

January 3, 2013

Agenda for the re-organization meeting of the Mayor and Council of the Borough of Victory Gardens held on January 2, 2013.

Mayor Holeman called the meeting to order and declared a quorum present.
Pledge of Allegiance to the Flag of our Country.
Please remain standing for a moment of silence for our military.

This meeting has been advertised in one newspaper, the Daily Record, in compliance with the New Jersey Open Public Meeting Act.

Statement of Determination:

A statement of Determination of the Board of Canvassers relative to an election held in the Borough of Victory Gardens, County of Morris and State of New Jersey for the election of certain municipal officers for the Borough on the 6th day of November, 2012.

The said Board does determine that at the said election:

David Holeman, Jr.	Mayor	4 Year Term
Veronica Hedgepath	Council	3 Year Term
Ondria Garcia Montes	Council	3 Year Term

was or were duly elected to the office and for the term above set forth.

Mayor and Councilpersons were sworn into office prior to the meeting in order for a quorum.

Roll Call: Councilwoman Cheatham, Councilwoman Hall, Councilwoman Hedgepath, Councilman Lorenzo and Councilwoman Garcia Montes.

Motion was made to elect Councilwoman Cheatham as Council President for the year 2013. Motion made by Councilwoman Hedgepath, seconded by Councilwoman Hall and approved on roll call:

Councilwoman Cheatham	Yes
Councilwoman Hall	Yes
Councilwoman Hedgepath	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

The Clerk will read the Resolution appointing the Borough Attorney for the year 2013.

RESOLUTION # 1

WHEREAS, THERE EXISTS A NEED FOR AN ATTORNEY, for the Borough of Victory Gardens, and

WHEREAS, funds are available for the purpose, and

WHEREAS, the Local Contracts Law requires that the Resolution authorizing the the award of contracts for "Professional Services" without competitive bids must be publically advertised.

W, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Victory Gardens for the year 2013

1. Philip Feintuch
is appointed as Borough Attorney for the year 2013
2. This contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law.

Motion to appoint the Borough Attorney by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on roll call:

Councilwoman Cheatham	Yes
Councilwoman Hall	Yes
Councilwoman Hedgepath	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

At this time a motion was made to go out of the regular order of business so that Senator Bucco could swear Councilwoman Montes into office.

Motion made by Councilwoman Cheatham, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

Senator Bucco swore in Councilwoman Montes at this time.

Motion to go back into the regular order of business by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

The Clerk will read the Resolution appointing the Borough Auditor for the year 2013.

RESOLUTION # 2

WHEREAS, THERE EXISTS A NEED FOR AUDITORS, for the Borough of Victory Gardens, and

WHEREAS, funds are available for this purpose, and

WHEREAS, the Local Public Contracts Law requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bidding must be publically advertised.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Victory Gardens for the year 2013

1. William Schroeder from Nisivoccia & Company appointed as Borough auditor for the year 2013

2. This contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law.

Motion to approve the appointment Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

Councilwoman Cheatham	Yes
Councilwoman Hall	Yes
Councilwoman Hedgepath	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

The Clerk will read the resolution appointing the Borough Engineer for the year 2013.

RESOLUTION # 3

WHEREAS, THERE EXISTS A NEED FOR AN ENGINEER for the Borough of Victory Gardens, and

WHEREAS, funds are available for such purpose, and

WHEREAS, the Local Public Contracts Law requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publically advertised.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Victory Gardens for the year 2013

1. Leon Hall from Anderson & Denzler as Borough Engineer for the year 2013

2. This contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law.

Motion to approve the appointment of the Borough Engineer by Councilwoman Hedgepath, seconded by Councilwoman Cheatham and approved on roll call:

- Councilwoman Cheatham Yes
- Councilwoman Hall Yes
- Councilwoman Hedgepath Yes
- Councilman Lorenzo No
- Councilwoman Garcia Montes No

The Clerk will read a Resolution appointing the emergency Management Coordinator for the year 2013.

RESOLUTION APPOINTING AN EMERGENCY MANAGEMENT COORDINATOR FOR THE BOROUGH OF VICTORY GARDENS

WHEREAS, the Borough of Victory Gardens, Morris County, New Jersey is obligated to maintain an Emergency Management Coordinator; and

WHEREAS, said position must be filled by a resident of the Borough; and

WHEREAS, David Holeman has met the requirements of the position

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Victory Gardens that David Holeman be appointed to the position of Emergency Management Coordinator for the Borough of Victory Gardens for a three year appointment beginning January 2013 and ending on December 2015.

