

175

September 9, 2014

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on September 9, 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, Councilman Glass, Councilwoman Hedgepath, Councilman Lorenzo and Councilwoman Garcia Montes.
Attorney Feintuch was also present at this meeting.

ABSENT: Councilwoman Cheatham.

Motion to accept the minutes of August 26, 2014 as received by Councilman Lorenzo, seconded by Councilwoman Montes and approved on verbal vote. None opposed. Councilman Glass abstained as he was absent.

Motion to accept the minutes of August 29, 2014 as received. Councilwoman Cegelka said that where Councilman Glass made the motion to rescind the action of the Council at the meeting of August 26, 2014 - we have to be more specific. It should say that the motion was rescinded to go out to bid.

Councilwoman Cegelka made the motion to amend the minutes of August 29, 2014. Councilman Glass' motion to rescind the action of the Council at the meeting of August 26, 2014 to rescind the motion to rebid the bid. Seconded by Councilman Lorenzo and approved on roll call:

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

Motion was made to approve the minutes of August 29, 2014 as received with the amendment by Councilwoman Montes, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

CORRESPONDENCE:

STATE HEALTH BENEFIT PLAN - The Clerk said she was speaking with Amy regarding the SHBP for health insurance. In order for us to talk to the State regarding this health insurance program Amy needs to do a letter to them to let them know that we are interested in joining their plan. We need to have an okay from the Mayor and Council for her to send this letter of inquiry.

Motion was made to have Amy send a letter to the SHBP for information. Motion made by Councilman Glass, seconded by Councilwoman Montes and approved on roll call:

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

LETTER TO VALERIE WILLIAMS - I sent a letter to Ms. Williams regarding the issue she sent us a letter on at the last meeting. I have not heard back from her.

ANDERSON & DENZLER - Everyone received a copy of the pre construction meeting notes regarding the Monroe Avenue Project.

ANDERSON & DENZLER - As you know, the NJDOT has notified the borough that they will be excepting grant applications for Municipal Aid up to October 14, 2014. Please discuss with the Council as to whether they want me to prepare a grant application for 2015.

176
CORRESPONDENCE CONTINUED:

ANDERSON & DENZLER CONTINUED - Municipal Aid NJDOT grant application continued - This would be for either repair of sidewalks or a street. Councilwoman Montes asked who picks what has to be done? I look at the town and I send Leon around also. I give him my ideas. Ultimately it comes before the Council so you know what is getting done.

Councilwoman Cegelka asked if sidewalks would be new or replacing what we have? We would fix what is currently there. A few years ago we did sidewalk repair. There is still more to be done.

Councilman Lorenzo asked about having sidewalks on the other side of the street also. People don't use the ones we have now. Councilwoman Hedgepath said we discussed this at one time and there are slopes on the other side of Washington. It would cause you to have retaining walls wherever you put a sidewalk in. Councilman Lorenzo said it is a safety issue.

After much discussion on the matter, Council asked that Leon be at our next meeting to discuss this. Council in the mean time can take a look around the town and see where they might want to get some work done.

ANDERSON & DENZLER - We recommend that the Council at their 9/9/14 meeting officially authorize Anderson & Denzler to:

1. Prepare plans, specifications and contract documents for a natural gas emergency back up generator for Borough Hall and Borough Garage.
2. Prepare and submit a Municipal Aid Grant application to the NJDOT. Deadline is 10/14/14.

We already spoke about the NJDOT grant and we will have Leon at the next meeting to discuss that. What he is asking for now is to get permission to do the specs, plans and contract documents for the generator.

Councilwoman Cegelka said she thought we got a grant for \$60,000. We didn't get it yet. We are waiting on waiver from HUD. Leon would still have to do the plans, specs and contract documents. Didn't Leon apply for this already? We applied at one time but didn't get the grant. Community Development had extra money this grant period and for those that applied for things that they didn't get, they are trying to give us the money to get the generator. Leon still has to do all the paperwork. With this letter he is asking for authorization to do this work so when we get the money we are ready to move on it.

Motion was made by Councilwoman Montes to have Anderson & Denzler to prepare plans and contract documents for our generator. Seconded by Councilwoman Hedgepath. Roll call:

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

The Clerk said there is a tie and the Mayor needs to vote to break the tie. The Mayor voted yes.

LETTER FROM ERIC M. BERSTEIN - Planning Board Attorney. Regarding Hector Lorenzo, Jr. and his position on the Planning Board.

