

December 14, 2021

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on December 14, 2021.

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 Public Meeting Act.

ATTENDANCE: Councilwoman Cheatham, Councilman Glass (via phone),  
Councilwoman Hedgepath, Councilman Hale, Councilman Lorenzo,  
Councilwoman Garcia Montes.

Absent: None

\*\* Attorney Feintuch was also present at this meeting.

Motion to accept the minutes of November 23, 2021 as received by Councilman Lorenzo, seconded by Councilwoman Hedgepath and approved on verbal vote. Councilwoman Montes abstained and she was not present at the last meeting.

CORRESPONDENCE:

The Clerk said she doesn't really have anything for correspondence. I wanted to let you know that Pat Reid from Community Development passed away. A very sweet, wonderful person that helped Victory Gardens out with all our applications and jobs throughout the years. Her viewing was tonight. Service tomorrow.

Another thing, we get calls down here where one Councilmember wants a certain number for another Councilmember. I want everyone tonight to write down their number. At the number that you want out for someone to call you on. This is just for Mayor and Council use. This way if another member of the governing body wants to reach you then we have a number to give them. I will pass this paper around and then you write what number you want to give and I will make copies for the Mayor and Council.

Recycling is becoming an issue again. Residents are putting their recycling out in bags. I have told DPW time and time again not to pick bags up. They do it anyway. They don't want everything blowing all over the place if they leave it there. When they open the bags to put them in our dumpsters they find garbage and food in there. What does Council want to do?

Councilwoman Hedgepath asked if they write down addresses? No, I gave them several notebooks and asked them to write the address down and we could send a letter but they never do that. We asked them to take pictures and that hasn't been done.

I have sent out fliers in the past telling the residents that they have to put recycling in boxes or some type of containers and it still gets put in bags.

Councilwoman Montes said they have to do their jobs. They have to write down where the bags are and then you can send a letter. Let the men know that if they pick up bags they will be written up.

Councilman Glass suggested that we do up a notice and if the DPW sees bags with recycling in it to write the address down and leave a notice in the mailbox. The Attorney said you can not leave anything in the mailboxes.

The Clerk said she wanted to let Council know because if it continues it will be the town that gets fined, not the DPW.

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

VOUCHERS:

**VOUCHER REPORTS**

Date of Council Meeting:  
December 14, 2021

Voucher #	Payable to:	Type of Service	Amount	Check #
12/1/2021	Anderson & Denzler Assoc. Inc.	Engineering & Escrow 64 Adams	1,743.92	
12/2/2021	Cargill, Inc. - Road salt	Streets & Roads	2,160.77	
12/3/2021	Dover Bd. Of Education	School Taxes - November 2021	96,135.00	
12/4/2021	Dover Bd. Of Education	School Taxes - December 2021	96,135.00	
12/5/2021	Dover Court - Shared services	Shared Court Services	1,623.36	
12/6/2021	Dover Water Commission	Utilities & Fire OE	423.30	
12/7/2021	Feintuch, Porwich & Feintuch, ESQ	Legal Services - Policy & Procedure	1,295.00	
12/8/2021	Feintuch, Porwich & Feintuch, ESQ	Legal Services - Monthly fee	2,204.22	
12/9/2021	Feintuch, Porwich & Feintuch, ESQ	Legal Services - RVRSA vs. Jersey City	2,642.50	
12/10/2021	Gannett New Jersey Newspapers	Clerk OE	563.64	
12/11/2021	Home Depot	Streets & Roads & Clerk OE	398.84	
12/12/2021	Ideal Air Inc.	Bldgs. & Grnds. - two invoices	2,100.00	
12/13/2021	JCP&L - #1 - Fire	Fire OE	73.29	
12/14/2021	JCP&L - #2 - Main	Utilities	410.84	
12/15/2021	Morris County MUA	Streets & Roads, Nov. shade tree	1,023.75	
12/16/2021	Morris County MUA - Parsip. Station	Streets & Roads, tires	106.00	
12/17/2021	NJNG - Fire - #1	Fire OE	246.00	
12/18/2021	NJNG - Boro Hall - #2	Utilities	901.00	
12/19/2021	Office Concepts Group	Clerk OE - office supplies	222.94	
12/20/2021	Optimum	Clerk OE	11.45	
12/21/2021	R & L DataCenters, INC	Finance	250.00	
12/22/2021	Riverview Paving Inc.	DOT Grant - Final payment	8,919.00	
12/23/2021	RVRSA	RVRSA Share	10,605.00	
12/24/2021	TJ's Sportwide Trophy	Clerk OE - Councilman Hale nameplate	30.00	
12/25/2021	Verizon - #1 - 361-8121	Utilities	72.65	
12/26/2021	Work'n Wear Store	Streets & Roads	860.00	
12/27/2021	The Hartford	Pre-Paid expenses - other insurance	18,163.00	
12/28/2021	Vision Service Plan	Group Insurance Oct., Nov., & Dec.	296.10	On-line
	WEX Bank - Shell	FOR APPROVAL ONLY - Will be paid after Dec. 17th, when bill can be printed out.		
		<b>TOTAL</b>	<b>247,872.65</b>	

The Mayor asked if there were any questions on the vouchers?  
Councilman Lorenzo said that there should be no cross outs on the vouchers.  
If someone does cross something out they need to date and initial the change. These vouchers do not look professional.  
Councilwoman Montes said all is okay as long as we are still holding the the Board of Ed vouchers. We are still holding them. The Clerk said she will let Debbie know. She is the one that does the vouchers.

