2022 10:05 AM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Cc: matalucci@dennistwp.org
Subject: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Mr. Kilmer,

Please see attached.

Thank you,

Jessica Bishop, CPM, CMFO, QPA
Dennis Twp. Administrator & Chief Financial Officer
571 Petersburg Road
PO Box 204, Dennisville, NJ 08214
Phone: 609.861.9700 ext. 225
Fax: 609.861.9719

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Kondor, Andrew [DCA]

From: Brian Vergantino <codeenforcement@dennistwp.org>
Sent: Friday, March 4, 2022 8:37 AM
To: Kilmer, Louis [DCA]
Subject: RE: [EXTERNAL] Dennis Township 0504

Louis, thank you for the information. I greatly appreciate it. I was on vacation, and I am sorry about not returning your phone call. Have a good day.

Sincerely,

Brian L. Vergantino Sr.
**Code Enforcement Official/
Assistant Zoning Enforcement Officer**
Township of Dennis
571 Petersburg Road
Dennisville, NJ 08214
609-861-9700 x226

From: Kilmer, Louis [DCA]
Sent: Thursday, March 3, 2022 3:48 PM
To: codeenforcement@dennistwp.org
Cc: [Elenio, Paul \[DCA\]](#); [Paar, Timothy \[DCA\]](#); [Speicher, Stephen \[DCA\]](#); [Johnson, Thomas \[DCA\]](#); [Kemp, Marylain \[DCA\]](#); [Kondor, Andrew \[DCA\]](#); jbishop@dennistwp.org
Subject: RE: [EXTERNAL] Dennis Township 0504

Good Afternoon Mr. Vergantino,

It is my understanding that Dennis Township is looking to assume the responsibility for the enforcement of the Uniform Fire Code in Dennis Township. Pursuant to N.J.A.C. 5:71-2.7(c) "The status of any enforcing agency with respect to responsibility to enforce the Code or inspect life hazard uses shall change as of the deadline date for submission to the next applicable quarterly registry unless the Division assumes jurisdiction in accordance with these regulations. Submission deadline dates for the registry are as follows:

- i. For the annual (first quarter) registry, December 31 of the previous year.
- ii. For the second quarter registry, March 31; for the third quarter registry, June 30; and, for the fourth quarter registry, September 30."

Prior to the closing dates for the registry the Division of Fire Safety will need the following items. An ordinance creating the Local Enforcing Agency, a letter from the appointing authority naming the Fire Official, a resolution appointing the Fire Official by name with an effective date, a letter from the appointed Fire Official accepting the responsibility, a copy of the Fire Official's certification card and complete contact information including e-mail address and 24 hour emergency contact number.

The appointed fire official will be responsible for enforcing the Uniform Fire Safety Act including the 26 duties listed under N.J.A.C. 5:71-3.3. The duties include but are not limited to inspection of Life Hazard Uses, inspection of Non-Life

Hazard Uses, issuance of permits, fire investigations , public education and issuance of Certificate of Smoke Alarm, Carbon Monoxide Alarm, and Portable Fire Extinguisher Compliance. The ordinance creating the Local Enforcing Agency will need to include a Non-Life Hazard Use fee schedule to be charged to the business owners in your municipality that are not Life Hazard Uses for their annual inspections. I am unable to provide you with an estimate for the revenue generated through Non-Life Hazard Use inspections as currently the State Division of Fire Safety is providing this service free of charge to the businesses in your township. The Division has inspected the majority of all Non-Life Hazard Uses in addition to all Life Hazard Uses in Dennis Township.

Pursuant to N.J.A.C. 5:71-2.6(a) the Division of Fire Safety bills the Life Hazard Uses annually and remits 65% of the fees collected back to the Local Enforcing Agency. At the end of each year the Local Enforcing Agency must submit an annual report to the Division of Fire Safety certifying among other things that all Life Hazard Uses have been inspected. In cases where all Life Hazard Use inspections have not been completed, the Division will deduct an amount equal to the registration fees attributable to those uses, from the amount of the Life Hazard Use registration fees disbursed in future quarters.