Dear Mayor Holeman:

As you are aware, the undersigned serves as Board Attorney to the Victory Gardens Land Use Board. As you may or may not be aware, Hector Lorenzo, Jr. had been appointed to the Board as a Class IV Board member. One (1) of the requirements to serve as a new Board member is to attend and complete the Mandatory Training Class required by the State and given by the NJPO. While Mr. Lorenzo, Jr. signed up for the class and the Borough expended One Hundred (\$100.00) Dollars for his enrollment, Mr. Lorenzo, Jr. never attended. Furthermore, his failure to attend now makes him unqualified to serve as a Board member since he has not completed the course in the requisite time period established by law. Therefore, Mr. Lorenzo, Jr. is no longer a Board member and it is necessary for Your Honor to appoint a new Class IV member for his unexpired term at your earliest convenience.

Finally, the Borough is owed One Hundred Dollars (\$100.00) from Mr. Lorenzo, Jr. for the course registration for the course he did not attend. I would recommend that the Borough Attorney advise you as to how the Borough should address same since it is a "loss" of public monies. If you have any questions, or desire any further information, please do not hesitate to contact me.

CORRESPONDENCE CONTINUED:

LETTER FROM PLANNING BOARD ATTORNEY CONTINUED - Councilwoman Cegelka asked if we should be talking about him in open session? He is not an employee he is a volunteer member of the Planning Board. Attorney Feintuch said the letter from the Planning Board Attorney states the facts. Did he take the course in the required 18 months? No. Well that is the mandatory requirement. There was lengthy discussion on this matter. Mr. Lorenzo if he wants to take the class can do so but he will have to pay for it. That will balance the money that the town lost when he didn't take the class that we paid for. In the future if he wants to come back on the Board the Mayor can make the appointment if he wants.

The Mayor said that Mr. Lorenzo is off the Board based on the information from the Planning Board Attorney in the letter.

LETTER FROM PLANNING BOARD TYPIST TO BARRIE PALUMBO -

Hi Barrie,

I started to listen to the tapes and honestly, too much for me. You have wackos on the board! And I am so pressed for time, just can't accommodate them.

Two glaring items on the beginning of the tape:

Mr Janone's requested revisions to minutes after the closed session was ended and open session begun again. What is typed is only what was read into the record AFTER closed session ended and open session begun. Mr. Janone even states "we're in open session, right..."

*** So a quandary ... type of open meeting minutes or not? Good Lord, I'm not revising old minutes because Janone can't tell the difference or the board is playing fast & loose w/ what they want in or out of Closed Session....

Ms Williams on May 21:

Re: Subcommittee:
Ms Williams exact words "...I don't understand why this committee was cancelled without ..."

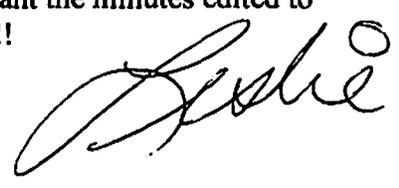
Then back and forth largely between Mr. Janon & Ms Williams about attendance, being in the meeting alone.....

Then Ms Williams states *exactly* to Mr. Janone "I don't understand why the committee was terminated by you."

.....

I'm listing my house just after Labor Day and moving to South Jersey. Hopefully in a month or two.

So I just don't have the time for nonsense and unprofessional requests to alter the validity of the minutes from people like Ms Williams.... Good Lord. And I don't want to put into the August minutes that Ms Williams (& Mr. Janone) want the minutes edited to falsify the record. Don't say it if you don't want it recorded!!



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

VOUCHERS:

Are there any questions or comments on the vouchers? On Deb's vouchers she signed in both places. Also Councilwoman Montes asked about # 9009. Damage from snow plowing. What is that for? When our men were snow plowing they tried to help someone. They plowed too close to the house and did some damage. Why are we just hearing about this? The Mayor said he has been back and forth with the man for several months. He said he wasn't going to take any action and fix it but then he came back again and now wants us to take care of. He got the estimate. The guys admitted they did it. The homeowner did not want them fixing the house. No other questions on the vouchers.

