

January 13, 2015

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on January 13, 2015.

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, Councilman Glass, Councilwoman Hedgepath, Councilman Jacobus, Councilman Lorenzo, Councilwoman Garcia Montes. Attorney Feintuch was also present at this meeting.

ABSENT: None

Motion to accept the minutes of December 9, 2014 as received by Councilwoman Montes, seconded by Councilman Jacobus. Approved on verbal vote. None opposed.

Motion to accept the minutes of January 6, 2015 as received by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

Mayor Holeman asked the Council for a motion to go out of the regular order of business so that Brian Borri from Cit-e-Net can speak to us regarding the website. Motion made by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

Brian Borri - Cit-e-Net was established in 2000. We are located in Butler, N.J.. We build complete websites for towns. We are web development company. We have a full staff. We do about 60 towns. Locally, in this area, we do the websites for Dover, Sparta, Jefferson, Butler, Pompton Lakes, Kinnelon. There is an annual fee and a set up charge. We also offer a training session for the personnel that will be responsible in maintaining the website.

The annual fee will be \$600.00 per year. Set up charges will be one time fee of \$500.00 .

Customer modifications are what? If you need us to go out and hire a graphics designer to do your website that we don't offer in our templates - then that would be an extra charge. Most of our towns use the standard design. Do you have a website that we can look at - a small town -like us - so we can look at? The one for Butler you should look at.

I will come here and do the training for the personnel. We do daily backup. We do automatic renewal unless you cancel with us in 30 days.

Motion was made to open the meeting to the public by Councilwoman Montes, seconded by Councilman Lorenzo and approved on verbal vote. Councilman Jacobus opposed. No one else opposed.

Jim Janone - Will this be owned by the Borough? Yes. Your price is based on what? What we are doing and the size of the town. Training is included in the costs? Yes. How many people will you train? My suggestion is that you have one person as the main administrator and then one other person as a backup. The town already has a URL but I don't know who it is with. Go Daddy. We have the domain name registered.

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

Does Council want to approve at this time? Councilman Lorenzo said he would like the chance to look at some of the other websites that the company currently does. Council agreed. We will put this on the agenda for the next meeting.

Motion to go back into the regular order of business by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

CORRESPONDENCE:

LETTER TO BRROK RUN APARTMENTS - I sent a reminder letter to them to tell them to take care of the property with snow plowing and salting. I told them if we had to be called in by the Police that they would be charged.

LETTER TO HONDO, INC FROM ATTORNEY FEINTUCH - Everyone received a copy of this letter from the Attorney. He was letting the Show Place know that there will be work done at the intersection of Franklin and South Salem Street and what will be happening to their property in the process. We have not heard anything back.

CORRESPONDENCE CONTINUED:

COUNTY OF MORRIS - Everyone received a copy of this letter from the County. They are asking the Mayor to appoint someone for 3 years to the Open Space Trust Fund Committee. They review, prioritize and make recommendations concerning municipal and non profit open space proposals. They meet approximately 10 times a year.

Councilwoman Hedgepath said she would like to be on this Committee. The Clerk said she would let them know.

TOWN OF DOVER - Everyone got a copy of the ordinance from Dover on raising the water rates.

SALAMANCA v. LORENZO & VICTORY GARDENS - The Clerk asked if we could discuss this in open session as we have talked about it before. The Attorney said yes it can be talked about in open session.

Hector Lorenzo had an accident back in 2014 where he hit a car one early morning. The case was settled for \$40,000. Councilwoman Montes said our insurance company paid them \$40,000. Yes. That was determined it being our fault because he didn't have any lights on and he hit the car? Yes. Will our rates go up? It will. It hasn't yet. We were almost able to try for the JIF again weren't we? Yes.

HECOTR LORENZO, JR. - The Clerk asked if we could speak about this tonight as we have spoken about it before in open session. The Attorney said yes.

