

May 24, 2022

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on May 24, 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 Meeting Act.

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

ABSENT: Councilman Glass and Councilman Hale.

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

Motion to accept the minutes of May 10, 2022 as received by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. Councilman Lorenzo abstained as he was absent for that meeting.

CORRESPONDENCE:

Kelly Jacobus - Kelly is asking about her employment status. She stated that due to the recent confusion of hrt hiring status she is requesting that the Borough outline in a letter to her the exact terms of her employment. Please let me know my title, employment status-temporary or permanent-and if temporary, the length of assignment. Please include my salary and benefits. Thank you for your time and attention.

COVID 19 UPDATE - There is an increase in COVID cases. For Victory Gardens in April there were 5 new cases. All female. No deaths. We are recommending that all individuals wear masks indoors and in crowded spaces.

VICTORY GARDENS SUMMER PROGRAM - Everyone has a copy. This is for the summer program of breakfast and lunch at the firehouse. This is for kids under the age of 18, breakfast from 8:30 to 9:30 a.m., lunch from 11:30 - 1:30. Dover will provide a certificate of insurance for the dates and times in use. Dover will fully run the program. They will have someone there as a monitor for the entire program.

Motion to approve for the breakfast and lunch programs. Motion by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

Councilwoman Cheatham	Yes
Councilwoman Hedgepath	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia montes	Yes

Motion to accept correspondence as recieved by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. None opposed.

VOUCHERS:

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

Motion to approve the vouchers for payment by Councilwoman Hedgepath, seconded by Councilwoman Cheatham and approved on roll call:

Councilwoman Cheatham	Yes
Councilwoman Hedgepath	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

(See Vouchers Next Page)

**VOUCHER REPORTS**Date of Council Meeting:  
May 24, 2022

<b>Voucher #</b>	<b>Payable to:</b>	<b>Type of Service</b>	<b>Amount</b>	<b><u>Check #</u></b>
05-09-2022	Aerus of Denville	Bldgs. & Grounds	4,499.38	
05-10-2022	Anderson & Denzler	Various Accounts	5,459.04	
05-11-2022	Dover Board of Education	School Taxes	96,135.00	
05-12-2022	Feintuch, Porwich & Feintuch	Legal Services OE	1,557.50	
05-13-2022	Gannett New Jersey Newspaper	Clerk OE	104.45	
05-14-2022	Glass Gardens, Inc.	Recreation	116.57	
05-15-2022	Henry O. Baker Insurance Group	Other Insurance	9,214.00	
05-16-2022	Home Sunshine Escrow	Escrow	1,274.17	
05-17-2022	Interstate Waste Services	Trash Removal	11,910.25	
05-18-2022	JCP&L #1 - Fire	Fire OE	216.93	
05-19-2022	JCP&L #2 - Main	Utilities	297.67	
05-20-2022	JLM Computers	Clerk OE	97.00	
05-21-2022	Metro Flag Company	Bldgs. & Grounds	474.00	
05-22-2022	Morris County Farms	Bldgs. & Grounds	78.00	
05-23-2022	Morris County MUA	Streets & Roads	750.00	
05-24-2022	NJNG	Utilities	1,189.00	
05-25-2022	Office Concepts Group	Tax Collector	228.99	
05-26-2022	Optimum	Clerk OE	11.45	
05-27-2022	Postmaster General - Dover	Clerk OE	468.00	
05-28-2022	Phillip Feintuch, ESQ	Legal Services OE	2,204.22	
05-29-2022	RVRSA	RVRSA Share	10,063.00	
05-30-2022	Sunnyside Florist	Clerk OE	78.00	
05-31-2022	The Hartford	Other Insurance	719.00	
05-32-2022	The Hartford	Other Insurance	695.00	
05-33-2022	Verizon #1 361-8121	Utilities	72.34	
05-34-2022	Verizon #2 366-5312	Utilities	152.25	
05-35-2022	Viking Pest Control	Bldgs. & Grounds	166.00	
05-36-2022	WEX Bank	Road OE	584.75	
05-37-2022	Vision Service Plan - VSP	Group Insurance	98.70	online

TOTAL 148,914.66

DEPARTMENT REPORTS:

Building Department - 2 permits issued. Total value of construction \$28,100.

