

May 14, 2013

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on May 14, 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.

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

ABSENT: Councilwoman Hall.

Motion to accept the minutes of April 23, 2013 as received by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

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

CORRESPONDENCE:

Senator Bucco's Office - We have a letter from him telling us we are getting the \$4,000 grant from Clean Communities this year. This is the same amount we get every year.

Community Development - We received a letter telling us we did not get a grant from them for 2013.

Letter from Barrie Krause - I sent this to everyone. I will read it into the minutes. Once again, I have received a letter from Mr. Janone requesting that I investigate his perceived zoning violations. Attached is that letter. Back in 2012, we discussed that I was not to investigate and report back to individual residents, only to the Council as a whole. Once again I wanted to make you aware of this request from Mr. Janone because I do not feel I should investigate or answer it since it did not come from Council. Also, I do not feel comfortable with the tone of his letter. In addition back in 2012, Mr. Janone requested copies of my Certifications and Continuing Educations credits along with all correspondences I have generated since 2010. All documents were provided to him. And one year later, he has requested the exact same information. I feel that I am being harassed by Mr. Janone which I would like formally documented. Thank you and if additional information is needed please let me know.

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

VOUCHERS:

Any questions on the vouchers? Councilwoman Montes said AmeriHealth does not have an invoice with it. The Clerk said we never get it on time. It always comes the following week and then we attach it to the voucher. This happens every month. Have we gotten a report from Greg? Not yet this month. I should have one for our next meeting. Could you reach out to him and ask him to send us a report? Yes. The Mayor said he would Speak to Jerry Flatt about putting more detail on his report.

Motion was made to pay the vouchers by Councilwoman Hedgepath, seconded by Councilwoman Montes and approved on roll call:

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

(See Vouchers Next Page)

VOUCHER #	PAYABLE TO:	TYPE OF SERVICE	ACCT.#	AMOUNT
5 000	PHILLIP FEINTUCH	LEGAL SERVICES	016	\$1,833.33
5 001	UNITED HEALTH CARE	ADM & EXEC MEDIC MAY	001C	342.75
5 002	HERBERT EVANS	BLDG & GRDS OE	006B	300.00
5 003	GREG STAFFORD	BLDG & GRDS OE	006B	25.00
5 004	WASTE MANAGEMENT	SANITATION	024A	7,968.91
5 005	AMERIHEALTH	ADM & EXEC MEDICAL	001C	7,192.53
5 006	DOVER BD OF EDUC.	TUITION TO DOVER	BOE	69,351.96
5 007	DOVER MUNICIPAL CT	COURT	005	1,385.58
5 008	R.V.R.S.A.	MAY SERVICE	026	7,818.00
5 009	GERALD FLATT	DOG WARDEN	012B	600.00
5 010	GOLUB ANIMAL HOSP.	DOG WARDEN	012	160.00
5 011	MORRIS CTY MUA	RECYCLING	(R)	588.00
5 012	J.C.P.& L.	BLDG & GRDS OE	006B	267.26
5 013	DAILY RECORD	ADM & EXEC OE	001D	6.76
5 014	OFFICE CONCEPTS	ADM & EXEC OE	001C	75.16
5 015	ROOF DIAGNOSTICS	BLDG PERMIT	006B	30.13
5 016	PHILLIP FEINTUCH	LEGAL SERVICES	016	6,105.75
5 017	TRUDY ALKINSON	ADM & EXEC OE	001E	20.00
5 018	VERIZON	BLDG & GRDS OE	006B	187.15
5 019	GAIL FRAZER,LLC	PLANNING BD	009	489.60
5 020	ANDERSON & DENZLER	ENGINEERING	017	234.00
5 021	DAVID ZIMMERMAN	PLANNING BD	009	245.00
5 022	J.C.P.& L.	STREET LIGHTING	023	660.46
5 023	SHELL FLEET PLUS	STREETS & ROADS OE	008C	591.46
5 024	A T & T	BLDG & GRDS OE	006B	35.69
5 025	ANDERSON & DENZLER	ENGINEERING	017	195.00
5 026	ANDERSON & DENZLER	ENGINEERING	017	3,917.65
5 027	DOVER POSTMASTER	ADM & EXEC OE	001C	316.00
				\$115,323.73
5 028	CABLEVISION	BLDG & GRDS OE	006B	\$4.40
5 029	N.J.N.G.	BLDG & GRDS OE	006B	807.00
5 030	VERIZON	BLDG & GRDS OE	006B	65.92
5 031	HECTOR LORENZO	STREETS & ROADS S&W	008	\$1,290.96
5 032	EDUARDO MARTINEZ	STREETS & ROADS S&W	008	\$2,212.32
				\$81.62
5 033	VERIZON	AID TO FIRE DEPT.		\$81.62
5 034	N.J.N.G.			458.78
5 035	J.C.P.L.			86.28
				\$626.68