Motion to pay the vouchers by Councilwoman Montes, seconded by Councilman Glass and approved on roll call:

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

See Voucher Listing Next Page

VOUCHER REPORTS

Date of Council Meeting
September 9, 2014

Date	Voucher #	Payable to:	Type of Service	Acct. #	Amount	Ck. #	Date
9/9/14	9-001	ATT	Utilities		\$ 48.72		
9/9/14	9-002	RVRSA	RVRSA Share		\$8,001.00		
9/9/14	9-003	SilverScript Ins.	Group Insurance		\$ 33.80		
9/9/14	9-004	Dover Water Comm.	Utilities 71.66 Fire OE 127.51		\$ 199.17		
9/9/14	9-005	United Health Care	Group Insurance		\$ 352.87		
9/9/14	9-006	Dover Muni Court	Muni Court Dover		\$1,385.58		
9/9/14	9-007	Philip Feintuch, ESQ	Legal Services 016		\$1,925.00		
9/9/14	9-008	Dover Bd. Of Ed.	School Taxes		\$68,424.25		
9/9/14	9-009	J. Mastropierro	Streets & Roads OE		\$ 250.00		
9/9/14	9-010	Herbert Evans, Jr.	Bldgs. & Grnds OE		\$ 300.00		
9/9/14	9-011	Verizon	Fire OE		\$ 103.43		
9/9/14	9-012	Shell Fleet Plus	Road OE		\$ 485.73		
9/9/14	9-013	Professional Gov't Educators, Inc.	Clerk OE		\$ 90.00		
9/9/14	9-014	Amsterdam Printing	Clerk OE		\$ 38.64		
9/9/14	9-015	NJNG	Fire OE		\$ 28.23		
9/9/14	9-016	Philip Feintuch, ESQ	Legal OE		\$1,172.50		
9/9/14	9-017	Richard J. Tamn	Tax Collector		\$ 449.65		
9/9/14	9-018	Edwardo Martinez	Road SW		\$2,346.96		
9/9/14	9-019	Deborah Devery	Clerk SW		\$ 708.00		
9/9/14	9-020	Hector Lorenzo	Road SW		\$1,369.28		
9/9/14	9-021	Dover Post Office	Clerk OE		\$ 392.00		
9/9/14	9-022	Ondria Montes	Recreation		\$ 400.00		
9/9/14	9-023	Ondria Montes	LEA Relations		\$ 400.00		
TOTAL					\$88,904.81		

NEW BUSINESS:

QUOTE FROM MARKETING ENABLEMENT - Everyone has the quote. This is from the current person we have doing our website. Councilwoman Hedgepath said to hold onto it as she is still waiting on one more quote. This is an exact copy of what he gave us last year.

RESOLUTION REGARDING PLANNING BOARD MEMBER - Attorney Feintuch said we did not have to do the Resolution.

HIGH GRADE CONTRACTING ESTIMATE - The Mayor said to disregard this. He gave us an estimate on something completely different than I asked for. I will get more quotes. This was suppose to be for gutters not the roof. Maybe the soffet also. Disregard the quote.

VOUCHERS CONTINUED:

119

NEW BUSINESS CONTINUED:

ESTIMATE FOR AUTOMATIC DOORS FOR TOWN HALL - Councilwoman Cegelka said we have the three estimates for the automatic doors.

- 1. Mid Atlantic Automatic Door, LLC - \$ 8,085.61
- 2. Door Jockey, Inc. \$ 5,810.90
- 3. Bildisco Door Mfg. - \$11,879.00 main door
- \$ 6,035.00 single door

None of these contractors include the electrical work that needs to be done or the patching and paving. Mid Atlantic also gave us an update on the quote for a mounting plate. His will be an extra \$225 because of that.

There was discussion on the type of doors and if they would be new or if we would be using the same doors. Do they fix the doors also after the warranty expires? I don't know. Do we know how much the electrical work will be or what exactly has to be done for the electrical work so we can get estimates for that? We don't know the amount of the electrical work.

Attorney Feintuch said we might want to put on heavy duty glass doors. Hollow is what you have now. Solid glass. It looks nicer. Our estimates are for the doors like we have now.

Council said to get more estimates. Ask for options on the glass doors. You can also look at the people that do store fronts. They do glass, installation, they do door openers. It would all be included. Councilman Glass suggested that you get someone that does it all.

Councilwoman Cegelka said she would work on this. We will hold off for the next meeting.

RESOLUTION FOR DPW PURCHASE OF EQUIPMENT -

RESOLUTION ALLOTING FUNDS FOR DEPARTMENT OF PUBLIC WORKS

WHEREAS, it has come to the attention of the governing body of the Borough of Victory Gardens that the Department of Public Works must replace and repair certain of its equipment, tools and other material used in their operations on a continuing basis; and further that an inventory has been taken of the equipment and tools presently used by the Department; and

WHEREAS, the governing body finds it unnecessary to take action on every purchase to be made by the Department insofar as replacement and or repair of the equipment, tools and other material used in their operation; and

WHEREAS, it is determined by the Mayor and Council of the Borough of Victory Gardens that the best interests of the Borough of Victory Gardens are served by allowing the expenditures made necessary by the activities of the Department without further approval of the governing body;

NOW THEREFORE BE IT RESOLVED by the governing body of Victory Gardens that the sum of Three Thousand Dollars (\$3,000.00) be and is allotted to the Department of Public Works for use by the Department to maintain an inventory as set forth in the attached document and which is to be updated on a regular basis and the sum of One Thousand Dollars (\$1,000.00) for emergency items provided that such purchases or expenditures be approved by the Borough Administrator.