Motion on the appointment by Councilwoman Cheatham, seconded by Councilwoman Hedgepath and approved on roll call:

- Councilwoman Cheatham Yes
- Councilwoman Hall Yes
- Councilwoman Hedgepath Yes
- Councilman Lorenzo Yes
- Councilwoman Garcia Montes Yes

The Clerk will read the Resolution for the execution of a cash management plan for the Borough for 2013.

(See Resolution Next Page)

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RESOLUTION AUTHORIZING THE EXECUTION OF A CASH MANAGEMENT PLAN FOR THE BOROUGH OF VICTORY GARDENS -

WHEREAS, it is in the best interest of the Borough of Victory Gardens to earn additional revenue through the investment and prudent management of its cash receipts, and WHEREAS, P.L. 1983, Chapter 8 approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends NJSA 40A:5-2 and NJSA 40A:5-14, and WHEREAS, this new law requires that each local unit shall adopt a cash management plan, NOW, THEREFORE BE IT RESOLVED, that the following shall constitute the Cash Management Plan for the Borough of Victory Gardens and the CFO shall deposit and manage its funds pursuant to this plan:

DEFINITIONS:

1. CFO shall mean the Chief Financial Officer of the Borough of Victory Gardens.
2. FISCAL YEAR shall mean the 12 month period ending December 31st
3. CASH MANAGEMENT PLAN shall mean that plan as approved by Resolution.

DESIGNATION OF DEPOSITORIES:

At least once each fiscal year the governing body shall by Resolution designate the depositories for the Borough of Victory Gardens in accordance with NJSA 40A:5-14.

AUDIT REQUIREMENT:

The Cash Management Plan shall be subject to the annual audit conducted pursuant to NJSA 40A:5-4

AUTHORITY TO INVEST:

The governing body shall pass a Resolution at its first meeting of the fiscal year designating the Borough of Victory Gardens official(s) who shall make and be responsible for municipal deposits and investments.

INVESTMENT INSTRUMENTS:

The CFO shall invest at his discretion in any investment instrument as approved by the State of New Jersey in accordance with NJSA 40A:5-15.1

RECORDS AND REPORTS:

1. The CFO shall report all investments in accordance with NJSA 40A:5-15.2
2. At a minimum the CFO shall:
 - a. Keep a record of all investments
 - b. Keep a cash position record which reveals, on a daily basis, the status of the cash in its bank accounts.
 - c. Confirm investments with the governing body at the next regularly scheduled meeting.
 - d. Report monthly to the Governing Body as to the status of cash balance in bank accounts, revenue collection, interest rates earned

CASH FLOW:

1. The CFO shall ensure that the accounting system provides regular information concerning the cash position and investment performance.
2. All monies, shall be turned over to the CFO and deposited in accordance with NJSA 40A:5-15.
3. The CFO is authorized and directed to invest surplus funds of the Borough of Victory Gardens as the availability of the funds permit. In addition, it shall be the responsibility of the CFO to minimize the possibility of idle cash by depositing the monies in interest bearing accounts wherever practical and in the best interest of the Borough of Victory Gardens.

Motion on the Resolution by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on roll call:

Councilwoman Cheatham	Yes
Councilwoman Hall	Yes
Councilwoman Hedgepath	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

The Clerk will read the resolution to adopt the Multi Jurisdictional Hazard Mitigation Plan for the Borough for the year 2013.

(See Resolution on Next Page)

RESOLUTION ADOPTING THE MULTI JURISDICTIONAL HAZARD MITIGATION PLAN FOR THE BOROUGH OF VICTORY GARDENS, MORRIS COUNTY, NEW JERSEY

WHEREAS, the Borough of Victory Gardens is vulnerable to damages from natural hazard events which pose a threat to public health and safety and could result in property loss and economic hardship;

WHEREAS, a Multi-Jurisdictional Hazard Mitigation Plan has been developed through the work of the Morris County Hazard Mitigation Planning Committee, the Borough of Victory Gardens Hazard Working Mitigation Group, and the interested parties within the Borough of Victory Gardens.

