

October 25, 2022

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on October 25, 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, Councilman Glass, Councilwoman Hedgepath, Councilman Hale, Councilman Lorenzo, Councilwoman Garcia Montes.

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

ABSENT: None

Motion to accept the minutes of October 11, 2022 as received by Councilwoman Hedgepath, seconded by Councilman Hale and approved on verbal vote. None opposed.

CORRESPONDENCE:

ANDERSON & DENZLER - At the last meeting we were discussing the proposal from National Water Main Cleaning. At that time, the Council said to do the 3 point repairs that needed to be done. That was for \$9,300.00 . You gave approval for that work.

Today I received a call from Leon Hall and an email from him. It says that based on the recommendations of National Water Main Cleaning that the sewer between manhole 15 to 16 is in very poor condition. It has breaks and could possibly collapse when they do the 3 point repairs.

Leon is recommending that all work in the 9/27/22 proposal from National Water Main be done immediately under an emergency declaration.

That cost was \$17,280 for a complete liner between manhole 15 and 16. The 3 point repairs that needed to be done was for \$9,300.00 . Together that cost would be \$26,580.

When we were discussing this project Joe C. said the money would be taken from the American Rescue Plan money that the Borough received.

I did send an email today to the other Joe, our new CFO. Leon said that if it is an emergency declaration you do not have to go out to bid. I still am waiting to hear back from Joe K.

Councilman Lorenzo asked why they didn't say this before? The proposal that I gave to the Mayor and Council had everything spelled out. They knew this was a problem. They said the 3 point repairs were the most important to get done first. However, when they went up there to check everything over they said that if they did the 3 point repairs first it could cause a collapse in the whole pipe. That is why they told Leon the whole job should be done at the same time.

It is no more money than what they originally told us. we were just going to do it in 2 different projects. Now it needs to be done in 1.

Councilwoman Hedgepath asked if we have enough money to do it? Again, when we first spoke about doing this project Joe C. said we had the money in the American Rescue Plan monies. We had \$77,000 with an additional \$77,000 coming in 2023. So the money is there. We only spent the money for the air purifiers out of that money.

Motion was made to get the work done in the amount of \$26,580. Motion made by Councilwoman Hedgepath, seconded by Councilwoman Montes and approved on roll call:

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

OLD BUSINESS CONTINUED.

UNUSED SICK TIME CONTINUED:

The Council gave the Attorney permission to modify the Policy Manual on the sick and have it include what the State says has to be done. Payout for sicktime at the time retirement is no greater than \$15,000.

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

Christopher Trotsky - In regards to the new person you just hired how did you come up with the salary? we called around to see what some of the other towns were paying. I told that to the Committee doing the interviews. Councilman Glass said he is on a 90 probation period. He has plowed for us in the past and also repaired the plows when Eddie wasn't here. Previous employment was not for DPW. He worked for us when Eddie wasn't here and we were satisfied with his work.

The Mayor said in the past anyone that worked for DPW did not have any background in doing that type of work.

He will be fingerprinted and have a background check done just like all other employees.

How many people filed resumes or applications? I believe it was 22. You only interviewed 1. 6 were called in. No one else showed up.

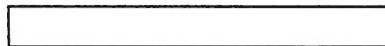
Jim Janone - Who is on the Streets & Roads Committee? Councilpersons Glass and Hale. Did you say that Eddie showed the new person where the bank was? No, I said Hector can show him all that. The Clerk gave Jim the total on unused sick time? Yes. It didn't break it down on how much for each person. I asked the Attorney and he said to give you the total only. The Clerk said that when Councilwoman Montes asked for the figures she wanted it up to the end of this year and it was to include sick, vacation time to the end of the year. Now Eddie is using his vacation time so that amount will come out of that figure. In regards to the power and light, who is moving the wires off the old poles? They don't move the service over. You have to do that. They didn't tell us we have to do that. The Mayor said he will call the rep for the Borough and find out. How come no one was down here to turn the power off to the building when you knew we would be without power for that day? No one told us we had to do that. Councilwoman Hedgepath and the Mayor said that JCP & L should have told us if we needed to do anything when they were changing the poles. How do we know with these people doing the sewer lines that their figures are correct? Are you taking Leon Hall's word? Yes, he is our Engineer. Carol Ruiz said she was through the whole Borough asking people to be on the Committee for the resolution. Do you know if she was in? I don't know the Clerk said. No one came in here.

