

Kondor, Andrew [DCA]

From: Kilmer, Louis [DCA]
Sent: Monday, September 26, 2022 9:37 AM
To: Kondor, Andrew [DCA]
Subject: FW: IMPORTANT: Dennis Township - Fire Safety and Prevention LEA
Attachments: FireOffice.pdf; RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

From: Kilmer, Louis [DCA]
Sent: Tuesday, September 20, 2022 2:55 PM
To: Long, Robert [DCA] <Robert.Long@dca.nj.gov>
Cc: Mikutsky, Richard [DCA] <Richard.Mikutsky@dca.nj.gov>
Subject: FW: IMPORTANT: Dennis Township - Fire Safety and Prevention LEA

Deputy Commissioner Long,

I received this e-mail late yesterday. Normally, I would forward this to Kia King, but as she is on vacation I believed in the interest of timeliness it is best to forward to you. I have attached a response that I sent to Mayor Matalucci this afternoon, but I did not copy Senator Testa as communication normally goes through Kia regarding Legislators. Please advise if you would like me to forward response to his office or if another course of action should be taken. Thank you.

Lou

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,

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: Zeth Matalucci <matalucci@dennistwp.org>
Sent: Thursday, September 15, 2022 12:40 PM
To: Louis.Kilmer@dca.nj.gov; Andrew.Kondor@dca.nj.gov; 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 insomuch 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

Jessica,

I am off on vacation today. Can we speak on Monday? Thank you.

Lou

From: Jessica Bishop <jbishop@dennistwp.org>
Sent: Thursday, September 8, 2022 5:50 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,

Just touching base to see where we are at in the review process.

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: Thursday, August 18, 2022 2:50 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

Thank you. We will be in touch after further review.

From: Jessica Bishop <jbishop@dennistwp.org>
Sent: Thursday, August 18, 2022 2:35 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,

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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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, N.J. 08214 (609) 861-9700 Fax: (609) 861-9719

July 14, 2022

New Jersey Bureau of Fire Code Enforcement
Louis Kilmer, Bureau Chief CPM
PO Box 809
Trenton, NJ 08625-0809

Dear Mr. Kilmer,

The Township of Dennis is looking to assume the responsibility of the New Jersey Uniform Fire Code and have therefore created the Dennis Township Bureau of Fire Safety and Prevention to be Local Enforcing Agency (LEA). On March 30, 2022 the Township contacted the three (3) Dennis Township Fire Districts in writing and each stated that they were not interested in being designated as the enforcing agency. On July 12, 2022 the Dennis Township Committee passed Resolution 2022-121 appointing William Belles, IV as Fire Official.

As requested in your March 3, 2022 email, in addition to this letter naming Fire Official William Belles, IV, the following documents are enclosed:

- ✓ Chapter 102 of the Dennis Township Municipal Code creating the Local Enforcing Agency
- ✓ A resolution appointing the Fire Official by name with an effective date
- ✓ A letter from the appointed Fire Official, William Belles, IV, accepting the responsibility and providing his 24-hour contact information.
- ✓ A copy of Fire Official William Belles, IV's certification card

The Township of Dennis looks forward to enforcing the NJ Uniform Fire Code and the opportunity to advance fire prevention interests locally. If you have any questions or require additional information please do not hesitate to contact my office.

Sincerely,


Jessica Bishop, Township Administrator

Chapter 102. Fire Prevention

[HISTORY: Adopted by the Township Committee of the Township of Dennis 7-24-1989 as Ord. No. 89-176. Amendments noted where applicable.]

§ 102-1. Local enforcement of state standards.

Pursuant to N.J.S.A. 52:27D-202, the New Jersey Uniform Fire Code^[1] shall be enforced locally in the Township of Dennis.

[1] *Editor's Note: See N.J.A.C. 5:18-1 et seq.*

§ 102-2. Designation of local enforcing agency.

[Amended 12-11-1989 by Ord. No. 89-184]

The local enforcing agency shall be the Bureau of Fire Safety and Prevention, which is hereby created herein.

§ 102-3. Duties of local enforcing agency.

The local enforcing agency shall:

- A. Enforce the New Jersey Uniform Fire Code in all buildings, structures and premises within the established boundaries of the township, other than owner-occupied buildings used exclusively for dwelling purposes and containing fewer than three dwelling units, or buildings, structures and premises owned by the state, interstate agencies or the federal government.
- B. Faithfully comply with all the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.^[1]

[1] *Editor's Note: See N.J.S.A. 52:27-192 et seq. and N.J.A.C. 5:18-1 et seq.*

§ 102-4. Organization of Bureau of Fire Safety and Prevention.

The Bureau of Fire Safety and Prevention established by § 102-2 of this chapter shall:

- A. Be a part of the Code Compliance Department.
[Amended 12-11-1989 by Ord. No. 89-184]
- B. Be under the direct supervision and control of the Fire Official, who shall report to the Construction Official.
- C. Have at least one paid inspector.
- D. Be known as the "Bureau of Fire Safety and Prevention of Dennis Township."

§ 102-5. Appointment and qualifications of personnel; legal counsel; removal from office.

- A. Appointment, qualifications and term of office of Fire Official. The Fire Official shall be certified by the state and shall be appointed by the governing body. The Fire Official shall serve for a term of four years. Any vacancy shall be filled for the unexpired term.
- B. Appointments and qualifications of inspectors and other employees. Inspectors and other employees of the enforcing agency shall be appointed by the governing body upon the recommendation of the Fire Official. All life-hazard use inspectors shall be certified by the state.
- C. Appointment of legal counsel. The governing body shall specifically appoint legal counsel to assist the agency in enforcing the Uniform Fire Code.
- D. Removal from office. The Fire Official, inspectors and other employees of the agency shall be subject to removal by the governing body for just cause. Before removal from office, all persons shall be afforded an opportunity to be heard by the governing body or a hearing officer designated by the same. (NOTE: Civil service jurisdictions must comply with applicable laws.)

