

April 26, 2022

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on April 26, 2022.

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 Meetings Act.

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

ABSENT: None

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

Motion to accept the minutes of April 12, 2022 as received by Councilwoman Montes, seconded by Councilman Hale and approved on verbal vote. None opposed.

\*\*\*At this time Mayor Holeman asked for a motion to go out of the regular order of business so that we can adopt our budget.

Motion was made to go out of the regular order of business by Councilwoman Montes, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

At this time the Mayor turned the meeting over to our CFO and our Auditor.

Motion was made to open the meeting to the public on the budget hearing only. Motion made by Councilwoman Montes, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

Jim Janone - What is going to be the total tax increase? What is the percentage of the increase? Man from the auditors said that the amount is \$55,556.00 . The increase is a 3 1/2 % . The State comes out with the cost of living and this year it is 2 1/2% . The town can go up 3 1/2 % providing an ordinance was done, and it was done. Everything is going up Jim stated so why was there an increase? The same inflation that hits everyone else also hits the Borough Joe said. Office supplies are up, services are up, lights, gas, we have the same inflation that anyone has. You have monies in the budget line items last year that weren't used. We work with a 10% variance in the overall budget. Clerk O & E is always inflated in the budget. We use that line item if we have to do transfers and you have the costs that run the office. We will be having a change over here also in the Clerks office. What doesn't get spent in the budget gets reappropriated in the following years budget.

Joan Cegelka - What is the fund balance for the Borough? Approximately \$639,000. We use half of that for the budget. How much money is left from the Board of Education budget? Approximately \$838,000 . We draw down \$48,000 per year from the BOE money. You aren't using any excess money from that though. We are Joe said. When we first received this money from the BOE we said we wanted to stretch it as long as we could. We have about another 18 years. If we use more then when it runs out your taxes will go way up. How much was the salary increase this year? 4%. There was no raise last year for anyone. Everyone in town gets a raise and then the residents have to pay for it. How much goes into Capital Reserve? \$110,000.

No other comments from the public.

The Mayor asked for a motion to close the meeting to the public. Motion to close to the public by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

Budget Continued:

BE IT RESOLVED by the Mayor and Council of the Borough of Victory Gardens, County of Morris, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations and authorization of the amount of: \$783,611.00 .

Motion to adopt the budget by Councilwoman Montes, seconded by Councilwoman Cheatham 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 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 accept the minutes of April 12, 2022 as received by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

CORRESPONDENCE:

Everyone has a copy of Hectors vacatioin schedule. I approved it for him.

I asked Leon to check into a DOT grant for us for 2023. Deadline submittal is July 1, 2022. He asked me to ask Council if they have a road that they think needs to be done. Let me know by our next meeting.

Motion to accept 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 on the vouchers? Councilman Glass asked what the bill was for Leon Hall. Engineering, Coolidge Avenue sidewalk, and several other things.

Motion was made to pay the bills 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

(See Vouchers Next Page)

**VOUCHER REPORTS**

Date of Council Meeting:  
April 26, 2022

<b>Voucher #</b>	<b>Payable to:</b>	<b>Type of Service</b>	<b>Amount</b>	<b><u>Check #</u></b>
4/23/2022	Anderson & Denzler Assoc. Inc.	Engineering	5,243.89	
4/24/2022	AT&T	Utilities	40.24	
4/25/2022	County of Morris	County Taxes	55,147.93	
4/26/2022	County of Morris	Open Space Taxes	1,361.40	
4/27/2022	Dover Board of Ed	School Taxes	96,135.00	
4/28/2022	Feintuch, Porwich & Feintuch, ESQ	Legal Services - April	2,204.22	
4/29/2022	Feintuch, Porwich & Feintuch, ESQ	Legal Services - work performed	2,660.00	
4/30/2022	Gannett New Jersey Newspapers	Clerk OE	65.91	
4/31/2022	Ideal Air Inc.	Bldgs. & Grnds.	1,442.00	
4/32/2022	Institute for Professional Developmen	Clerk OE - Debbie D. class 4/20	50.00	
4/33/2022	Interstate Waste Services, Inc.	Trash Removal	11,910.25	
4/34/2022	JCP&L - #1 - Fire	Fire OE	296.10	
4/35/2022	JCP&L - #2 - Main	Utilities	491.88	
4/36/2022	JCP&L - #3 - Streets	Street Lighting	1,354.16	
4/37/2022	JLM Computers	March monthly service	97.00	
4/38/2022	Kendyll Hedgepath	Recreation - Easter party	117.94	
4/39/2022	NJNG - #2 - Borough Hall	Utilities	1,189.00	
4/40/2022	Optimum	Utilities	11.45	
4/41/2022	Rockaway Valley Reg. Sewer Auth.	RVRSA Share	10,063.00	
4/42/2022	Verizon - #2 - 366-5312	Utilities	152.68	
4/43/2022	WEX Bank - Shell Gas	Streets & Roads	779.16	
4/44/2022	VSP - Vision Service Plan	Group Insurance	98.70	
		<b>TOTAL</b>	<b>190,911.91</b>	

