

October 13, 2015

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on October 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 Meetings 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 was made to go out of the regular order of business so that Jackie Zapata from Wind of the Spirit can speak to the Council regarding the Resolution in support of expanding access to drivers licenses for undocumented New Jersey residents.

Motion made by Councilwoman Montes, seconded by Councilman Lorenzo and approved on verbal vote.

At the time the meeting was turned over to Jackie Zapata. We are part of a statewide alliance. We are part of a statewide campaign in order to get the legislature to pass a law allowing undocumented New Jersey residents the ability to drive, by getting a license. Ten towns in Morris County have passed resolutions so far. I will answer what ever questions you may have.

If they have a drivers license then they will not be undocumented anymore, right? This does not give status. It is just a card to drive. You can not do anything else with the license. Eleven states have already adopted this legislation. we believe that this legislation will improve things. Such as, now a lot of undocumented persons will leave the scene of an accident. Having this, they will have to get insurance, the car will have to be registered, they would be held liable. It is not an immigration issue but a public safety issue.

Can you use this for voting? No. They don't have a status with this. Is there any difference in the license? Some type of code? The license would look exactly like any ones license. The only difference would be that it would say federal limits apply.

If they get this license will that be a step towards making them legal? No, this is on the State level. There is no connection. If there is an accident who is held responsible? They would be responsible. It is just like anyone else that has car insurance.

Will there be any problem with them understanding road signs? When they apply for the license they will get a manual in Spanish and they can take the test in Spanish. Road signs are universal.

We are trying to get support so when we meet with the legislatures then we will have some proof that other people in the states local governments are for this.

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

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

(See Resolution Next Page)

RESOLUTION IN SUPPORT OF EXPANDING ACCESS TO DRIVER'S LICENSES
TO UNDOCUMENTED NEW JERSEY RESIDENTS

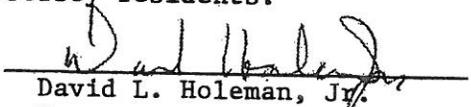
- WHEREAS, the Borough of Victory Gardens values the contributions of all residents, including immigrants, to the economic health, cultural diversity, and public safety of the Borough of Victory Gardens; and
- WHEREAS, Victory Gardens recognizes the fundamental importance of all of our residents ability to participate in civic life, ensure the health and safety of their families, and to move freely across this State; and
- WHEREAS, New Jersey law currently prohibits undocumented residents from obtaining a driver's license; and
- WHEREAS, other states, including California, Colorado, Connecticut, Illinois, Maryland, Nevada, New Mexico, Vermont, Washington and Utah as well as Washington, D.C. and Puerto Rico do not prohibit access to driver's licenses based on immigration status;
- WHEREAS, the safety of Victory Gardens' roads would be enhanced if all residents of appropriate driving age were tested, trained, licensed, and insured regardless of immigration status; and
- WHEREAS, The AAA Foundation for traffic safety has documented that car crashes rank among the leading causes of death in the United States and that approximately one in five fatal crashes in the United States involve an unlicensed or invalidly licensed driver; and
- WHEREAS, New Jersey would become safer with fewer uninsured and unlicensed drivers on the road, resulting in a predicted decrease in fatal traffic accidents and fewer hit and run crimes; and
- WHEREAS, the public safety of the Borough of Victory Gardens would be enhanced by helping bring immigrant communities out of the shadows to participate more fully in civic life, building trust and cooperation between immigrant communities and law enforcement and strengthening the ability of police to investigate and solve crimes; and
- WHEREAS, New Jersey Police Perspective estimates that if New Jersey law were changed to expand access to driver's licenses to undocumented residents, between 153,000 and 278,000 New Jersey residents would apply for a drivers license within the first three years of eligibility; and
- WHEREAS, expanding access to drivers licenses would enhance New Jersey's and the Boroughs economy; and
- WHEREAS, undocumented immigrants pay an estimated \$476 million in State and local taxes in New Jersey each year;
- WHEREAS, NJPP estimates that New Jersey insurance companies would take in over \$200 million in additional premiums per year, saving money for existing policyholders by expanding the pool of policyholders and reducing the number of claims against uninsured drivers; and
- WHEREAS, the State of New Jersey would take in millions in new revenue from fees paid by new driver's license applicants and license renewals;
- WHEREAS, the Boroughs local economy would be bolstered by strengthening the mobility of its workforce and enhancing economic participation in undocumented communities;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Victory that they support expanding access to driver's licenses to undocumented New Jersey residents and urges the New Jersey State Legislature to pass legislation and urges the Governor to sign legislation expanding access to driver's licenses to undocumented New Jersey residents.