§ 102-6. Inspection of life-hazard uses.

The Bureau of Fire Safety and Prevention established by § 102-2 of this chapter shall carry out the periodic inspections of life-hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the Department of Community Affairs.

§ 102-7. Inspection of non-life-hazard uses; fees.

- A. In addition to the registrations required by the Uniform Fire Code, the following non-life-hazard uses shall register with the Bureau of Fire Safety and Prevention. These uses shall be inspected once per year and shall pay an annual fee as set forth below.

Use Group	Annual Fee
Business	
B-1: under 2,500 square feet	\$25
B-2: 2,500 to 4,900 square feet	\$35
B-3: 5,000 to 9,999 square feet	\$50
B-4: 10,000 or more square feet	\$100.0
Factory	
F-1: under 5,000 square feet	\$75
F-2: 5,000 or more square feet	\$100
Mercantile	
M-1: under 6,000 square feet	\$25
M-2: 2,500 square feet	\$50
Storage	
S-1: under 2,500 square feet	\$25
S-2: over 2,500 square feet	\$50
Residential	
R-A: Non-owner-occupied, 1 and 2 units	\$25

Use Group	Annual Fee
R-B: 3 to 6 units	\$35
R-C: 7 to 12 units	\$50
R-D: 13 to 20 units	\$175
R-E: over 20 units	\$350
Utilities	
U-1: under 2,500 square feet	\$25
U-2: over 2,500 square feet	\$50

- B. R-A uses shall only be inspected upon sale or change of tenant.
- C. Uses not classified above will be classified as business uses.
- D. Uses required to be registered with the state as life-hazard uses shall not be required to register under this section.
- E. In the discretion of the Fire Official, vacant buildings will be charged and inspected according to the previous use of the building.
- F. All residential uses, except R-A uses, shall be inspected in common areas only.
- G. Registrations for all uses in this category shall expire December 31 of each year.
[Added 12-11-1989 by Ord. No. 89-184]
- H. All fees and penalties shall be collected as per N.J.S.A. 2A:58-1 et seq.
[Added 12-11-1989 by Ord. No. 89-184]

§ 102-8. Periodic inspections.

All uses, as listed, shall be inspected for compliance with the provisions of this chapter periodically but not less than every 12 months.

§ 102-9. Permit fees.

In accordance with N.J.A.C. 5:18-2.8(c), the fees for the permits listed in N.J.A.C. 5:18-2.7(b) shall be as follows:

Type	Fee
Type 1	\$25
Type 2	\$100
Type 3	\$200
Type 4	\$300
Type 5	\$1,000

§ 102-10. Technical amendments.

(Reserved)

§ 102-11. Appeals.

Pursuant to N.J.S.A. 52:27D-206, any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the Local Construction Board of Appeals. If no such body exists, appeals shall be made to the County Board of Appeals.

§ 102-12. Enforcement; violations and penalties.

Enforcement, violations and penalties shall be in conformity with the Uniform Fire Safety Act and the Uniform Fire Code.^[1]

[1] *Editor's Note: See N.J.S.A. 52:27-192 et seq. and N.J.A.C. 5:18-1 et seq.*



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

571 Petersburg Rd., P.O. Box 204 Dennisville, N.J. 08214 (609) 861-9700 Fax: (609) 861-9719

July 13, 2022

Administration and Committee,

I, William Belles IV, would like to thank the Administration and Committee Members of Dennis Township, for the offer to fill the vacant position of Fire Official. I am pleased to accept this offer and look forward to starting employment with the Township of Dennis.

Thank you again for this opportunity. I'm eager to join this team and make a positive contribution to Dennis Township.

If there is any further information or paperwork that is needed to be completed, please let me know and I will arrange it as soon as possible. Also, I can be reached 24 hours via my cell phone.

Sincerely,

William A. Belles IV

Fire Official

Dennis Township Fire Prevention Bureau

(O) 609-861-9700

(C) 609-972-5868

(E) fire@dennistwp.org



State of New Jersey
Department of Community Affairs
Division of Fire Safety



Hereby Issues To

WILLIAM A BELLES IV (148232)

The Following Certification As
FIRE OFFICIAL

03/17/2022 to 04/30/2024
Issue Date Lapse Date

STATE

Accreditation Standard


Lieutenant Governor Sheila Y. Oliver
Commissioner

STATE OF NEW JERSEY
DIVISION OF FIRE SAFETY

This is to certify that: **WILLIAM A BELLES IV**
Has been certified as: **FIRE OFFICIAL**

03/17/2022 to 04/30/2024
Issue Date Lapse Date

148232
DFSID Num



PLEASE DETACH HERE

If your certification card is lost please notify

Office of Training & Certification
Division of Fire Safety
P.O. Box 809
Trenton, NJ 08625-0809

PLEASE DETACH HERE

Dear **WILLIAM A BELLES IV:**

Congratulations on being certified in the title indicated above. Let me commend you on your professional attitude and desire to provide a valuable service to your community. The division staff joins me in congratulating you on having demonstrated your competency in this specialty.

Many New Jersey certifications do not have a lapse date, however, others do have a three year certification cycle which includes continuing education renewal requirements. Please check your certificate to determine if there is a lapse date associated with your certification. You are invited to register on the internet to attend Division of Fire Safety training programs on a variety of topics. Please review the Spring and Fall semester training brochures at: <http://www.nj.gov/dca/divisions/dfs/> or <http://www.keanfiresafety.com/>. Again, I would like to extend my congratulations to you on your accomplishment and trust you will be placing the above certification on your wall with justifiable pride. Please do not hesitate to contact the Division of Fire Safety, Office of Training and Certification at (609) 777-3552 if we may further assist you.

