

January 11, 2022

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on January 11, 2022.

Mayor Holeman called the meeting to order and declared a quorum present.

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 Hale, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT : None

** Attorney Feintuch was present at this meeting.

Motion to accept the minutes of December 14, 2021 as received by Councilwoman Montes, seconded by Councilman Hale and approved on verbal vote. None opposed.

CORRESPONDENCE: None at this meeting.

VOUCHERS:

VOUCHER REPORTS

Date of Council Meeting:
January 11, 2022

Voucher #	Payable to:	Type of Service	Amount	Check #
1/1/2022	WEX Bank - Shell Gas	Streets & Roads	787.85	7287
1/2/2022	Anderson & Denzler Assoc., Inc.	Gen. Eng., 2022 DOT Grant, Sewer & Nourish Escrow	4,872.32	
1/3/2022	CoreLogic	Tax Collector - Refund tax payment	1,291.59	
1/4/2022	County of Morris - Dept. of Finance	County Taxes	55,147.93	
1/5/2022	County of Morris - Dept. of Finance	Open Space Tax	1,361.40	
1/6/2022	County of Morris - Morris County Communications	9-1-1 Costs	5,500.00	
1/7/2022	Deborah Evans	Clerk OE - Petty cash receipts	32.09	
1/8/2022	Dover Court - shared services	Shared Court Services	1,655.83	
1/9/2022	Feintuch, Porwich & Feintuch, ESQ	Legal Services OE - Prop. Maint. Ord	3,325.00	
1/10/2022	Henry O Baker Insurance Group	Other Insurance	950.00	
1/11/2022	Ideal Air Incorp.	Fire OE	240.00	
1/12/2022	Interstate Waste Services, Inc	Trash Removal - December 2021	10,933.33	
1/13/2022	J. Caldwell & Assoc., LLC	Planning Board	325.00	
1/14/2022	JCP&L - #3 - Streets	Street Lighting	672.93	
1/15/2022	NJNG - #1 - Fire	Fire OE	246.00	
1/16/2022	NJNG - #2 - Main	Utilities - Borough Hall	901.00	
1/17/2022	NJLM - NJ League of Municipalities	Mayor, Council & Admin.	321.00	
1/18/2022	New Jersey Conference of Mayors	Mayor, Council & Admin.	295.00	
1/19/2022	Office Concepts Group	Clerk OE	79.90	
1/20/2022	Protective Measures Sec. & Fire Systems	Bldgs. & Grnds. & Fire OE	1,176.00	
1/21/2022	Protective Systems Services	Bldgs. & Grnds.	300.00	
1/22/2022	R & L DataCenters, INC	Finance - Payroll	250.00	
1/23/2022	Registrars Association of NJ	Clerk OE	25.00	
1/24/2022	Ridgeback Ventures, LLC	Tax Collector - Redeem Lien 21-003	467.81	
1/25/2022	Rockaway Twp. Health Services	Health Services - shared services	6,444.25	
1/26/2022	State of NJ - Div of Pen. & Bene.	Group Insurance	25.73	
1/27/2022	The Hartford	Other Insurance - Workman's comp balance	157.00	
1/28/2022	Treasurer State of NJ - Marriage Licenses	Marriage License - qtrly fee	75.00	
1/29/2021	Treasurer State of NJ - DCA	State of NJ Training fees	20.71	
1/30/2022	Verizon - #1 - 263-0001-56	Utilities	75.54	
1/31/2022	Verizon - #2 - 366-5312	Utilities	153.91	
1/32/2022	Viking Pest Control	Bldgs. & Grnds.	753.84	

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

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

*** For the record, Councilman Glass attended the meeting via phone.

NEW BUSINESS:

AUTHORIZING RESOLUTION FOR COMMUNITY DEVELOPMENT -

MUNICIPAL COUNCIL AUTHORIZING RESOLUTION

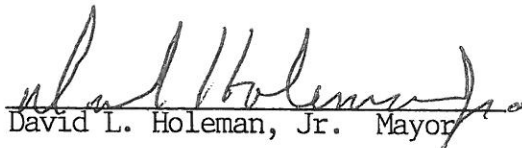
At a meeting held on December 14, 2021 discussion was held on the application for a 2022 grant submittal to Community Development.

The Borough Council authorizes an application to the Morris County Community Development Block Grant (CDBG) to be submitted by the Borough Engineer, Leon Hall on behalf of the Borough of Victory Gardens.

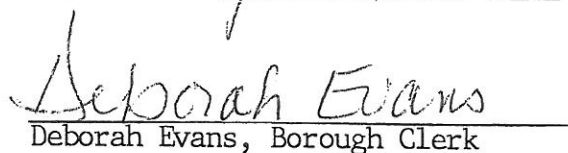
If awarded CDBG funds, the Borough of Victory Gardens shall implement the activities in a manner to ensure compliance with all applicable Federal, State and local laws and regulations.

The project for the grant application will be Improvements to Washington Avenue.

Dated: 1-11-2022


David L. Holeman, Jr. Mayor

I, Deborah Evans, Clerk of the Borough of Victory Gardens, do hereby certify that this is a true and exact copy of the Resolution adopted by the Mayor and Council of the Borough of Victory Gardens, held on Jan. 11, 2022.


