

January 28, 2014

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on January 28, 2014.

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 Cegelka, Councilwoman Cheatham, Councilman Glass, Councilwoman Hedgepath, Councilman Lorenzo, Councilwoman Garcia Montes.

Attorney Feintuch was also present at this meeting.

ABSENT: None

Motion was made to accept the minutes of January 14, 2014 as received by Councilman Lorenzo, seconded by Councilwoman Montes.

Councilwoman Cegelka suggested that in the minutes if a voucher is removed or altered, this should be reflected in the minutes. Council agreed.

Councilwoman Cegelka made a motion if there are any corrections or alterations on the vouchers that it should be reflected in the future minutes. Seconded by Councilman Lorenzo and approved on roll call:

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

We need a roll call on the original motion to pay the bills.

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

CORRESPONDENCE:

Faith Kitchen - Letter to Councilwoman Montes - Thank you so much for your donation of coats to Faith Kitchen. The clients here really appreciate your help in keeping them warm during this very cold winter. Thank you for thinking of us. As Dovers soup kitchen we currently serve 80 - 100 people daily. It is only through donations of food and monetary contributions that we are able to feed as many people as we do. We served a total of 36,409 meals in 2013. Your support of the Faith Kitchen is very much appreciated.

Valerie Williams - The Planning Board administrative committee is formally requesting to reserve the all purpose room at Borough Hall. We are requesting Mondays each week between the hours of 2 - 4 p.m..

Kristine Wilsusen - I received this letter from her because at one time the Council was interested in having the Morris County Health Management come and do a program for our residents. She wants to know what date we would want her here so I need to know that so I can get back to her.

Valerie Williams - A note requesting a copy of the letter that Attorney Feintuch discussed at the last meeting. I told her someone else requested the same information and was turned down because the Attorney said it was not an OPRA matter.

Scott Warner - I received a call from Scott from the Dover Fire Department and he said that someone took the exhaust hose and tied it up in a know and ripped it apart. Hose needs to be replaced and will cost anywhere from \$500 to \$800. He can call the company to come out and replace but we need Councils permission to do so.

CORRESPONDENCE CONTINUED:

Barrie Krause - Everyone has a copy of her letter. She states at the Planning Board meeting of January 15, 2014 the board asked that we be notified of their budget requests for 2014. They are requesting \$4,000.

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

Councilwoman Cheatham said that she was up at the firehouse when the kids were up there and she saw the hose. It wasn't tied, it was looped. I don't know how a hole got in there. The Mayor and Councilman Lorenzo will go to the firehouse after the meeting and take a look at what the problem is.

Councilwoman Cegelka asked if we are taking action on the request from the Planning Board to use the Borough Hall? We will do that under new business.

VOUCHERS:

Councilwoman Cheatham said she has a bill from Anderson & Denzler and we haven't appointed them yet. Councilwoman Montes said that is from December. We have to pay that one. Also at the last meeting we held up the check for Waste Management. I wanted the attachment with the drivers name and the person working on the truck with him so we had that information for hourly wages. However, the company sent me information saying that they employ more than 1,000 people and they do not have to give us that listing. That is in the law and we do not need it.

No other questions on the vouchers.

Motion was made to approve the vouchers for payment by Councilwoman Cheatham, seconded by Councilman Glass and approved on roll call:

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

VOUCHER #	PAYABLE TO:	TYPE OF SERVICE	ACCT.#	AMOUNT
1 057	TWSP. OF CHATHAM	ADM & EXEC		\$50.00
1 058	THE HARTFORD	INSURANCE		\$8,724.00
1 059	AMERIHEALTH	ADM & EXEC MEDIC		9,264.75
1 060	SILVERSCRIPT INS	ADM & EXEC MEDIC		33.80
1 061	UNITED HEALTH CARE	ADM & EXEC MEDIC		362.99
1 062	J.C.P. & L.	STREET LIGHTING		692.98
1 063	VERIZON	BLDG & GRDS		83.33
1 064	KONICA MINOLTA	ADM & EXEC		63.76
1 065	PROTECTIVE SYSTEMS	BLDG & GRDS		260.00
1 066	AUTO PARTS PEOPLE	STREETS & ROADS		29.58
1 067	LORRAINE BENDEROTH	TAX DEPT ADM.		42.78
1 068	ANDERSON & DENZLER	ENGINEERING		1,209.00
1 069	HOME DEPOT	STREETS & ROADS		38.91
1 070	CABLEVISION	BLDG & GRDS		4.40
1 071	HOME DEPOT	STREETS & ROADS		476.74
1 072	CARGILL DEICING	STREETS & ROADS		1,926.81
1 073	J.C.P. & L.	ADM & EXEC		382.09
1 074	VERIZON	BLDG & GRDS		67.40
1 075	DAILY RECORD	ADM & EXEC		170.04
1 076	DAILY RECORD	ADM & EXEC		54.24
1 077	GOLUB ANIMAL	DOG WARDEN		356.00
1 078	MASTER TREE SERVICE	BLDG & GRDS		6,050.00
1 079	J.C.P. & L. FD	BLDG & GRDS		135.63
1 080	NAPA AUTO PARTS	STREETS & ROADS		213.46
1 081	VERIZON	BLDG & GRDS		187.61
1 082	A.T. & T.	BLDG & GRDS		42.36
1 083	HECTOR LORENZO	STREETS & ROADS S&W		\$1,722.48
1 084	EDUARDO MARTINEZ	STREETS & ROADS S&W		\$3,145.55
1 085	US BANK CUST	TAXES		292.11
				\$36,082.80