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

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

Councilman Lorenzo said that he looked at 372 Washington where the Clerk told us there was a problem with the sinking in the driveway of this house. We need to put a covering over it so no one falls in there. That is really bad up there. We don't want anyone getting hurt. Leon looked at it and we called the homeowner to let them know the town will fix it. The whole inside of the drain is gone. Eddie and Hector can not do it - it is too bad. There are cones up there so people know not to walk there. Leon went out to get quotes and the quotes have to be back to me by December 27th. What about putting a piece of metal over the opening? I asked Leon about that. The weight of cars going over it is only going to make it worse. The work Leon said can get done in the winter as long as the contractor doesn't have to go through feet of snow. Once we get the quotes in we can award and then get the company moving on it.

NEW BUSINESS:

REMINDER - Re-Organization meeting is scheduled for January 4, 2022.

2002 COMMUNITY DEVELOPMENT APPLICATION - Leon said that if we want to go for a Community Development application we have to get it in by January 7, 2022. He suggested doing the loop of Washington Avenue. We did part of it already and he thinks we should do the other part. If Council is okay with this then I need a motion on it so Leon can get the application in on time.

Motion was made by Councilwoman Montes to have Leon Hall submit the application to Community Development to finish off the loop for Washington Avenue. Seconded by Councilwoman Hedgepath and approved on roll call:

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

POLICY & PROCEDURE MANUAL DPW - The Clerk said we just updated our policy manual. I want Council to think about this. I have mentioned this before and a member of audience also mentioned it but we really need to look at how vacation is being used by DPW in the winter. I don't know if we can tell them you can't go on a vacation in the winter or not, but we can't have the men out of here in the winter months and if they can go maybe we should say for only so many weeks at a time.

Eddie left for vacation tonight and he will be gone for a month. Hector is taking his last personal day on the 30th of this month. We are closed on the 31st so recycling will have to be picked up on the 29th.

We have nothing in the policy manual that says they can't take time off in the winter months, nor do we have anything that says they both can't take the same day off.

Councilwoman Hedgepath said we can do blackout dates where they can't take vacations.

Councilman Lorenzo said that if one person is away then the other one won't be able to take the time off. We try to coordinate that the Clerk said. Hector is using his last personal day. We can not carry those days over. They have to be used in the year they are given.

Councilman Lorenzo said they should be limited to how much vacation time they can take at one time.

The Attorney said that maybe you want to say that no vacation will be given for DPW from December 20th through March 20, or something like that.

If you want to write down what your thinking regarding this topic and give it to me then I can get it to the Attorney.

The Clerk said that she is the personnel person. The men will tell me when they want vacation or time off. As long as there is no issue I tell them it is okay. I can't stop them from putting in vacation for a month unless we have something in writing that says they can't do it.

AMERICAN RESCUE PLAN - I have spoken about this before and a member of our audience asked about it. We received money from the government that can be used for infrastructure items along with other items. We talked about doing a scope of our sewer lines to see the condition of them. I talked to Leon about it. I believe that most of our lines are good because we have worked on them over the years. But, we really should take a good look at them. We have the money to do it and it won't cost the town anything for the videos. Right now from the government we have \$76,000. I talked to Joe and he said we should be getting another amount around the same figure. I asked Leon to let me know what the costs would be for this type of work. Leon would have to go for bids on a project like this. Leon said it costs about \$6,000 a day to scope and it could be as long as 12 days. Again, this is just a figure. Our town is smaller.

NEW BUSINESS CONTINUED -

AMERICAN RESCUE PLAN CONTINUED - Council said it was a good project and have Leon look into it and go out to bid and we will see what we get in the bids.

Attorney Feintuch said that he has been talking to the attorney for Nourish NJ that bought the old showplace property. They are working out an agreement so the town is assured of getting the tax money every quarter that the showplace was paying so the town isn't missing out on any tax money. Great.

The Clerk said that at the last meeting Councilman Lorenzo asked about the sewer/manhole cover by his property. He said he thought it was sinking in. I had Leon and Eddie go out and they both looked at it. Leon said there is nothing wrong with the manhole or the walls under the grate. There is a crack in the pavement. Everything is still very solid.

TRANSFER RESOLUTION - everyone has a copy of the Resolution. Joe gave it to me today. We did a Resolution at the last meeting but we didn't have some bills that will be payable this year. Debbie called around and got the bills so we knew how much we needed.

