

July 9, 2024

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on July 9, 2024.

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 Suarez, Councilman Glass, Councilman Hale,  
Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: Councilwoman Hedgepath.

\*\* Attorney Feintuch was also present at this meeting and Leon Hall, Engineer.

Motion was made to go out of the regular order of business so that our Engineer can discuss some projects with us. Motion made by Councilwoman Montes, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

Leon Hall, Engineer - Leon said that on 6/4/24 we opened bids for the Roosevelt Avenue Improvement project. At that time we received 4 bids. We had a low bid of \$113,030 by AJM Contractors to a high of \$130,344. The Community Development grant is for \$91,519. On June 12, 2024 I sent a letter to the Mayor and Council with this information. The Boroughs cost in this would be approximately \$22,000. I asked that you award the bid at your 6/25/24 meeting. I understand there were questions regarding this and was asked to come here tonight to answer any questions you may have.

Councilman Lorenzo said the question was what was going to be done on this project? The entire road? Inlets?

Leon said all of Roosevelt from curb to curb, speed tables will not be replaced because they are in good shape, inlet repairs are required and a manhole repair is required, milling and paving. The milling can be done in one day and the paving can be done in one day.

Councilwoman Montes asked how much for just the inlet repairs to get done? There are 2 inlets that have to be done and they are \$500 each.

Councilman Lorenzo said we have more inlets in town that need to be done. Right now we are only talking about this project.

Councilman Glass said some of us went and looked at the street and we didn't think it looked that bad. Leon said it isn't that bad. I try to keep up on the roads so they get taken care of before they start falling apart. Do you get 20% on top of everything? Leon said in terms of preparing the plans and specs, grant administration, inspections it comes to about that. So it would be about \$40,000 out of pocket for the Borough to pay? Yes.

Councilman Hale asked what Leon said about the base? Once they remove what needs to be done, I examine the base. If I see something I don't like then I take it out and they have to dig down more. There is a lot of labor in that. Is that in the contract? Yes. Leon said this project started in 2022. Application was made to Community Development in January of 2023.

Councilman Glass said he knows the 2 inlets have to be done but I don't really see a need for this project.

The Mayor said we are getting a grant for \$91,000. How much do we have to pay out? Approximately \$40,000. What if we don't need that much base? Leon said then the Borough will recognize a savings there. You will probably save about \$7,500.

Attorney Feintuch asked Leon what type of profit does the contractor make on these projects? The margin with public bidding is quite small. We don't get top shelf contractors for these small jobs. I was thinking we might only get 1 or 2 bidders. I was surprised we got 4. Most companies can't be bothered by the small jobs. AJM Contractors this is a perfect job for them. They are a small company and they do small jobs.

Councilman Suarez said that Leon said this road doesn't need it. I didn't say it doesn't need it. I said it is in fair condition. We paved this road back in 2008. So basically we are doing it because we have the grant? Yes. we can't use this for anything else? No.

MAILED  
7-24-24 (R)

DISCUSSION ON ROOSEVELT AVENUE CONTINUED - Councilman Lorenzo said we have more than these inlets that have to be repaired. We can use the \$40,000 for other inlets.

The Mayor asked if you want this grant or not? That is what needs to be considered.

Councilwoman Montes said we appreciate the grant but why fix something that isn't broke? Leon said we have a contract. In that contract it says that you either award or reject within 60 days.

Attorney Feintuch asked Leon what the life span is for the road in its present condition? It is in average condition. It may last another 5 years.

Leon said we were awarded a DOT grant back in 2022. That is from the firehouse to South Salem Street. I will be going out to bid on that around late summer or very early fall. In order to get this grant funding and it is a lot more than the \$91,000 you will have to award that contract before November 15th of this year. Councilman Glass said that road is in badshape.

Motion was made by Councilwoman Montes not to award the project for Roosevelt Avenue. Motion seconded by Councilman Suarez and approved on roll call:

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

Leon said he will notify the contractor that the contract was not awarded. Councilman Glass asked if this will have any effect on getting grants in the future. Leon said probably. I know with DOT if you turn them down they may skip you the next year.

Councilman Glass asked if Leon can get quotes on the 2 inlets? Well, if you are going to do inlets then you should look through the town and see what other ones have to be done. If you are talking about that \$40,000 then you should do more than just the 2.

Councilman Hale asked why we do speed tables and not bumps? The tables don't seem to slow people down. Leon said he isn't a fan of the bumps. You see those in parks or recreational facilities. The DOT will not approve a speed bump. They will only do speed tables.