Eric Bernstein, the Planning Board Attorney sent Mr. Lorenzo, Jr. a letter on August 27, 2014 letting him know that he has not completed the mandatory training class for Planning Board members in the required time frame to take the class. This makes him unqualified to serve as a Board member. In that letter, Attorney Bernstein also stated that the Borough is owed \$100 for the course since he did not attend after we signed him up.

On September 10, 2014 Attorney Feintuch sent a letter to Mr. Lorenzo, Jr. letting him know that he has been removed from the Planning Board for not attending the class in the required time frame. At that time, Attorney Feintuch asked for the Borough to be reimbursed the \$100 it cost the town to pay for his class that he did not attend.

Then on September 15, 2014 Attorney Feintuch received a response from Mr. Lorenzo, Jr. Everyone received a copy of the response to Attorney Feintuch from Mr. Lorenzo, Jr. .

On September 21, 2014 Mr Lorenzo took the class and was issued a certificate saying he successfully completed the course.

Even though we, as the Borough, did not send him to the class, we are being told that the Borough has to pay the \$100 for him attending because he went on our behalf. No one sent him to the class. No one told him to go. No one told him to register. As far as the Borough knew, from the previous letters he received, he was off the Board and there was no reason for him to attend. We only knew he went to the class because Barrie received the certificate in the mail.

Councilwoman Montes said so we had to eat the first \$100 because he was registered for the class and never showed up and now we have to pay another \$100? Yes, that is what they are telling us. On top of that, we can not send any other Board member to this class until the \$100 balance is paid up. The Mayor just appointed someone new to the Board and he will not be able to go to class until this balance is paid.

Councilwoman Montes said we need to send him a letter telling him to pay the bill because no one told him to attend. Councilman Lorenzo said he thinks when he first missed the class he rescheduled for the date in September. I don't know the Clerk said. When you pay the money for the class and set someone up to go, they tell you the money is non refundable. If they don't go you just lost the money.

Attorney Feintuch said he doesn't know why they would let him attend the class with out the prior authorization from the town. This means that anyone can walk in and say they are from whatever town and sign up. Attorney Feintuch said to get him some information from Barrie and he will look into it. Okay.

POLICY AND PROCEDURE MANUAL - Everyone has a copy. I think it was Joan when she was on Council wanted to know what the P&P Manual said about job openings. It stated that preference for job openings shall be given to Borough residents. Positions need not be advertised. In the even the governing body deems it necessary they may authorize advertising for an open position.

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

VOUCHERS:

The Mayor asked if there were any questions on the vouchers? Councilwoman Montes asked about #008 . That is for the DPW clothes. We get them every other year. They ruin their own clothes so we get work clothes, boots, vests, for them. There were no other questions.

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

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

\*\* Vouchers for meeting of 1/13/15 are listed on next page.

The Clerk said at the last meeting in December, which was December 9, 2014, we had a motion to pay the vouchers but never took a vote on them. We need to take that vote.

Motion to pay the vouchers from December 9, 2014. Motion made by Councilwoman Montes, seconded by Councilman Glass and approved on roll call:

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

\*\* Vouchers from December 9, 2014 were put into the minutes of that date.

(See Voucher Listing for Meeting of January 13, 2015 on Next Page)