Municipal Court - We received \$37.04

Tax Collector - Total Tax Receipts Month To Date: \$133,648.77  
Total Tax Receipts Year To Date: \$679,915.04

Registrar - There was 1 marriage license issued for a total collected of \$28.00 .

COMMITTEE REPORTS:

Councilwoman Cheatham - She received notice that the Borough is getting a grant for Improvements to Washignton Avenue. It doesn't say how much just that we have been allocated funds for 2022.

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

NEW BUSINESS:

RESOLUTION JERSEY CITY/RVRS A -

RESOLUTION AUTHORIZING BOROUGH OF VICTORY GARDENS  
TO JOIN IN LAW SUIT FILED IN SUPERIOR COURT AGAINST JERSEY  
CITY MUNICIPAL AUTHORITY

WHEREAS, THERE EXISTS A DISPUTE BETWEEN THE ROCKAWAY VALLEY REGIONAL SEWERAGE AUTHORITY TO WHICH THE BOROUGH OF VICTORY GARDENS (RVRS A) IS A MEMBER AND WHEREAS THE BOROUGH SEEKS TO PROTECT ITS INTERESTS INDIVIDUALLY AND BY WAY OF BEING A MEMBER RVRS A WE THE GOVERNING BODY OF VICTORY GARDENS AUTHORIZE ITS PARTICIPATION IN AN ACTION ABOUNDED TO COMMENCE IN THE SUPERIOR COURT OF NEW JERSEY.

NOW THEREFORE IT IS RESOLVED THAT THE MAYOR AND COUNCIL OF THE BOROUGH OF VICTORY GARDENS DO HEREBY AUTHORIZE THE BOROUGH TO JOIN IN THE LAWSUIT FILED BY RVRS A AND ITS CONSTITUENT MEMBERS AND FURTHER AUTHIORIZE PHILIP FEINTUCH, ESQ. TO PROSECUTE THE MATTER.

\_\_\_\_\_  
DAVID HOLEMAN, MAYOR

I, DEBORAH EVANS, CLERK OF THE BOROUGH OF VICTORY GARDENS DO HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF A RESOLUTION PASSED AT A MEETING OF HE MAYOR AND COUNCIL WHICH MEETING WAS HELD ON TUESDAY, MAY 24, 2022.

*Deborah Evans*  
\_\_\_\_\_  
DEBORAH EVANS, BOROUGH CLERK.

NEW BUSINESS CONTINUED:

Attorney Feintuch said that both sides are filing appeals on this case. Also, the Attorneys for all the towns involved are filing another suit. We are opening another lawsuit predicated upon the old one. That old one just covered up to 2018. This suit would be going forward from 2018 to present. I need your authority to participate in this lawsuit. The lawsuit that we have been in for years is being appealed. This new suit is a continuation of the first one. The whole thing is on appeal but it will keep us covered for the next set of years. There are 11 towns involved in this.

Motion was made to have the Attorney continue with the lawsuit as stated in the Resolution. Motion made by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on roll call:

Councilwoman Cheatham	Yes
Councilwoman Hedgepath	Yes
Councilman Lorenzo	Abstain
Councilwoman Garcia Montes	Yes

Victory Gardens v. Dover Board of Education - Everyone copied on the paperwork.

This is taking a step forward. The information that I requested, over a year ago, has come into me in part. Debbe and I spoke earlier and she wants to have a meeting with the new Business administrator for the schools before we have to do any lawsuit. One of the most critical issues are the formulas they are using to charge us what they are charging us. Also, does their formula meet what the Commissioner of Education said. Debbe will set up a meeting as soon as possible for us to get together and try to go through this. The Clerk said that the new BA for the Board of Education told me that since we are now a consolidated district, there is no per child fee. They do it by percentages.

OLD BUSINESS:

General Code Update - The Clerk said she was talking with General Code. I just wanted to make sure the Mayor and Council understood what this other cost was from General Code to go over the Ordinances and find out what was in need of being replaced or if the ordinances were okay as they are.

