

July 23, 2013

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on July 23, 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.

ABSENT: Councilwoman Hall and Councilman Glass.

Motion to accept the minutes of July 9, 2013 as received by Councilwoman Hedgepath, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

CORRESPONDENCE: None

VOUCHERS:

Are there any questions on the vouchers? Hearing none the Mayor asked for a motion to pay the bills.

Motion to approve the vouchers for payment 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

VOUCHER #	PAYABLE TO:	TYPE OF SERVICE	ACCT.#	AMOUNT
7 025	KONICA MINOLTA	ADM & EXEC OE		\$95.18
7 026	MASTER TREE	BLDG & GRDS		9,600.00
7 027	I DEAL AIR	BLDG & GRDS		350.00
7 028	ANDERSON & DENZLER	ENGINEERING		5,592.00
7 029	N.J.N.G.	BLDG & GRDS		807.00
7 030	HANDYMAN	STREETS & ROADS OE		57.23
7 031	GOLUB ANIMAL	DOG WARDEN OE		322.00
7 032	JOHN T. GRECO	RIGHT TO KNOW		540.00
7 033	NJ STATE LEAGUE MUN	ADM & EXEC OE		16.00
7 034	W.& C. LANKENAU	TAXES OE		190.00
7 035	VERIZON	BLDG & GRDS OE		61.22
7 036	CABLEVISION	BLDG & GRDS OE		4.40
7 037	M.C.MUA	RECYCLING		816.00
7 038	WELDON ASPHALT	STREETS & ROADS OE		302.42
7 039	COUNTY OF MORRIS	TAXES		44,897.15
7 040	COUNTY OF MORRIS	TAXES		1,276.53
7 041	HECTOR LORENZO	STREETS & ROADS S & W		1,450.56
7 042	EDUARDO MARTINEZ	STREETS & ROADS S & W		2,485.44
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				\$68,863.13

DEPARTMENT REPORTS:

BUILDING DEPARTMENT - 4 permits issued. Total value of construction was \$4,050.00 .

CLERKS RECEIPTS	- Taxes	\$3,312.03
	Sewer	5,321.48
	Cat Licenses	7.20
	ABC Licenses	5,000.00
	TOTAL	\$13,640.71

PROPERTY MAINTENANCE - The following properties require attention:
13-19 Adams Avenue - Grass has been cut but a fallen has not been removed.
108-110 Monroe - Property is completely over run and resident at 104 Monroe says there rats. Greg did get the phone number for Jaime and he is reporting to him.
297 Washington - Shed collapsed on property and warning notice has been sent to home owner to remove shed.

MUNICIPAL COURT - \$518.32 has been received from the court.

TAX COLLECTOR	- Total Tax receipts Month To Date:	\$ 67,459.15
	Year To Date:	856,403.09

REGISTRAR - 2 marriage licenses issued for a total collected of \$56.00 .

COMMITTEE REPORTS:

Councilwoman Cheatham - None

Councilwoman Hedgepath - Sabine Von Aulock is retiring as of 9/1/13. Changes will be coming to Community Development. Those changes will be discussed after she retires.

Councilman Lorenzo - I gave everyone a copy of what I found regarding trucks. These are the prices of the trucks from different dealers. The quote that Debbe gave us is basically the same. With the things that we have to put on it then it will come to right about what Debbe said. This is something for you to look at and compare to Debbes. Then we can discuss it at the next meeting. These trucks that I gave you don't have the extras that we need. That has to be added. That is why once we add those things on it will come right to about where Debbes quote was. Debbe has the State Contract amount. We might to better with that.

Councilwoman Garcia Montes - Nothing for Recreation.

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

NEW BUSINESS: None

OLD BUSINESS:

DISCUSSION ON PROPERTY MAINTENANCE CODE - The Mayor asked if anyone had any comments on the property maintenance code.

Councilwoman Cheatham had some typographical changes. The Attorney said he would correct those two items.

Councilwoman Montes asked if this should be tabled until we have a full Council. No. Everyone had the opportunity to discuss and if they weren't going to be here they could have called or written their comments. This is not the only night of discussion. Whatever changes are made tonight the Attorney will take back with him and then we will have a corrected copy to look at. When we get that if there are any other comments and everyone agrees then it will be redone again.

Councilman Lorenzo asked if this is amended from the previous one? Yes. We don't know what the changes were from the other code. Everyone had a copy of it. You would have to look back on those other codes. I don't have the first one the Clerk said because once the changes were done the first one was thrown out. So you have the second one. You should look back at that one and compare it to this one. We have been working on this for 6 years.