MONROE AVENUE - Councilwoman Montes asked what is going on with Monroe avenue? Leon said he submitted the grant application before July 1st. you have that on the agenda for tonight. Where on Monroe? Leon said it will be all of Monroe. The curbing in many places have settled and has broken off. You have water jumping the curb. How much will that cost? I don't know until I see how much DOT will be giving us. If you don't get grant money for this project you won't do it because it will probably cost around \$250,000. I ask in the grant, for the entire amount of construction costs. Are there inlet repairs on Monroe? Yes. This resolution is giving the Mayor permission to submit the application. I submit it but the Mayor has to sign off on the resolution within 30 days.

Councilman Suarez said can we be told ahead of time what projects are being done so we can look at them? Yes. Give me the roads Leon said, what you want done. The Mayor said that he thinks we did this in the beginning of the year we were told to look at what road projects we want done.

Leon said you have to keep in mind with these grant applications, especially with DOT, you are a small town, but you have a couple of major roads. They look at roads like Washington Avenue, Monroe Avenue. They don't like doing the small roads. They want the most traveled roads. The same with Community Development but they will take the smaller roads.

Councilman Glass said there was something in the paperwork about Iran? What is that? That is something the State wants included. Vendors can not do business in Iran. It's a business disclosure.

Councilwoman Montes said that we should vote on this now. Motion was made to approve the resolution for Monroe avenue by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

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

(See Resolution Next Page)

FILED

BOROUGH OF VICTORY GARDENS  
RESOLUTION 10-2024

RESOLUTION: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the project named: Monroe Avenue Improvements

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Victory Gardens formally approves the grant applicaion for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic application identified as 2025-MA-00100 to the New Jersey Department of Transportation on behalf of the Borough of Victory Gardens.

My signature and the Clerks seal serve to acknowledge the above Resolution and constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement authorized by the Resolution above.

David L. Holeman, Jr.  
Mayor, David L. Holeman, Jr.

Deborah Evans  
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 the resolution adopted by the Mayor and Council held on 7-9-24.

Deborah Evans  
Deborah Evans, Borough Clerk

Motion was made to go back into the regular order of business by Councilwoman Montes, seconded by Councilman Hale and approved on verbalvote. None opposed.

Motion to accept the minutes of June 25, 2024 as received by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

CORRESPONDENCE: NONE.

VOUCHERS:

The Mayor asked if there were any questions on the vouchers? Hearing none he asked for a motion to pay the bills.

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

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

(See Voucher Lisitng Next Page)

**Voucher Reports**  
**Mayor and Board Council Meeting**  
**July 9, 2024**

Voucher #	Payable to:	Type of Service	Amount	Check #
07-01	Anderson and Denzler Associates	Engineering	\$ 3,495.26	
07-02	Att long distance	Utilities	\$ 45.95	
07-03	Dept of children and families treasurer	Clerk OE	\$ 250.00	
07-04	Dover Bd Of Education	School Taxes	\$ 97,057.00	
07-05	Dover Court	Shared Court Services	\$ 1,655.83	
07-06	Dover Water Commision	Streets and Roads	\$ 5,382.00	
07-07	Eric M Bernstein LLC	Planning Board	\$ 864.00	
07-08	Feintuch Porwich -Feintuch	Legal Services	\$ 2,204.22	
07-09	Feintuch Porwich -Feintuch	Legal OE	\$ 1,400.00	
07-10	Henry O Baker	Other Insurance	\$ 448.00	
07-11	Home Depot Inc	Buildings and Grounds	\$ 345.08	
07-12	Ideal Air Inc	Buildings and Grounds	\$ 1,290.00	
07-13	Konica Minolta	Clerk OE	\$ 4,770.00	
07-14	Navitend	Clerk OE	\$ 947.05	
07-15	Nisivoccia	Audit	\$ 28,245.00	
07-16	NJNG Borough Hall	Utilities	\$ 833.00	
07-17	NJNG Firehouse	Fire OE	\$ 275.00	
07-18	Office Concept Group	Clerk OE	\$ 133.29	
07-19	R&L Data	Clerk OE	\$ 280.00	
07-20	RVRSA	RVRSA Shares	\$ 13,561.00	
07-21	Treasure State Of NJ	Clerk OE	\$ 47.25	
07-22	Verizon Borough Hall	Utilities	\$ 185.33	
07-23	Verizon Borough Hall	Utilities	\$ 73.19	
07-24	VSP Vision Coverage	Group Insurance	\$ 237.00	
07-25	Hector Lorenzo	Streets & Roads SW	\$ 2,797.44	
07-26	Leticia Diaz	Clerk SW	\$ 2,000.00	
07-27	Manuel Vevereo	Streets & Roads SW	\$ 2,400.00	

**TOTAL VOUCHERS**

**\$ 171,221.89**

DEPARTMENT REPORTS: None for this meeting.

