

October 12, 2021

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on October 12, 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 Open Public Meeting Act.

ATTENDANCE: Councilwoman Cheatham, Councilman Glass, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: Councilwoman Hedgepath.

** Attorney Feintuch was also present at this meeting.

Motion to accept the minutes of September 28, 2021 as received by Councilwoman Montes, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

CORRESPONDENCE: None

VOUCHERS:

The Mayor asked if there were any questions or comments on the vouchers? Councilwoman Montes asked about the voucher for Denzler? Why so high? There are several things on there. The new house that is going in on the dead end of Adams has been getting a lot of inspections. They are trying to hook up to the sewer lines and water lines. They ended up breaking the water main. There are also items that are covered under the contractors escrow. Leon bills us and we bill back to the escrows. There are items where it says that Leons office has been here 9 or 10 hours. Those are for when work was being done on the roads and sidewalks. Mike, from Leons office was here everyday while the work was being done.

Councilwoman Montes said she thinks we should get a time clock for them to do when they are in here. They wouldn't use a time clock. They are for employees and they are not employees. The Attorney said no. They are not employed by the town. They are outside professional services. There are no other questions.

The Mayor asked for a motion to pay the bills. Motion made by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

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

(See Vouchers Next Page)

VOUCHER REPORTS

Date of Council Meeting:

October 12, 2021

Voucher #	Payable to:	Type of Service	Amount	Check #
10/1/2021	Anderson & Denzler Assoc., Inc.	Various accounts	12,897.80	
10/2/2021	Deborah Devery	Recreation - Halloween treat bags	49.40	
10/3/2021	Deborah Evans - Petty Cash receipts	Clerk OE & Recreation Halloween	60.46	
10/4/2021	Dover Court	Shared Court Services	1,623.36	
10/5/2021	Gannett NJ Newspapers	Clerk OE	23.65	
10/6/2021	Gannett NJ Newspapers	Clerk OE	36.98	
10/7/2021	Handyman's	Streets & Roads	33.46	
10/8/2021	Henry O' Baker	Other Insurance	963.00	
10/9/2021	Morris County MUA	Sept. Shade Tree & 0.60 cents bal due	707.10	
10/10/2021	NJNG - # 1 - Fire	Fire OE	246.00	
10/11/2021	NJNG - #2 - Main	Utilities	901.00	
10/12/2021	Optimum	Utilities	11.45	
10/13/2021	R & L Data Centers, Inc.	Finance - Payroll	250.00	
10/14/2021	Rockaway Twp. Health Services	Health Services	12,888.50	
10/15/2021	Verizon - #1 - 361-8121	Utilities	81.65	
10/16/2021	State of NJ - Dept. of Trea., Div Pen. & Bene	Group Insurance	5,794.88	
		TOTAL	36,568.69	

Councilwoman Montes said she just wanted it on the record that there are tire prints at the firehouse on the grass from where they park when they drop the kids off at the bus. I called Debbe this morning and told her about it. The matter was taken care of by DPW.

Councilman Lorenzo asked when we are picking up tires again? The Clerk said she doesn't know right now. Usually we get it done in October or November. Last year they weren't accepting tires at all. We didn't get rid of them until the late Spring this year. I will call them and see if they are taking them. If so, we will get a flier out.

Councilwoman Montes asked if the garbage men take tvs? No. Put them out and DPW will pick up at the curb.

NEW BUSINESS:

UPDATE TO POLICY AND PROCEDURE MANUAL - The Attorney said he has more updates from the Clerk for the manual. Councilman Lorenzo had trouble about the double time. It needs to be a little more clear. It is the holiday pay plus the hours they work. Which is time and a half.

The Attorney said he can put it in as the days pay plus time and a half for the hours they work the overtime.

Councilman Lorenzo said he has a question about the retirement? You have to be 60 years old and have 20 years in with the Borough? Yes. That is a state law. You have to have both.

Councilman Lorenzo also asked about Workers Compensation? If an employee is hurt while on duty he has to report to the Administrator immediately. Shouldn't it be that they fill the form out? No, the Administrator does it. We then give it to the insurance company.

Councilman Lorenzo asked about the Employee Assistance Program and the drivers license requirements. If an employee should lose their license, they will be suspended without pay until they get their license back. If it is due to an alcohol or drug problem, they can go into rehab or some sort of program. That is the responsibility of the person. If the process continues and they lose the license a second time they will be dismissed.

The Attorney said that the program will be covered by insurance. First time there is no problem. After that there is a problem. The program will be offered once.

NEW BUSINESS CONTINUED:

MEETING DATES FOR THE YEAR 2022 - Councilman Glass said the re-organization meeting should be the 4th not hte 5th. you are right.

Motion was made to approve the meeting dates for 2022 by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on roll call:

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

REPLACEMENT FOR COUNCILWOMAN WHITE - The Clerk said she received a letter from the local Democratic Committee. It came in tonight just before the meeting. The letter is from Lillie Frazier and Greg Stafford.

We are submitting 3 names to replace Tara White on Council. Below are 3 names. Please select one to fill the vacancy.

Stuart Hale, Betty Ownes, Blaze Wilider. Councilman Glass asked if they were all interested? They spoke to them. I believe that 2 out of the 3 are not interested. The Mayor spoke with the County Democratic Committee. Mayor was told they have to submit three names, even if the people don't want the job, the names have to be submitted for Council to choose.

Councilwoman Cheatham said she thought we did this at the last meeting. We did. But the local democratic committee only gave us one name when they were supposed to give us 3.

