

April 11, 2023

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on April 11, 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 Hale, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: Councilwoman Cheatham, Councilwoman Hedgepath, Councilman Glass.

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

Motion to accept the minutes from March 28, 2023 and April 4, 2023 as received by Councilman Lorenzo, seconded by Councilwoman Montes and approved on verbal vote. None opposed.

CORRESPONDENCE:

FINANCIAL DISCLOSURE - You can not file your information yet. The State is on hold. If you go on the website it will tell you that you can not file at this time.

VOUCHERS:

Councilwoman Montes said that we are still holding the vouchers for the Dover board of Ed? Yes. Attorney Feintuch said that he is waiting on the agreement from Dover so he can review and bring to Council. We will be holding back money and they have to figure out how much it is that we are holding. and what they owe us back.

VOUCHER REPORTS
COUNCIL MEETING
April 11, 2023

Voucher #	Payable to:	Type of Service	Amount	Check #
04-01	Dove Board of Education	School Taxes	\$ 96,200.00	
04-02	Dover Court -Shared Services	Shared Court Services	\$ 1,655.83	
04-03	Feintuch Porwich & Feintuch	Legal Service OE	\$ 2,204.22	
04-04	NJ DCA Div of codes + standards	Clerk OE	\$ 34.01	
04-05	NJNG -Fire Account	Fire OE	\$ 297.00	
04-06	Office Concepts	Clerk OE	\$ 304.71	
04-07	PJ Supply INC	Buildings and Grounds	\$ 16.00	
04-08	Viking Pest control	Building & Grounds	\$ 145.80	
04-09	Wex Bank -Shell Fleet plus	Road OE	\$ 646.61	
04-10	Hector Lorenzo	streets and Roads SW	\$ 2,331.20	
04-11	Leticia Diaz	Clerk OE	\$ 1,560.00	
04-12	Manuel Venero	streets and Roads SW	\$ 2,000.00	
		TOTAL	\$ 107,395.38	

NEW BUSINESS CONTINUED:

ABANDONED VEHICLE AMENDMENT - Motion to amend the Borough code by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

Councilman Hale	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

CANNABIS LOCAL LICENSE APPLICATION AND PERSONAL HISTORY FORM - This is on hold until the next meeting.

OLD BUSINESS: NONE

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

Jim Janone - The amendment for the traffic will that be introduced like you normally do? It just was. They approved the introduction. So you can just add additional cannabis licenses also. The revenue that it will bring in will be good for the Borough. The Mayor said if we choose to do it then it will be voted on by the entire council. Alonzos hours are 8 to 9:30 and then 8 to 10. Why can't Alonzos have the same hours as the strip mall. They do have the same hours. Councilwoman Montes asked if they have a liquor license from us? Yes. they bought the ShowPlace license. The hydraulic fluid is still in the parking lot outside? They came out and scrubbed everything and tried to clean it but hte next day it looked the saem. we sent pictures back to them agian saying there was no difference. The Attorney said something about a cannabis committee? waht committee? The governing body. Sidewalks you are going to talk about at the budget workshop? Yes. So you are making a decision at that meeting about the sidewalks? No, they are going to ask the CFO if we have money to take care of this project. The decision will be made at the regular Council meeting. What happened with the Easter Party? Can anyone explain that to me? it was a nightmare. Nobody on Council could pick up the slack on that? There was a note on the door. Do you think there could have been an emergency? There is no excuse for a party like that to be cancelled. The notice also said that the party would be rescheduled. Councilwoman Montes said someone should have been called to do the party. i didn't know until Saturday morning. Letty called me to say she was going in to put a sign up.

Steven Maya - When are you guys voting on the sidewalks? Do you have an opinion as far as the sidewalks go? If so, you can state that now. I am very against the sidewalks being put on Coolidge. i live there. I have lived on Coolidge all my life. the town can use the money somewhere else that would be put to better use. we have speed humps back there. It is a 25 mph zone. It isn't like anyone is getting run over. I don't see a reason for it. Councilwoman Montes said she thinks we need sidewalks on Monroe because people walk there with baby carriages and there is no sidewalk. Councilwoman Montes asked who ever said that Coolidge had to be done? Jim Janone said it at one of our Council meetings that it was very dangerous over there on Coolidge. Councilwoman Montes asked what the problem is on Coolidge. Jim Janone said kids are standing in the road. Mr. Maya said the kids don't stand in the road. they are in his driveway and another persons driveway. Maybe a handful of people walk there during the day. If you close up out road on Coolidge, we can't get out or in. Next meeting for discussion on this will be April 25, 2023 at 6:00 p.m..

Day Pitney - We are on the agenda for the Planning Board meeting next Wednesday. we will be a retail facility for across the street at the mini mall. We have a conditional license. Once the application is approved with the Council please give us a copy so we can fill it out. You have to have a site secured before you can get a full fledged license. Until that time you are issued a conditional license.

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

NEW BUSINESS CONTINUED:

REVISED CANNABIS ORDINANCE - The Clerk said there is an annual fee, correct? Yes. If the license is good for 5 years at a time, do you still get that annual fee of \$10,000?

The Attorney said we are not looking at the same document. The Clerk said she sent around to the Council the most recent copy you gave me. The attorney said we have to hold off on this and make sure we all have the same document.

