

January 5, 2016

The Re-Organization meeting of the Mayor and Council of the Borough of Victory Gardens, held on January 5, 2016.

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.

The Clerk will read the Statement of Determination:

A Statement of Determination of the Board of Canvassers, relative to an election held in the Borough of Victory Gardens, County of Morris, State of New Jersey, for the election of certain municipal officers for the Municipality on the 3rd day of November, 2015.

The said Board determines that at the said election:

Veronica Hedgepath	Borough Council	3 Years
Ondria Garcia Montes	Borough Council	3 Years

was or were duly elected to the office and for the term above set forth.

Councilpersons were sworn in before the Council meeting.

ATTENDANCE: Councilwoman Cheatham, Councilman Glass, Councilwoman Hedgepath, Councilman Jacobus, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: None

Council to elect one of its own for Council President.

Motion was made by Councilwoman Hedgepath to have Wayne Jacobus for Council President for 2016. Seconded by Councilwoman Cheatham and approved on roll call:

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

At this time a motion was made to go out of the regular order of business so that Assemblyman Bucco can swear in Councilwoman Garcia Montes.

Motion to go out of regular order of business by Councilman Jacobus, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

Swearing in was completed.

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

Resolution Appointing the Borough Attorney -

RESOLUTION # 1

WHEREAS, THERE EXISTS A NEED FOR AN ATTORNEY, for the Borough of Victory Gardens, and

WHEREAS, funds are available for the purpose, and

WHEREAS, the Local Contracts Law requires that the Resolution authorizing the the award of contracts for "Professional Services" without competitive bids must be publically advertised.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Victory Gardens for the year 2016 -

1. Philip Feintuch from the firm of Feintuch, Porwich & Feintuch is appointed as Borough Attorney for the year 2016.
2. This contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law.

BOROUGH OF VICTORY GARDENS

Deborah Evans
Borough Clerk

Motion to approve the Resolution by Councilwoman Hedgepath, seconded by Councilman Glass and approved on roll call:

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

Resolution Appointing the Borough Auditors -

RESOLUTION # 2

WHEREAS, THERE EXISTS A NEED FOR AUDITORS, for the Borough of Victory Gardens, and

WHEREAS, funds are available for this purpose, and

WHEREAS, the Local Public Contracts Law requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bidding must be publically advertised.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Victory Gardens for the year 2016 -

1. Bill Schroeder from the firm of Nisivoccia & Company is appointed as Borough auditor for the year 2016.
2. This contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law.

BOROUGH OF VICTORY GARDENS

Deborah Evans
Borough Clerk

Motion to approve the Resolution by Councilwoman Hedgepath, seconded by Councilman Glass 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 Borough Engineer -

RESOLUTION # 3

WHEREAS, THERE EXISTS A NEED FOR AN ENGINEER for the Borough of Victory Gardens, and

WHEREAS, funds are available for such purpose, and

WHEREAS, the Local Public Contracts Law requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publically advertised.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Victory Gardens for the year 2016 -

1. Leon Hall from the firm of Anderson & Denzler as Borough Engineer for the year 2016
2. This contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contracts Law.

BOROUGH OF VICTORY GARDENS

Deborah Evans
Borough Clerk

Motion on the Resolution by Councilwoman Hedgepath, seconded by Councilwoman Cheatham and approved on roll call:

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

Resolution Appointing the Emergency Management Coordinator -

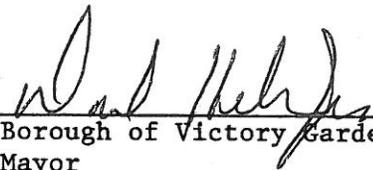
RESOLUTION APPOINTING AN EMERGENCY MANAGEMENT
COORDINATOR FOR THE BOROUGH OF VICTORY GARDENS

WHEREAS, the Borough of Victory Gardens, Morris County, New Jersey is obligated to maintain an Emergency Management Coordinator; and

WHEREAS, said position must be filled by a resident of the Borough; and

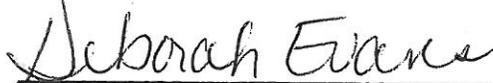
WHEREAS, David Holeman has met the requirements of the position

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Victory Gardens that David Holeman be appointed to the position of Emergency Management Coordinator for the Borough of Victory Gardens for a three year appointment beginning January 1, 2016 and ending on December 31, 2018.