Joan Cegelka - You said you had around 20 people what applied for the DPW job? Yes. Councilman Glass said out of all of them we chose 6 for interviews. How were they notified? Calls. Did they say they weren't coming? Out of the 6 that were called no one said they weren't attending except 1 person who called the morning of the interviews. He said he wasn't coming. He spoke with Letty and she relayed the message to me. Joan said it seems to her that Manny had the job even before you advertised. The Mayor said if that is what you think there is nothing we can do about it. Did you get pictures of the blockage with the sewer lines? Yes. They gave the actual scoping to Leon. Where was the problem. Between manhole 15 and 16 which is over by the Victory Hill east Apts. but actually on Washington Avenue. where was the grease blockage? At Victory Highlands Condos. When was the fire panel put in the town hall? I think it was when the town hall was rebuilt. the fire was in 2001 and I think we were back in here in 2004. I think there was something done to it after that but this is the original one from when the building was rebuilt. Dover Board of Education what is the addition? The paperwork says a new 3 level middle school and a 2 level addition onto the high school. Grades 7 and 8 would be in the new building. The existing middle school would be reconfigured for use by students in grades 5 and 6. Students in K thru 4th would continue to use of the the 3 current elementary schools. are they thinking we are going to have an influx of students? I don't know what they are thinking. I can't imagine that. Those are things we need to ask them when they come here. Can we go to the State for more State Aid? Lets face it we will be paying the brunt of the bill. This isn't being done because of our kids going into the schools. Maybe we should send out 2 fliers. Holidays are coming and people are filling up their calendars. Okay.