DEPARTMENT REPORTS:

Building Department - 2 permits issued for a total value of construction: \$9,000.

Clerks Receipts -	Taxes	\$59,093.11
	Sewer	190.00
	Dog Licenses	10.20
	Total	\$59,293.31

Property Maintenance - No report for December due to weather.

Municipal Court - We received from the Court \$ 546.68 for December

Tax Collector - December Report	Month To Date:	56,718.19
	Year To Date:	1,813,995.27

Registrar - 3 marriage licenses issued for the month of December. Total collected \$84.00

Chief Financial Officer - Everyone has a copy of Amys report. Please keep this our budget meetings.

COMMITTEE REPORTS:

Councilwoman Hedgepath - Nothing for Community Development at this time. All the applications have been turned in so now we just wait.

Councilman Glass - Nothing at this time.

Councilwoman Cegelka - The Mayor said the list that Joan did up was turned over to Eddie. I haven't had a chance to talk to him yet but I will speak with him. I did find out that Eddie and Hector can do the repairs at the firehouse from our insurance carrier but they can not solder or weld.

Councilwoman Cegelka said that she did speak with a plumber today and they told her that the way they do pipes today they don't need to weld. The drain pipes are all compression and they use a gasket and a nut. I did take pictures of the repairs that we need. I know that we were concerned about the toilets and the stains in them but I did find a stone that removes those stains. There is a double sink that can be changed with the vanity to just a single. Also, there is paneling that can be removed and put the plaster board up behind the sink and toilet and then it can be painted. In the ladies room the vanity and sink can be redone and the toilet stall divider can be changed so there is a better flow for the doors. Rubber baseboards can be changed and it can be painted.

Councilwoman Cheatham said one of the toilets in the ladies room did not flush properly. We had to use extra water to flush it down.

Councilman Lorenzo - I contacted several contractors and no one wants to come out for such a small job. This is a job that will have to be delegated to our DPW men.

Councilwoman Cegelka said we only use the firehouse 3 times a year. I don't think we have to change out the toilets yet. If in the future we get the fire department back then maybe at that time.

Councilwoman Montes - On 12/21 we had the Christmas Party. We had about 135 kids. We did the coat drive and gave out 200 coats. The excess coats went to the soup kitchen and there are about 50 - 60 coats left and there is a church in Dover that may take them. Everyone appreciated the coats and there is a need to have the coat drive.

Councilwoman Cheatham - Nothing at this time.

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

NEW BUSINESS:

BOARD OF HEALTH MEETING - The meeting was cancelled for BOH because of bad weather. The next meeting will be scheduled for February 4, 2014 at 6:00 p.m.. Motion made by Councilwoman Montes, seconded by Councilwoman Cegelka and approved on roll call:

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NEW BUSINESS CONTINUED:

BOARD OF HEALTH MEETING CONTINUED:	Councilwoman Cegelka	Yes
	Councilwoman Cheatham	Yes
	Councilman Glass	Yes
	Councilwoman Hedgepath	Yes
	Councilman Lorenzo	Yes
	Councilwoman Garcia Montes	Yes

AMENDMENT TO PROPERTY MAINTENANCE CODE -

AN ORDINANCE SUBSTITUTING CHAPTER XII, PROPERTY MAINTENANCE OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF VICTORY GARDENS, MORRIS COUNTY.

Amendment: 12-32 Time to Correct Violations of this Ordinance.

In all cases where a Notice of Violation is issued, the property owner shall have 30 days to correct the violation. In instances where the correction may take more than 30 days, the property owner may advise the Inspector of such a situation and in that event the Inspector may allow an additional 30 days to correct the violation.