Borough of Victory Gardens
Mayor

I, Deborah Evans, Clerk of the Borough of Victory Gardens, do hereby certify that this is a true and exact copy of a Resolution passed at a meeting of the said Mayor and Council held on January 5, 2016.

ATTEST:


Deborah Evans, Borough Clerk

Motion to approve the Resolution by Councilman Glass, seconded by Councilwoman Hedgepath 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 for a Cash Management Plan for 2016 -

RESOLUTION AUTHORIZING THE EXECUTION OF A CASH MANAGEMENT PLAN FOR THE BOROUGH OF VICTORY GARDENS -

WHEREAS, it is in the best interest of the Borough of Victory Gardens to earn additional revenue through the investment and prudent management of its cash receipts, and WHEREAS, P.L. 1983, Chapter 8 approved January 18, 1983 is an act concerning the Local Fiscal Affairs Law and amends NJSA 40A:5-2 and NJSA 40A:5-14, and WHEREAS, this new law requires that each local unit shall adopt a cash management plan, NOW, THEREFORE BE IT RESOLVED, that the following shall constitute the Cash Management Plan for the Borough of Victory Gardens and the CFO shall deposit and manage its funds pursuant to this plan:

DEFINITIONS:

1. CFO shall mean the Chief Financial Officer of the Borough of Victory Gardens.
2. FISCAL YEAR shall mean the 12 month period ending December 31st
3. CASH MANAGEMENT PLAN shall mean that plan as approved by Resolution.

DESIGNATION OF DEPOSITORIES:

At least once each fiscal year the governing body shall by Resolution designate the depositories for the Borough of Victory Gardens in accordance with NJSA 40A:5-14.

AUDIT REQUIREMENT:

The Cash Management Plan shall be subject to the annual audit conducted pursuant to NJSA 40A:5-4

AUTHORITY TO INVEST:

The governing body shall pass a Resolution at its first meeting of the fiscal year designating the Borough of Victory Gardens official(s) who shall make and be responsible for municipal deposits and investments.

INVESTMENT INSTRUMENTS:

The CFO shall invest at his discretion in any investment instrument as approved by the State of New Jersey in accordance with NJSA 40A:5-15.1

RECORDS AND REPORTS:

1. The CFO shall report all investments in accordance with NJSA 40A:5-15.2
2. At a minimum the CFO shall:
 - a. Keep a record of all investments
 - b. Keep a cash position record which reveals, on a daily basis, the status of the cash in its bank accounts.
 - c. Confirm investments with the governing body at the next regularly scheduled meeting.
 - d. Report monthly to the Governing Body as to the status of cash balance in bank accounts, revenue collection, interest rates earned

CASH FLOW:

1. The CFO shall ensure that the accounting system provides regular information concerning the cash position and investment performance.
2. All monies, shall be turned over to the CFO and deposited in accordance with NJSA 40A:5-15.
3. The CFO is authorized and directed to invest surplus funds of the Borough of Victory Gardens as the availability of the funds permit. In addition, it shall be the responsibility of the CFO to minimize the possibility of idle cash by depositing the monies in interest bearing accounts wherever practical and in the best interest of the Borough of Victory Gardens.

Motion on the Resolution by Councilman Jacobus, seconded by Councilman Glass 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 ADOPTING THE MULTI JURISDICTIONAL HAZARD
MITIGATION PLAN FOR THE BOROUGH OF VICTORY GARDENS,
MORRIS COUNTY, NEW JERSEY

WHEREAS, the Borough of Victory Gardens is vulnerable to damages from natural hazard events which pose a threat to public health and safety and could result in property loss and economic hardship;

WHEREAS, a Multi-Jurisdictional Hazard Mitigation Plan has been developed through the work of the Morris County Hazard Mitigation Planning Committee, the Borough of Victory Gardens Hazard Working Mitigation Group, and the interested parties within the Borough of Victory Gardens.

