

January 22, 2013

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on January 22, 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 Meetings Act.

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

ABSENT: None. One Council seat still vacant from past election.

Motion to accept the minutes of January 8, 2013 as received 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

CORRESPONDENCE:

FEINTUCH, PORWICH & FEINTUCH - Attorney Feintuch sent letters to Waste Management and Private Disposal/Rubinetti regarding the garbage contract.

CFO RESPONSE - We had a resident that asked what type of accounting system we use. I asked Amy and she said the accounting system we use for Accounts Payable is Quickbooks. We work on a modified encumbrance system that is being worked on to conform with the technical accounting directives issued by the State.

EMAIL FROM VALERIE WILLIAMS - I gave everyone a copy of this email. Everyone has a copy of my response to her. In regards to the information from her, I did ask Attorney Feintuch to give me something in writing so I have the legal answer for her. Everyone got a copy of that information from the Attorney. I also received a response from Mr. Candura who is the County Chairman of the Democratic Committee.

Motion to accept the correspondence as received by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

VOUCHERS:

Councilwoman Montes asked about voucher #1041 for Fogarty & Hara. This is for litigation for the school taxes. How much more do we have to pay him? Council did not set a limit on his spending. They said whatever it costs would be worth it if we get the \$100,000 back. If we win. Yes, if we win.

Councilwoman Hall said she did not sign the voucher #1053. She thought a bill was suppose to come in and she feels that it is something that the owner of the home should pay so she just wanted to let everyone know that she did not sign the voucher.

Councilwoman Montes said that Council already took a vote to pay this. There were no other questions on the vouchers.

Motion to approve the vouchers for payment 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

VOUCHER #	PAYABLE TO:	TYPE OF SERVICE	ACCT.#	AMOUNT
1 034	ANDERSON & DENZLER	ENGINEERING	017	\$1,796.50
1 035	MORRIS CTY MUA	RECYCLES	(R)	312.00
1 036	TJS SPORTWIDE TROPHY	ADM & EXEC OE	001C	21.00
1 037	DAILY RECORD	ADM & EXEC OE ADV.	001D	92.56
1 038	UNITED HEALTH CARE	ADM & EXEC MED	001C	342.75
1 039	HOME DEPOT	STREETS & ROADS OE	008C	9.81
1 040	USHER PUBLISHING	DOG WARDEN	012	395.00
1 041	FOGARTY & HARA	LEGAL SERVICES	016	5,909.48
1 042	CARGILL INC.	STREETS & ROADS OE	008C	2,031.02
1 043	VERIZON	BLDG & GRDS OE	006B	59.45
1 044	PHILIP FEINTUCH	LEGAL SERVICES	016	175.00
1 045	TCTA MEMBERSHIP SERV.	TAXES	003	100.00
1 046	AUTO PARTS PEOPLE	STREETS & ROADS OE	008C	222.74
1 047	AUTO PARTS PEOPLE	STREETS & ROADS OE	008C	36.59
1 048	N.J.N.G.	BLDG & GRDS OE	006B	624.00
1 049	KONICA MINOLTA BUS.	ADM & EXEC OE	001C	63.76
1 050	MUN. CLERKS ASSOC.	ADM & EXEC OE	001C	50.00
1 051	MGL PRINTING SOL.	ADM & EXEC OE	001C	200.85
1 052	CABLEVISION	BLDG & GRDS OE	006B	11.68
1 053	JAMES JANONE	STREETS & ROADS OE	008	24.97
1 054	STATE OF N.J.	ADM & EXEC PENSIONS	001	\$24,832.10
1 055	NISIVOCCIA LLP	AUDIT	015	15,085.00
1 056	COUNTY OF MORRIS	TAXES	003	2,946.09
1 057	COUNTY OF MORRIS	TAXES	003	44,897.15
1 058	DAILY RECORD	TAX ASSESSOR	003	6.24
1 059	DAILY RECORD	PLANNING BD ADV.	009C	11.96
1 060	NJ CONF. OF MAYORS	ADM & EXEC OE	001C	295.00
1 061	PUBLIC WORKS ASSOC	STREETS & ROADS OE	008C	60.00
1 062	NAPA AUTO PARTS	STREETS & ROADS OE	008C	67.19
1 063	SHEAFFER SUPPLY	STREETS & ROADS OE	008C	35.96
1 064	HECTOR LORENZO	STREETS & ROADS S & W	008	\$1,496.32
1 065	EDUARDO MARTINEZ	STREETS & ROADS S & W	008	\$2,620.85
				\$104,833.02