VOUCHER REPORTS

Date of Council Meeting:
October 25,2022

| Voucher # | Payable to: | Type of Service | Amount |
|-------------|--------------------------------------|----------------------|----------------------|
| 10-14--2022 | Adams Fire Protection | Fire OE | \$ 484.50 |
| 10-15-2022 | Anderson and Denzler Associates | Legal OE | \$ 3,481.56 |
| 10-16-2022 | Denville dept of public works | DPW | \$ 460.92 |
| 10-17-2022 | Home depot | Road OE | \$ 29.93 |
| 10-18-2022 | Interstate Waste services | Trash Removal | \$ 11,910.25 |
| 10-19-2022 | Jcpl Borough Hall | Utilities | \$ 304.51 |
| 10-20-2022 | Jcpl Firehouse | Utilities | \$ 182.90 |
| 10-21-2022 | Jcpl Street Lights | Utilities | \$ 672.55 |
| 10-22-2022 | Konica Minolta | Clerk OE | \$ 174.40 |
| 10-23-2022 | Leticia Diaz Background check | Clerk OE | \$ 44.13 |
| 10-24-2022 | Leticia Diaz Notary service fee | Clerk OE | \$ 45.00 |
| 10-25-2022 | Morris MUA | Shade tree | \$ 774.03 |
| 10-26-2022 | NJNG Boro Hall | Utilities | \$ 3,235.38 |
| 10-27-2022 | Office Concepts group | Clerk OE | \$ 161.92 |
| 10-28-2022 | Optimum Borough Hall | Utilities | \$ 11.47 |
| 10-29-2022 | Protective measures | Fire OE | \$ 224.00 |
| 10-30-2022 | Rockaway Township Health Srvcies | Health cont services | \$ 6,573.25 |
| 10-31-2022 | Sacks paint and wallpaper | Road OE | \$ 248.21 |
| 10-32-2022 | Sacks paint and wallpaper | Road OE | \$ 128.07 |
| 10-33-2022 | Tek Chang Subhagwati Kumar | Sewer Utility | \$ 420.00 |
| 10-34-2022 | Township of Montville animal shelter | Dog OE | \$ 663.71 |
| 10-35-2022 | Training Unlimited LLC | Clerk OE | \$ 150.00 |
| 10-36-2022 | Verizon (973)361-8121 | Utilities | \$ 75.36 |
| 10--37-2022 | Verizon (973)366-5312 | Utilities | \$ 151.80 |
| 10-38-2022 | Viking Pest control | Builfing & grounds | \$ 135.00 |
| 10-39-2022 | Vision Service Plan | Group Insurance | \$ 98.70 |
| 10-40-2022 | Eduardo martinez | Streets and road OE | \$ 2,942.72 |
| 10-41-2022 | Hector Lorenzo | Streets and road OE | \$ 1,821.60 |
| 10-42-2022 | Leticia Diaz | Admin SW | \$ 1,360.00 |
| 10-43-2022 | Eduardo martinez | Streets and road OE | \$ 2,942.72 |
| 10-44-2022 | Hector Lorenzo | Streets and road OE | \$ 1,821.60 |
| 10-45-2022 | Leticia Diaz | Admin SW | \$ 1,320.00 |
| 10-46-2022 | County of Morris Assesor | Taxes | \$ 64,812.16 |
| 10-47-2022 | County of Morris Assesor | Open space | \$ 1,666.33 |
| 10-48-2022 | RVRSa | RVRSa Shares | \$ 10,063.00 |
| 10-49-2022 | Att Long Distance Service | Utilities | \$ 38.82 |
| 10-50-2022 | Amsterdam | Clerk OE | \$ 67.91 |
| 10-51-2022 | R and L Data | Clerk OE | \$ 260.00 |
| | ADD ON 10/25/2022 | | |
| | | Total | \$ 119,958.41 |



Motion to approve the vouchers for payment by Councilman Lorenzo, 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 |

DEPARTMENT REPORTS:

Building Department - 2 permits issued. Total value of construction \$9,250.

Property Maintenance - Everyone has a copy of the report.

Municipal Court - We received \$316.20 from the court.

Tax Collector - Total Tax Receipts Month To Date: 271,308.00
" " " Year to Date: \$ 1,737,278.57

Registrar - There were no marriage licenses issued for the month of October 2022.

COMMITTEE REPORTS:

No reports from anyone. Councilman Lorenzo said he would like to thank Councilman Hale for staying on JCP & L to get that pole fixed. Now we don't have to worry about that anymore.

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

NEW BUSINESS:

HIRING OF NEW DPW PERSON FOR JANUARY 1, 2023 - Councilman Glass said we advertised in the paper and on the league website. We got about 22 resumes. We narrowed the list down to 6 people. They were called and we set up the interviews for Friday night the 21st. Out of the 6 that were called only 1 showed up. That was Manny. We set aside 20 minutes per interview but since he was the only one that showed up, we talked with him for about an hour. We explained everything to him about the job. We don't want this job to continue as it has in the past.

Councilwoman Montes asked how many people were called. we had called 6. How much do you plan on paying this person? \$25 an hour. The maintenance man we have there now is only making over \$20.70 an hour. People are getting this amount of money in other towns.

Councilman Lorenzo asked if anyone from Dover came in? No. We went thru the applications and picked out the ones we thought would best fit our town. We had chosen 6 for interviews. Of the 6 - three never called back to confirm their interview. 1 put in an application with Picatinny the same time he put in with us. When he was called he said he already got the job with Picatinny. There were 2 others that were to come in and the one called and spoke to Letty and he told her he wasn't coming in. By that time, there was only one left from the list that was interviewed.