WHEREAS, the Plan recommends hazard mitigation actions that will protect and property affected by natural hazards that face the Borough of Victory Gardens, that will reduce future public, private, community and personal costs of disaster response and recovery; and that will reinforce the Borough of Victory Gardens leadership in emergency preparedness efforts;

WHEREAS, the Disaster Mitigation Act of 2000 (P.L.106-390) (DMA2000) and associated Federal regulations published under 44 CFR Part 201 require the Borough of Victory Gardens to formally adopt a Hazard Mitigation Plan subject to the approval of the Federal Emergency Management Agency to be eligible for federal funds for hazard mitigation projects and activities;

WHEREAS, public meetings were held to receive comment on the Plan as required by DMA 2000;

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Victory Gardens that:

1. The Plan is hereby adopted as an official plan of the Borough of Victory Gardens.
2. The Borough of Victory Gardens officials identified in the Mitigation Action Plan (Section) are hereby directed to implement the recommended actions assigned to them. These officials will report quarterly on their activities, accomplishments, and progress to the Borough of Victory Gardens Hazard Mitigation Working Group.
3. The Borough of Victory Gardens Hazard Mitigation Working Group will provide annual progress reports on the status of implementation of the Plan to the Mayor and Council. This report shall be submitted to the Mayor and Council by March 15th of each year.
4. The Borough of Victory Gardens Hazard Mitigation Working Group will undertake periodic updates of the Plan as indicated in the Plan Maintenance Program (section 10) but no less frequent than every 5 years.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council that the Borough of Victory Gardens adopts the Morris County, New Jersey Multi Jurisdictional Hazard Mitigation Plan, dated 2015 as this jurisdictions Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED:

January 5, 2016

MAYOR:

[Signature]

CLERK:

[Signature]

Motion on the Resolution by Councilman Glass; seconded by Councilman Jacobus and approved on roll call:

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

Councils confirmation of Jerry Flatt as Animal Control Officer for the year 2016 -
Motion made by Councilwoman Montes, seconded by Councilman Jacobus and approved
on roll call:

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

Councils confirmation of Amy Maronpot as CFO for the year 2016 -
We will not have to appoint Amy any longer as she has tenure -
Motion on the appointment 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

Planning Board & Adjustment Board	Class I Class II ClassIII Class IV	Mayor Barrie Palumbo Jim Glass Diane Feola Avis Byfield John Cegelka
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Motion on the appointments for the Planning Board made by Councilwoman Hedgepath,
seconded by Councilwoman Montes and approved on roll call:

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

Appointments of Council Members To Serve On The Following Committees -
Chairperson is listed first -

Administration:	Hedgepath & Cheatham
Public Works:	Lorenzo & Jacobus
Recreation:	Garcia Montes
Em. Management:	Mayor Holeman & Chris Barrella
Finance & Budgeting:	Glass, Cheatham & Garcia Montes
C. Development:	Hedgepath, Cheatham, Mayor Holeman

RVRSA & Sewer Liason:	John Cegelka
Municipal Alliance:	Councilman Lorenzo

Resolution For Newspaper Publications -

Be It Resolved by the Mayor and Council of the Borough of Victory Gardens,
County of Morris, State of New Jersey, that the Daily Record newspaper be used for
publications and legal materials for the year 2016.

Motion on the resolution by Councilwoman Montes, seconded by Councilman Glass 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 for Depository of Funds -

RESOLUTION # 5

BE IT RESOLVED by the Mayor and Council of the Borough of Victory Gardens, County of Morris, State of New Jersey, that the following banks be designated as depositories for the Borough funds for the year 2016

PROVIDENT BANK

PNC Bank

Sussex Bank

Bank of America

BOROUGH OF VICTORY GARDENS

Deborah Evans
Borough Clerk

Motion on the resolution by Councilman Jacobus, seconded by Councilwoman Hedgepath 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 for the Temporary Budget -

(See Next Page)

RESOLUTION # 6

WHEREAS, 40A: 4-19 Local Budget Act provides that where any contracts, commitments or payments are to be made prior to the final adoption of the 2016 budget, temporary appropriations be made for purposes and amounts required in the manner and time, therein provided and

WHEREAS, the date of the Resolution is within the first 30 days of January 2016 and

WHEREAS, the total general appropriations in the 2015 budget, exclusive of any appropriations made for interests and principal of debt, capital improvements and public assistance is the sum of \$1,310,750.00

WHEREAS, 26.25% of this total is the sum of \$ 344,071.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Victory Gardens, County of Morris, that the following temporary appropriations be made and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for his records.