COMMITTEE REPORTS: Councilman Glass said he will have the men stripe the roads where needed.

NEW BUSINESS:

ACCEPTANCE OF THE 2023 AUDIT - The Clerk said just for the record, the Audit costs us \$16,242.00. We are paying an additional \$4,500.00 for preparation of the 2023 Financial Statement and Preparation and adoption of the 2024 budget. Also, for professional fees for assistance with the 2023 year end finance records and monthly bank reconciliations. That is an additional \$7,500.00. You are paying another \$12,000 to the auditors this year.

Councilman Suarez said so we not only paid this money last year but we are paying it again this year for work that the CFO hasn't done? We had someone else last year that would charge us another \$2,000 and all of this could have been taken care of? Yes.

Councilwoman Montes said this happened last year and Nisivoccia did the work. We didn't tell them to do it. We were at the wire with the State and we would have gotten in trouble with the State. You would have been in more trouble if it didn't get done. It had to be done and the auditors said we needed to get it done. Joe didn't do it. Now we have these 12 things that they are writing us up for. we never had this many. We usually only have 2 things.

Councilman Lorenzo said he doesn't understand why we had problems last year and now it is worse this year. The Mayor said we knew about this problem but never did anything about it.

Attorney Feintuch said he hears the complaints about work not being done. We have had closed session meetings to discuss it. You don't make any changes. Councilwoman Montes asked if Manny has his insurance? No. He is in the pension. Letty is still not in. Councilman Suarez said that this shouldn't happen next year because we have the new soft ware? We don't have it yet. Joe says he is working on it. Can you find out what is going on with it Councilwoman Montes asked the Clerk? I'll ask Joe.

NEW BUSINESS CONTINUED -

ACCEPTANCE OF 2023 AUDIT - Attorney Feintuch said the Council has an option. You have to act on it. Councilwoman Montes said he always has an excuse. The Attorney said you have to act on things. You are telling him what you want and it isn't getting done.

Councilman Suarez asked what is the Attorneys recommendation? Find a new CFO. The Clerk said I would have to notice Joe again and have him come to a meeting. He will be on vacation for our next meeting. It would have to be fore the first meeting in August. Councilman Glass said it is up to the attorney. The Attorney said it isn't up to him it is up to the Council. Debbe should write up a list that hasn't been done and give it to him so he can address it.

Councilman Lorenzo asked if we can find out what the problem is? That is Joes work. He has access to the State, not us. The State hasn't been responding to him. Kendyll said she is contacting Aura Dunn. From what I understand, she did contact her. Letty and I did her paperwork with the State for DCRP but they can't take anything out until Joe gives them approval.

Motion was made to accept the audit for 2023 by Councilwoman Montes, seconded by Councilman Glass and approved on roll call:

Councilman Suarez	Yes
Councilman Glass	Yes
Councilman Hale	Yes
Councilman Lorenzo	Abstain
Councilwoman Garcia Montes	Yes

FORM OF RESOLUTION FOR THE ANNUAL AUDIT -

Motion to approve the Form of resolution by Councilwoman Montes, seconded by Councilman glass and approved on verbal vote. None opposed.

(See Resolution Next Page)

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT  
FORM OF RESOLUTION

WHEREAS, N.J.S.A.40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C.5:30-6.5, a regulation requiring that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the Annual Audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty five days after the receipt of the Annual Audit, pursuant to N.J.A.C.5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and


WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S.52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (DLGS) under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Victory Gardens, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

  
Mayor David L. Holeman Jr.

I, Deborah Evans, Clerk of the Borough of Victory Gardens, do hereby certify that this is a true and exact copy of the Resolution passed at a meeting held on July 9, 2024

  
Deborah Evans, Borough Clerk



NEW BUSINESS CONTINUED:

CORRECTIVE ACTION PLAN FOR THE 2023 AUDIT -

**CORRECTIVE ACTION PLAN**  
Borough of Victory Gardens  
2023 Audit

**RECOMMENDATION #1**

*Description:* Management initiates more involvement in the areas of collecting, Disbursing and recording to provide for a more adequate segregation of duties.

*Corrective Action:* The Borough Council and Management will review staffing and Duties to see if any changes can be made to the duties of the CFO and Treasurer are being re-evaluated to create additional checks and balances and create greater segregation.