NEW BUSINESS:

2013 INTERLOCAL AGREEMENT FOR EMERGENCY SERVICES 911 - Everyone has a copy of the new contract with the County. They are just now sending them out for 2013. I need approval and the Mayor needs to sign so we can send it back to them. The cost for the 2013 year is \$20,753.75.

Motion to approve the 911 Dispatching Services for 2013 made by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on roll call:

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

CLEAN COMMUNITIES/RECYCLING COORDINATOR - Everyone has a copy of the information regarding a new coordinator. We have a coordinator right now but she is moving at the end of the month. She has done the State reports for the year and has submitted them. I called the County to see if they had anyone we could use for this position. They gave me two names of two persons they thought were extremely good at the job. Ed Russick was one but when we interviewed him the last time he wanted \$5,000 to do the job. That is more than we get in the grant. The other person is William Isslein from Dover. He does recycling and clean communities. He is certified and has the credentials he needs. Sue Ruiz our current person gets paid \$2,000 a year. Bill is asking for \$1,750.

Motion was made by Councilwoman Montes to hire William Isslein to be our new Clean Communities/Recycling Coordinator to replace Susan Ruiz and his cost for the year would be \$1,750.00 . Motion seconded by Councilwoman Cheatham and approved on roll call:

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

DON JON RECYCLING - This is from the company that is currently doing our e recycling. They called us and said they have to start charging for tv's and monitors as they are now having to pay for them also. It is going to cost us approximately \$350.00 a year based on our current pickups. Councilman Glass said that Best Buy would take them for free. However, the individual people would have to take them up there and not the town. The Clerk said she spoke with the County and they are trying to get not only Victory Gardens but the other towns that Don Jon has contacted to go in with the County at no cost. The County has a contract with a company called MRM. They do all the ewaste recycling at no cost. We may have to take the stuff to the County but it would be for free. They should know if they can put us on by May 31st. They will get back to us. If not the only other alternative would be to pay Don Jon. Councilman Glass will check with Best Buy. If our men have to take ewaste to the County it will be done during regular business hours.

APPROVE CORRECTIVE ACTION PLAN - The Council has already done this when we approved the Audit however, we need to do a resolution. Everyone has a copy of the corrective action plan that Amy did. The only difference is that on the plan there has to be the implementation date and that is 2013.

(See Resolution on Following Page)

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RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN IN  
CONNECTION WITH THE AUDIT REPORT YEAR 2012 FOR THE BOROUGH  
OF VICTORY GARDENS, MORRIS COUNTY, NEW JERSEY

WHEREAS, the Borough of Victory Gardens has received and reviewed the Audit report for the year 2012, and

WHEREAS, the 2012 Audit report makes various findings and recommendations, and

WHEREAS, the Local Finance Board in the Division of Local Government Services in the N.J. Department of Community Affairs requires that a Corrective Action Plan be prepared by the Chief Financial Officer with the assistance of other officials affected by the audit recommendations which covers all findings and recommendations in the 2012 Audit Report and sets forth for each finding:

- a) A description of the deficiency (i.e., finding, observation, questioned costs)
- b) An analysis of why the deficiency occurred
- c) A description of procedures to be used to correct the deficiency or reason why the finding will not be corrected.
- d) An expected date of implementation (which is required to be no later than 6 months after the date of the 2012 Audit); and

WHEREAS, there has been prepared a Corrective Action Plan in accordance with the requirements of the Local Finance Board, attached hereto and made a part thereof; and

WHEREAS, the Chief Financial Officer of the Borough of Victory Gardens has recommended that the governing body approve the Corrective Action Plan attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Victory Gardens, County of Morris, State of New Jersey as follows:

1. The Corrective Action Plan for the Audit year 2012 attached hereto is hereby approved by the governing body of the Borough of Victory Gardens.
2. The Chief Financial Officer, along with all other appropriate officers and employees of the Borough are hereby authorized and directed to implement the Corrective Action Plan as approved herein.
3. A copy of this Resolution and Corrective Action Plan shall be submitted to the DLGS and placed on file in the Office of the Municipal Clerk.
4. This Resolution shall take effect immediately,

I, Deborah Evans, Clerk of the Borough of Victory Gardens, do hereby certify that this is a true and exact copy of the Resolution adopted by the Mayor and Council of the Borough of Victory Gardens, held on 5-14-13.

Deborah Evans  
Deborah Evans, Borough Clerk

David L. Holeman, Jr.  
David L. Holeman, Jr. Mayor

NEW BUSINESS CONTINUED:

APPROVAL OF CORRECTIVE ACTION PLAN CONTINUED -

**Borough of Victory Gardens  
County of Morris  
Audit Report year: 2012  
Corrective Action Plan**

**Finding / Condition #2012-1:**

The Borough does not maintain an adequate segregation of duties with respect to the recording and treasury functions.

**Recommendation:**

Management include more involvement in the areas of collecting, disbursing and recording to provide for a more adequate segregation of duties.

**Explanation and Corrective Action:**

Duties of personnel will be reviewed to determine where a more adequate segregation of duties can be provided.

**Implementation date:** During the year 2013

**Finding / Condition #2012-2:**

The Borough does not adequately maintain accounting and reporting systems for fixed assets and encumbrances which should be maintained to be in compliance with Technical Accounting Directives issued by the State.

**Recommendation:**

Consideration be given to implementing accounting systems for encumbrances and fixed assets as prescribed by the draft "Requirements of Audit and Accounting".

**Explanation and Corrective Action:**

Consideration will be given to implementing accounting systems for encumbrances and fixed assets

**Implementation date:** During the year 2013

**Finding / Condition #2012-3:**

The Borough does not properly and consistently charge late fees to customers for animal licenses, did not purchase enough tags for the year and should take greater care when completing the dog licensing reports for amounts due to the State..

**Recommendation:**

Late fees be properly calculated, adequate amount of tags be purchased, and greater care be taken when completing the monthly dog licensing reports for amounts due to the State.

**Explanation and Corrective Action:**

Late fees will be properly calculated, adequate amounts of tags will be purchased and the licensing reports will be reviewed prior to issuance of money to ensure proper amounts have been calculated.

**Implementation date:** During the year 2013

Motion to approve the corrective action plan/resolution by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on roll call:

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

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NEW BUSINESS CONTINUED:

RESOLUTION TO CLOSE THE COURT ACCOUNTS -

Borough of Victory Gardens  
Court Bank Account Closing  
Resolution #

**WHEREAS** due to our agreement with the Dover Court, the Borough of Victory Gardens Court and Bail Bank accounts are no longer used ; and

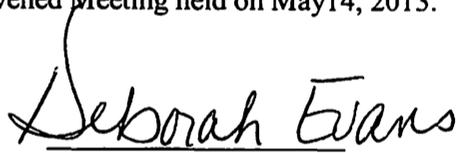
**WHEREAS** these Bank Account balances are zero; and

**WHEREAS** per the auditor's advice, it is the desire of the Governing Body to close these Bank Accounts.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Victory Gardens that the CFO be authorized to close the following Bank Accounts.