Sincerely,


Lieutenant Governor Sheila Y. Oliver
Commissioner

TOWNSHIP OF DENNIS

**COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

RESOLUTION NO. 2022-121

**RESOLUTION AUTHORIZING THE HIRING OF A
PART-TIME FIRE OFFICIAL FOR THE TOWNSHIP OF DENNIS**

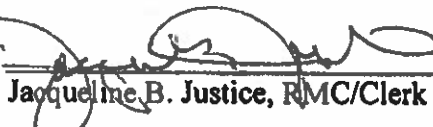
WHEREAS, the Dennis Township Committee desires to hire a Part-Time Fire Official to perform inspections, etc. for the Township of Dennis; and

WHEREAS, the Administrator has received applications and made her 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 the following be hired as a Part-Time Fire Official for the Township of Dennis: William Belles, IV, 3 E. Miami Ave., Apt. 2, Villas, NJ 08251 at the hourly rate of \$28.00 per hour effective 07/12/2022.

BE IT FURTHER RESOLVED, that this hire be contingent upon the State Division of Fire Safety's approval.

ATTEST


Jacqueline B. Justice, RMC/Clerk

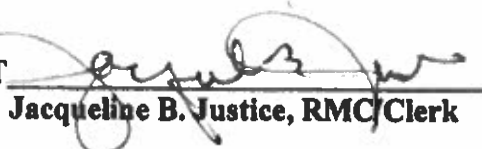
ATTEST


Zeth A. Matalucci, Mayor

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
VanArtsdalen		✓	✓			
Germanio	✓		✓			
Cox						✓
Turner						✓
Matalucci			✓			

This is to certify that this is a true copy of a Resolution adopted by the Dennis Township Committee at their regular meeting held on July 12, 2022 at 5:30 p.m. at the Dennis Township Municipal Building located at 571 Petersburg Road, Dennisville, NJ.

ATTEST


Jacqueline B. Justice, RMC/Clerk

Kondor, Andrew [DCA]

From: Kilmer, Louis [DCA]
Sent: Tuesday, September 20, 2022 2:46 PM
To: matalucci@dennistwp.org
Cc: Kondor, Andrew [DCA]; Kemp, Marylain [DCA]; Jessica Bishop; kyle@blaneydonohue.com
Subject: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention
Attachments: RE: [EXTERNAL] Dennis Township 0504; 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

Jessica,

I am off on vacation today. Can we speak on Monday? Thank you.

Lou

From: Jessica Bishop <jbishop@dennistwp.org>
Sent: Thursday, September 8, 2022 5:50 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,

Just touching base to see where we are at in the review process.

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: Thursday, August 18, 2022 2:50 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

Thank you. We will be in touch after further review.

From: Jessica Bishop <jbishop@dennistwp.org>
Sent: Thursday, August 18, 2022 2:35 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,

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: Kilmer, Louis [DCA]
Sent: Monday, September 26, 2022 9:38 AM
To: Kondor, Andrew [DCA]
Subject: FW: Dennis Township - Fire Safety and Prevention
Attachments: Chapter 102 REVISED.docx

From: Zeth Matalucci <matalucci@dennistwp.org>
Sent: Wednesday, September 21, 2022 10:49 AM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Cc: Jessica Bishop <jbishop@dennistwp.org>; Kilby, Arvene <AKilby@njleg.org>; Long, Robert [DCA] <Robert.Long@dca.nj.gov>; kyle@blaneydonohue.com
Subject: [EXTERNAL] Dennis Township - Fire Safety and Prevention

Mr. Kilmer,

Without waiver of right or privilege, the Township is available to meet September 26th at 3:00 PM at the Municipal Building 571 Petersburg Road, Dennisville, NJ 08214.

It is discouraging that the Township is just now finding out that you claim there are shortfalls in the Ordinance that we provided to you on July 20th via email. Your failure to simply identify those shortfalls in an attempt to stall the requested transition is contrary to your statement that the Division stands ready to "assist you in any possible way to reach your goals". Nonetheless, per advice of counsel, any potential inconsistencies in the current ordinance would be negated by §102-12, which conforms all regulations to the Uniform Fire Safety Act and the Uniform Fire Code. The language in §102-12 refutes any reference to incorrect or superseded code citations and permitting actions, and adapts all enforcement, violations and penalties to those permitted under the Act and Regulations. I would also like to address your false accusation that the switch is based on the Township being able to monetize the newly formed office. This couldn't be further from the truth, and the fact of the matter is that my decision was based off of the lack of communication between your office and myself. It took me several weeks to get a hold of your inspector to report on the East Creek Manor. (a former nursing home, not a catering facility)

Moreover, the Township Committee has held multiple meetings over the past months to discuss revisions to the ordinance and I have attached our latest draft for your review. Please provide specific feedback to the Township regarding this Ordinance on or before our September 26th meeting as this draft ordinance is scheduled for introduction on September 27th.

If introduced on September 27th, a hearing and vote for approval will take place on October 11th. The current Ordinance, which again states that all enforcement, violations and penalties shall be in conformity with the Uniform Fire Safety Act and the Uniform Fire Code, would be in effect from October 1st to October 11th.

Based on this information the Township of Dennis reiterates its request for the transfer of jurisdiction with an effective date of October 1, 2022 pursuant to N.J.S.A 52:27D-202.

Regards,

Mayor Zeth Matalucci

Chapter 102

FIRE PREVENTION

[HISTORY: Adopted by the Township Committee of the Township of Dennis 7-24-1989 as Ord. No. 89-176. Amendments noted where applicable.]

§ 102-1. Local enforcement of state standards.

Pursuant to N.J.S.A. 52:27D-202, the New Jersey Uniform Fire Code shall be enforced locally in the Township of Dennis.

§ 102-2. Designation of local enforcing agency. [Amended 12-11-1989 by Ord. No. 89-184]

The local enforcing agency shall be the Bureau of Fire Safety and Prevention, which is hereby created herein.

§ 102-3. Duties of local enforcing agency.