Please note, pursuant to N.J.A.C. 5:71-2.6(d) "All revenues generated pursuant to the Act or local implementing ordinance which are collected by or provided to a county or municipality shall be appropriated by the local governing body to the local enforcing agency for the purpose of enforcing the Code, operating the local enforcing agency and advancing local fire prevention interests." Accordingly, the funds derived from enforcing the Fire Code locally can only be utilized for fire prevention activities. Additionally, the penalties currently collected by the Division of Fire Safety for failure to abate violations and rebated to your fire districts will no longer occur.

Please be advised that the Fire Official that you appoint must have a current certification with the Division of Fire Safety as a Fire Official and must maintain that certification for the duration of their employment.

I have attached to this e-mail a listing of the Life Hazard Uses in Dennis Township. The total billable value is \$37,068.50. If all businesses paid their fees, no businesses closed or changed uses, the 65% rebate amount to Dennis Township would be \$24,094.53. Unfortunately, especially in light of the current pandemic, we have experienced businesses closing and not paying their Life Hazard Use fees. Currently this is running in excess of 10% and should be taken into account when figuring out your revenue.

During 2021 the State Division of Fire Safety performed 123 Certificate of Smoke Alarm, Carbon Monoxide Alarm, and Portable Fire Extinguisher Compliance inspections in one and two family dwellings at change of occupancy. \$5,535.00 in fees were received.

Additionally, I have attached to this e-mail a list of permits that were issued in Dennis Township in 2021. There were 74 permits issued for a total of \$5,915.00

It is also my understanding that Dennis Township has at least one fire district governing the operation of the fire department. Please be advised that pursuant to N.J.A.C. 5:71-2.3(a)3 which states "The governing body may designate as its local enforcing agency a requesting fire department, fire district, or an available county agency. In the event that none of the entities enumerated are available for designation, the governing body may elect to create or designate a local enforcing agency within the municipality. If no agency is created or designated, the Division shall exercise jurisdiction in accordance with N.J.A.C. 5:71-2.2(b)3."

Accordingly, based on the above regulation we will need a letter from each of the fire districts or in absence of a fire district, each fire company stating that they do not want to be designated as the enforcing agency prior to approving the municipality as the Local Enforcing Agency. The fire districts and or fire companies have first right of refusal pertaining to who is the Local Enforcing Agency.

I apologize for the long e-mail, but I wanted to make sure that I covered the important points to remember and address when creating a Local Enforcing Agency. I attempted to contact you by phone but was unable to reach you and had to

leave a message. I never received a call back. Accordingly, I wanted to make sure that everything you needed was listed in the e-mail. If I can be of any further assistance or answer any additional questions, please feel free to contact me. I would appreciate it if you would kindly keep me advised as to your plans. Thank you.

Lou Kilmer

From: Brian Vergantino <codeenforcement@dennistwp.org>
Sent: Wednesday, February 2, 2022 9:39 AM
To: Paar, Timothy [DCA] <Timothy.Paar@dca.nj.gov>
Cc: Jessica Bishop <jbishop@dennistwp.org>
Subject: [EXTERNAL] Dennis Township 0504

Good Morning Timothy,

My name is Brian Vergantino. I am the Code Enforcement Official and Assistant Zoning Official for the Township of Dennis. I was asked to contact you by our Business Administrator Jessica Bishop.

We are looking to get the LEA back in house. We would like to know any and all non life hazards and life hazards, also including residential and any and all permits/fees that were collected in the year 2021. If you know how we can obtain this and if you are able to provide this to us, it would be very helpful.

If you have any questions or need to speak you can give me a call at 609-861-9700x226 or give me an email back. Thank you. Have a good day.

Brian L. Vergantino Sr.
***Code Enforcement Official/
Assistant Zoning Enforcement Officer***
Township of Dennis
571 Petersburg Road
Dennisville, NJ 08214
609-861-9700 x226

Kondor, Andrew [DCA]

From: Jessica Bishop <jbishop@dennistwp.org>
Sent: Thursday, August 18, 2022 2:11 PM
To: Kilmer, Louis [DCA]
Cc: Zeth Matalucci; Kondor, Andrew [DCA]; Kemp, Marylain [DCA]
Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention
Attachments: DOC037.pdf

Lou,

Attached please find the original correspondence sent to the fire districts and their returned responses. Does the statute required us to secure letters or does this correspondence suffice?

