

June 28, 2022

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on June 28, 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 amoment 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, Councilwoman Hedgepath, Councilman Hale, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: None

Motion to accept the minutes of 5/20/22 & 6/14/22 as recieved by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote. Councilman Glass abstained.

CORRESPONDENCE:

FREE SUMMER MEALS - Everyone has a copy of the flier that went around to the residents. This was also posted on our website.

COVID CASES - The end of May 2022 there were 15new cases of COVID for Victory Gardens.

ATTORNEY FEINTUCH LETTER - Everyone has a copy of the attorneys letter regarding minutes and closed session. The Attorney said that closed session audio can not be given out.

VIETNAM MOVING WALL TRIBUTE - Everyone has acopy ofthe letter. Anyone on Council that wants togo to this memorial will have to let me know so I can tell the committee putting this on.

REFERENCE LETTERS ON BEHALF OF KELLY JACOBUS - Kelly asked her references if anyone called them yet and they told her no. She stated that to me and she asked them to reach out to me. I called them back and asked them if they could send letters to me so that I can hand them out to Council. Everyone has a copy of those letters.

Motion to accept the correspondence as received by Councilman Lorenzo, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

VOUCHERS:

Mayor Holeman asked if there were any questions on the vouchers? Councilman Glass asked about Leon Halls billing. Councilman Lorenzo said that all of Leons bills are itemized.

Councilwoman Montes made it a point to say the vouchers were not numbered. The Clerk said she will let Kelly know.

There were no other questions on the vouchers.

Motion to pay the bills by Councilwoman Hedgepath, 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	Abstain

**VOUCHER REPORTS**

Date of Council Meeting:

June 28, 2022

<b>Voucher #</b>	<b>Payable to:</b>	<b>Type of Service</b>	<b>Amount</b>	<b>Check #</b>
06-27-22	Allegra Marketing	Printing	\$ 400.00	
06-28-22	Anderson, Denzler Assoc	Various Accounts	\$ 2,700.90	
06-29-22	Feintuch, Porwich & Feintuch	Legal Service OE	\$ 3,412.50	
06-30-22	Interstate Waste	Trash Removal	\$ 11,910.25	
06-31-22	JCP&L	Street Lighting	\$ 666.74	
06-32-22	JCP&L	Utilities	\$ 345.94	
06-33-22	JCP&L	Fire OE	\$ 98.36	
06-34-22	Konica Minolta	Clerk OE	\$ 170.25	
06-35-22	Morris County Assessor Assoc	Assessor OE	\$ 195.00	
06-36-22	Morris County MUA	Road OE	\$ 650.25	
06-37-22	NJNG - Boro Hall	Utilities	\$ 1,189.00	
06-38-22	Office Concepts Group	Clerk OE	\$ 330.26	
06-39-22	Optimum	Clerk OE	\$ 11.45	
06-40-22	Verizon - Boro Hall (0001-62)	Utilities	\$ 152.15	
06-41-22	WEX Bank - Shell Fleet Plus	Road OE	\$ 1,104.00	
06-42-22	Eduardo Martinez	Streets & Roads SW	\$ 2,942.72	
06-43-22	Hector Lorenzo	Streets & Roads SW	\$ 1,821.60	
06-44-22	Kelly Jacobus	Admin SW	\$ 1,525.00	
06-45-22	Treasurer - State of NJ	Marriage License	\$ 25.00	
06-46-22	Treasurer - State of NJ	State Training Fees	\$ 48.60	

**TOTAL**

**\$ 29,699.97**

**DEPARTMENT REPORTS:**

BUILDING INSPECTOR - 4 permits issued for a total value of construction \$25,579.00

PROPERTY MAINTENANCE - Everyone has a copy of the report.

TAX COLLECTOR - Total Tax receipts Month To Date: 356,613.70  
" " " Year To Date: \$1,036,528.74

REGISTRAR REPORT - No marriage licenses issued for the month of June

COMMITTEE REPORTS:

Councilwoman Cheatham - Nothing

Councilman Glass - Oldest dump truck - windshield wipers were not working. When we get that back we will be sending the other truck over. The weed whacker will be going to Handymans to be looked at. Lawn mower is shot. I went to Handymans and the price for a new one is \$469.00 .