The local enforcing agency shall:

- A. Enforce the New Jersey Uniform Fire Code in all buildings, structures and premises within the established boundaries of the township, other than owner-occupied buildings used exclusively for dwelling purposes and containing fewer than three dwelling units, or buildings, structures and premises owned by the state, interstate agencies or the federal government.
- B. Faithfully comply with all the requirements of the Uniform Fire Safety Act and the Uniform Fire Code.

§ 102-4. Organization of Bureau of Fire Safety and Prevention.

The Bureau of Fire Safety and Prevention established by § 102-2 of this chapter shall:

- A. Be a part of the Code Compliance Department. **[Amended 12-11-1989 by Ord. No. 89-184]**
- B. Be under the direct supervision and control of the Fire Official, who shall report to the Construction Official.
- C. Have at least one paid inspector.
- D. Be known as the "Bureau of Fire Safety and Prevention of Dennis Township."

§ 102-5. Appointment and qualifications of personnel; legal counsel; removal from office.

- A. Appointment, qualifications and term of office of Fire Official. The Fire Official shall be certified by the state and shall be appointed by the governing body. The Fire Official shall serve for a term of four years. Any vacancy shall be filled for the unexpired term.

- B. Appointments and qualifications of inspectors and other employees. Inspectors and other employees of the enforcing agency shall be appointed by the governing body upon the recommendation of the Township Administrator. All life-hazard use inspectors shall be certified by the state.
- C. Appointment of legal counsel. The governing body shall specifically appoint legal counsel to assist the agency in enforcing the Uniform Fire Code.
- D. Removal from office. The Fire Official, inspectors and other employees of the agency shall be subject to removal by the governing body for just cause. Before removal from office, all persons shall be afforded an opportunity to be heard by the governing body or a hearing officer designated by the same. (NOTE: Civil service jurisdictions must comply with applicable laws.)

§ 102-6. Inspection of life-hazard uses.

The Bureau of Fire Safety and Prevention established by § 102-2 of this chapter shall carry out the periodic inspections of life-hazard uses required by the Uniform Fire Code on behalf of the Commissioner of the Department of Community Affairs.

§ 102-7. Inspection of non-life-hazard uses; fees.

- A. In addition to the registrations required by the Uniform Fire Code, the following non-life-hazard uses shall register with the Bureau of Fire Safety and Prevention. These uses shall be inspected once per year and shall pay an annual fee as set forth below.

Use Group	Annual Fee
Business, Factory, Mercantile and Retail	
B-1: under 2,500 square feet	\$25 \$60
B-2: 2,500 to 4,900 square feet	\$35 \$85
B-3: 5,000 to 9,999 square feet	\$50 \$120
B-4: 10,000 or more square feet	\$100 \$200
B-5: Eating and drinking establishments and assembly uses with occupancy under 50 persons	\$60
Factory	
F-1: under 5,000 square feet	\$75
F-2: 5,000 or more square feet	\$100
Mercantile	
M-1: under 6,000 square feet	\$25
M-2: over 6,000 square feet	\$50
Storage	
S-1: under 2,500 5,000 square feet (per building fee)	\$25 \$45
S-2: over 2,500 5,000 square feet (per building fee)	\$50 \$70
Residential – Non-owner occupied ONLY	
R-1: 1 and 2 units	\$25 \$60
R-2: 3 to 6 units	\$35 \$85

R-3: 7 to 12 units	\$50 \$120
R-4: 13 to 20 units	\$175 \$200
R-5: over 20 units	\$350
Sale of Property (more than 10 days to settlement)	\$125
Sale of Property (less than 10 days to settlement)	\$250
Utilities	
U-1: under 2,500 square feet	\$25 \$60
U-2: over 2,500 square feet	\$50 \$120

- B. Owner occupied residential properties shall only be inspected upon sale of property.
- C. R-1 uses shall only be inspected upon the request of the property owner or sale ~~or change of tenant.~~
- D. Uses not classified above will be classified as business uses.
- E. Uses required to be registered with the state as life-hazard uses shall not be required to register under this section.
- F. If the Code Enforcement Officer or Construction Official identifies a fire hazard at a vacant or abandoned building, the Fire Official will charge and inspect the vacant or abandoned building according to the previous use of the building.
- G. R-2, R-3, R-4 and R-5 shall be inspected during the required 5-year housing inspection.
- H. For the sale of properties, the fee shall be \$125. This \$125 fee shall apply only to the sale of property inspection applications received in the Bureau of Fire Safety and Prevention office more than 10 working days from the settlement date. For all sale of property inspection applications received in the Bureau of Fire Safety and Prevention office with less than 10 working days to settlement, the fee shall be \$250.
- I. Registrations for all uses in this category shall expire December 31 of each year. [Added 12-11-1989 by Ord. No. 89-184]
- J. All fees and penalties shall be collected as per N.J.S.A. 2A:58-1 et seq. [Added 12-11-1989 by Ord. No. 89-184]

§ 102-8. Periodic inspections.

All uses, as listed, shall be inspected for compliance with the provisions of this chapter periodically but not less than every 12 months.

§ 102-9. Permit fees.

The application fees for the permits listed in N.J.A.C. 5:70-2.9(c) are as provided therein.

In accordance with N.J.A.C. 5:18-2.8(c), the fees for the permits listed in N.J.A.C. 5:18-2.7(b) shall be as follows:

Type	Fee
Type 1	\$25
Type 2	\$100
Type 3	\$200
Type 4	\$300
Type 5	\$1,000

§ 102-10. Technical amendments.

(Reserved)

§ 102-11. Appeals.

Pursuant to N.J.S.A. 52:27D-206, any person aggrieved by any action of the local enforcing agency shall have the right to appeal to the Local Construction Board of Appeals. If no such body exists, appeals shall be made to the County Board of Appeals.

§ 102-12. Enforcement; violations and penalties.

Enforcement, violations and penalties shall be in conformity with the Uniform Fire Safety Act and the Uniform Fire Code.