Regards,

Jessica Bishop, CPM, CMFO, QPA
Dennis Twp. Administrator & Chief Financial Officer
571 Petersburg Road
PO Box 204, Dennisville, NJ 08214
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Sent: Monday, July 25, 2022 2:33 PM
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Cc: matalucci@dennistwp.org; Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>
Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Ms. Bishop,

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Once we receive the letters, we will begin processing your request. Please be advised that pursuant to N.J.A.C. 5:71-2.7 changes to the Registry of Enforcing Agencies can only occur on January 1st, April 1st, July 1st and October 1st. As the State is currently the Local Enforcing Agency in Dennis Township, please be advised that Mr. Belles is unable to perform Fire Code inspections until the jurisdiction is transferred over on one of the above available dates. If all paperwork is in order the next available date would be October 1st.

If you have any questions, please feel free to contact me. Thank you.

Lou Kilmer

From: Jessica Bishop <jbishop@dennistwp.org>
Sent: Wednesday, July 20, 2022 10:05 AM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Cc: matalucci@dennistwp.org
Subject: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Mr. Kilmer,

Please see attached.

Thank you,

Jessica Bishop, CPM, CMFO, QPA
Dennis Twp. Administrator & Chief Financial Officer
571 Petersburg Road
PO Box 204, Dennisville, NJ 08214
Phone: 609.861.9700 ext. 225
Fax: 609.861.9719

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MAYOR
ZETH A. MATALUCCI
911 Coordinator, Fire & Rescue,
Administration, Construction, Tax
Offices, Emergency Management,
Public Safety, Public Works,
Revenue & Finance, Senior Center

Deputy Mayor
SCOTT J. TURNER
Public Works, Environmental
Commission, Tax Offices, Land
Use Board, Revenue & Finance,
Museum & Historical Center

COMMITTEE MEMBER
FRANK L. GERMANIO
Administration, Municipal Court,
Board of Health, Construction,
Grants & Cultural, Revenue &
Finance, Heritage and
Senior Center

COMMITTEE MEMBER
TOM VANARTSDALEN
Construction, Code Enforcement,
Environmental Commission,
Recreation, Clean Communities,
Grants and Cultural & Heritage

COMMITTEE MEMBER
MATTHEW COX
Municipal Alliance, Municipal Court,
Recreation Department, Code
Enforcement, Clean Communities &
School Liaison

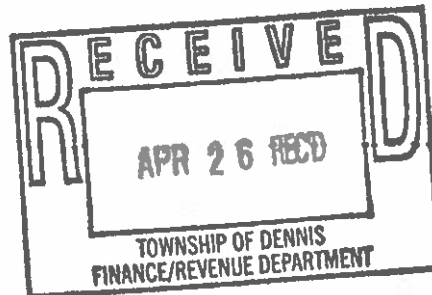
MUNICIPAL CLERK
JACQUELINE B. JUSTICE, RMC

ADMINISTRATOR
JESSICA BISHOP, CMFO, QPA

571 Petersburg Rd. P.O. Box 204 Dennisville, N.J. 08214 (609) 861-9700 Fax: (609) 861-9711

Board of Fire Commissioners
Fire District #1
PO Box 611
South Seaville, NJ 08246

March 31, 2022



Dear Board of Fire Commissioners,

The Township of Dennis is looking to assume the responsibility of the Uniform Fire Code in Dennis Township and is requesting input from our local fire districts to ensure an effective administrative structure for our enforcing agency. Please review the following three (3) enforcing options and choose the one that you feel would most benefit the Township of Dennis:

- _____ Option 1: The Township of Dennis act as local enforcing agency and shall be responsible for enforcement of the Code within its jurisdictional area pursuant to N.J.A.C. 5:81-2.2(b)1.
- _____ Option 2: Fire District #1 act as local enforcing agency and shall be responsible for enforcement of the Code within its jurisdictional area pursuant to N.J.A.C. 5:81-2.2(b)1. If choosing Option #2, please provide a letter to the Township requesting to be local enforcing agency.
- ☒ Option 3: Remain with the State of New Jersey as enforcing agency for the inspection of life hazard uses as provided in N.J.A.C. 5:71-2.2(b)3.