A motion was made by Councilman Glass to purchase a new lawn mower from Handymans in the amount of \$469.00 . Motion made by Councilman Glass, seconded by Councilman Lorenzo and approved on roll call:

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

Also, the railing has been fixed. We are waiting on the bill.

Councilwoman Hedgepath - Nothing

Councilman Lorenzo - Can we check cameras at firehouse? They should be pointing to the playground but it doesn't look like the angle of the camera is right. At the mall there is a lot of grease and there is garbage all over the place. The Clerk said she left a message for Jaime at Rockaway. I will make sure he gets back to me.

Councilman Glass said that he wants something in the contracts about the contractors cleaning up after themselves. I drew up something and Debbe gave it to Leon Hall and I made a copy for the Attorney. Any matter that creates dust shall have a manner to clean up afterwards with water and to have water sprayed on it. After completion the work area should be restored and all areas cleaned up with all debris being removed. There will be an inspection done by either the Borough Council or the inspector.

Councilwoman Garcia Montes - Nothing.

Motion to accept and put on file all reports by Councilwoman Montes, seconded by Councilman Glass and approved on verbla vote. None opposed.

NEW BUSINESS:

RESOLUTION FOR LIQUOR LICENSE RENEWAL FOR ALONZOS STEAKHOUSE - The Clerk said everyone has a copy of the resolution. Alonzos finally did their application with the State and they came in and paid us the \$2,500 they have to pay for the license. All is okay for them to get the liquor license.

Motion to approve the Resolution for the liquor license for Alonzos made 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)

RESOLUTION FOR APPROVAL OF LIQUOR  
LICENSE FOR ALONZOS STEAKHOUSE

WHEREAS, the herein below names have duly filed an application for renewal of their liquor license for their respective premises as shown for the year 2022-2023, and

WHEREAS, no objections have been received from the public, and

WHEREAS, the required fees have been paid and all premises have been inspected and approved except as otherwise stated, by the Board of Health and the Bureau of Fire Prevention; and


NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Victory Gardens that the said application be approved, and that the respective license be granted; and

BE IT FURTHER RESOLVED that in those cases where the inspectors of the different agencies of the Borough of Victory Gardens have found violations, the licensee shall comply and correct said violations within the time specified in the report by the various agencies.

BE IT FURTHER RESOLVED that the Borough Clerk be and is hereby authorized to issue license/certificate accordingly.

PLENARY RETAIL CONSUMPTION LICENSE

1437-33-002-003 Alonzos Steakhouse & Restaurant LLC  
330 South Salem Street  
Victory Gardens, N.J. 07801

  
\_\_\_\_\_  
Mayor, David L. Holeman, Jr.

6-28-2022  
\_\_\_\_\_  
Date Adopted

ATTEST:   
\_\_\_\_\_  
Deborah Evans, Borough Clerk

I, Deborah Evans, hereby certify that this is a true and exact copy of the Resolution adopted by the Mayor and Council of the Borough of Victory Gardens, at a meeting held on 6-28-2022.

  
\_\_\_\_\_  
Deborah Evans, Borough Clerk

AWARD CONTRACT FOR SEWER CLEANING & INSPECTION - We received 3 bids for this project. Bids ranged from \$29,675 by National Water Main Cleaning to a high of \$42,075. National Water Main has the necessary experience and it is Leons recommendation to award to them.

Councilman Glass said he spoke to Leon about this job and he said that all will be documented when the inspection is completed. Councilman Glass has an issue with them doing the power washing. Some of the sewer lines have liners in them.

Councilwoman Monets asked if we are getting a grant for this? It is coming out of the American Rescue Plan money. This project will be paid with that money and then we will do the second part of the project. We didn't do the whole town at the same time because we weren't sure how much it would cost so we did it in sections.