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

From: Kilmer, Louis [DCA]
Sent: Thursday, September 22, 2022 9:21 AM
To: matalucci@dennistwp.org
Cc: Long, Robert [DCA] <Robert.Long@dca.nj.gov>; Mikutsky, Richard [DCA] <Richard.Mikutsky@dca.nj.gov>; Jessica Bishop <jbishop@dennistwp.org>; kyle@blaneydonohue.com; Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>; Johnson, Thomas [DCA] <Thomas.Johnson@dca.nj.gov>
Subject: RE: Dennis Township - Fire Safety and Prevention

Good Morning Mayor Matalucci,

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In your e-mail below you reference that East Creek Manor is a former nursing facility and not a catering facility. I assume that this is in reference to my e-mail (attached for your reference) to you where I noted that the State would be retaining jurisdiction of two locations in Dennis Township that currently have outstanding violations until the violations are abated. The facilities are Autumn Lake Healthcare and Xenia catering not East Creek Manor. The Division of Fire Safety has worked closely with your three local fire districts. Over the past year they have contacted us with various concerns they have noticed when responding to Autumn Lake Healthcare. We have partnered with them in identifying the Fire Code violations and have been working on getting those violations abated in order to reduce the number of nuisance alarms they are responding to. We will continue to see this through until everything is corrected.

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in order. I will be out of the office tomorrow with limited access to my e-mails. When I receive the guidance requested from our counsel, I will be in touch. Thank you.

Lou Kilmer

From: Zeth Matalucci <matalucci@dennistwp.org>

Sent: Wednesday, September 21, 2022 10:49 AM

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

Cc: Jessica Bishop <jbishop@dennistwp.org>; Kilby, Arvene <AKilby@njleg.org>; Long, Robert [DCA] <Robert.Long@dca.nj.gov>; kyle@blaneydonohue.com

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

Mr. Kilmer,

Without waiver of right or privilege, the Township is available to meet September 26th at 3:00 PM at the Municipal Building 571 Petersburg Road, Dennisville, NJ 08214.

It is discouraging that the Township is just now finding out that you claim there are shortfalls in the Ordinance that we provided to you on July 20th via email. Your failure to simply identify those shortfalls in an attempt to stall the requested transition is contrary to your statement that the Division stands ready to "assist you in any possible way to reach your goals". Nonetheless, per advice of counsel, any potential inconsistencies in the current ordinance would be negated by §102-12, which conforms all regulations to the Uniform Fire Safety Act and the Uniform Fire Code. The language in §102-12 refutes any reference to incorrect or superseded code citations and permitting actions, and adapts all enforcement, violations and penalties to those permitted under the Act and Regulations. I would also like to address your false accusation that the switch is based on the Township being able to monetize the newly formed office. This couldn't be further from the truth, and the fact of the matter is that my decision was based off of the lack of communication between your office and myself. It took me several weeks to get a hold of your inspector to report on the East Creek Manor. (a former nursing home, not a catering facility)

Moreover, the Township Committee has held multiple meetings over the past months to discuss revisions to the ordinance and I have attached our latest draft for your review. Please provide specific feedback to the Township regarding this Ordinance on or before our September 26th meeting as this draft ordinance is scheduled for introduction on September 27th.

If introduced on September 27th, a hearing and vote for approval will take place on October 11th. The current Ordinance, which again states that all enforcement, violations and penalties shall be in conformity with the Uniform Fire Safety Act and the Uniform Fire Code, would be in effect from October 1st to October 11th.

Based on this information the Township of Dennis reiterates its request for the transfer of jurisdiction with an effective date of October 1, 2022 pursuant to N.J.S.A 52:27D-202.

Regards,

Mayor Zeth Matalucci

609-602-3927

Kondor, Andrew [DCA]

From: Kilmer, Louis [DCA]
Sent: Monday, September 26, 2022 9:39 AM
To: Kondor, Andrew [DCA]
Subject: FW: Dennis Township - Fire Safety and Prevention
Attachments: Chapter 102 REVISED.docx

From: Kilmer, Louis [DCA]
Sent: Thursday, September 22, 2022 9:28 AM
To: Scott, Susan (LPS)
Cc: Long, Robert [DCA] <Robert.Long@dca.nj.gov>; Mikutsky, Richard [DCA] <Richard.Mikutsky@dca.nj.gov>
Subject: FW: Dennis Township - Fire Safety and Prevention

Dennis Township's proposed revised ordinance.

From: Zeth Matalucci <matalucci@dennistwp.org>
Sent: Wednesday, September 21, 2022 10:49 AM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Cc: Jessica Bishop <jbishop@dennistwp.org>; Kilby, Arvene <AKilby@njleg.org>; Long, Robert [DCA] <Robert.Long@dca.nj.gov>; kyle@blaneydonohue.com
Subject: [EXTERNAL] Dennis Township - Fire Safety and Prevention

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Sent: Monday, September 26, 2022 9:39 AM
To: Kondor, Andrew [DCA]
Subject: FW: Dennis Township - Fire Safety and Prevention
Attachments: RE: [EXTERNAL] Dennis Township - Fire Safety and Prevention

From: Kilmer, Louis [DCA]
Sent: Thursday, September 22, 2022 9:25 AM
To: Scott, Susan (LPS)
Cc: Long, Robert [DCA] <Robert.Long@dca.nj.gov>; Mikutsky, Richard [DCA] <Richard.Mikutsky@dca.nj.gov>
Subject: FW: Dennis Township - Fire Safety and Prevention

Good morning Susan,

I would appreciate it if you could please assign someone to guide us on the issue of whether or not their preexisting ordinance covers the period of time until a new ordinance is adopted. This is a rather complicated issue, accordingly I would be pleased to speak with the DAG assigned. I will send separately their ordinance. There is a timeliness issue on Dennis Township's part with this. Thanks.

