

June 27, 2023

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on June 27, 2023.

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: Councilman Glass, Councilwoman Hedgepath, Councilman Hale, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: Councilman Suarez.

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

Motion to accept the minutes of June 13, 2023 as received by Councilwoman Monttes, seconded by Councilwoman Hedgepath and approved on verbal vote. Councilman Glass abstained as he was not present for the meeting.

CORRESPONDENCE:

NOURISH - We have a question from Nourish. They want to know how come they are paying a sewer bill and they are not in the building yet? They spoke to Karen our Tax Collector and then they spoke to Leon Hall. They then spoke to me.

I told them they are charged what the other businesses in town are charged. All the other businesses pay a flat fee except those over at the mall across the street. They are billed on water consumption. I told them the sewer is still connected.

If this isn't a good enough answer, then let me know and I will relay it to them.

Council said no, that is the correct answer to give them.

ANDERSON & DENZLER - I have two letters from Leon Hall regarding the bid openings we recently had. They were for Washington Avenue and the sidewalks on Coolidge and Monroe.

Attorney Feintuch said he hasn't looked at the bids packages yet that he received from Leon. He will be ready with them for the next meeting. I will hold off on the letters until the next meeting.

DRAKE REAL ESTATE - Everyone has a copy of this information. They are going to be putting in a Tesla electric car show room and service center. They will only sell and service electric vehicles using no gas or oil and have zero emissions.

This project is located or will be located on Franklin Road - on the Randolph side in the area where the big white house used to be before it was taken down.

They want to know if they can connect to our sewer line? Leon did send me a letter which reads as follows:

Drake Real Estate Services has requested permission from the Council for sanitary sewer service in Victory Gardens. The proposed development is located at 160 Route 10 West in Randolph Township. It involves a 50,355 s.f. Tesla showroom and service center.

From an Engineering viewpoint only, I do not find a valid reason as to why the Borough would grant permission for sanitary sewer services for this development in the Township of Randolph.

Councilwoman Montes said that would put more pressure on our sewer lines. Councilman Glass said don't they have to get permission from the RVRSA for the gallonage? Yes, but they had to come to us first to get an answer on connecting to our line.

Motion was made to decline Drake Real Estate Services proposal to hook up to the Borough sewer line. Motion made by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on roll call:

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

Motion was made to accept and put on file the correspondence by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

VOUCHERS:

Mayor Holeman asked if there were any questions or comments on the vouchers? Councilwoman Montes said she has a question on voucher # 06-31 for Anderson and Denzler. The attachments are for the two marijuana businesses that want to go in? Yes. Do we get the money back from these companies for when Leon goes out? Yes, they have escrow accounts. I did tell Kevin a few weeks ago that he has to send them notices saying they need to replenish their escrow accounts. Anytime our professionals go out to look at the site, do inspections, come to meetings, they get paid by the applicants.

Motion was made to pay the vouchers by Councilman Glass, seconded by Councilwoman Montes and approved on roll call:

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

VOUCHER REPORTS
COUNCIL MEETING
June 27, 2023

Voucher #	Payable to:	Type of Service	Amount	Check #
06-31	Anderson Denzler associates Inc	Engineering OE	\$ 6,011.94	
06-32	Att Long Distance Service	Utilities	\$ 40.07	
06-32	Carol Elko	Dog cat census	\$ 325.00	
06-33	Christiana T C/F cei First trust	Tax Collector	\$ 2,314.88	
06-34	Feintuch Porwich and Feintuch	Legal OE	\$ 1,400.00	
06-35	Gannet Newspaper	Clerk OE	\$ 966.90	
06-36	Handyman	Road OE	\$ 211.95	
06-37	Ideal Air Inc	Clerk OE	\$ 400.00	
06-38	Interstate Waste Services	Trash Removal	\$ 24,533.16	
06-39	JCPL Borough Hall	Utilities	\$ 298.50	
06-40	JCPL Fire House	Utilities	\$ 102.80	
06-41	JCPL Street Lights	Utilities	\$ 682.98	
06-42	Jill Kepler	Dog cat census	\$ 325.00	
06-43	MGL Printing Solutions	Assessor OE	\$ 364.00	
06-44	Morris County MUA	Road OE	\$ 378.00	
06-45	NJNG Borough Hall	Utilities	\$ 1,405.00	
06-46	NJNG Fire House	Fire OE	\$ 297.00	
06-47	Optimum Online Borough Hall	Utilities	\$ 11.47	
06-48	Protective Systems Services	Clerk OE	\$ 650.00	
06-49	RVRSA	RVRSA Shares	\$ 9,624.00	
06-50	Verizon 450-784-289-0001-62	utilities	\$ 158.16	
06-51	Wex Bank Shell	Road OE	\$ 744.14	
06-52	Hector Lorenzo	Roads Sw	\$ 2,564.32	
06-53	Leticia Diaz	Clerk Sw	\$ 1,700.00	
06-54	Manny Venereo	Roads Sw	\$ 2,200.00	
		Total	\$ 57,709.27	