Councilwoman Cegelka said she went on line to get some more information about the items on the list. We need more information. With the air compressor it asked if it was one stage or two. We need to know what they are doing with things. Some on the list say need parts. What parts? Can they repair or do we buy new? The Streets & Roads Committee can sit down with them.

NEW BUSINESS CONTINUED:

RESOLUTION FOR DPW CONTINUED -

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

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

OLD BUSINESS:

INTRODUCTION FOR CAPITAL ORDINANCE -

**BOROUGH OF VICTORY GARDENS
ORDINANCE NO.**

**CAPITAL ORDINANCE PROVIDING FOR THE
IMPROVEMENT OF MONROE AVE BY THE BOROUGH OF
VICTORY GARDENS IN THE COUNTY OF MORRIS, NEW
JERSEY, APPROPRIATING \$45,000 FROM THE DOT GRANT
AND \$37,520 THEREFOR FROM THE CAPITAL
IMPROVEMENT FUND OF THE BOROUGH TO PAY FOR THE
COST THEREOF.**

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF VICTORY GARDENS, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

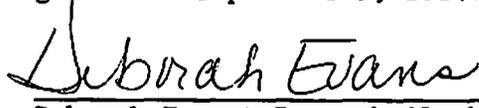
Section 1. The improvement described in Section 2 of this capital ordinance is hereby authorized to be undertaken by the Borough of Victory Gardens, New Jersey as a general improvement. For the improvement or purpose described in Section 2, there is hereby appropriated the sum of \$45,000 from the DOT grant and \$37,520 from the capital improvement fund of the Borough.

Section 2. (a) The capital improvement hereby authorized and the purpose for the use of the capital improvement fund is for improvements to Monroe Avenue including milling, paving and curbing.

Section 3. The capital budget of the Borough of Victory Gardens is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 4. This ordinance shall take effect immediately after final adoption in accordance with applicable law.

I, Deborah Evans, Clerk of the Borough of Victory Gardens, do hereby certify this to be a true and exact copy of an Ordinance introduced by the Mayor and Council of the Borough of Victory Gardens at a meeting held on September 9, 2014.


Deborah Evans, Borough Clerk

Motion on the introduction of the Capital Ordinance by Councilwoman Montes, seconded by Councilwoman Hedgepath. Is there any discussion? Why aren't we taking from Engineering? I think we are. Amy said she didn't know how much would come out of Engineering so she is taking more from Capital. No other questions.

Roll call:

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

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

Jim Janone - Mr. Janone addressed the Council on the Planning Board meeting and if anything was accomplished. The letter from Leslie for Planning Board no records were to be altered. The problem was votes were not reflected by the persons there and what action was taken. Website and name is still registered to Scott Alexander. Attorney should draft ownership paper for the website and have Scott sign it. About the DPW hitting the mans house with the plow - why were we plowing private property. It isn't private it is the street. He pushed the snow up against the house and he was trying to move the snow away. Did we get a waiver from the homeowner so he doesn't try to sue us. Potholes in front of my house. Eddie told me to call Randolph. Eddie has to fix the potholes. They will discuss this with the DPW when they meet with them. There is a section of Polk that needs work done. Why don't you ask the Engineer where we need to do work.

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

Councilwoman Cegelka said that before we close the meeting she would like to say something regarding the head count from Dover for children going to school. If I recall correctly, the only time Council came to our meetings was around budget time. The Council appointed a liason to the BOE. The Liason received all the information that the Board members received. All the information was given to that liason to report back to the Council. The Mayor asked who the liason was? There were several. The Mayor said when he was the liason he never got the same information as the BOE members. When I got minutes or anything else I got a half page when they had full pages. When the budget started getting defeated everyone on Council got the budget package. Councilwoman Montes said when she was liason she didn't get everything either. I never got a packet of anything. I went back to the Council and just reported on what happened at the meeting.

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

Submitted By:

Deborah Evans
Borough Clerk