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From: Kilmer, Louis [DCA]
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To: matalucci@dennistwp.org
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Subject: RE: Dennis Township - Fire Safety and Prevention

Good Morning Mayor Matalucci,

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From: Zeth Matalucci <matalucci@dennistwp.org>
Sent: Wednesday, September 21, 2022 10:49 AM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Cc: Jessica Bishop <jbishop@dennistwp.org>; Kilby, Arvene <AKilby@njleg.org>; Long, Robert [DCA] <Robert.Long@dca.nj.gov>; kyle@blaneydonohue.com
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Regards,

Mayor Zeth Matalucci

609-602-3927

Kondor, Andrew [DCA]

From: Kilmer, Louis [DCA]
Sent: Monday, September 26, 2022 9:40 AM
To: Kondor, Andrew [DCA]
Subject: FW: Dennis Township - Fire Safety and Prevention

From: Long, Robert [DCA] <Robert.Long@dca.nj.gov>
Sent: Thursday, September 22, 2022 11:07 AM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>; Scott, Susan (LPS) <Susan.Scott@law.njoag.gov>
Cc: Mikutsky, Richard [DCA] <Richard.Mikutsky@dca.nj.gov>
Subject: RE: Dennis Township - Fire Safety and Prevention

Susan, the Township is pressing to get this done and a 9/26 meeting with the Township is contingent on advice/guidance your office will provide Lou. If we can figure things out quickly, great, if not let's try to give the Township a timeline heads-up as soon as we're able so that it can plan accordingly.

Thanks,
Rob

From: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Sent: Thursday, September 22, 2022 9:25 AM
To: Scott, Susan (LPS) <Susan.Scott@law.njoag.gov>
Cc: Long, Robert [DCA] <Robert.Long@dca.nj.gov>; Mikutsky, Richard [DCA] <Richard.Mikutsky@dca.nj.gov>
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Lou Kilmer

From: Zeth Matalucci <matalucci@dennistwp.org>
Sent: Wednesday, September 21, 2022 10:49 AM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Cc: Jessica Bishop <jbishop@dennistwp.org>; Kilby, Arvene <AKilby@njleg.org>; Long, Robert [DCA] <Robert.Long@dca.nj.gov>; kyle@blaneydonohue.com
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your false accusation that the switch is based on the Township being able to monetize the newly formed office. This couldn't be further from the truth, and the fact of the matter is that my decision was based off of the lack of communication between your office and myself. It took me several weeks to get a hold of your inspector to report on the East Creek Manor. (a former nursing home, not a catering facility)

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Regards,

Mayor Zeth Matalucci

609-602-3927

Kondor, Andrew [DCA]

From: Kilmer, Louis [DCA]
Sent: Monday, September 26, 2022 9:41 AM
To: Kondor, Andrew [DCA]
Subject: FW: Scanned from a Xerox Multifunction Printer
Attachments: Scanned from a Xerox Multifunction Printer.pdf

-----Original Message-----

From: Kilmer, Louis [DCA]
Sent: Friday, September 23, 2022 10:04 AM
To: Gleeson, Steven (LPS)
Cc: Scott, Susan (LPS); Mikutsky, Richard [DCA] <Richard.Mikutsky@dca.nj.gov>; Long, Robert [DCA] <Robert.Long@dca.nj.gov>
Subject: FW: Scanned from a Xerox Multifunction Printer

Steven,

Attached, please find a letter dated January 28, 1998 from Dennis Township Administrator Albert Knoll stating that they have decided to eliminate the Dennis Township Bureau of Fire Prevention and asking the State to assume jurisdiction. There is also copies of e-mails from the July 2012 time period where the municipality inquired about forming their own lea. In those e-mails, Mayor Glemblocki was clearly advised that an ordinance would need to be created to reestablish the lea.

I would think that if the local Bureau of Fire Prevention was dissolved in 1998 and remained that way for the past 24 years, in light of the many changes to the Fire Code since then, a new ordinance would be required. To say that suddenly you want to follow something that has been on the books for 24 years, not used, clearly dissolved and outdated does not seem reasonable and prudent. This would also be consistent with the guidance given the municipality in 2012 from the State.

I look forward to hearing your thoughts. Thanks Steven.

Lou

-----Original Message-----

From: Elenio, Paul [DCA] <Paul.Elenio@dca.nj.gov>
Sent: Friday, September 23, 2022 9:32 AM
To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Subject: FW: Scanned from a Xerox Multifunction Printer

-----Original Message-----

From: DCA76@dca.nj.gov <DCA76@dca.nj.gov>
Sent: Friday, September 23, 2022 9:42 AM
To: Elenio, Paul [DCA] <Paul.Elenio@dca.nj.gov>
Subject: Scanned from a Xerox Multifunction Printer

Please open the attached document. It was sent to you using a Xerox multifunction printer.

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location: DCA Bldg - 719

Device Name: DCAP76

DEPARTMENT OF COMMUNITY AFFAIRS

DIVISION OF FIRE SAFETY

MEMORANDUM

TO : Helen Kerr 
FROM : Rolf Maris
DATE : 01/30/98
SUBJECT : Letter from Dennis Twp.

Attached you will find a letter from Dennis Township. They do not wish to enforce the Fire Code locally after March, 1 1998. At that time DFS will assume jurisdiction.

I submit this to you for your attention.