If you have any questions do not hesitate to contact me via phone (609) 861-9700 ext. 225 or email jbishop@dennistwp.org. Please return your responses using the enclosed envelope by Friday, May 6, 2022.

Thank you for taking the time to provide your feedback. The Dennis Township Committee will take your input into consideration as they strive to make the community safer for its residents, visitors and first responders.

Sincerely,


Jessica Bishop, Township Administrator



MAYOR
ZETH A. MATALUCCI
911 Coordinator, Fire & Rescue,
Administration, Construction, Tax
Offices, Emergency Management,
Public Safety, Public Works,
Revenue & Finance, Senior Center

COMMITTEE MEMBER
TOM VANARTSDALEN
Construction, Code Enforcement,
Environmental Commission,
Recreation, Clean Communities,
Grants and Cultural & Heritage

Deputy Mayor
SCOTT J. TURNER
Public Works, Environmental
Commission, Tax Offices, Land
Use Board, Revenue & Finance,
Museum & Historical Center

COMMITTEE MEMBER
MATTHEW COX
Municipal Alliance, Municipal Court,
Recreation Department, Code
Enforcement, Clean Communities &
School Liaison

COMMITTEE MEMBER
FRANK L. GERMANIO
Administration, Municipal Court,
Board of Health, Construction,
Grants & Cultural, Revenue &
Finance, Heritage and
Senior Center

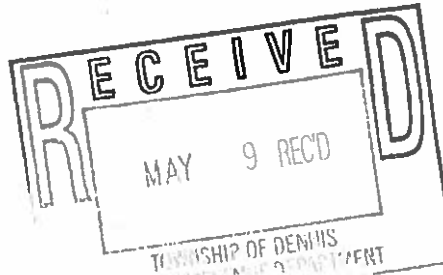
MUNICIPAL CLERK
JACQUELINE B. JUSTICE, RMC

ADMINISTRATOR
JESSICA BISHOP, CMFO, QPA

571 Petersburg Rd. P.O. Box 204 Dennisville, NJ 08214 (609) 861-9700 Fax: (609) 861-9711

Board of Fire Commissioners
Fire District #2
PO Box 211
Dennisville, NJ 08214

March 31, 2022



Dear Board of Fire Commissioners,

The Township of Dennis is looking to assume the responsibility of the Uniform Fire Code in Dennis Township and is requesting input from our local fire districts to ensure an effective administrative structure for our enforcing agency. Please review the following three (3) enforcing options and choose the one that you feel would most benefit the Township of Dennis:

- _____ Option 1: The Township of Dennis act as local enforcing agency and shall be responsible for enforcement of the Code within its jurisdictional area pursuant to N.J.A.C. 5:81-2.2(b)1.
- _____ Option 2: Fire District #2 act as local enforcing agency and shall be responsible for enforcement of the Code within its jurisdictional area pursuant to N.J.A.C. 5:81-2.2(b)1. If choosing Option #2, please provide a letter to the Township requesting to be local enforcing agency.
- ☒ Option 3: Remain with the State of New Jersey as enforcing agency for the inspection of life hazard uses as provided in N.J.A.C. 5:71-2.2(b)3.

If you have any questions do not hesitate to contact me via phone (609) 861-9700 ext. 225 or email jbishop@dennistwp.org. Please return your responses using the enclosed envelope by Friday, May 6, 2022.

Thank you for taking the time to provide your feedback. The Dennis Township Committee will take your input into consideration as they strive to make the community safer for its residents, visitors and first responders.