WHEREAS, the Plan recommends hazard mitigation actions that will protect and property affected by natural hazards that face the Borough of Victory Gardens, that will reduce future public, private, community and personal costs of disaster response and recovery; and that will reinforce the Borough of Victory Gardens leadership in emergency preparedness efforts;

WHEREAS, the Disaster Mitigation Act of 2000(P.L.106-390) (DMA2000) and associated Federal regulations published under 44 CFR Part 201 require the Borough of Victory Gardens to formally adopt a Hazard Mitigation Plan subject to the approval of the Federal Emergency Management Agency to be eligible for federal funds for hazard mitigation projects and activities;

WHEREAS, public meetings were held to receive comment on the Plan as required by DMA 2000;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Victory Gardens that:

1. The Plan is hereby adopted as an official plan of the Borough of Victory Gardens.
2. The Borough of Victory Gardens officials identified in the Mitigation Action Plan (Section) are hereby directed to implement the recommended actions assigned to them. These officials will report quarterly on their activities, accomplishments, and progress to the Borough of Victory Gardens Hazard Mitigation Working Group.
3. The Borough of Victory Gardens Hazard Mitigation Working Group will provide annual progress reports on the status of implementation of the Plan to the Mayor and Council. This report shall be submitted to the Mayor and Council by March 15th of each year.
4. The Borough of Victory Gardens Hazard Mitigation Working Group will undertake periodic updates of the Plan as indicated in the Plan Maintenance Program (section 10) but no less frequent than every 5 years.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council that the Borough of Victory Gardens adopts the Morris County, New Jersey Multi Jurisdictional Hazard Mitigation Plan, dated 2013 as this jurisdictions Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED: January 2, 2013
MAYOR: [Signature]
CLERK: Deborah Evans

Motion to adopt by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on roll call:

Councilwoman Cheatham	Yes
Councilwoman Hall	Yes
Councilwoman Hedgepath	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

Motion to approve Jerry Flatt as Animal Control Officer for the year 2013. Motion made by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on roll call:

- Councilwoman Cheatham Yes
- Councilwoman Hall Yes
- Councilwoman Hedgepath Yes
- Councilman Lorenzo Yes
- Councilwoman Garcia Montes Yes

Chief Financial Officer - Amy Maronpot was appointed last year for a 4 year appointment. She does not get appointed again until that term is up.

- | | | | |
|-----------------------------------|----------------------------|----------------------|-----------|
| Planning Board & Adjustment Board | Class I | Mayor | |
| | Class II | Barrie Krause | Employee |
| | Class III | Ondria Garcia Montes | (Council) |
| | | Term of Seat | |
| | Class IV | Dorothy Andryczak | |
| | 6 Residents of the Borough | Avis Byfield | |
| | | James Janone | |
| | | John Cegelka | |
| | | Hector Lorenzo, Jr. | |
| | | Kenneth Diehl | |
| Alternate: | Diane Feola | | |
| Clerk: | Barrie Krause | | |
| Secretary: | Barrie Krause | | |

The Planning Board Attorney, Planner and Engineer will be appointed by the Planning Board members at their re-organization meeting.

Motion on the appointments for the Planning Board made by Councilwoman Cheatham, seconded by Councilwoman Hedgepath and approved on roll call:

- Councilwoman Cheatham Yes
- Councilwoman Hall Yes
- Councilwoman Hedgepath Yes
- Councilman Lorenzo Abstain
- Councilwoman Garcia Montes Abstain

Appointments of Council members to serve on the following committees for the year 2013. Chairperson is listed first -

- Administration: Hall & Hedgepath
- Public Works: Lorenzo
- Recreation: Garcia Montes & Cheatham
- Emergency Management: Holeman & Barrella
- Finance & Budgeting: Hall, Lorenzo & Garcia Montes
- Community Development: Hedgepath, Chetahm and Holeman
- RVRS & SEWER LIASON: John Cegelka
- MUNICIPAL ALLIANCE LIASON: David Holeman

Motion on the RVRS & SEWER LIASON appointment and Municipal Alliance appointment by Councilwoman Hedgepath, seconded by Councilwoman Cheatham and approved on roll call:

- Councilwoman Cheatham Yes
- Councilwoman Hall Yes
- Councilwoman Hedgepath Yes
- Councilman Lorenzo Yes
- Councilwoman Garcia Montes Yes

The Clerk will read the Resolution on newspaper publications for legal ads for the year 2013.