Date	Voucher #	Payable to:	Type of Service	Acct. #	Amount
1/13/15	01-001	Edwardo Martinez	Streets & Roads SW		\$ 2,640.34
1/13/15	01-002	Hector Lorenzo	Streets & Roads SW		\$ 1,493.76
1/13/15	01-003	Deborah A. Devery	Clerk SW		\$ 864.00
1/13/15	01-004	County of Morris	911 Costs		\$ 21,070.80
1/13/15	01-005	The Hartford	Other Insurance		\$ 8,352.00
1/13/15	01-006	State of NJ	Group Insurance		\$ 3,816.98
1/13/15	01-007	Philip Feintuch, ESQ	Legal Services OE		\$ 1,925.00
1/13/15	01-008	Work' N Wear Store	Road OE		\$ 1,312.00
1/13/15	01-009	NJNG Co.	Utilities		\$ 1,066.00
1/13/15	01-010	NJNG Co.	Fire OE		\$ 562.80
1/13/15	01-011	Protective Measures	Fire OE		\$ 696.00
1/13/15	01-012	First Byte Corp.	Tax Collector OE		\$ 800.00
1/13/15	01-013	Morris County MUA	Road OE		\$ 744.00
1/13/15	01-014	JCP&L	Street Lighting		\$ 681.04
1/13/15	01-015	JCP&L	Utilities		\$ 330.54
1/13/15	01-016	JCP&L	Fire OE		\$ 142.56
1/13/15	01-017	Shell Fleet Plus	Road OE		\$ 399.43
1/13/15	01-018	Daily Record	Clerk OE		\$ 317.68
1/13/15	01-019	Herbert Evans, Jr.	Bldgs. & Grnds OE		\$ 300.00
1/13/15	01-020	NJ Conf. of Mayors	Mayor/Council Admin OE		\$ 295.00
1/13/15	01-021	NJ State League of Muni.	Mayor/Council Admin OE		\$ 291.00
1/13/15	01-022	Eric M. Bernstein & Assoc.	Planning Board OE		\$ 240.00
1/13/15	01-023	Mill Supply, Inc.	Road OE		\$ 182.27
1/13/15	01-024	Amy Maronpot	Clerk OE		\$ 179.76
1/13/15	01-025	CE Union	Clerk OE		\$ 178.00
1/13/15	01-026	Office Concepts Group	Clerk OE		\$ 163.98
1/13/15	01-027	Gerald Flatt	Dog OE		\$ 200.00
1/13/15	01-028	Golub Animal Hosp.	Dog OE		\$ 160.00
1/13/15	01-029	Home Depot	Bldgs. & Grnds OE		\$ 160.69
1/13/15	01-030	Home Depot	Bldgs. & Grnds OE		\$ 72.94
1/13/15	01-031	AT&T	Utilities		\$ 52.72
1/13/15	01-032	Verizon	Utilities		\$ 206.02
1/13/15	01-033	Verizon	Fire OE		\$ 98.47
1/13/15	01-034	Verizon	Utilities		\$ 66.90
1/13/15	01-035	United States Postal Serv.	Clerk OE		\$ 294.00
1/13/15	01-036	United States Postal Serv.	Tax Assessor OE		\$ 111.52
1/13/15	01-037	Munidex Inc.	Tax Assessor OE		\$ 109.04
1/13/15	01-038	TCTA Mbr. Services	Tax Collector OE		\$ 100.00
1/13/15	01-039	Municipal Clerks' Assoc.	Clerk OE - 2015 membrshp		\$ 100.00
1/13/15	01-040	Brenda Kersey	Planning Board OE		\$ 90.00
1/13/15	01-041	Weldon Asphalt	Road OE		\$ 76.68
1/13/15	01-042	Public Works Asso. Mbr.Ship	Road OE		\$ 60.00
1/13/15	01-043	Registrars' Asso. Of NJ	Clerk OE - 2015 membrshp		\$ 25.00
1/13/15	01-044	Treasurer State of NJ	Marriage License		\$ 25.00
1/13/15	01-045	TJ's Sport & Trophy	Mayor/Council Admin OE		\$ 24.00
1/13/15	01-046	Deborah Evans(petty cash)	Clerk OE		\$ 15.07
1/13/15	01-047	Optimum	Clerk OE		\$ 4.11
1/13/15	01-048	Deborah A. Devery	Clerk SW		\$ 768.00
1/13/15	01-049	Hector Lorenzo	Streets & Roads SW		\$ 1,369.28
1/13/15	01-050	Edwardo Martinez	Streets & Roads SW		\$ 2,787.07
1/13/15	01-051	US Bank Cust./Redemt.	Tax Collector		\$ 1,704.26
				TOTAL	\$ 56,021.45
					+ \$ 1,704.26
					\$ 57,725.71

NEW BUSINESS:

POLICY MANUAL ON SCHOOLING - The Clerk said she gave everyone a copy of the page from the P&P Manual regarding schooling. I think this was asked because of the issue with Mr. Lorenzo, Jr and the Planning Board class.