Motion on the introduction by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on roll call:

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

TRANSFER RESOLUTION FROM CFO -

**Borough of Victory Gardens
Transfer Resolution
Appropriation Reserves
Resolution #**

WHEREAS 2013 bills have been presented for payment this year, which bills were not covered or recorded at the time of transfers between the 2013 Budget Appropriation Reserve in the last two months of 2013; and

WHEREAS N.J.S. 40A: 4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances which are expected to be insufficient during the first three months of the succeeding year:

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Victory Gardens that the transfers in the amount of \$800.00 made between the 2013 Budget Appropriation reserves as follows:

From: <i>Clerk OE</i>	\$800.00
To: <i>Construction S&W</i>	\$800.00

NEW BUSINESS:

TRANSFER RESOLUTION FROM CFO CONTINUED: Motion to approve the resolution by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on roll call:

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

PROFESSIONAL SERVICES AGREEMENT FROM ATTORNEY FEINTUCH - Everyone has a copy of the professional services agreement. The Attorney is here if anyone has any questions regarding this.

Motion to approve the professional services agreement from the Attorney. Motion made by Councilwoman Montes, seconded by Councilwoman Hedgepath.

Are there any questions the Mayor asked regarding this agreement? Councilwoman Cegelka said # 8 she is a little confused about this. I understand about the \$175 per hour but the rest of the sentence does that mean you will be charging \$175 for everything else listed in that section? Yes. How often do we approve this? Every year.

Councilman Lorenzo said he had a question on # 11. If I have to pay for transcripts, motions anything like that which would come out of the firms money I would get reimbursed for.

Councilwoman Cegelka said she understands the increase is 5%. Correct. Why the 5%. I haven't had an increase since 2008. Okay. Will this set precedence for the employees asking for 5% raises? I don't think so this is a professional contract.

Roll call on the Motion:	Councilwoman Cegelka	No
	Councilwoman Cheatham	Yes
	Councilman Glass	Yes
	Councilwoman Hedgepath	Yes
	Councilman Lorenzo	Yes
	Councilwoman Garcia Montes	Yes

We need to go over what the Planning Board is requesting for use of the conference room from 2 p.m. to 4 p.m. on Mondays. Councilwoman Hedgepath asked if they couldn't meet either an hour before or after their Planning Board meeting? Councilman Lorenzo asked if anything goes on in this room? The Clerk said that sometimes she does marriage licenses in there or has meetings in there. Most of the time the conference room is empty. Right now for the week the Auditors are in there. The Mayor asked Jim Janone how many times a month they need the use of the building? We would just use it every Monday until we are done. I think it won't be many meetings as we would like to get this done before the next Planning Board meeting.

Motion was made to authorize the 4 members of the Planning Board to use the conference room on Mondays when Borough Hall is open between the hours of 2 p.m. and 4 p.m.. Motion made by Councilwoman Cegelka, seconded by Councilman Lorenzo and approved on roll call:

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

Councilwoman Cegelka asked if we are doing anything with the repairs to the fire house? We are giving it to the maintenance men and finding out what they can do. If they can't do it all then we will have to find someone to do what they can't. Councilwoman Cheatham said that maybe they can give us an estimate on what the supplies would cost.

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OLD BUSINESS:

NEW HIREE FOR CLERKS OFFICE - Councilwoman Hedgepath said the Administration has chosen a person for the part time help. Out of all of them we have a pool of three but we have one in particular that we are interested in more so than the others. It is up to the Council as to what we will do next. We need coverage in the Borough when Debbe isn't here or if Mrs. Bly decides to take a vacation. I spoke with Mrs. Bly in length as the Council asked me to do. Councilwoman Cheatham also spoke with her. Councilwoman Cheatham said that when she spoke with Mrs. Bly she told her we were not replacing her just getting extra help and she said she understood that and would work with whoever came in. She loves work and loves coming here. Councilwoman Hedgepath said when she spoke to Mrs. Bly she told her she would like to take a vacation and enjoy the summer. She said with people coming down here asking her about her job she was uncomfortable and she didn't know who was for her or who was against her. That is horrible. We are running a business and just trying to make sure we are covered.

Councilwoman Montes said she doesn't think we need anyone else here working for the town. Councilwoman Cegelka agreed. This town at one time was run by a part time Clerk. I have been looking at other towns our size and many are closed one day a week. Some close early during the week and then open one evening. You don't have to have Borough Hall open every day. When I spoke to Mrs. Bly she told me here work would be done by 12 noon everyday. You are taking a part time position and turning it into a full time position by using 2 part time people. We can put a notice on the door letting people know we are closing early. If you want someone just for the computer you don't need someone five days a week.