OLD BUSINESS CONTINUED:

PROPERTY MAINTENANCE DISCUSSION CONTINUED - Councilman Lorenzo said I am not sure what was changed from the last time. It shouldn't matter as this is taken from the old one. None of these were ever adopted. We keep changing things but it hasn't been adopted. The Attorney said what is in the old code book is what we are using right now. The code officials have to be put in here in this section. Shouldn't they be listed? They are listed on page 3 of the code. No employee can just write summons. They are listed as to who can do this. You don't have to list all 6 of them throughout the code. They are listed once.

Councilwoman Montes said she is fine with this as it is written. If she has questions she will ask them as we go.

The Clerk said she has some issues she would like clarified. Page 9 the price for a single family resale is \$160.00 not \$320.00 . The Attorney said he will change that. Page 24 about swimming pools there is a statute given. What does that law say? I just want to make sure we are covered on this. The Attorney said he would look into it.

Councilwoman Montes asked if wading pools have to have a fence around them? Not if they are taken down and emptied every night the Attorney said. The Attorney said he would check the code to make sure. He thinks that anything over 24 inches has to have a fence around it.

The Clerk said page 40 - what is approved containers? Garbage cans or bags? That is a good question because we haven't established what an approved container is. The Clerk said in our current code it says it has to be a garbage can. The Clerk said a lot of people put their garbage out in bags and then the birds and other animals get into it and make a mess of it before the garbage men come through. Along with this it says leak proof containers and it says that the homeowners have to supply the garbage cans for their tenants. It says that an approved container is leak proof and with close fitting covers. Okay.

Councilman Lorenzo asked if this is just for renters? No, it is for everyone putting out garbage. The homeowners that live here also have to do it.

Councilwoman Montes asked about 801.4 about an approved mechanical food waster grinder in each unit or an approved leak proof, covered outside container. What does that mean? It means that some homes have a garbage disposal and some don't. No matter what it still have to go into a covered can.

The Clerk said on page 18 the section on weeds. Does weeds include vines? I have a house by me where the vines are so high they are going to climb over the house. Yes, it includes vines. Page 20 301.9 firewood. Has to be 8 inches off the ground. We have some people that stack fire wood but it isn't off the ground. This is what it has to be. This makes sure that rodents and animals don't nest there. Okay.

Councilwoman Cheatham said some of these homes don't have back yards. Is the side yard considered the back yard. No, it says it can not be in the front yard or the side yard. It has to be in the back yard.

The Clerk asked about tree trunks that have been cut but are just laying in the yards. What does that fall under? The people just leave it there and it doesn't look like it will ever be moved. Would it be under the weeds/vines? Good question. I don't know. I have to check into it the Attorney said.

Page 18 301.4 - It talks about after a violation is not taken care of that an employee of the DPW or an outside contractor would be hired to clean up these yards. I thought at Council the Council said they did not want to do this. That is true but Council is now saying that there is such a mess in Victory Gardens something has to be done. If we hire an outside contractor to come in and clean these areas then we have to pay them out of our budget. Then we would have to put a lien on the property and we would not recoup that money until the house was sold. This could take years for us to get our money back.

Councilwoman Hedgepath said Victory Gardens looks horrible. Council agreed. We have to do something to get it cleaned up. The Attorney said that is not the exclusive decision. These places will be issued summonses and they will have to go to court. The court will tell them what they have to do. They will be given fines. The Attorney also said we have to put something in here about the what fines will be.

Councilwoman Montes asked the Attorney what he thinks the fine should be? Councilwoman Hedgepath said we need to make it high enough so they know we are serious. The Attorney said he would make the 1st offense \$25.00 . Council said no it isn't enough.

Councilwoman Montes said the 1st offense should be \$250.00 . Council agreed. The Attorney said the first thing is that the owner would have to be notified that

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OLD BUSINESS CONTINUED:

DISCUSSION ON PROPERTY MAINTENANCE CODE CONTINUED - there is a violation on the property. They are given so many days to correct the violation. If it is not done on reinspection then the fines and the summonses start.

Council agreed that the 1st offense would be \$250.00 . The 2nd offense would be \$500.00 and the 3rd offense would be at the discretion of the Judge but not more than \$1,000.00 .

The Attorney asked the clerk if there was something in here about having rubbish on the property? Yes, I saw it in here. It is on page 16 under rubbish. Okay. It is also on page 23.

Mayor Holeman said on page 3 104.3 this means that all those we have listed under Code Officials will be able to enforce? Yes. 104.6 under right of entry. This means that the State Police can go through and if they are not here a court could order entry. Yes. 104.9 rule making authority. This means that a code enforcement person can come to us and ask us to change a part of our code and we can do that to make their job easier. However, we can not interfere with working stresses or fire protection requirements.