It states: schooling can and is suggested to be done during regular work hours. Employees requiring special consideration to fulfill required courses for an advanced degree shall request written approval from the Borough Administrator. It goes on but it does not say that anyone has to pay for a class they missed.

I don't know if in the future, the Administration Committee would want to look at this and change it but currently, this is what it says.

BUDGET MEETINGS - February 3rd and 17th at 6:00 p.m.. The Mayor said we will have these meetings for one hour only. They are held on the Tuesdays that we do not have a Council meeting.

Council agreed with the dates.

DOVER JOINT COURT INCREASE - Everyone has been copied on this information. The Attorney was sent the contract with Dover. Dover did not tell us they were increasing the costs of the court. So at the end of 2014 - we received in January 2015 a bill from Dover for the courts for a 2014 increase. Now, everyone knows that budgets are done by this time for the previous year. I don't think they should be charging us for a prior year without telling us. It is a 2% increase that they gave us for 2014. On top of that they have another 2% increase for 2015. Based on them not getting a 2% increase in 2014 they are charging then a 4% increase for 2015.

I don't think we should pay this \$332.54 . Does everyone else have this bill? Yes. The Mayor has a meeting with them tomorrow. It is not a huge increase but we should have been told about it. They shouldn't just think they can slip this in and no one would notice.

Councilwoman Montes said if we are only making two hundred dollars a month with Dover we should just have court back here.

Councilwoman Montes said that we need an exterminator at the firehouse. The traps that the men put up at the firehouse aren't working.

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

Joan Cegelka - Mr. Jacobus voted on minutes from December 9, 2014 he should have abstained. Council said he abstained. Not heard on tape. It was brought up at the last meeting about the CFO investing. How much did we make in 2014. Amy will be in tomorrow and I will get an answer the Clerk said. Monroe project I thought there were to be no lines up there. How come lines are still there? I don't know I will have to ask Leon the Clerk said. Who will be doing updates for website? Debbie. Councilwoman Cheatham said it will be two people updating we don't know who the second person will be at this time. Why were you so against having City Connections come talk to us? I wasn't Councilwoman Cheatham said. You were suppose to give me paperwork and you never gave it to me until after the New Year. I had a sick daughter and she comes first Joan said. I was checking with other vendors also Councilwoman Cheatham said. Is Debbie going to be full time doing this? Councilwoman Cheatham said it doesn't require full time. When will Debbie go back to working the 4 hours that she was hired for? I don't know that she will Councilwoman Cheatham said. Mrs. Bly was still employed with us when Debbie came. Both were suppose to work 4 hours. Now Mrs. Bly is no longer working for us. Planning Board, Municipal Land Use says that alternates are appointed for two years. Therefore Ms. Williams has another year as an alternate.

Jim Janone - More welding stuff was bought. What are we buying? The Mayor said he will ask Eddie. I am asking the person in charge of Streets & Roads. Why did we buy 3 hydraulic cylinders for the plow? As back up the Mayor said. Who determines when they go out to plow? Eddie makes the determination. Is the Attorney getting involved in this \$100 dispute with the Planning Board class again?

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

Motion to go into closed session to discuss litigation and personnel. For RVRSA and personnel. Motion made by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

(Closed Session Typed Separately)

Motion to go out of closed session and back into regular session by Councilwoman Cheatham, seconded by Councilman Jacobus and approved on verbal vote. None opposed.

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

Submitted By:

*Deborah Evans*

Deborah Evans  
Borough Clerk