MAYOR
JAMES H. PICKERING, JR

Administration
Emergency Management
Revenue & Finance
Recreation
Seniors

DEPUTY MAYOR
GEORGEANN PETTIT

Public Safety
Planning/Zoning Boards
Board of Health
Public Works

CLERK / ADMINISTRATOR
ALBERT J. KNOLL, RMC



571 Petersburg Road
P.O. Box 204
Dennisville, NJ 08214
(609) 861-9700 Fax: (609) 861-9719
email: info@dennistwp.org

COMMITTEE MEMBER
HOWARD H. HALSEY
Construction Office
Seniors

COMMITTEE MEMBER
JILL K. MAUGER
Local Assistance
Clean Communities
Municipal Alliance
Recreation

COMMITTEE MEMBER
JAMES C. PETTIT
Municipal Court
Tax Offices
Municipal Alliance

January 28, 1998

Mr. Rolf Maris
State of New Jersey
Department of Community Affairs
Division of Fire Safety
CN 809
Trenton, New Jersey 08625-0809

Re: Local Enforcing Agency

Dear Mr. Maris:

I am writing to confirm our conversation of this date regarding the Township's desire to change the jurisdiction of the Fire Safety Enforcing Agency. The Township currently, conducts its inspections with our own inspector, in our Local Enforcing Agency, "The Dennis Township Bureau of Fire Prevention".

Due to changes in staffing and personnel the Township Committee has decided to eliminate the Dennis Township Bureau of Fire Prevention. Therefore, effective March 1, 1998 the State Division of Fire Safety can assume jurisdiction and administration of those inspections pursuant to N.J.A.C.5:18A-2.10.

I trust that this will be a smooth transition for the State to assume jurisdiction in this matter. If you have any questions, or need to speak to me prior to the State assuming responsibility, please do not hesitate to contact me.

Thanking you in advance for your cooperation in this matter.

Sincerely,


Albert J. Knoll, Clerk/Administrator

AJK/sd
Cc: file

possible LEA
change

Kemp, Marylain

From: Kemp, Marylain
Sent: Friday, July 20, 2012 10:27 AM
To: Kondor, Andrew
Cc: Kilmer, Lou; Allen, Paul; Kozlowski, Robert
Subject: Dennis Twp

Dennis Twp wants to be the LEA. I was left a VM with Mayor Eugene Glenn-Bachie (sp) cell number 609.488.9760. I called and left him a message as to what documentation is needed to become an LEA. Drew, I left him your number only because I'm sure they will need to create a new ordinance and will need your expertise. If you do not hear from him; please reach out to him directly. I did forget in the message I left for him about the jurisdictional deadlines so you may want to speak with him about that as well no earlier than Oct 1. Thanks

Marylain Kemp
Division of Fire Safety
P.O.Box 809
Trenton, New Jersey 08625-0809
(609) 633-7129
Marylain.Kemp@dca.state.nj.us

This e-mail contains advisory, consultative and deliberative material and is intended only for the person(s) named as recipient(s).

NOTE: Effective May 19, 2012, my e-mail address will change to Marylain.Kemp@dca.state.nj.us.

Kemp, Marylain

From: Kemp, Marylain
Sent: Tuesday, July 24, 2012 11:00 AM
To: 'geneglembocki@gmail.com'
Cc: Kilmer, Lou; Kondor, Andrew
Subject: Establishment of an LEA within Dennis Twp

possible LGD
etc Stom.

NO
JAW?

OCT 2 2012

Take this.
ISSUE VIC
Lou 9/18/12

Dear Mayor Glembocki:

This is to confirm my telephone conversation with Mario Zackacki (sp) from your Office on July 23, 2012, as well as a voice mail message I had left you on Friday, July 20, 2012 regarding your inquiry on establishing a local enforcing agency within Dennis Township for fire code enforcement. The following documents are required in accordance with statutes and regulations of the NJ Uniform Fire Safety Act in order for a municipality to become an LEA:

1. An adopted Ordinance indicating that the municipality has established a Local Enforcing Agency and will be responsible for fire code enforcement within Dennis Township. Also a permit fee schedule needs to be established as part of the ordinance.
2. Appoint a Fire Official and provide a letter of the appointment (on municipality letterhead) with the following information:

Date of appointment
Name of Appointed FO
FO certification Number
FO certification expiration date
FO email for NJ Portal purposes
Dennis Twp's Fire Prevention Bureau Address, phone, fax

3. A resolution appointing the Fire Official, by name
4. Once we receive all the documentation needed for Dennis Township to establish an LEA, the Jurisdictional change from State to Municipal will become effective on October 1, 2012, which is the next deadline for Quarterly LEA Registry Changes. We recommend that you provide these documents to me ahead of the deadline for the Division's review and approval.

If you municipal attorney needs assistance with a model ordinance and any other documentation listed above, please contact Andrew Kondor, the Division's Regulatory Officer at 609.984.0039 or you may e-mail Mr. Kondor at Andrew.Kondor@dca.state.nj.us. He will be happy to assist you in your endeavor to become an LEA.

Marylain Kemp
Division of Fire Safety
P.O. Box 809
Trenton, New Jersey 08625-0809
(609) 633-7129
Marylain.Kemp@dca.state.nj.us

Kondor, Andrew [DCA]

From: Kilmer, Louis [DCA]
Sent: Monday, September 26, 2022 9:50 AM
To: Jessica Bishop
Cc: Long, Robert [DCA]; Mikutsky, Richard [DCA]; kyle@blaneydonohue.com; Kondor, Andrew [DCA]; Kemp, Marylain [DCA]; Johnson, Thomas [DCA]; Zeth Matalucci; Elenio, Paul [DCA]
Subject: RE: Dennis Township - Fire Safety and Prevention

Good Morning Ms. Bishop,

While I have not yet received guidance from counsel regarding the existing ordinance, I am still willing to meet this afternoon at 3:00pm. We can review the inconsistencies and other items that need to be addressed in the ordinance. Additionally, we can go over what will be required of the new fire prevention office, staffing, permitted use of funds, penalties, required State reports to be filed and other applicable issues.

Please understand that by meeting with the Township today, I am not guaranteeing transfer of the lea for October 1st, I am merely attempting to move this forward and get some of these other items resolved. If this is agreeable with everyone, please let me know and provide the address for the meeting. I will be attending with our current inspection supervisor for the area along with the Local Assistance Rep that will be the contact for the new fire official.

I look forward to hearing from you. Thank you.