DEPARTMENT REPORTS:

BUILDING DEPARTMENT - No permits issued for June 2023.

PROPERTY MAINTENANCE - Everyone has a copy of the report. Councilman Glass said the hedges have been cut down.

MUNICIPAL COURT - We received \$311.16 from the court. \$2.00 for parking offenses.

TAX COLLECTOR - Total Tax Receipts Month to Date: \$399,226.10
" " " Year " " : \$1,070,671.16

REGISTRAR - 2 marriage license issued. No fees collected. We are suppose to be able to start collecting fees again next month.

COMMITTEE REPORTS:

Councilman Glass - We have had several complaints that recycling is too heavy to pick up. There is nothing in the ordinance but we are suggesting that containers weigh no more than 30 pounds. Dover has in their ordinance 30 pound limit. Councilwoman Montes said they also have pickup twice a week. Tell our men to do their job!
Councilman Lorenzo said OSHA has a maximum of 40 pounds. Councilwoman Montes said if someone puts out 2 30 pound cans what happens? The men will take them. They don't care how many cans you put out, just the weight, they want to be able to lift the cans without getting hurt. The Clerk asked the Attorney to do up an amendment to the ordinance and please have it for the next meeting.

Motion to accept the reports and put on file. Motion made by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

NEW BUSINESS:

REDEEM TAX TITLE LIEN FOR BLOCK 10 LOT 1.21 -

The Clerk said everyone has a copy of the lien redemption. This is for 20 Victory Court.

Motion was made to approve the tax title lien redemption. Motion made by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

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

(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 #22-002 on **BLOCK 10 LOT 1.21** known as **20 Victory Ct** in the name of **De Lisa, Matthew**.

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

CHRISTIANA T C/F CE1/FIRSTRUST
PO Box 5021
Philadelphia, PA 19111-5021

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

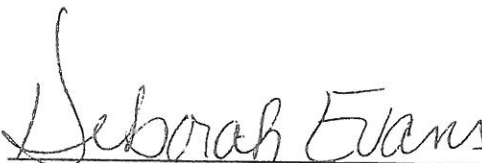
TAX TITLE LIEN: \$ 514.88
PREMIUM: 1,800.00

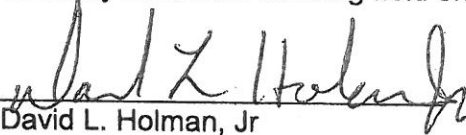
NOW, THEREFORE, BE IT RESOLVED, by the Borough of Victory Gardens, County of Morris, State of New Jersey that the Borough Treasurer be authorized to prepare a check in the amount of **\$2,314.88** made payable to:

CHRISTIANA T C/F CE1/FIRSTRUST
PO Box 5021
Philadelphia, PA 19111-5021

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 June 27, 2023.


Deborah Evans
Borough Clerk


David L. Holman, Jr
Mayor

OLD BUSINESS:

DOVER BOARD OF EDUCATION AGREEMENT - The Clerk said that everyone has a copy of the agreement. The Attorney said it is self explanatory.

Councilwoman Montes asked the Attorney if he negotiated this? No, I pointed out the facts in the case. we held back 3 plus million.