The Mayor said he would like a motion to go out of the regular order of business so that we can take care of the Liquor License transfer.

Motion was made to go out of the regular order of business by Councilman Lorenzo, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

Attorney Pennella ia here on behalf of his clients Alonzos Steakhouse. This is a transfer of a liquor license from Hondo Inc. to Alonzoz Steak.

The Clerk said everyone has a copy of the Resolution for the transfer. It is a person to person transfer. Does anyone have questions for the Attorney? Councilwoman MONTes asked if the money comes to us when they redo the licnese? Yes, it is \$2,500. Why aren't they paying our Attorney for the work he has done in doing the resolution? They pay their own Attorney. Are they selling package goods? They can but there are limitations/ It is a Class C license which means they can sell alcohol on premise with a limited area where they can sell package goods.

Motion to approve the liquor license transfer 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)

BOROUGH OF VICTORY GARDENS, MORRIS COUNTY  
STATE OF NEW JERSEY

RESOLUTION APPROVING TRANSFER OF LIQUOR LICENSE

A Motion, and seconded, has been brought before the convened Council of the Borough of Victory Gardens, Morris County, State of New Jersey that the

TRANSFER OF PERSON-TO PERSON PLENARY RETAIL DISTRIBUTION  
LICENSE TO ALONZO'S STEAKHOUSE and RESTAURANT, LLC

WHEREAS, an application has been filed for a person-to person Transfer of a Type 33 Liquor license, License # 1437-33-002 heretofore issued to SOUTH SALEM, INC; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards establish by Title 33 on the New Jersey Statutes and Regulations promulgated thereunder, as well as pertinent local ordinances and condition consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and licensed business and all additional financing obtained in connection with the licensed business and all other requisites hae been met;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Victory Gardens does hereby authorize the Borough Clerk to approve, effective this *26th* day of *April*, 2022 the aforesaid Type 33, New Jersey Liquor License to ALONZO'S STEAKHOUSE and Restauratnd does hereby authorize the Borough Clerk to endorse the license certificate to the ownership pursuant to State statute.

This is to certify that the foregoing is a true and exact copy of a Resolution adopted by the Borough of Victory Gardens at a Regular Meeting held on *26* day *April*, 2022.

  
DEBORAH EVANS  
BOROUGH CLERK

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

DEPARTMENT REPORTS:

Building Department - There were 3 permits issued for a total value of construction \$18,095.

Tax Collector - Total Tax Receipts Month to Date: \$ 41,727.39  
" " " Year to Date: \$546,266.27

Registrar - No marriage license were issued for the month of April 2022.

Committee Reports: None

The Mayor asked for a motion to accept the reports. Motion made by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

NEW BUSINESS:

LIQUOR LICENSE TRANSFER FROM HONDO TO ALONZOS - Already done earlier.

FEE ORDINANCE UPDATE - We already went over this Ordinance. I have asked if there were any questions and Council asked them months ago. All has been resolved. we need to introduce so it can be put in the paper.

Motion to introduce the fee schedule update by Councilwoman Montes, seconded by Councilman Hale and approved on roll call:

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

REMINDER FINANCIAL STATEMENT - Must be submitted no later than April 30, 2022.