Councilman Lorenzo said we have no idea of who we are hiring. We have no information about this person. It is hard to believe that all the people in town that are unemployed that we can't find someone in our own town to do this job. There was no one in Victory Gardens that applied that was more qualified than the person we chose. This is what I have a problem with.

A motion was made by Councilwoman Montes not to hire anyone at this time. Seconded by Councilwoman Cegelka. If you vote yes, that means that we do not hire someone.

Councilwoman Cegelka	Yes
Councilwoman Cheatham	No
Councilman Glass	No
Councilwoman Hedgepath	No
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

The Clerk said there is a tie and the Mayor needs to break that tie. The Mayor voted no.

The Attorney said that now you have to vote if you want to hire someone. Councilwoman Montes asked how we can vote for someone if we don't know them. That is the purpose of having a committee. They do all the work for you. Councilwoman Montes said there probably wasn't a back ground check or fingerprints done either. You can't do that until after you hire them other wise you would be doing it for every applicant.

Councilwoman Hedgepath will bring the name of the applicant to the Council at the next meeting and a decision will be made at that time.

Motion was made by Councilwoman Cegelka to table this until the next meeting. Seconded by Councilwoman Cheatham and approved on verbal vote.

DISCUSSION ON WEB SITE - Councilwoman Hedgepath spoke with Mark who does out computers for the town. I am meeting with him tomorrow. Mark will network the Clerks computer. We should be able to get this done within the next few weeks. A lot of scanning needs to be done. We are only networking one computer Councilman Lorenzo asked? What if someone else needs to access that information? All you need is a router the Attorney said and then the other computers can connect. There are mistakes on the website which will be corrected. This is a work in progress and it will work out if you give it time.

Councilwoman Cegelka asked if the Council has a copy of the Statement of Work? Yes, everyone was given a copy. Did Mr. Alexander sign the contract? We don't have a copy of it. Councilwoman Hedgepath said that she will get all the information tomorrow and get back to the Council. We don't have anything about an hourly fee. I will get that information.

More discussion was held on the web site and Councilwoman Hedgepath said she would gather all the information that she can and bring it back to the next meeting. Councilwoman Cheatham and myself came into this in the middle of things. This was Sonias thing that she was working on. We didn't know who she contacted and what was discussed to get to where we are now. We are trying to get done what she started.

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

Valerie Williams - Who is the information officer for the Borough? I think it is the Clerk. Does the Clerks computer still control the emergency response notifications? It never did. It was through the County. who is taking the Clerks training for the new hire? Right now we aren't training right away. We have to get someone in here to break them in. How long before you retire do we need to train someone and have them go to school? To go through the schooling it can take almost 2 years. Will that be in the budget? When the time comes, yes. Does the governing body have the MLUL law books? No. They are suppose to be here on file whether they are in the Clerks office or Barries office. The Clerk said she doesn't have them.

Jim Janone - Jim said with the hose it could be a possibility that the fire truck ran into it. Water flow is part of the problem with the toilet at the firehouse. You can probably adjust the water flow and it will be okay. The Borough should own the website - not a private owner. I have my own webiste and it cost me \$96.00 You should be on an unlimited plan. You do have some things in your ordinances that say for VG residents. There was a waiver done for the Clerk that they didn't have to live here, is that right? No. The State mandates that and when I first started here the Clerk had to live in town. Then they changed it so that they didn't have to live in town. But that was the State - it wasn't done locally. You paid for the new truck? Yes. Did Amy did a certification of funds? Yes, she did it. I spoke to her about it and she said it was done. Did the health insurance go up? Yes, it goes up every November.

Christopher Trotsky - Ms. Williams did not have enough time to speak so I am finishing up what she wanted to speak about. A letter from Ms. Williams dated March 15, 2010. It is a letter from Barrie Krause. I have been hired as the Planning Board Secretary . The Borough has combined Boards. The job consists of the basic clerical duties and record keeping as well as any other responsibility provided by ordinance.

Another letter to Ms. Williams dated March 15, 2010 - From Barrie Krause - As per MLUL the Administrative Officer is the Municipal Clerk. This is a Borough policy not to give addresses and phone numbers.

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 Councilwoman Cheatham, seconded by Councilwoman Montes and approved on verbal vote. None opposed.

Submitted By:

Deborah Evans

Deborah Evans
Borough Clerk