MUNICIPAL COURT GENERAL ACCOUNT      XXXXXX1797  
MUNICIPAL COURT BAIL ACCOUNT            XXXXXX1789

I HEREBY CERTIFY the above to be a true copy of a Resolution Adopted by the Council of the Borough of Victory Gardens at a duly convened Meeting held on May14, 2013.



Deborah Evans  
Municipal Clerk

Motion was made to close the court accounts by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

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

REQUEST FOR QUOTATION FOR TREES - Today is the cut off date for the contractors. This is for removal of 7 trees and grinding the stumps. They have to chip and remove all brush and debris, grind the stump and roots, remove the grindings and topsoil, seed and mulch the stump hole. we received the following two quotes:

Master Tree Service	\$ 9,600.00
Tuff Green	\$23,710.00

Motion was made to give the work to Master Tree for his estimate of \$9,600.00 for the seven trees and stumps. Motion made by Councilwoman Cheatham, seconded by Councilwoman Hedgepath and approved on roll call:

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

OLD BUSINESS:

FINANCIAL DISCLOSURE STATEMENTS - The Clerk said this is a reminder that everyone's information has to be submitted to the State no later than 5/31/13. I have submitted mine 15 times and I still have not received the printout at the end that you are supposed to get. Amy has tried it also and can't do it from here. If you want to do the paper copy then Amy will try to do it for you. If you want to ask Councilman Lorenzo to help you you can do that. He was able to get through and get the paper at the end. Councilman Glass was able to do it also.

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

Joan Cegelka - Who changed the Memorial Day Services? The Mayor said he did because he doesn't know if he has to work yet or not. There are other towns that are doing it on Saturday also. When was this policy changed? It wasn't. This is not a policy. I don't think you have the power to change it. I think I do. I set up everything for the service and I want to be there for it so I changed the date. The Attorney said he thinks the Mayor can change the date. Where is that written? It is not a policy the Attorney said. There is nothing in our Ordinance that says the Council picks the date for a celebration. No, it doesn't Joan said. Did Council have any input on this? No. Does the Council agree with this? The Council said they didn't have a problem with it. Is the American Legion going to be here? Yes. Which one? Dover. Are they the ones that have done it in the past? Yes. On the budget sheet you have Jim Glass' term to expire on 2014. That is wrong. The auditors did that. Who proposed the crosswalk for Franklin Road? Randolph or the county? The County. Did you contact them with your intentions. I spoke to Randolph. I told them we wanted to know what they were going to do. we were basing our stuff on what they were going to do. Randolph was trying for a Community Development grant. We spoke about this at Council several times and Council said to see what Randolph was doing and if the project was moving forward we had the money to put in. That is where it ended. We never got anything else from the County or Randolph.

Jim Janone - I checked with your company and they are closed on Memorial Day. Well thank you but I haven't heard a word. Do we get a tonnage report? Yes, our recycling coordinator gets those. Was there a spec for the trees? A request for quotation was done. Vouchers 5019, 5021 and 5025 were they approved by the Planning Board? I don't know. No one is typing there minutes so I don't know. Barrie told us to pay them. She looked them over and approved them. I spoke to the County Engineer today. They said they haven't heard from the Borough or Randolph. She will probably send a letter to both towns.

Diane Feola - I was listening about the electronics. The Restore on the side of the building they have recycling. It is a workshop for the disabled. Councilwoman Montes said she would call tomorrow. She knows someone that works there.

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

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

Submitted By:

*Deborah Evans*

Deborah Evans  
Borough Clerk