Deborah Evans, Clerk

Adopted: 10-13-15


David L. Holeman, Jr.

Mayor

NEW BUSINESS:

BEST PRACTICES WORKSHEET - Everyone has a copy of the best practices. We need to approve this, that you as the Council, accept it. This is all for State Aid. We have to answer so many questions yes in order to receive our same amount of state aid. With the answers we have we will continue to get our full state aid amount which is \$73,706.

Motion was made to approve the worksheet by Councilman Jacobus, 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

IDEAL AIR CONTRACT FOR 2016 - This is the same amount that we paid last year. This is for air conditioning and heating. Price is \$1,400.00 .

Motion to approve the contract for 2016 as received by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

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

RESOLUTION APPOINTING LAND USE ADMINISTRATIVE OFFICER - We can't do this until we adopt the Ordinance creating the position. We will come back to this. We did the introduction on the Ordinance, it has been advertised and we need to do the public hearing and final adoption before we can appoint someone in the position.

How many people do we have for this position? We did not advertise. This is a position that Barry holds currently. She is just not appointed. By default it comes back to me as the Clerk if no one is appointed. I spoke with Ann Marie who is the Planning Board Attorney. She said this is something that they need to have. I have never done this work associated with the Planning Board. Barrie has always done it. Is there pay involved? No.

AN ORDINANCE ESTABLISHING THE POSITION OF LAND
USE ADMINISTRATIVE OFFICER

Motion was made to establish the position of land use administrative officer by Councilwoman Montes, seconded by Councilwoman Cheatham.

Motion to open this portion of the meeting to the public by Councilwoman Montes, seconded by Councilman Jacobus and approved on verbal vote.

Jim Janone - This is not a mandated position. You don't have to do it. Why are we creating this if the state says you don't need it? The Mayor said at Planning Board the question was asked who held this position? We didn't have one. By default it goes to the Clerk. The Planning Board Attorney said we should make an appointment. Jim said that was never said. The Planning Board never voted on this. The Planning Board Attorney taked to the Clerk. Where is the vote that says the Planning Board is backing this. You don't have to back this the Mayor said. It is coming from the Mayor and Council. All the duties listed are what Barrie currently does as the Planning Board Secretary. The question was brought up at a Planning Board meeting.

Motion to close the meeting to the public by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote.

Roll call on the Ordinance adoption:

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

NEW BUSINESS CONTINUED:

RESOLUTION APPOINTING LAND USE ADMINISTRATIVE OFFICER -

**RESOLUTION OF THE MAYOR AND COUNCIL
APPOINTING A LAND USE ADMINISTRATIVE OFFICER**

WHEREAS, the Land Use Board (the "Board") of the Borough of Victory Gardens is a duly constituted combined Board, pursuant to Borough Code Section 20-3 and the Municipal Land Use Law (MLUL), *N.J.S.A. 40:55D-25(c)(1) et seq.*; and,

WHEREAS, pursuant to *N.J.S.A. 40:55D-24*, the MLUL authorizes retention of necessary staff for use by the Board, so long as the Borough's appropriated funds for the Board are not exceeded; and,

WHEREAS, the Board requires an assistant to render various services; and,

WHEREAS, the Borough has authorized Barrie Palumbo, the Borough's Zoning Officer, to provide assistance to the Board without pay; and,

WHEREAS, Barrie Palumbo has provided the necessary services in a complete and adequate manner and has the experience and knowledge necessary to continue to do so at the present time; and,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Victory Gardens, County of Morris, State of New Jersey does hereby appoint Barrie Palumbo to perform the services set forth herein, for the Borough's Land Use Board, as an unpaid employee of the Borough, bearing the title of following unpaid position and title:

LAND USE ADMINISTRATIVE OFFICER
FOR THE BOROUGH OF VICTORY GARDENS
LAND USE BOARD.

FURTHER RESOLVED, that the Mayor and Council of the Borough of Victory Gardens, County of Morris, State of New Jersey, do hereby set forth and describe the services to be rendered by the Administrative Land Use Officer, as follows:

- a. Process land use applications and collect escrow deposits by applicants;
- b. Review applications and refer same to Board professionals when necessary;
- c. Schedule applications for hearings before the Board for completeness and/or substantive review;
- d. Provide guidance to applicants, professionals and members of the public;
- e. Confer and communicate with the Board Chair, Board members and Board professionals as necessary;
- f. Prepare agendas, annual resolutions, correspondence, bills and other documents for the Board;
- g. Arrange for publication of annual notice of public Board meetings;
- h. Arrange for publication of notice of special Board meetings;
- i. Schedule Board meetings and hearings for applicants as necessary in compliance with the Open Public Meetings Act and the Municipal Land Use Law;
- j. Attend the Board's meetings and note all motions, roll calls and votes taken during meetings;
- k. Arrange for the creation of minutes of the Board's meetings;
- l. Liaison with the Borough Clerk's office for purposes of Board records requested under the Open Public Records Act;
- m. Preserve the records of the Board in compliance with the schedules approved by the New Jersey Division of Archives and Record Management; and,
- n. Such other reasonable tasks as may be assigned by the Borough and/or by the Board after conferring with the Borough.