Motion was made to award the contract for the sewer cleaning & video inspection by Councilwoman Hedgepath, seconded by Councilwoman Cheatham and approved on roll call:

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

NEW BUSINESS CONTINUED:

RESOLUTION TO RESTORE ENERGY TAX RECEIPTS - The Clerk said that everyone was given a copy of the resolution.

**RESOLUTION OF THE BOROUGH OF VICTORY GARDENS  
URGING THE SWIFT PASSAGE OF S-330  
WHICH RESTORES ENGERGY TAX RECEIPTS**

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spend on local programs and services and used to offset property taxes, the money has been spent as successive legislatures and administration have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes the critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Victory Gardens in the county of Morris urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

BE IT FURTHER ROSOLVED, that a copy of this Resolution is forwarded to the Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

Motion on the Resolution by Councilman Lorenzo, seconded by Councilwoman Montes and approved on roll call:

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

NEW BUSINESS CONTINUED:

AWARD CONTRACT FOR WASHINGTON AVENUE - The bids ranged from \$108,587.75. This was the low bidder by AJM Contracting. The grant funding for Washington Avenue is \$105,000.00 .

Leon is recommending that the award go to AJM Contracting in the amount of \$108,587.75 .

Councilwoman Hedgepath said it leaves about \$3,500 as a balance. Do we have to pay that? Yes, or when Joe gets back from vacation I can ask him if we can take it out of the American Rescue Plan money. This grant does have to be used so we don't lose it.

Motion to award the contract to AJM Contracting in the amount of \$108,587.75 for the Washington Avenue NJDOT grant. 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

CONTRACT FOR SIDEWALKS ON MONROE AND COOLIDGE AVENUES - Leon is suggesting that we reject all bids. They came in much higher than anticipated. The Community Development grant is for \$27,950. The work came in at a low bid of \$46,875.00 .

Leon spoke with Community Development and they will extend the funding until September of 2023. Residents should be notified that this work will be done. Any comments they need to put in writing to the Borough.

Motion made by Councilwoman Montes to reject all bids for this project and have Leon rebid at a later date. Seconded by Councilman Lorenzo and approved on roll call:

- Councilwoman Cheatham Yes
- Councilman Glass Yes
- Councilwoman Hedgepath Yes
- Councilman Hale Yes
- Councilman Lorenzo Yes
- Councilwoman Garcia Montes Yes

\*\*\* Councilwoman Montes asked the Clerk to put the hiring of a new employee for the Clerks office on the agenda for the next meeting. The Clerk said she would.

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

Jim Janone - Regarding what Mr. Glass was talking about on the language for the contracts for the roads, I don't know why you are discussing this because that language is already in the contracts. Regarding the sewer inspection and cleaning, did Leon give us his costs? Are they doing mapping of what they are doing? Everything will be documented Councilman Glass said. Did you get an update on the potholes at the liquor store? I sent a letter to the owner. Did we get a license transfer fee on the liquor licenses? No. The State said no municipal fee for that. I did receive the renewal fee from both properties. I will check to make sure. How come you aren't buying the lawn mower from Home depot? They are better at this other place. Any update from the BOard of Education yet on the fees? No. Why is our tax rate so much higher than Dovers? Councilwoman Hedgepath said we are a smaller community.

Joan Cegleka - Joan asked about calling the applicants references and asked the Clerk if she called all the references on the applications? No, I did not call all them. Some of the applications I never got. They were sent thru email to Councilwoman Hedgepath. Kelly asked her references if they had received a call from the Borough to check out her references. All 3 said that no one called them So Kelly asked them to call me. They called one day at lunchtime and I wasn't here so I called them back. I asked them to send a written statement to me about her. You mentioned a letter from the attorney about your minutes. What was that about? The Clerk asked the Attorney to respond. The Attorney said the minutes only have to show the actions by the body. You have said this before. Yes.

Public Meeting Continued -

Joan Cegelka Continued - This project with the sewers, it has me concerned. Our sewers are around 80 years old. Are they strong enough to handle a power wash. Our sewers have been worked on over the years. We have replaced sewers over the years. In ones that weren't bad we put liners in. The majority of the sewer lines in here have been taken care of.

Motion 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