OLD BUSINESS:

BUDGET PUBLIC HEARING AND ADOPTION - Already done earlier.

CAMERAS AT FIREHOUSE - The Clerk said we have been going over this. Last time we talked about this it was in November of last year. Council said to hold off on it. You said to revisit in the new year. In light of the vandalism that happened at the playground, I don't know if you want to do this or not.

The proposal was for 4 cameras \$1,950.00. Cameras are warranted for 2 years. The DVR is warranted for 5 years. The installer will provide a 90 day workmanship guarantee against the installation.

Councilman Glass said if you can't view the cameras from Town Hall what is the use? The vandalism was bad at the playground.

Councilwoman Hedgepath said it was very bad up there. Someone is also drinking behind the firehouse. We do need the cameras. The Clerk said they also destroyed the little library up there also.

Motion to get the cameras at the firehouse in the amount of \$1,950. Motion made by Councilwoman Montes, 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



Councilman Glass said he has something for old business. We have spoken about the airpurifiers for the building. Joe said I needed to get quotes. I did get 2 quotes. Tonight Joe said I needed to get 3 quotes. Well, maybe he knows someone where we can get another quote. Can I go get him? Not right now we are in the meeting. What does Council want me to do call the guy and tell him not to do it? Council approved the 2 quotes that I gave them. I was told by Joe that as soon as the budget was approved we could get them. Now, I have to get another quote. Council already approved. Joe is the CFO that is why I want to ask him. I follow thru and do one thing and now everything has changed.

Councilwoman Cheatham said she thought we asked Councilman Glass to get prices that included lights and filters. Yes, we got that.

Joe came back into the meeting and he said that the Local Public Contracts Law says that we have to get three quotes. Councilman Glass asked why he wasn't told this several months ago. Joe said we are above the quote threshold and you should have 3 quotes. You can go online and get one. Our threshold is only \$2,600 because we don't have a QPA. I apologise, when the Councilman said he had the quotes I assumed he had 3.

Councilman Glass said he has had it. He left the meeting and said that we would have his resignation tomorrow.

Councilwoman Montes made a motion that we table this until the next meeting. seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

Councilwoman Hedgepath said she would go on line and get another quote.

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

Jim Janone - Vouchers 4/28 and 4/29 for the Attorney - There was no detail as to what was done for that money. Trash contract and the resolutions. You probably need more than 4 cameras at the firehouse. Probably at least 8. The Mayor said that he remembers that someone came up to the installers while they were here and told them not to install more than a certain amount of cameras. So the person listened. The person that said it was not even a member of Council. The firehouse is big. How can it cover all angles with just 4 cameras. Very late at night, Alonzos turns into a nightclub. There is very loud music being played over there. What is the closing time for Alonzos. I think it is 11 p.m. I will have to find out from Kevin. There are many cars parked on Coolidge overnight. I know the Clerk said. I see them there early morning. Voucher 4/32 what is that for. Recert classes for Deb. I've never seen that company before. I believe I have used them in the past.

Joan Cegelka - Did you ever resolve the issues with the students and the Dover Board of Education? No. What is happening with that issue now? it is before the Office of administrative Law. We have been waiting for many months on information from Dover that we have not yet received. They are telling the Judge they are having problems in Dover. They finally have a permanent finance officer. Did you give any more thought to having the kids register here at Borough Hall? we were doing that. They went to Dover, Dover told them to come here and register with us and then we would approve them and send them back with a paper to give to Dover. Then there was some type of issue in Dover and they never sent the kids here to us and everyone was leaving in Dover. We saw either a property tax bill or lease agreements or a bill with the address. Are you still paying tuition to Dover. We haven't paid them in over a year because we are waiting on the information from them.

Have they questioned you? No. Good. Joan asked for a copy of the budget. I think you need more than 4 cameras at the firehouse.

Chris Trotsky - Was there ever a forensic audit done in the Borough? No. Can the attorney tell me what is theft of service? I can define but I am not here to give you legal advice. Are you aware of any theft of services for the town? Not that I am aware of.