DEPARTMENT REPORTS:

Building Department - No permits were issued for the month of December 2012.

Clerks Receipts -	Taxes	\$1,602.39
	Sewer Payments	461.55
	Total	\$2,083.94

Municipal Court - We received a check for \$1,109.47

Tax Collector -	Total Tax Receipts Month To Date:	40,927.55
	Year To Date:	1,744,889.49

Registrar - There were no marriage licenses issued for the month of December 2012.

Finance Officer - Everyone has a copy of Amys report. Please hold on to this we will be using this report for budget meetings.

COMMITTEE REPORTS:

Councilwoman Cheatham - No report.

Councilwoman Hall - There was no Halloween Party this year because of Hurricane Sandy. We had bought things but couldn't use them because of the storm. Out of the \$400.00 was given we had spent \$253.31 and gave back to the town \$146.69. We were given \$1,700 for the Christmas Party. We are giving \$461.18 back from the Christmas Party. We gave out approximately 106 gifts. We did not have to purchase any toys. There were enough toys from donations from Toys for Tots as well as donations that Debbe received here at town hall. We have more than enough gifts for next year so none should have to be bought at that time. Councilwoman Cheatham and I did an inventory of gifts that we have left over. We have a detailed inventory of what we gave out for anyone on Council that may want to see it. We got a lot of positive feedback. We had some residents help us and they offered to come back and help again next year - as well as others that attended the party said they would help out next year if we need help. Councilwoman Cheatham assisted me greatly and I would like her to add anything that I may have missed.

DEPARTMENT REPORTS CONTINUED:

Councilwoman Hall Continued - Councilwoman Cheatham said she would add that this year we had pizza for the kids and they were thrilled. We bought craft supplies and we made ornaments for their trees at home. We had face painting and balloon animals were made.

Councilwoman Hedgepath - Community Development - on the 4th and 5th they are going to start to hear applications. Both Vera and I will be attending the group of meetings that will be held. February 14th we are having a luncheon to announce information.

Councilman Lorenzo - There is a sign laying down by the wall at the top of the hill. I told Hector about it. A lot of our signs are crooked around the town. Once the weather gets nice I will have our men fix those signs. There are a lot of trees still down from the storm that needs to be cleaned up. We need to notify these people to get this cleaned up. The Clerk said the one on the corner of Roosevelt and one of the streets - they had a lot of trees that came down in the storm - I spoke to the owner of the house and she said she just received the insurance check and she will start to get it cleaned up. There is a 4 x 4 support beam in the garage that the men use to hoist the sander on the trucks. We need to have a better beam in the garage for them to use as this one is not sturdy. This could be dangerous and we need to protect them. We should look at a steel beam. Someone called me and said the men were washing trucks outside they have to go to a car wash to get the salt off the trucks. I did tell Hector about it. The DPW guys had an accident with the truck. No one was hurt. A police report was done and we are waiting on the report. Our insurance was told right away. I understand the damage was bad on the other vehicle.

Councilwoman Garcia Montes - Councilwoman Cheatham and I gave out over 400 winter coats and the fire house. BOH machine didn't take so we had no tape with minutes. It didn't work for the Planning Board either. Peter Tabbot is now our Health Officer with the Rockaway Township BOH.