### 2021 APPROPRIATIONS TRANSFERS

WHEREAS, there appears to be insufficient funds in the below listed account(s) to meet the demands thereon for the balance of the current year, and

WHEREAS, there appears to be a surplus in the below listed account(s) over and above the amount deemed necessary for the balance of the current year.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Victory Gardens that, in accordance with the provisions of N.J.S.A. 40A: 4-58, part of the surplus in the account(s) heretofore mentioned be and same are hereby authorized as transfers to the account(s) mentioned as being insufficient, and

BE IT FURTHER RESOLVED, that the Finance Officer is hereby directed to make the following transfers:

FROM	AMOUNT	TO	AMOUNT
Roads O/E	\$ 4,200.00	Legal Services O/E	\$8,000.00
Fire O/E	675.00	Other Insurance	4,200.00
Garbage and Trash O/E	3,000.00	Fire Hydrants	600.00
Utilities	2,500.00	Annual Audit	75.00
Street Lighting	2,500.00		

Adopted: December 14, 2021

BOROUGH COUNCIL OF THE  
BOROUGH OF VICTORY GARDENS

*Deborah Evans*  
*Municipal Clerk*

*David Holeman, Mayor*



NEW BUSINESS CONTINUED -

TRANSFER RESOLUTION CONTINUED -

Motion was made to approve the transfer resolution by Councilwoman Cheatham, seconded by Councilman Lorenzo and approved on roll call:

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

RESOLUTION REQUESTING APPROVAL OF ITEMS IN REVENUE AND APPROPRIATION -  
The Clerk said she just got this from Joe tonight. Everyone has a copy.

**FORM OF RESOLUTION REQUESTING APPROVAL OF  
ITEMS OF REVENUE AND APPROPRIATION  
NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Victory Gardens in the County of Morris, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$ 22,400, which is now available from Morris County Community Development in the amount of \$ 22,400.

BE IT FURTHER RESOLVED, that the like sum of \$ 22,400 is hereby appropriated under the caption CY CDBG Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from Community Development in the amount of \$ 22,400.

Resolution No.             
Offered by Garcia Montes  
Adopted 12-14-2021

Seconded by Hale  
Municipal Clerk Deborah Evans

I, Deborah Evans, Municipal Clerk of the Borough of Victory Gardens in the County of Morris in the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the FORM OF GOVERNING BODY of the Borough of Victory Gardens in the County of Morris in the State of New Jersey.

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

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

OLD BUSINESS:

PUBLIC HEARING/ADOPTION OF PROPERTY MAINTENANCE CODE UPDATE -

The Clerk said everyone has the update. We have been working on this for quite some time.

Councilman Lorenzo said we should hold on this. The Clerk said just so everyone is clear, if we don't adopt tonight, we have to start all over again. We can't introduce an ordinance in one year and then adopt in the next. If you do that, you have to start all over again and the whole thing will have to be advertised again.

Councilwoman Montes said we already went through this and all we have to do is adopt. Yes, unless someone has comments where they want something changed.

Councilman Lorenzo said we have our next meeting where we can go over this. The Clerk said this is the last meeting of the year. There is no other meeting. Council voted on not having a second meeting this month.

Councilman Lorenzo had a few comments but they are partially restated in a different way. It doesn't change the update. It just makes it a little clearer.

Motion to open the meeting to the public on the updated ordinance only. Motion made by Councilwoman Hedgepath, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

Jim Janone - I didn't get a chance to read any of this ordinance. I looked very quickly at the ordinance. I don't get the paper anymore. It was advertised in full. You are all in a rush to push this through. Why can't it wait until next year? I explained why. I can't comment on something I haven't seen.

Motion to close the meeting to the public by Councilwoman Hedgepath, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

Motion to adopt the Ordinance by Councilwoman Hedgepath, seconded by Councilman Hale and approved on roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilman Hale	Yes
Councilman Lorenzo	No

Councilwoman Garcia Montes was not present or vote as she left the meeting at 6:30.

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

Jim Janone - Will a resolution be done for community development? The Clerk said we are just doing the application. Once we see bids and if the work is being done then the resolution comes. Policy manual for DPW you did vote awhile ago. I don't think so the Clerk said. We talked about it but nothing was ever done. RVRSA can probably give you companies that do the scoping of sewer lines. Did anyone see the school report that the Dover Board of Ed came out with? They did a report and they said there will be a big influx of students coming into Dover. Taxes will go up. How come you haven't ever talked about doing a rent control ordinance. We have talked about that the Clerk said. That was awhile ago. You have to have a rent board and everything that goes with it. Years ago rents weren't what they are today. Percentage wise they are the Mayor said.

The Attorney said the Clerk is correct. You have to have a well versed rent board that knows all the ins and outs of rent control. You also have a staff that has to do the work after they render their decisions. The Board makes the determination. That is all they do. You have to have staff to follow through on what they say and what has to be done. You need people that are educated in this type of thing. In regards to the discussion on recycling. Why don't you put stickers on the stuff the men don't pick up? We have them but they don't do it. If you do that then you can do stickers and penalties and fines. That is true the Clerk said but also whomever writes the tickets has to go to court.

Motion to close the meeting to the public by Councilwoman Hedgepath, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

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

Submitted By:

*Deborah Evans*

Deborah Evans  
Borough Clerk