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

The Clerk said she will put the fee ordinance in the minutes at the end of the meeting due to the length of it.

The Mayor said we are going into closed session to discuss Personnel.

AMENDMENT TO 1-5 GENERAL PENALTY

ORDINANCE ESTABLISHING FEES AND PENALTIES OF THE BOROUGH  
OF VICTORY GARDENS

WHEREAS, a review of the current Code of the Borough establishes numerous fees throughout the Code; and

WHEREAS, the governing body seeks to establish one site within the Code to ascertain the various and numerous fees and the amounts of the fees; and

WHEREAS, the Borough Attorney has been directed by the Borough Administrator to set forth in an alphabetical order what the fees of the Borough are.

NOW THEREFORE the following fees and penalties are established by this Ordinance.

1-5.7 All fees and penalties in the current Code and which conflict with the sums set forth herein are voided and the fees and/or penalties shall pertain.

1-5.8 FEES:

A.	Certified copy of Marriage License.....	\$ 25.00
B.	Chimney liner.....	40.00
C.	Fire and smoke detector.....	50.00
D.	PODS (Application fee).....	40.00
E.	Radon.....	30.00
F.	Registration for rental unit (1) annual.....	50.00
F.	Rental Certificate of Occupancy (rental)...	75.00
G.	Resale Certificate of Occupancy (resale)...	200.00
H.	Zoning permit.....	40.00
I.	Vacant home registration (annual).....	100.00

1.5-9 PENALTIES:

J.	False Alarms .....	\$ 50.00 (First Offense) 100.00 (Second Offense) 500.00 (Third Offense) 1,000.00 (Each Offense thereafter)
K.	Return of Check .....	\$ 35.00 each occurrence

AMENDMENT TO CHAPTER XI BUILDING AND HOUSING

11-1 STATE UNIFORM CONSTRUCTION CODE ENFORCING AGENCY

11.1.1 No change

11.1-2 Fees

1. (a) change \$.013 to 0.07 and \$20.00 to \$50.00
- (b) change \$10.00 to \$25.00, change \$20.00 to \$25.00, change \$10.00 to \$25.00 and \$20.00 to \$25.00
- (c) change \$15.00 to \$25.00
- (d) change \$0.016 to \$0.16, change \$.013 to \$0.13 and \$20.00 to \$25.00
- (e) no change
- (f) change \$15.00 to \$25.00, change \$20.00 to \$35.00, change \$25.00 to \$45.00, change \$500.00 to \$600.00
- (g) change \$25.00 to \$35.00  
change \$15.00 to \$25.00

change \$20.00 to \$25.00  
change \$40.00 to \$50.00  
change \$15.00 to \$25.00

2. Plumbing Code Fees

- (a) change \$20.00 to \$25.00
- (b) change \$20.00 to \$75.00
- (c) change \$20.00 to \$35.00 and delete. "If included as a fixture, it shall be \$5.00"
- (d) change \$25.00 to \$75.00
- (e) change \$25.00 to \$75.00
- (f) change \$25.00 to \$75.00
- (g) change \$25.00 to \$75.00
- (h) change \$50.00 to \$75.00
- (i) change \$25.00 to \$75.00
- (j) change \$25.00 to \$75.00, delete remainder of (j)
- (k) change \$10.00 to \$15.00 per appliance and minimum charge of \$65.00

change \$25.00 to \$50.00 per appliance and add \$75.00 for installation of oil tank



change \$80.00 to \$125.00

- (7) Fire-kitchen exhaust system  
change \$10.00 to \$25.00  
change \$40.00 to \$100.00

- (e) Standpipe system  
change \$100.00 to \$200.00

**No changes until page 1107, c. Surcharge fee**

*c. Surcharge Fee.*

change \$0.0016 to \$0.07

*d. Solar Heating and Coolig Systems.*

change \$10.00 to \$30.00

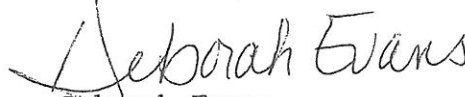
Motion was made to go into closed session by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

Closed session meeting type seperately.

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

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

Submitted By:



Deborah Evans  
Borough Clerk