Councilwoman Cheatham said that the middle sink at the firehouse is leaking and there is a bathroom faucet that isn't there. The bathrooms still need to be addressed and the wall in the mens bathroom needs to be closed up. The insulation is showing in there.

Councilwoman Hall said we need to discuss cleaning of the fire house especially after parties. We have talked about this before and nothing has been decided yet.

Motion to accept all reports by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

NEW BUSINESS:

INTRODUCTION OF AN ORDINANCE FOR PLANNER, ATTORNEY & ENGINEER - The Clerk said she had an OPRA request for any ordinances we had establishing these positions. I looked back and didn't see but one item and that was an update. When we had the fire we lost two minutes books and an ordinance book. So I have no records that go back to show if we ever created these positions. That is why we have to do this ordinance. It is for creating these positions for the Borough. I asked the Attorney to draw up the ordinance.

ORDINANCE APPOINTING A BOROUGH ATTORNEY, BOROUGH PLANNER AND BOROUGH ENGINEER.

Whereas, the Borough of Victory Gardens, Morris County, New Jersey has determined the need for permanent positions of Borough Attorney, Borough Planner and Borough Engineer; and

Whereas, after investigation it has been determined that the governing body had not established such positions in its Borough General Ordinances,

Now Therefore, the positions of Borough Attorney, Borough Planner and Borough Engineer are hereby established.

Motion to introduce the Ordinance 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

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NEW BUSINESS CONTINUED:

PROFESSIONAL SERVICES AGREEMENT FOR 2013 FOR BOROUGH ATTORNEY - Everyone has a copy. This is Attorney Feintuchs contract for the year. His prices have remained the same.

Motion to approve the contract 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

BUDGET MEETINGS FOR 2013 - Council decided on meeting dates of 2/19/13, 3/5/13 and 3/19/13 for their budget meetings. we have to adopt the budget by April. Everyone has Amys report. It is up to date. I have to advertise the meeting dates. Councilman Lorenzo said by two meetings we should have everything together. Everyone should look over the report and bring back to the first meeting any increases or decreases in line items.

OLD BUSINESS:

APPOINTMENT TO FILL VACANCY ON COUNCIL - We had three names submitted to us from the local Democratic Committee. They were Jodie Costanza Rivers, James R. Glass and Joan E. Cegelka.

Councilwoman Montes made a motion to appoint Jodie Costanza Rivers for the Council seat. Seconded by Councilman Lorenzo. Roll call:

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

Councilwoman Cheatham made a motion to nominate James Glass. Seconded by Councilwoman Hedgepath. Roll call:

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

Mayor Holeman said the vacancy is filled by James R. Glass.

APPOINTMENT OF COUNCIL MEMBER TO SIT ON PLANNING BOARD - Mayor Holeman said he would like to appoint Sonia Hall to the Planning Board. Motion made on the 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

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

Joan Cegelka - Last year there was a list of repairs that needed to be done on Borough trucks. Have they been taken care of? Yes. Who repaired? Our maintenance men. What work was proposed to be done at Franklin Road? It is the crosswalk, sign repair and light repairs. The County wanted to do the work and they were going to put in \$90,000. They wanted Randolph and Victory Gardens to share the rest of the cost which would be \$45,000 for each town. We applied for a community development grant for Monroe Avenue. We didn't have to go to Community Development for the other project because we have money set aside in our Capital Improvement Fund for that project.

Public Comment Continued -

Jim Janone - For the budget I have that report that you have. You had about 14% of your total budget left over. Mayor Holeman we discussed at the planning board an email address for the zoning officer. You said you would bring it back to the council. Will you? I want to talk to the Attorney about it. Attorney Feintuch you were suppose to write a letter to the condos about the drainage, did you? Yes. We have not heard back from them only to say they would look into it. My mailbox was hit twice already. I told Debbe about it the first time it happened. Is that correct Deb? Yes. It happened one other time.

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

Motion to adjourn the meeting by Councilman Lorenzo, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

Submitted By:

Deborah Evans

Deborah Evans
Borough Clerk