We are tabling this discussion until we get a new revised copy of the Ordinance from the attorney. Once the Clerk receives that it will be sent to the Governing Body.

Are we going over the application that we have? No, the attorney said everything on cannabis will be on hold.

ABANDONED VEHICLE UPDATE - The Clerk said we needed to update this Ordinance. the police asked us to do it for towing purposes.

AMENDMENT TO BOROUGH CODE
VICTORY GARDENS TRAFFIC 7-15
New Number 7-15A

New Language as Amendment to above:

7-15A Abandoned Vehicle: This Ordinance is an Amendment to Borough Municipal Code and shall be known as 7-15A:

In the event any motor vehicle remains on a public street within the Borough for more than 48 hours, it shall be towed away at the direction of the Borough Administrator and all attendant charges shall be borne by the owner of the vehicle.

This amendment to an existing Ordinance shall be a part of The General Ordinances of the Borough of Victory Gardens though codified and fully set forth therein. The Borough Clerk shall have this Amended Ordinance codified and incorporated in the official copies of the Borough Code. The Borough Clerk and the Borough Attorney are authorized and directed to change any Chapter, Article and/or Section number of the General Ordinances of the Borough of Victory Gardens in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repeal of existing provisions not intended to be repealed.

NOW THEREFORE, BE IT RESOLVED by the Mayor and convened Council of the Borough of Victory Gardens that the Amended Ordinance regulating certain parking regulations and the penalty for violating same.

INTRODUCED:

ADOPTED: this

day of , 2023.

BOROUGH OF VICTORY GARDENS

ADOPTED:

DAVID HOLEMAN, Mayor

Deborah Evans, Borough Clerk

Motion to approve the vouchers for payment by Councilman Lorenzo, seconded by Councilwoman Montes, with continuing to hold the voucher for Dover Board of Education, and approved on roll call:

Councilman Hale	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

NEW BUSINESS:

FINANCIAL DISCLOSURE STATEMENTS - Already discussed earlier.

MONROE/COOLIDGE SIDEWALKS - We need to make a decision on this the Clerk said. Community Development wants an answer. If we aren't going to use the money we have to give it back to them.

Councilwoman Montes said at the last meeting, from the minutes, Councilwoman Hedgepath was supposed to talk to the CFO and find out where the money would come from. Has she done that? I don't know. I believe she said that she asked him and he said we could not take it from the American Rescue Plan.

The Clerk said she spoke to Leon. For the sidewalks, the money we would receive from Community Development was \$27,950.00. The lowest bidder was AJM Construction at a cost of \$42,395.00. At that time, Leon said to reject the bids because they were 52% higher than the grant funding.

The Mayor asked what happens if we don't make a decision? Community Development can take the money back. They have other projects that they can help out.

Councilwoman Montes said she makes a motion to approve this work and then figure out where we can take the money from one of our accounts.

Councilman Lorenzo said we need to find out first if we have the money somewhere that we can take it from. The Clerk said we have a budget meeting next week. Councilman Lorenzo said we should hold off until we find out if we have money to put towards the project.

Council agreed to put on hold until our budget meeting next week.

REVISED CANNABIS ORDINANCE - The Attorney said everyone has had this for some time now. I'm here to see what kind of questions, comments, or changes you may want.

Councilwoman Montes said that when we first talked about this we said there would be 1 retail and one delivery. Correct. Could we have 2 of each? You can have as many as you want but right now it says one of each. The Attorney said we have a very small town and we don't want the town revolving around the cannabis industry.

The Mayor said we would have to go back and add that into the ordinance. The Attorney said we have this ordinance before us now and we need to take care of this first. We can speculate later.

Councilman Lorenzo said he has some questions. Can you transfer this license to anyone else? It can be but it would have to come before the committee in order to do that. It also says on page 11 (d) that no person under the age of 21 shall be permitted to enter into the premise without a parent or legal guardian. I am ok with the age of 21 but it says they have to have a parent or legal guardian with them. The Mayor said it is the same as a liquor store. Councilman Lorenzo said he has a concern about this. Little kids shouldn't be in there. The Mayor said it is the same as a liquor store. That is on the parent that is taking them in.

The Mayor asked about security. It says that they have to have round the clock video surveillance system, 365 days a year, and shall have trained security personnel onsite at all times during operating hours.

The clerk asked about the hours of operation. It says 8:00 am until 10:00 p.m. Does that include weekends? Yes. The Mayor asked for Sundays also? Liquor stores open later on a Sunday and close earlier.

The Mayor asked if we can change the Sunday hours? Maybe from 10:00 am to 9:00 pm. The Attorney asked why do you want to change it? Anymore, in this day and age Saturday and Sunday is like any other day of the week. Councilman Lorenzo said we should follow the same pattern for the liquor store.

Councilwoman Montes said if we are making changes why can't we change the amount of retailers also? You can. Councilwoman Montes said she would like to make it that we allow 2 establishments. The Clerk said we are a tiny town. There is no need for 2 of each establishment. You are Council. You can do what you want. Councilman Lorenzo said something like that should wait until we have the whole council present.

Motion to adjourn the meeting by Councilwoman Montes, seconded by Councilman Hale and approved on verbal vote.

Submitted By:

Deborah Evans

Deborah Evans
Borough Clerk