Councilwoman Cheatham made a motion to resubmit Stuart Hale as the person to replace Tara White. Motion seconded by Councilwoman Montes and approved on roll call:

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

UPDATE PROPERTY MAINTENANCE CODE - Ron will not be here tonight. He is taking care of his brother that just got out of the hospital a short time ago.

Two meetings ago, Ron asked Council to go out and look at the intersections and to see where they thought was an issue with hedges or trees blocking the sight lines. I know he asked Council to go out and look around the town and let him know what you want him to do.

Councilman Glass said he went around. In our old ordinance it says that Ron can write tickets. He is saying now that there is nothing in the ordinance stating he can do that. He says it says that the Council has to do a resolution concerning the intersections. I don't understand why he is telling us that he needs a resolution to deal with the people that have the hedges. Ron said it says in the current code that Council has to do the resolution. What about something on signs? What type of signs? The one up by Barbara Nietz house. The one for the apartments? Yes. Who owns the hedges behind Wilders house. If its our property, DPW can do it. If you are doing hedges, fences you should put in there about signs. Section 12.2-5 I thought we said at the last meeting that DPW isn't cutting down on private property. The Clerk said that is correct. I have it on my list to go over with the Attorney. DPW is not cutting any private property items. If owners don't take care of the problem when Ron sends them a letter then they come to court and pay a fine. Outdoor storage Council said lawn furntiture can stay out in all seasons. Council also said that toys can remain out but nothing that is all broken up. We have to put something in here that it is up to Rons discretion. If someone has a flat on their bike that isn't an issue. If they have the whole yard filled with house furniture then he can write them up for that. Something has to go in to make it more clear.

The attorney said he hasn't made all the changes yet because he knew it was up for discussion. The Clerk also said that 12.2-10 needs to say that there are no scheduled yard waste collection dates. Everythign has to be bagged. The attorney said he is working on the part about the cars not be parked on lawns and what they have to be on to be considered ok.

UPDATE OF PROPERTY MAINTENANCE CODE CONTINUED - Councilman Glass said he was talking to Ron about the trucks. They were discussing 1 ton trucks. Someone complained about 1 ton trucks at the industrial complex. The ones we speak about are residential.

The Attorney will make the changes and bring it back to the Council.

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

Chris Trotsky - When did Tara White physically resign her seat? The Clerk said she doesn't have the paperwork in front of her. Does anyone know that she was in Florida? Yes, the Clerk said. The Council was told several times that she was down there taking care of relatives that had covid. You paid her while in Florida, correct? Yes. She was calling in every meeting and she participated in the meetings. Her residence was in Florida in 2020. We did not know that the Council said. How much do you make being a Councilmember? Councilwoman Montes said about \$333.00 per month. Times that by 12. The Attorney said \$3,900 approximately. That is how much she has taken from the Council and the Borough. Background checks are 100% accurate. What is your point the Attorney asked. She stole from the town.

Jim Janone - How come you didn't make a motion to undo the appointment you made at the last meeting of Stuart Hale? Her letter for Tara is all over the place. Different things that were going on. She was working in August. Some may have known others may not have known. How did Tara Whites resignation letter come to us? The Clerk said she is still looking to see if it was through an email. ShowPlace grass I received an email form the County. They said it was a local enforcement issue like any property. The letter goes on to say that the conversation with the Borough Clerk said that the town agrees to cut the grass. They did not ask the Borough. The Clerk said they did and you saw that in the email I gave you a copy of from the County. Franklin Road is not a County Road the Clerk said. The Engineer told us that. When will the Policy and Procedure update be available for the public? Not until it gets approved by the Council. The double time pay is confusing. You said they were going to get double pay even if they only worked 30 minutes. No one said that. They don't get paid unless they work and they sign a book letting us know the hours they worked the Clerk said. When you talk about dismissing a person for not having a license they could lose thier license for any reason not just because of dependence problems. We know that. That is n't what was said. It should be clarified more. You talked about weight limits on trucks in residential areas. You said 1 ton. My truck is 6,800 pounds. There are a lot of passenger vehicles that are over 1 ton.

Valerie Williams - What was the last date of the Policy & Procedure Manual? I don't have it in here the Clerk said. Why are you updating if you don't know the last time it was updated? We know it has to be updated just like anything else. The last adoption date doesn't matter the attorney said. We are in the process of updating the manual. Can I get a copy? No. Why? It is a work in progress. The Council, once adopted you will be able to have a copy. When was the vacancy for tar Whites position announced? Coucnilman Lorenzo said it was a few meetings ago. When was it announced to the public? The Council does not announce it to the public. It is something that was said at a Council meeting. Does the democratic committee announce it to the public? The Clerk said she doesn't know what they do - you would have to ask them. When did Tara leave the Borough? We don't know. She was attending meetings via phone the attorney said. Do you think she should return some of the money she was paid? She was calling into every meeting the Attorney said. Where were her checks going? She had direct deposit of her checks just like everyone that works here has. This is the last time I am going to ask for a building permit for our stairs. Is it a yes or no? The Attorney asked what has the answer been so far? As far as we know it hasn't changed.

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

Motion was made to rescind and ratify the action we took atthe last meeting regarding the appointment of Stuart Hale. Motio nmade by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on roll call:

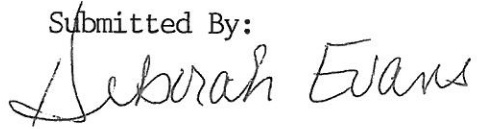
ROLL CALL VOTE:

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

The Attorney said the new appointment stands we are just correcting what we did the last time because we didn't have enough names on the list that the democratic committee submitted to us.

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

Submitted By:



Deborah Evans
Borough Clerk