Deborah Evans, Borough Clerk

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

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

RESOLUTION FOR OUTSIDE LIEN REDEMPTION -

(See Resolution Next Page)

**BOROUGH OF VICTORY GARDENS
RESOLUTION OF REDEMPTION
TAX TITLE LIEN**

WHEREAS, the Tax Collector has received payment for redemption of Tax Title Lien #21-003 on **BLOCK 12 LOT 07** known as **31 Monroe Av** in the name of **Cielo, Filemon Ruiz**

WHEREAS, reimbursement is now required to be made to the following Lien Holder,

Ridgeback Ventures, LLC
PO Box 503
Mount Freedom, NJ 07970

To return the amount of the Lien, Penalty, Interest, Costs:

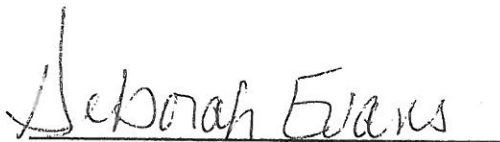
TAX TITLE LIEN: \$ 467.81

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Victory Gardens, County of Morris, State of New Jersey that the Borough Treasurer be authorized to prepare a check in the amount of **\$467.81** made payable to:

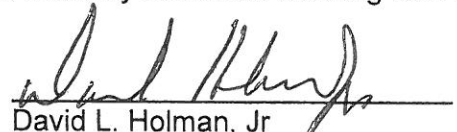
Ridgeback Ventures, LLC
PO Box 503
Mount Freedom, NJ 07970

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Borough Chief Financial Officer.

I HEREBY CERTIFY the above to be a true copy of a Resolution adopted by the Borough Council of the Borough of Victory Gardens at a duly convened Meeting held on **January 11, 2021**.



Deborah Evans
Borough Clerk


David L. Holman, Jr
Mayor

Motion to approve 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

NEW BUSINESS CONTINUED:

**CALENDAR YEAR 2022
MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough of Victory Gardens in the County of Morris finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 1% increase in the budget for said year, amounting to \$10,933.56 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the governing body of the Borough of Victory Gardens, in the County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Victory Gardens shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$38,267.46, and that the CY 2022 municipal budget for the Borough of Victory Gardens be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Introduced: January 11, 2022
Adopted:

Motion to approve the Ordinance on introduction by Councilwoman Cheatham, seconded by Councilwoman Montes and approved on roll call:

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

NEW BUSINESS CONTINUED:

VIKING PEST CONTROL - Everyone has a copy of the service agreement. The cost is \$753.84 and amount per month is \$166.00 . The reason we are doing this is because there has been rat activity in our garage. I called the BOH in and had them do an inspection on something the Mayor saw. They inspected with the health officer from Randolph and found an infestation at the Krausers. We also pay have issues when they start gutting the Show Place. There have been traps put down around the building except in the front. They didn't want anyones pet getting into the containers.

Motion to approve the agreement with Viking Pest 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

INLET REPAIR AT 372 WASHINGTON AVENUE - We received 2 quotes on this project. We discussed at an earlier Council meeting. Council said it needed to be done and have Leon get quotes. The quotes were as follows:

Cifilli & Son	\$13,300.00
AJM Contractors	\$ 7,500.00

Motion was made to award to AJM Contracting in the amount of \$7,500.00 . Motion made by Councilwoman Montes, seconded by Councilman Hale and approved on roll call:

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

FAIR HOUSING RESOLUTION -

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

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

(See Resolution Next Page)

EXHIBIT "F" - SAMPLE MUNICIPAL COUNCIL FAIR HOUSING RESOLUTION

The Borough of Victory Gardens (name of municipality) supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of Borough of Victory Gardens (name of municipality) to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Borough of Victory Gardens (name of municipality) further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Municipal Council of Borough of Victory Gardens (name of municipality) do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the Borough of Victory Gardens (name of municipality) will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the Borough of Victory Gardens (name of municipality) shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Approved this 11th day of January (month), 2022 (year)

ATTEST:

* David L. Holeman, Jr.

Signature of Authorized Representative

David L. Holeman, Jr.

Printed Name of Authorized Representative

12-17-21

Date

973-366-5312

Telephone Number

Councilwoman Montes asked why Councilman Glass was not present at the meeting? Councilman Glass said no comment. Will you be at our next meeting? No comment. Are you resigning? No. 20

The Clerk said she wanted to remind everyone that the Board of Health meeting is scheduled for next Tuesday, January 18.

Councilman Lorenzo said when are we putting stickers on bags where people put their recycling in bags? Right away. We are looking into the stickers but Deb will do up a letter so if they see any in bags they will tag it and leave it there.

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

Jim Janone - Garbage was not picked up on Friday. They got it today. We called them and that is why they came out today. It was Franklin Road, South Salem Street and Coolidge they didn't pick up. We asked why and they said they have a lot of people out with COVID. They had new people on. What happens in the future if it happens again? You call us and we will call them. They are always on time and they pick up everyone. When are you putting bids together for garbage contract? It has been put together and we went out to bid last year. We will be accepting bids I believe in February. Inlet repair do you have the actual quote? Yes. Is this for one inlet? Yes, Last year we got it a lot less and we did several. That is why it was cheaper, we did several at a time. This was an emergency because it is collapsing and Council approved it. I will put in an OPRA for the specs. Okay.

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

The Clerk asked the Mayor if they can discuss pay for person that helped Hector during the storm.

The Mayor said we had one of our residents help Hector. we didn't know what we were going to pay him so I need Council to tell us. Council gave approval for us to find someone in case Hector needed help. Councilwoman Montes said our guys don't make that much or they only make a little more. Councilwoman Montes said we should pay \$10 per hour. Councilwoman Montes asked how much Hector makes an hour. \$19.90 . There was discussion. Council made a motion for pay for the help.

Motion was made by Councilman Lorenzo for \$15 per hour. Seconded by Councilwoman Hedgepath and approved on roll call:

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

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

Submitted By:



Deborah Evans
Borough Clerk