Lou Kilmer

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Sent: Friday, September 23, 2022 9:45 AM
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Cc: Long, Robert [DCA] <Robert.Long@dca.nj.gov>; Mikutsky, Richard [DCA] <Richard.Mikutsky@dca.nj.gov>; kyle@blaneydonohue.com; Kondor, Andrew [DCA] <Andrew.Kondor@dca.nj.gov>; Kemp, Marylain [DCA] <Marylain.Kemp@dca.nj.gov>; Johnson, Thomas [DCA] <Thomas.Johnson@dca.nj.gov>; Zeth Matalucci <matalucci@dennistwp.org>
Subject: [EXTERNAL] RE: Dennis Township - Fire Safety and Prevention

Mr. Kilmer,

Part of the reason for our 9/26 meeting was to discuss the revised Ordinance that is being introduced 9/27. If Monday's meeting is canceled please provide me with the inconsistencies you found in the current ordinance via email then I can be sure they were addressed in our updated code.

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: Thursday, September 22, 2022 9:21 AM

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Good Morning Mayor Matalucci,

Thank you for your response. I am extremely concerned that you were unable to reach our inspector concerning the vacant East Creek Manor Residential Healthcare Facility. I checked yesterday with the supervisor of that area who in turn checked with his staff and unfortunately they have no record of a complaint or inquiry being filed for that facility. The Division of Fire Safety has a policy that we respond within 24 hours to all complaints. While my understanding is that East Creek Manor is currently vacant, I have assigned our regional supervisor to go out to the facility today and to address any issues that he may find. In the future if you have any concerns and need to reach us, we have a 24 hour phone number, 1-877-NJFIRES which will allow you to speak with someone who will immediately send a message to us so we may call you back. Please also feel free to contact me at any time by e-mail.

In your e-mail below you reference that East Creek Manor is a former nursing facility and not a catering facility. I assume that this is in reference to my e-mail (attached for your reference) to you where I noted that the State would be retaining jurisdiction of two locations in Dennis Township that currently have outstanding violations until the violations are abated. The facilities are Autumn Lake Healthcare and Xenia catering not East Creek Manor. The Division of Fire Safety has worked closely with your three local fire districts. Over the past year they have contacted us with various concerns they have noticed when responding to Autumn Lake Healthcare. We have partnered with them in identifying the Fire Code violations and have been working on getting those violations abated in order to reduce the number of nuisance alarms they are responding to. We will continue to see this through until everything is corrected.

The issue of whether or not your existing ordinance covers the Fire Code Enforcement in Dennis Township is one that I do not feel qualified to answer. While I understand that your counsel has advised you that it does, I will need to get advise from our counsel, the AG's office. I am sending over an inquiry now but am unsure how soon I will receive a response. Until I receive guidance on that issue, I am hesitant to meet to discuss the transfer of jurisdiction on Monday September 26th. If that issue is cleared up by then, I am available and willing to meet. At this point I will leave the meeting tentatively scheduled on my calendar pending clarification on the existing ordinance.

I believe that the other issues raised in your e-mail below such as the belief that the Division of Fire Safety is purposefully delaying transfer of jurisdiction and the reference to fees has already been addressed in the timeline provided to you in my previous e-mail (attached). I will not be addressing these issues again as I would prefer to spend our time resolving the issues that need to be taken care of in order to enable transfer of jurisdiction when everything is in order. I will be out of the office tomorrow with limited access to my e-mails. When I receive the guidance requested from our counsel, I will be in touch. Thank you.

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From: Zeth Matalucci <matalucci@dennistwp.org>
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To: Kilmer, Louis [DCA] <Louis.Kilmer@dca.nj.gov>
Cc: Jessica Bishop <jbishop@dennistwp.org>; Kilby, Arvene <AKilby@njleg.org>; Long, Robert [DCA] <Robert.Long@dca.nj.gov>; kyle@blaneydonohue.com
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Mr. Kilmer,

Without waiver of right or privilege, the Township is available to meet September 26th at 3:00 PM at the Municipal Building 571 Petersburg Road, Dennisville, NJ 08214.

It is discouraging that the Township is just now finding out that you claim there are shortfalls in the Ordinance that we provided to you on July 20th via email. Your failure to simply identify those shortfalls in an attempt to stall the requested transition is contrary to your statement that the Division stands ready to "assist you in any possible way to reach your goals". Nonetheless, per advice of counsel, any potential inconsistencies in the current ordinance would be negated by §102-12, which conforms all regulations to the Uniform Fire Safety Act and the Uniform Fire Code. The language in §102-12 refutes any reference to incorrect or superseded code citations and permitting actions, and adapts all enforcement, violations and penalties to those permitted under the Act and Regulations. I would also like to address your false accusation that the switch is based on the Township being able to monetize the newly formed office. This couldn't be further from the truth, and the fact of the matter is that my decision was based off of the lack of communication between your office and myself. It took me several weeks to get a hold of your inspector to report on the East Creek Manor. (a former nursing home, not a catering facility)

Moreover, the Township Committee has held multiple meetings over the past months to discuss revisions to the ordinance and I have attached our latest draft for your review. Please provide specific feedback to the Township regarding this Ordinance on or before our September 26th meeting as this draft ordinance is scheduled for introduction on September 27th.

If introduced on September 27th, a hearing and vote for approval will take place on October 11th. The current Ordinance, which again states that all enforcement, violations and penalties shall be in conformity with the Uniform Fire Safety Act and the Uniform Fire Code, would be in effect from October 1st to October 11th.

Based on this information the Township of Dennis reiterates its request for the transfer of jurisdiction with an effective date of October 1, 2022 pursuant to N.J.S.A 52:27D-202.

Regards,

Mayor Zeth Matalucci

609-602-3927

Kondor, Andrew [DCA]

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

Yes, meeting at 3:00 today works for us.

Dennis Township Municipal Building
571 Petersburg Road, Dennisville, NJ 08214

Thank you,

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