Be It Resolved by the Mayor and Council of the Borough of Victory Gardens, County of Morris, State of New Jersey, that the Daily Record newspaper be used for publication and legal materials for the year 2013.

Motion on the Resolution for newspaper publications by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on roll call:

Councilwoman Cheatham	Yes
Councilwoman Hall	Yes
Councilwoman Hedgepath	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

The Clerk will read the resolution for depository of Borough funds for the year 2013.

Be It Resolved by the Mayor and Council of the Borough of Victory Gardens, County of Morris, State of New Jersey, that the following banks be designated as depositories for the Borough funds for the year 2013.

Provident Bank
PNC Bank
Bank of America

Motion to approve the resolution by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

Councilwoman Cheatham	Yes
Councilwoman Hall	Yes
Councilwoman Hedgepath	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

Consideration of Council for holding their regular meetings was done at the end of last year. Meetings will be held the same day and time as last years meeting.

The Clerk will read the resolution for the Temporary Budget for 2013.

RESOLUTION # 6

WHEREAS, 40A: 4-19 Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2013 budget, temporary appropriations be made for purposes and amounts required in the manner and time, therein provided and

WHEREAS, the date of the Resolution is within the first 30 days of January 2013 and

WHEREAS, the total general appropriations in the 2012 budget, exclusive of any appropriations made for interests and principal of debt, capital improvements and public assistance is the sum of \$1,290,785.00

WHEREAS, 26.25% of this total is the sum of \$ 338,831.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Victory Gardens, County of Morris, that the following temporary appropriations be made and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for his records.

Motion to approve the temporary budget by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on roll call:

- Councilwoman Cheatham Yes
- Councilwoman Hall Yes
- Councilwoman Hedgepath Yes
- Councilman Lorenzo Yes
- Councilwoman Garcia Montes Yes

The Clerk will read the Resolution to establish interest on delinquent taxes for the year 2013.

RESOLUTION # 7

WHEREAS, NJSA 54: 4-67 has been amended to provide for additional penalties to be charged on delinquent taxes and other municipal charges, and

WHEREAS, said amendment allows the governing body to fix a penalty which shall not exceed 6% to be charged to a tax payer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the current tax year;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Victory Gardens, County of Morris, State of New Jersey, that pursuant to the provisions of NJSA 54:4-67 as amended, the governing body does hereby fix the penalty to be charged on delinquent taxes and other municipal charges as follows:

- A. 8 percent per annum on the first \$1,500.00
- B. 18 percent per annum on all amounts in excess of \$1,500.00
- C. An additional 6% on all sums in excess of \$10,000.00 when said delinquency remains unpaid after December 31st of the current tax year, which additional amount shall be in addition to other interest charges.

Motion to approve the resolution by Councilwoman Hedgepath, seconded by Councilman Lorenzo and approved on roll call:

- Councilwoman Cheatham Yes
- Councilwoman Hall Yes
- Councilwoman Hedgepath Yes
- Councilman Lorenzo Yes
- Councilwoman Garcia Montes Yes

Motion to open the meeting to the public by Councilwoman Cheatham, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

James Janone - Your alternate on the Planning Board should not be done yet because the Ordinance has not been adopted yet. We will rescind that before the meeting is over. Barrie Krause falls under the appointment by the Planning Board out of the Land Use Law Book. You can't appoint her either. If we can't then we will rescind that also at the end of the meeting. Also, do you have a copy of the Attorneys professional service contract? No. We have one for the auditors and one for the engineer but not for the Attorney. He doesn't give us one until after we appoint him. We will get it.

Joan Cegelka - You will have to rescind those appointments for the planning board. Yes we will do that this evening. What is the system that Amy uses? I don't know what she uses I thought she told you last year when you asked.

Motion to close the meeting to the public by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

Motion to rescind Diane Feola as the alternate for Planning Board until the Ordinance is adopted. Motion made by Councilwoman Montes, seconded by

Councilwoman Cheatham and approved on verbal vote. None opposed.

Motion to rescind Barrie Krause as Clerk to the Planning Board and also as Secretary to the Board. Motion by Councilwoman Cheatham, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

Motion to adjourn the meeting by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

Submitted By:

Deborah Evans

Deborah Evans
Borough Clerk