The Attorney has to make the changes we talked about tonight. Then he will get the paperwork out to us.

Motion was made to table this discussion until our next meeting on August 12, 2013. Motion made by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on roll call:

Councilwoman Cheatham	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.

Jim Janone - Have their been any summonses issued from property maintenance? None that I know of the Clerk said. I will check. If he goes to court he should have that in his report. Will the new property maintenance code replace the old section in the ordinance book? Yes, but if there is something in the old code and not in the new one those parts of the old code will still be in effect. When will this code be available to the public? The public will be able to look at it once we introduce the code. It will be advertised but not in full. It will say in the paper that the code can be inspected at the Clerks office. We have a problem with enforcement in this town. Is this going to be enforced? We hope that it will be enforced. This body will have to pay for someone to do this job.

John Cegelka - Representative from RVRSA. You received a letter from RVRSA about touring the facilities. The tour is about 1½ hours long and it is a walking tour of the building and grounds. I just want to know if anyone from Victory Gardens will be attending. The Mayor said he would get back to John. If he can't make it he will see if someone else from the Council would like to attend. They are doing the tours Tuesday thru Thursdays from July through October. The tours are anywhere from 9 a.m. until 4p.m..

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

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

Submitted By:

Deborah Evans

Deborah Evans
Borough Clerk

August 12, 2013

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on August 12, 2013.

Mayor Holeman called the meeting to order and declared a quorum present. This meeting is being held on a Monday night due to the fact that a special election is being held tomorrow for the replacement of Frank Lautenberg.

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 Hall (arrived @ 6:04 p.m.), Councilman Lorenzo and Councilwoman Garcia Montes.

ABSENT: Councilwoman Hedgepath and Councilman Glass.

Motion to accept the minutes of July 23, 2013 as received by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

CORRESPONDENCE:

Cargill Salt - We received the new quote for our salt for this year. The price is \$75.68 per ton. Last year the price was \$81.60 per ton. It went down this year. It is \$5.92 less.

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

VOUCHERS:

Are there any questions or comments on the vouchers? Hearing none, the Mayor asked for a motion to accept the vouchers and pay the bills.

Motion to approved the vouchers for payment by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

(See Vouchers Next Page)

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VOUCHER #	PAYABLE TO:	TYPE OF SERVICE	ACCT.#	AMOUNT
8 000	PHILIP FEINTUCH	LEGAL SERVICES		\$1,833.33
8 001	UNITED HEALTH CARE	ADM & EXEC MEDICAL		342.75
8 002	HERBERT EVANS	BLDG & GRDS		300.00
8 003	GREG STAFFORD	BLDG & GRDS		25.00
8 004	WASTE MANAGEMENT	SANITATION		7,968.91
8 005	AMERIHEALTH	ADM & EXEC.		7,192.53
8 006	DOVER MUNICIPAL	COURT		1,385.58
8 007	SUSSEX CTY CLERKS ASS.	ADM & EXEC.		20.00
8 008	DEPT OF FINANCE	TAXES		20,753.75
8 009	DEBORAH EVANS	ADM & EXEC		505.20
8 010	R.V.R.S.A.	AUGUST SERVICE		7,818.00
8 011	SHELL FLEET	STREETS & ROADS		651.88
8 012	COUNTY OF MORRIS	ADM & EXEC		1,271.3
8 013	MICRO SYSTEMS	TAXES		120.00
8 014	HENRY O. BAKER	INSURANCE		5,145.00
8 015	MARK PAVING	ENGINEERING		4,954.25
8 016	J.C.P.& L.	BLDG & GRDS		375.52
8 017	VERIZON	BLDG & GRDS		191.07
8 018	A T & T	BLDG & GRDS		39.93
8 019	DOREEN SCHOTT	ADM & EXEC		15.00
8 020	ANDERSON & DENZLER	ENGINEERING		1,170.00
8 021	J.C.P.& L.	BLDG & GRDS		648.64
8 022	PHONE CONNECTIONS	BLDG & GRDS		661.00
8 023	MORRIS CTY MUA	RECYCLES		972.00
8 024	QUALITY DISCOUNT	STREETS & ROADS		243.00
8 025	DEBORAH EVANS	ADM & EXEC (PETTY CASH)		72.46
8 026	HECTOR LORENZO	STREETS & ROADS S & W		1,329.68
8 027	EDWARD MARTINEZ	STREETS & ROADS S & W		2,278.32
				<hr/>
				\$68,284.11
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8 028	MICRO SYSTEMS	TAXES		\$250.00
8 029	N.J.N.G.	BLDG & GRDS		807.00
8 030	VERIZON	AID TO FIRE DEPT		83.35
8 031	N.J.N.G.	AID TO FIRE DEPT.		30.93
8 032	J.C.P.& L.	" " "		395.33
				<hr/>
				\$1,566.61
				<hr/>
				68,284.11
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				\$69,850.72

NEW BUSINESS: NONE

OLD BUSINESS:

PROPERTY MAINTENANCE CODE - Attorney Feintuch did the changes that we requested at the last meeting and everyone has a copy of the updated version. He also took the old code and incorporated it into this one. So now all our property maintenance matters are under one ordinance. Everyone has a copy of the updated version.