Councilman Glass asked the Clerk what the calculations were? The Clerk said when she was told \$25 an hour I looked at Eddie's pay. Eddie is making \$33.44 an hour. Hector is making \$20.70 an hour. So if the new person gets paid \$25.00 an hour that would leave \$8.44 from Eddie's pay that Hector would receive. that would bring Hector up to \$29.14 an hour.

Councilwoman Hedgepath asked if Hector would then get the rest of the money? Yes.

Councilwoman Montes asked why Hector wouldn't get Eddie's pay? He hasn't been here as long. Councilwoman Hedgepath said that Hector would be getting a pay raise. It would raise him up to almost \$30.00 an hour.

The Mayor and Councilman Glass said this is what is coming before the Council tonight. Did anyone talk to Hector about the money? Councilman Glass said that he and Debbe spoke with Hector and he knows how the money would be split. We did not say anything concrete.

Motion was made to hire Manuel Venereo at \$25 an hour beginning January 1, 2023. Motion made by Councilman Glass, seconded by Councilman Hale and approved on roll call:

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

HIRING OF NEW DPW WORKER CONTINUED:

Motion was made to have the new DPW person come in for three days to be trained by Eddie. The new person will also be on a 90 day probationary period.

Motion made by Councilman Glass, seconded by Councilman Hale and approved on roll call:

| | |
|----------------------------|---------|
| Councilwoman Cheatham | Yes |
| Councilman Glass | Yes |
| Councilwoman Hedgepath | Yes |
| Councilman Hale | Yes |
| Councilman Lorenzo | Abstain |
| Councilwoman Garcia Montes | Anstain |

OLD BUSINESS:

HEALTH/VACATION/SICK TIME ON RETIREMENT - The Clerk said we have been going over this for the past several meetings. The Attorney asked me to reach out to the State and see what they said about retirement and sick time. I did contact the State. They said our policies are our policies. The only requirement the State has on being on the State Health Benefits Plan is that when an employee retires they have to have Medicare Part A & B. If they have that then they can be in the State Health Benefits Plan after retirement.

Nothing will change for the 3 full time employees that we currently have. If you want to change anything you will have to do it before any new people are hired as full time.

The Clerk said she gave the paperwork to Council several meetings ago. Councilwoman Cheatham asked about the family part of the health benefits? In our current policy after a person retires with 25 years in only the employee is covered. Not the family. But in order for that employee to be covered under the State Health Benefits Plan they have to have Medicare Parts A & B.

Councilman Glass asked what we are looking to change? well, you don't have to change anything the Clerk said. But in the past, talking about this the Council said you may want to make changes.

You can change the current policy to say that after retirement, there will be no health benefits for anyone. If that is what you want to do.

Councilwoman Montes said that should be changed and then it is less of a burden on the town. It won't affect anyone of the 3 full time employees that are currently here. It would just be for new hires going forward.

The Attorney said that he feels anyone with 25 years in the town, you should keep their insurance going after they retire. Health insurance always goes up.

Councilwoman Montes said the retiree will have Medicare A & B so why should the town pay for anyone after that? The Mayor said you are looking at the time they dedicated to the town. Councilwoman Montes said she thinks it needs to be changed.

Councilman Lorenzo said can we put a limit on it? Say we will pay up to 5 years after they retire?

Councilwoman Hedgepath said we have 2 new people we aren't in or don't have to be in a hurry to change it. We can look at it again later. It doesn't affect our 3 current employees. This is just for new people.

The Clerk said that is fine if you don't want to change anything but you have to remember that whomever is hired they are hired under the old policy.

The Mayor asked the Attorney if we need a motion on this so we aren't changing the old policy on paying for health benefits upon retirement. The attorney said if you are leaving it the same you do not need a motion.