The Attorney said that approximately it could be \$700,000. I didn't say that was an exact amount. Councilwoman Montes asked if this is a partial settlement? The Attorney said yes because it hasn't been finalized if we have to pay debt service, for Capital. The future numbers are still up in the air. We are holding back approximately \$3,000 per month, from the payment that we make to them. We will not be paying debt service at this time until we get final numbers. Councilwoman Montes asked how much they owe us? The Attorney said they don't owe us anything. We owe them for sending our children to school. They owed us because they were overcharging us! We didn't pay them so they don't owe us. This formula was done by the Commissioner of Education.

Once we get the signed agreement back from Dover, we will send them the money we owe them. We won't be paying the debt service. We pay \$97,057 for the kids going to school. We are not paying the other money they have down which is \$3,609. This is the way it will be until all matters are straightened out with the Commissioner of Education. Dover is taking action on this tonight as well.

Motion to sign off the agreement between the Dover Board of Education and the Borough of Victory gardens. Motion was made to have the Clerk the sign the agreement by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on roll call:

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

HOUSING OFFICER - The Clerk said we have talked about this several times. We talked about it again at the last meeting so I put it back on the agenda.

Attorney Feintuch asked if anyone is in favor of this or does anyone have a reason they are not in favor of it?

Councilwoman Montes said we went thru this before and I don't know why it was put back on the agenda. the Attorney said because it has come up again. Councilwoman Montes said she knows people don't like having others go into their houses.

The Attorney said we have children as well as adults over crowding the apartments and the houses in here. We are paying for the childrens education. This body is always talking about saving money. We aer paying for children we should not be paying for. We have violations in these homes. No one is invading anyones privacy. It would be if there is a complaint. Everyone is just hiding a blind eye. If you have nothing to hide, what is the problem?

Councilwoman Montes said we are going to have to pay someone to come in here and do this. Here's more money to be paid out. Dover doesn't even ask for proof of address.

Councilman Glass said he has spoken on this before. Our code says one thing and that means we all would be in violation. His bedroom is 97 s.f.. Our code should be updated. We have other problems in here. People having parties, bonfires, noise. I am just saying what people are telling me. We need police in here. The Clerk said you have to call the police. everyone is afraid to call them. If there is something going on, and it happens on a Friday night, telling me on Monday morning isn't doing anything. They have tosee what is going on. we have more realistic problems than this.

The Mayor said this was brought up at the last Council meeting, that is why it is back on the agenda. Instead of us constantly going back and forth, do you want this or not?

The Attorney said we don't need a motion on this. If no one wants it then that is it. The Mayor said then it is a done deal. No housing officer.

BUDGET INTRODUCTION - Not being done tonight.

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

PUBLIC PORTION:

Jim Janone - The tree that we had taken down was not a town tree. it was on private property. I checked the County mapping and it was private property. we paid \$800 for a tree that was not ours. we were told it was an emergency thing. It wasn't. That tree was leaning for some time. You did someone a favor by spending the towns money for their tree.

The 2% fee that we will be getting from the cannabis, where will that money go? It will go into the general treasury the Attorney said. Are we dedicating any of that money for anything special? we will decide on that when the time comes. We have no idea how much money this will bring in. Where is the money going to go from the money we are getting from the school? The money is in escrow. Dover is meeting on this tonight also. After the agreement is signed, what happens with the money? we may still have to pay money to Dover. Once the agreement is signed by both parties the Commissioner of Education will be involved the Attorney said. We are waiting to see if we have to pay on their capital debt. You said the debt service is up in the air. Dover Board of Ed approved their budget. There is a column for debt service. We are still, according to them, paying the debt service of \$3,609. Is that money still in dispute? yes, the attorney said. So even though they put it in their budget, it doesn't mean we are paying it? Correct. This thing with the housing officer, I think you are making a mistake. We all know that Dover is not doing residency for this town. I have talked to so many people that are sending kids to Dover and they are saying that Dover never checks. Councilwoman Hedgepath said they showed up at her house, with the wrong information but they did show up. There are still kids being dropped off in our town in order to take the bus. The bus drivers are not checking the bus passes. Buses are coming in here and leaving and they are half full.

Councilman Glass said he spoke on that with the meeting we had with Dover and they said the buses are full.

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

Motion was made to go out of the regular order of business to go into closed session regarding personnel. Motion made by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

Closed session typed separately.

Motion was made to close the closed session part of the meeting by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

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

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

Submitted By:

Deborah Evans

Deborah Evans
Borough Clerk