*Implementation:* During 2024

**RECOMMENDATION #2**

*Description:* Consideration be given to implementing accounting systems for Encumbrances and fixed assets, as prescribed in the New Jersey Administrative Code.

*Corrective Action:* The Borough during 2024 will be implementing a new accounting system which should resolve the encumbrance item, During 2024, we will speak with vendors who will do a Fixed Assets inventory.

*Implementation:* 2024

**RECOMMENDATION #3**

*Description:* Bank reconciliations for all bank accounts be completed on a monthly basis and older reconciling items be liquidated or reviewed for possible cancellation.

*Corrective Action:* The Borough during 2024 has hired a Treasurer in which all reconciliations are completed on a monthly basis,

*Implementation:* 2024

**RECOMMENDATION #4**

*Description:* The general ledger be updated and reconciled with all subsidiary ledgers and outside department cashbooks on a monthly basis.

*Corrective Action:* The Borough during 2024 will be implementing a new accounting system, which resolve most of this issue.

*Implementation:* 2024

**RECOMMENDATION #5**

*Description:* Budget appropriation transfers be formally approved by the governing body.

*Corrective Action:* The Borough will adopt transfer resolutions formally.

*Implementation:* 2024

**RECOMMENDATION #6**

*Description:* Deficit engineering escrow accounts be reviewed for pursuit of collection or cancellation.

*Corrective Action:* The Borough will work with the Engineer.

*Implementation:* 2024

**RECOMMENDATION #7**

*Description:* Extra care be taken to ensure that state share of animal and marriage licenses fees and health benefits premiums are remitted to the State in a timely manner.

*Corrective Action:* The Borough will remit payments in a timely manner.

*Implementation:* 2024

**RECOMMENDATION #8**

*Description:* A resolution for the insertion of special item of revenue for any grant awards not included in the annual budget be adopted by the governing body and submitted to the State for approval.

*Corrective Action:* The Borough will do Chapter 159's upon grant approval.

*Implementation:* 2024

**RECOMMENDATION #9**

*Description:* A policy regarding claimant certification on vouchers in accordance with LFN 2018-13 be formally adopted.

*Corrective Action:* The Borough will formally adopt a policy.

*Implementation:* 2024



NEW BUSINESS CONTINUED:

CORRECTIVE ACTION PLAN FOR 2023 AUDIT -

**RECOMMENDATION #10**

*Description:* Extra care be taken to ensure that the correct amount of employee health contributions is withheld.

*Corrective Action:* The Borough will review all calculations.

*Implementation:* 2024

**RECOMMENDATION #11**

*Description:* Bid documents are maintained on file for review.

*Corrective Action:* The Borough will maintain all bid documents.

*Implementation:* 2024

Motion to approve the corrective action plan by Councilman Lorenzo, seconded by Councilwoman Montes and approved on roll call:

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

OLD COPIER REMOVAL - The Clerk said we have our old copier moved into another room. We have the new one and it works great. The old copier started smoking so we unplugged it. What do you want me to do with it?

Motion was made to have the old copier disposed of because it has no value. The Clerk has the authority to dispose of it. Motion made by Councilman Glass, seconded by Councilman Suarez and approved on roll call:

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

RESOLUTION FOR MONROE AVE IMPROVEMENTS - Done earlier in meeting.

OLD BUSINESS:

AWARD CONTRACT FOR ROOSEVELT AVENUE - Done earlier in the meeting.

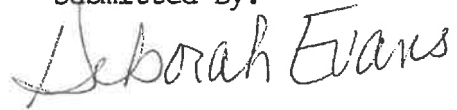
Motion to open the meeting to the public by Councilwoman Montes, seconded by Councilman Suarez and approved on verbal vote. None opposed.

Jim Janone - I am going to say something and I am going to be very blunt with it. This thing with the CFO you need to stop playing games. you have had many closed sessions with him. Nothing gets done. You need to hire someone new. Will you be getting a certification that this copier is going to a certain place? I don't know if they will give it. It would go to our recycling company that picks up the computers and all electronics. Someone should sign for it saying they received it. When are you going to have a public auction for the leaf vacuum that has been sitting in the garage for years. we may use it. Every month you bring this up and we tell you the same thing. It's losing money by just sitting there. No value. The hole by the fire house has that been fixed yet? Alonzos Steak is still open late. Council needs to make a list for the Engineer so he can go out and look.

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

Motion to adjourn the meeting by Councilwoman Montes, seconded by Councilman Lorenzo 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 above the printed name and title.

Deborah Evans  
Borough Clerk