SICK TIME PART OF THE POLICY MANUAL AS NOW PRINTED - What does Council want to do regarding the sick time? The Clerk said right now the way the policy manual reads is that should an employee have 25 years of service with the Borough they will receive full payment for all unused sick time.

With the State there was an update in 2007 and then again in 2010 that says anyone with sick time that was hired after 2010 no matter how much sick time they have accrued will only be paid \$15,000 .

The Attorney said that anyone hired before 2010 this will stay the same as our policy states. Anyone hired after 2010 it will be capped at \$15,000 no matter how much time they have accrued. You need to add this to the current policy manual.

CORRESPONDENCE CONTINUED:

JCP & L - Our fire alarm panel, when JCP & L came in to do the work on the pole and the transformer, the work blew out our fire panel. We have no fire alarms right now in the building. Councilman Hale spoke to someone Friday night and they acted like this was our problem. The Mayor reached out to his contact and they called me. I explained what happened and they gave me information to file a claim. I have started that process. I will be contacted by an adjuster, they said, hopefully by Friday. All the initial information has been given to JCP & L.

I had to get Protective Measures in because our Fire Official said we had to get the panel disarmed. They came in and disarmed the panel and they gave us an estimate to replace the panel at approximately \$6,000.

In the meantime, we have to be on what is called a fire watch to make sure the building doesn't burn. Over the weekend I was here many times just checking on the building. I did tell the Mayor and I'm sure he was down here watching also.

This is another issue that we have to take care of. I did send an email to Joe K. I am waiting for a response. I know we still have money from when we did reconstruction of the town hall. I don't know if the money can be taken from that money. That is what I asked Joe.

Councilman Glass asked if we could take the money from the Rescue Plan? I don't know. I thought that was for infrastructure.

Right now we have no fire alarm down here at this building and we need to act as quickly as possible.

DOVER PUBLIC SCHOOLS - We did get some paperwork from them regarding this referendum for December. They will be coming to our meeting on November 22. This is the only meeting we are having for November.

What the paperwork says is that they want to build a new three level middle school. It would be built between Dover High School and the current tennis courts. They are saying construction would be completed in the summer of 2025.

They also want to put a two level addition to the high school. It would be built at the back of the current high school.

The cost of these project are estimated to be \$69,263,500.00 . They are supposed to get 8 million from the State. The figures they are throwing around is for a house in Victory Gardens with an assessed value of \$170,000 - and I don't think there is a house in Victory Gardens assessed for that amount - the raise in taxes would be approximately \$579 per year. For 30 years because they are bonding the money.

Councilwoman Montes asked how many kids we have going to Dover Schools? The last count I did because we haven't heard anything from Dover, was around 287 kids. Even on the high side I would say 300.

The Attorney said they go by a formula for the kids. In the paperwork that I received it says that the voting will take place on December 13, 2022 from 6 am to 8 pm and longer if necessary. I called the Board of Elections and I told them I wasn't staying open after 8 pm for elections. I read it to them and they said polls close at 8 pm and that is it. I did not hear anything about Mine Hill voters.

They will be doing a slide show when they come to our meeting and I told them we will have people from the public as well as the governing body that will be asking questions. I asked them if they would take questions from the public and they said they would, as well as the Council.

I have a flier done up already waiting to go out. I didn't want to send it too far ahead of the date for them to come here. I didn't want anyone forgetting.

Motion to accept hte correspondence as received by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbalvote. None opposed.

VOUCHERS:

The Mayor asked if there were any questions on the vouchers? Councilman Glass asked about 10-16? That is when we had the blockage of grease at the condos. They came in and cleaned it for us. They never use to charge us but they are charging now. I tried RVRSA and no--one got back to me. I needed to get someone in here totake care ofit. Voucher #10-50? That is where I order my supplies for the papers I need in the office. This one is for the 2023 attendance cards.

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

Motion to adjourn the meeting by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on verbal vote.

Submitted By:

Deborah Evans

Deborah Evans
Borough Clerk