The Clerk said that for this \$4,960 it is just a review of the codes.

The Attorney said it is a review of the codes but not a complete revision of them. This is an executive summary.

The Clerk said this fee, if you remember, Council was going to form a committee and look the ordinance book over to see if they could figure out what needed to be updated, reviewed or thrown out. I believe those on the committee were Councilwoman Montes, Councilman Lorenzo and I think it was Councilman Glass. The committee said they thought it would be too much to do and that they really didn't know what to do and we should ask the company that is doing the codification if they can do all the leg work. So that is where you received this quote for the \$4,960. From what I understand, this is just a partial price. You may be charged more once they get into it. We won't know until the next step comes up. They had said that maybe we won't need anything else. But, they have to go over everything.

The Attorney said they will make the changes but right now we don't know if it will be an additional charge. It depends on how much work is involved.

The Clerk said the original codification where we are getting 16 copies of the code book is not to exceed \$9,690. Council gave approval for that to be done. The other charge was to put it on the computer as ecode and that cost would be between \$695.00 - \$1,195 - depending on what we need. Council approved that. This other one is for them to review and do the job that the Council was going to do and couldn't. That cost is \$4,960. Council already approved that also. I jsut brought it up again because I wanted to make sure you knew what would be happening for that money.

Attorney Feintuch said it is his recommendation to let the professionals do the job. It is just too much to have the Council go through all of this.

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

PUBLIC PORTION OF MEETING -

Jim Janone - For the Board of Education when you have your meeting, maybe you can ask what will happen with the new school they are building. How will that affect VG? How are they going to pay? It will be bonded the Attorney said. Yes, but how much will be charged to VG? Did we buy another snow blower? Not that I know of. The old one was fixed. When will the closed session be available for me to put in an OPRA request. It won't be available until the Council approves those minutes. What is the update on the vacant land that I asked about a few meetings ago? I am having the Building Official and the Zoning Officer go up and take a look at it. Once they give me their opinions, I will have Leon go look at it. We have to see if it is a buildable lot. Where was this job posted? It was in the Daily Record and on their website. The ads I see that I have a copy of, says you are still accepting applications. I found something on Indeed. Councilwoman Hedgepath said when you put it in the Daily Record it also goes to Indeed and Zip Recruiter. We have no control over that. We can't stop that from being posted on there. The ad you have, the Clerk said is the old ad. The new one has been sent to the paper and should be in on Wednesday.

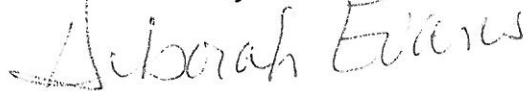
Joan Cegelka - When are the resumes due for the job? And are they coming into the town? They are due by May 31st and they are not coming to the town. They are going to Councilwoman Hedgepath. What are the duties. The same thing Debbie D. did. Property Maintenance reports, and sending out violations, doing work in the office, computer, etc. What is the salary? Has not been determined yet. How were the residents in town notified of the position? It was in the paper. This should go on our website. You are having the ordinances codified. Wouldn't it be better for our town to look over instead of having someone else do it. Mr. Zimmerman was looking over ordinances and he was going to do things a few at a time. These people don't know anything about our town. No, they only know what they have codified in the past for us and what they continue to do as we send them to them. It was said by the Council that they would go through the book and take care of it but then they decided it was too much for them to go through and they were concerned about legal matters. When there is an Ordinance everyone on Council gets a copy of that ordinance. Is that correct? Yes. You should have all that stuff. You don't need Debbie doing that for you.

Chris Trotsky - In regards to Ms. Jacobus that is filling in for Debbie D - what are the qualifications for taking that position? It is clerical the Attorney said. Computers, answering phones, and doing what needs to be done in the office. Was there any reference checks? Not at this time. Shouldn't there be? Only if the person is hired as an employee. This is a part time position. To be hired by the town, do you have to be fingerprinted? No, not that I know of. I was never fingerprinted nor was Debbie D. Should there be a background check. If you worked for a law office you should look into those references.

Motion was made to close the meeting to the public 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  
Borough Clerk