Deborah Evans
Borough Clerk

I, Deborah Evans, Clerk of the Borough of Victory Gardens do hereby certify that this is a true and exact copy of a Resolution passed at the Re-Organization Meeting of the Mayor and Council held on January 5, 2016

Deborah Evans
Borough Clerk

Motion on the budget by Councilwoman Montes, seconded by Councilman Glass 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 to Establish Interest on Delinquent Taxes -

(See Next Page)

RESOLUTION # 7

WHEREAS, NJSA 54: 4-67 has been amended to provide for additional penalties to be charged on delinquent taxes and other municipal charges, and

WHEREAS, said amendment allows the governing body to fix a penalty which shall not exceed 6% to be charged to a tax payer with a delinquency in excess of \$10,000.00 who fails to pay the delinquency prior to the end of the current tax year;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Victory Gardens, County of Morris, State of New Jersey, that pursuant to the provisions of NJSA 54:4-67 as amended, the governing body does hereby fix the penalty to be charged on delinquent taxes and other municipal charges as follows:

- A. 8 percent per annum on the first \$1,500.00
- B. 18 percent per annum on all amounts in excess of \$1,500.00
- C. An additional 6% on all sums in excess of \$10,000.00 when said delinquency remains unpaid after December 31st of the current tax year, which additional amount shall be in addition to other interest charges.

BOROUGH OF VICTORY GARDENS

Deborah Evans
Borough Clerk

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

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

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

Joan Cegelka - We received a flier today about taking trees down. Did the Building Inspector look at the trees the Borough took down? He was told about it. I don't know if he looked or not. The Planning Board is minus members. How can you hold meetings without enough members? The Mayor said we have enough members to hold a meeting. I have talked to a few people who are interested in the Planning Board. I spoke with them about it but not in detail. Hazard Mitigation Plan has anyone here looked at it? It is on the website the Mayor said. I have that site and can't get on. The Mayor said he would make sure she has it tonight. I need a copy of that plan. How long will go on that the mini mall is in violation of their site plan? They also have a second grease trap. Ron was over there and so was Jaime. Jaime spoke with the owner about the cardboard. He doesn't have gates on the dumpsters. I spoke to Barrie about this. She sent a letter but nothing was ever done. The Mayor said he will talk to Barrie.

Jim Janone - How come professional appointments were done for Zoning, Construction people. They aren't employees of the town. Yes they are. They are on payroll. They don't work exclusively for the town. That is correct. They don't have to work exclusively for the town. Not according to IRS regulations. Jim will contact the IRS so the town can deal with them. They are not appointed. They were hired. Hazard Mitigation Plan - you don't have a copy in the Borough? We may - if we do Chris may have it. The Mayor said he will give Jim the website after the meeting. How does the Council vote on something like this when they haven't seen it? How come I wasn't appointed to the Planning Board again? Your term expired. I am giving someone else a chance. Right now we have enough people.

Public Portion Continued -

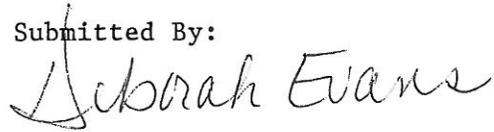
Freeholder Kathy DeFlippo - I just wanted to say hello to everyone. If you need me for anything you can reach out to me. Funding has been put in place for the Prospect Street bridge in Dover and that should have work going again. I have a meeting on Monday to get the time frame for the work to be completed.

No other comments from the public.

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 Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

Submitted By:

A handwritten signature in cursive script that reads "Deborah Evans". The signature is written in dark ink and is positioned to the right of the printed text "Submitted By:". The first letter 'D' is capitalized and has a large loop.

Deborah Evans
Borough Clerk