NEW BUSINESS CONTINUED:

Motion was made on the Resolution appointing a land use administrative officer. Motion made by Councilman Glass, seconded by Councilwoman Cheatham. Roll call:

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

FIREHOUSE CLEANING - The Clerk said that Councilwoman Montes asked her to put this on the agenda after the last meeting.

Councilwoman Montes said that when we were in closed session Eddie said that cleaning the firehouse wasn't their job. It is their job. They work for the town. The firehouse is our property. They have time to do it. At one other time we agreed to have them clean it and we had a schedule and it was never done. We shouldn't have to pay an outside company to do this. These guys can do it every few months. The firemen use to clean the building but since they are no longer there it is up to us to clean it.

Councilwoman Montes made a motion to have our DPW clean the firehouse. Motion seconded by Councilman Lorenzo.

Councilwoman Hedgepath said that it isn't their job to clean the firehouse. We have community service people that can do this for now. We don't always have them. Once community service people are done then the person cleaning our building can do it. Why should he do it and we will spend more money on paying him to clean. Why someone else when Eddie and Hector can do it. Cleaning is only three times a year.

The Clerk said we will have community service people until December. Then they are both done. They aren't quaranteed to come in they may be sick or they may have to work their other job.

There was a motion on having Eddie and Hector clean the firehouse. As needed.

Roll Call: Councilwoman Cheatham	Abstain
Councilman Glass	Yes
Councilwoman Hedgepath	Abstain
Councilman Jacobus	No
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

OLD BUSINESS:

RESOLUTION FOR UNDOCUMENTED N.J. RESIDENTS DRIVERS LICENSES - We already did this earlier in the meeting.

ORDINANCE FOR LAND USE ADMINISTRATIVE OFFICER/2ND READING/PUBLIC HEARING - This was already done earlier in the meeting.

QUOTES FOR CAMERAS AT BOROUGH HALL - We received two quotes for the cameras. They are as follows:

ALARMS & ELECTRIC BY RUSS, LLC	\$5,500.00
PROTECTIVE SYSTEMS SERVICES	\$2,650.00

Councilman Lorenzo said these quotes are compatible. They both bid on the same thing. He is comfortable with bids given. 5 year manufacture guarantee is good.

Motion was made to accept the bid from Protective Systems Services in the amount of \$2,650. Motion made by Councilman Lorenzo, seconded by Councilman Glass. Roll call:

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

The Clerk said she wanted everyone to know that Debbie passed her class. She passed her test. She got an 88. Also, I wanted to ask Council about parking on Monroe and Polk Avenues as you come into Victory Gardens. They park on both sides on both streets and I have seen too many close calls. I would like Council to check it out and take a look in the evening so you can see what it is like. I will put it on the agenda for the next time but please look and let me know if you think we need to resolve this and change the parking. Councilwoman Montes said that Roosevelt is also bad.

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

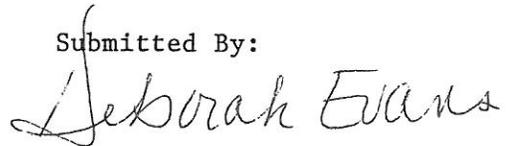
Jim Janone - There is no cutout for Franklin Road and over here. I will ask Leon. Approval of minutes should be done by themselves for closed session. Is Citi Connections the company we have for the website? Yes. It is listed on the voucher listing. The main doors are not working tonight. They work I just didn't open them tonight. You can still get in the door.

Joan Cegelka - Why do we have firehouse cleaning on the agenda? Councilwoman Montes asked that it go on again. In June of 2014 there was a motion made for the cleaning of the firehouse by the maintenance men. Everyone voted yes. I know the men work hard but there are times when they have time to do the cleaning. The Land Use Administrator position is already being done by Barrie as the Secretary to the Planning Board. Why do you need another title? This was a suggestion by the Planning Board attorney. Who monitors the website? I tried to get minutes and can't get them. When you pulled up the minutes you got the agendas. Jim Glass' expiration date is wrong on the website. I will have Debbie check it over. Debbie checks the website but she could have missed something.

Motion to close the meeting to the public by Councilwoman Montes, seconded by Councilman Lorenzo 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
Borough Clerk