Sincerely,


Jessica Bishop, Township Administrator

Returned
5/5/22
cac



MAYOR
ZETH A. MATALUCCI
911 Coordinator, Fire & Rescue,
Administration, Construction, Tax
Offices, Emergency Management,
Public Safety, Public Works,
Revenue & Finance, Senior Center

Deputy Mayor
SCOTT J. TURNER
Public Works, Environmental
Commission, Tax Offices, Land
Use Board, Revenue & Finance,
Museum & Historical Center

COMMITTEE MEMBER
FRANK L. GERMANIO
Administration, Municipal Court,
Board of Health, Construction,
Grants & Cultural, Revenue &
Finance, Heritage and
Senior Center

COMMITTEE MEMBER
TOM VANARTSDALEN
Construction, Code Enforcement,
Environmental Commission,
Recreation, Clean Communities,
Grants and Cultural & Heritage

COMMITTEE MEMBER
MATTHEW COX
Municipal Alliance, Municipal Court,
Recreation Department, Code
Enforcement, Clean Communities &
School Liaison

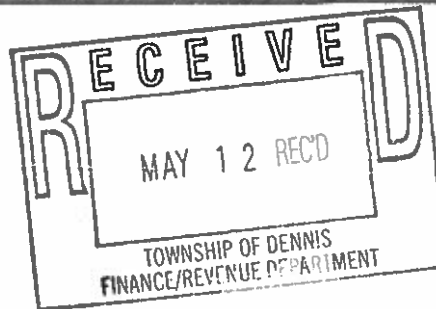
MUNICIPAL CLERK
JACQUELINE B. JUSTICE, RMC

ADMINISTRATOR
JESSICA BISHOP, CMFO, QPA

571 Petersburg Rd. P.O. Box 204 Dennisville, N.J. 08214 (609) 861-9700 Fax: (609) 861-9711

Board of Fire Commissioners
Fire District #3
PO Box 503
Woodbine, NJ 08270

March 31, 2022



Dear Board of Fire Commissioners,

The Township of Dennis is looking to assume the responsibility of the Uniform Fire Code in Dennis Township and is requesting input from our local fire districts to ensure an effective administrative structure for our enforcing agency. Please review the following three (3) enforcing options and choose the one that you feel would most benefit the Township of Dennis:

- _____ Option 1: The Township of Dennis act as local enforcing agency and shall be responsible for enforcement of the Code within its jurisdictional area pursuant to N.J.A.C. 5:81-2.2(b)1.
- _____ Option 2: Fire District #3 act as local enforcing agency and shall be responsible for enforcement of the Code within its jurisdictional area pursuant to N.J.A.C. 5:81-2.2(b)1. If choosing Option #2, please provide a letter to the Township requesting to be local enforcing agency.
- X Option 3: Remain with the State of New Jersey as enforcing agency for the inspection of life hazard uses as provided in N.J.A.C. 5:71-2.2(b)3.

If you have any questions do not hesitate to contact me via phone (609) 861-9700 ext. 225 or email jbishop@dennistwp.org. Please return your responses using the enclosed envelope by Friday, May 6, 2022.

Thank you for taking the time to provide your feedback. The Dennis Township Committee will take your input into consideration as they strive to make the community safer for its residents, visitors and first responders.

Sincerely,


Jessica Bishop, Township Administrator

Kondor, Andrew [DCA]

From: Kilmer, Louis [DCA]
Sent: Monday, September 26, 2022 9:38 AM
To: Kondor, Andrew [DCA]
Subject: FW: Dennis Township - Fire Safety and Prevention LEA

From: Long, Robert [DCA] <Robert.Long@dca.nj.gov>
Sent: Tuesday, September 20, 2022 3:28 PM
To: AKilby@njleg.org
Cc: King, Kia [DCA] <Kia.King@dca.nj.gov>; Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Subject: Dennis Township - Fire Safety and Prevention LEA

Dear Senator Testa (via Ms. Kilby),

Thank you for your correspondence re: Dennis Township's intention to establish its own Fire Safety and Prevention LEA. The Department's Fire Safety Division has been actively engaging Township representatives re: this matter and recently proposed a meeting date of September 26th. It is not clear as of this correspondence whether that time is convenient for Township representatives. Regardless, based on my understanding of the process that has unfolded so far it appears that meeting the Township's goal of establishing the LEA by October 1, 2022 is not possible. The next available date to establish the LEA is January 1, 2023. Representatives from DCA's Fire Safety Division stand ready, and expect to continue, to work collaboratively with Dennis Township to successfully transition to the LEA by that date.

CC: Kia King, DCA Director of External Affairs; Louis Kilmer, Bureau Chief, DCA Bureau of Fire Code Enforcement

Best,

Rob

Robert Long
Deputy Commissioner
609-292-6420