We will table this until the next meeting. At that time, hopefully we can introduce this and move forward.

DPW TRUCK - The Clerk said she asked Eddie to come to the meeting tonight in case anyone had any questions regarding the specs. The Mayor asked Eddie to come forward.

The Mayor asked if anyone had any questions regarding the estimate on the truck? If you do Eddie is here and he will be able to answer those questions. The State contract is Beyer Ford.

Councilwoman Montes asked if we have two trucks now with two salt spreaders? Yes. Are they both working? Yes. So then we don't need another salt spreader? Yes we do. One of them keeps breaking down. We are always fixing it. You can not change the salt spreader from truck to truck. The wires don't hook up the same for each truck. Are we keeping the trucks we have or getting rid of one? We are

OLD BUSINESS CONTINUED:

DPW TRUCK - keeping them Eddie said. You can change the spreaders but in order to do that you have to have someone change the wires from one truck to the other.

Councilwoman Cheatham said the first page of the quote from Beyer Ford is the basics that come with the truck? Yes. The second page is what we need to add to the truck? Yes. So we combine the cost from both pages together to see how much it will cost us? No. The base vehicle is the cost on the first page. With everything on the second page added to it you come up with the price as a whole which is the total on the second page.

Councilwoman Montes asked how much we have for the truck? It is in the Capital account. We didn't set aside a certain amount. That is where the money will come out of. What year is the truck? It is a 2013.

Councilwoman Hall asked if this truck has everything that Eddie needs? Yes. We won't have to come back later and add something else? No.

Councilman Lorenzo said he sees optional items here that he isn't sure about. It says that you get 2 front all season tires and 4 rear traction BSW tires. Doesn't the truck come with tires? They are standard tires that come with the truck but we will need the heavy tires for traction in the winter. It is extra for the heavy duty tires. Councilwoman Hall said on the front page of the quote it doesn't say anything about tires.

Mayor Holeman said that every year we have a plow or truck down because of the hydraulics. This way we have a backup. If one goes down we still will have two trucks to have the men use. This way one isn't fixing the truck and then we only have one person out there plowing. The Attorney said we should get the truck with the tires that come with it and then get the extra tires with the wheels so you don't have to use the heavy duty tires until winter. That will save them so you don't use them year round.

Councilwoman Montes asked what the option was for power equipment group? What is that? Eddie said it is to lift the plow. It is part of the plow system the Mayor said.

Motion was made to purchase the 2013 Ford F-450 for \$53,812.00 based on state contract number A83560. Motion made by Councilwoman Hall, seconded by Councilwoman Cheatham and approved on roll call:

- | | |
|----------------------------|-----|
| Councilwoman Cheatham | Yes |
| Councilwoman Hall | 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.

James Janone - Voucher #8009 what is that for? Reimbursement for working the special election. Is she being paid ahead of time? No. Nothing gets paid until the regular pay period. How was the calculation done? It is not for the regular workday. It is the overtime hours from 5 a.m. until 8 a.m. and then from 4p.m. until 9 p.m.. It is for 8 hours at time and a half. Are we being reimbursed for this? Yes. The State is reimbursing everyone for the extra time. Voucher 8022. Phone connections what is that for? We had two cameras that went down. We needed to get them fixed. #8024 for Quality Tire. That is a truck tire that they had to replace. Attorney Feintuch do you have all your bills submitted for the time spent on property maintenance? No. The final bill will come in when we are done with it. The ford truck is how much? \$53,812. I found two trucks. One for 36,500 and the other for 37,400. We have to compare the trucks.

Joan Cegelka - Why didn't you do specs for bids? We don't have to if we use the state contract. Councilman Lorenzo looked at different vehicles and gave us that information. He said that the state contract is comparable to the trucks he looked at. They were pretty close in price Councilman Lorenzo said. Why are we buying a truck if the other two trucks are in good shape? We always have a problem with the one truck but instead of just getting rid of it we are going to use it as a backup. Do you have a maintenance record for the trucks? No.

Motion to close the meeting to the public by Councilwoman Montes, seconded by Councilwoman Cheatham 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