

March 28, 2023

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on March 28, 2023.

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: Councilman Glass, Councilwoman Hedgepath, Councilman Hale, Councilman Lorenzo.

ABSENT: Councilwoman Cheatham, Councilwoman Garcia Montes.

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

Motion to accept the minutes of March 14, 2023 as received by Councilwoman Hedgepath, seconded by Councilman Hale and approved on verbal vote. Councilman Lorenzo abstained as he was absent from the meeting.

Attorney Feintuch stated that we have several different people here tonight that are prospective applicants for the cannabis matters. We are not taking any action on this tonight. We will listen to what you have to say, but there will be a 5 minute time slot for you to speak.

Correspondence; NONE

The Clerk said she did have Letty contact the garbage company. The brake line broke while in our parking lot and we have oil all over. They did say they would have their risk assessment team get back in touch with us. I don't know if anyone noticed the parking lot, but I have pictures here so you can take a look to see what they did.

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

VOUCHERS:

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

Motion to approve the vouchers for payment by Councilman Glass, seconded by Councilman Hale and approved on roll call:

Councilwoman Hedgepath	Yes
Councilman Glass	Yes
Councilman Hale	Yes
Councilman Lorenzo	Yes

(See Vouchers Next page)



NEW BUSINESS CONTINUED:

MONROE/COOLIDGE AVENUE SIDEWALKS - Open for discussion from the public.

Jim Janone - Mr. Glass said that the sidewalks will impact the residents on those streets. I walk there every night with my dog. No one will be impacted. If they pull their cars up they won't be impacted. Everyone has driveways. None of the kids stand where the sign is for bus stops - they all stand in the street. You should consider Coolidge getting done.

Melissa Cooper - I live on the end of Coolidge. On the curve, traffic flies around there. If you put sidewalks in I am concerned about people loitering there. I don't want people hanging around. It seems to be okay now, I don't know if it will stay okay if the sidewalks go in. You have a lot of parking on the street on Coolidge which shouldn't be because you have signs up saying no parking. Randolph pushes snow on my property. Call Randolph and complain.

Valerie Williams - Were there any grants for this project? Yes. CDBG grant was for \$27,950. We went out to bid twice on this project and all bids were rejected because the bids were so high. If Council decided to do the project then we would have to pay for it out of town money. Have the homeowners been notified? Councilman Glass said they were. Fliers on the streets in question were handed out yesterday. Where on Monroe are sidewalks going? I believe it is just as you come up Monroe from Washington. It would stop before you get to the first house on the right coming in. It is not going down Monroe. For those places where you would put the sidewalk in will you fix the people's driveways? No. That is the Borough Right of Way. Councilman Glass said he is the only one on Council that has a sidewalk and I know I have to keep that clear of snow and ice. I wanted to make sure the people in these areas knew they might get sidewalks. They would be responsible for taking care of them. There should be no driveways hurt. When they do sidewalks they go pass over the driveways. The attorney said if there is damage done during construction it would be corrected by the contractor. It would be in the contract the Attorney said.

Motion to close this portion of the meeting to the public by Councilman Hale, seconded by Councilman Glass and approved on verbal vote. None opposed.

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

The Clerk said she has been talking with Community Development more than once. If we are doing this project, they want to know where the extra money is coming from. This is money the town will have to pay. They need to know if this project will be done. They need an answer immediately. If we aren't using the money, we have to give it back so they can allocate it someone else's project.

Councilwoman Hedgepath said the residents need more notice about this project. She will speak to the CFO tomorrow to see where the money will come from if we are doing this project. All is on hold until the next meeting.

OLD BUSINESS:

CANNABIS ORDINANCE UPDATE - Attorney Feintuch said he would like to say a few things before we go any further. Council should remember that we did an Ordinance because we had to do a statutory requirement and we had to make a decision if we were going to allow this in our town or not. I prepared an ordinance because you wanted to have 1 retail and 1 delivery. We never did adopt a full ordinance to cover all the aspects of it. I have before you tonight the remainder of that ordinance. It requires some discussion and I don't expect that you will adopt that tonight. Especially since we don't have a full Council here tonight. I received a number of phone calls during the week and the people asked if they could appear before the Council. I told them that I couldn't stop them from coming but that the Council wouldn't be doing anything tonight nor would they adopt anything tonight. What I understand is that the Planning Board has 2 applications before them for the April meeting and the applications were filed before we had the Ordinance. I don't know if that will have any impact on that and I would ask the Council to let the people in the audience come before you and state whatever they want, but, we can't be persuaded to do anything tonight, or at all. So with this, you can have them speak at this time.

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

Alta Life, LLC - You are amending the ordinance. why are you doing that? Attorney feintuch said because the ordinance deals withthe managerial aspects. It doesn't deal with fines, payment of taxes, and other things that are relative to the operations. Basically the original ordinance just said that we will entertain for only 2 facilities or 1 retail and one delivery. Will you make a distinction between adult use and medical? Medical is completely seperate. I have done research since I last spoke to you. Medical doesn't put you in any better position than anyone else that wants to come in. You have to go thru the whole process. It does have something to do with it if you convert to adult use. The Attorney siad that is another step. All of you would be making application for a retail license. We may discuss tonight but we will discuss at our next meeting in April. Councilman Lorenzo asked if they know of a location where they think they might want to go into? We are talking to some people in the neighborhood in hopes of buying their property.

Weiner Law Group on behalf of Tangerine Tree LLC - They are looking at 301 South Salem Street. They are a holder of a micro retail license. Will you be issuing resolutions of support? For any application? No. You have to go to the Planning Board.

Jim Janone - You mentioned that there are applications before the Planning Board. I don't know who is on their agenda but they are suppose to have a meeting in April. The one way sign over at Nourish still hasn't been fixed. I told them about it. I will tell them again. Also, the vans are still parked on the property on Coolidge. I didn't know if you were aware of that. They were issued a stop work order. They were doing construction without permits. You are waiting on an agreement from the Dover Board of Ed? Yes. Are we s till holding the money we have been holding? Yes. We will not be getting a check. we will dedcrease our payments. How will that affect the 2023 budget? That will be discussion for the budget meetings. We don't have anything yet until we get that agreement and go over it. Did the CFO do the year end report yet? Not yet. Dpver Board of Ed budget was done last meeting. They said that VG will have a \$5.88 increase. Dover will have a \$12.55 increase monthly. For us it is about \$75 a year. If Dover Board of Ed has to make that money up that they have to credit us, is there any way that they can roll that back into the general budget ? Is there anyway that we may get stuck paying something more? They have to make that money up in their budget. It has nothing to do with us the Attorney said. They may try to slip it in the back door Jim said. There is a fixed formula as to how much we pay. There is no way they can get around that formula.

Day Pitney Law Firm - We represent the other application that will be before the Planning Board in April. We are looking at 330-350 South Salem Street as our location. My question was already answered. We just wanted to introduce ourselves.

Valerie Williams - HOW many members are land use board members? I don't know. You would have to ask them. That is an autonomous board. Why are you answering questions for them? We are telling them they have to go before the Planning Board. We said if they wanted to come before Council they could but we couldn't do anything for them. They came in or called to find out what they have to do and they were told that they had to go to Kevin. He has been talking with them.

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

attorney Feintuch said somewhere in February he sent around a revised Ordinance. The revised ordinance embraced a lot of what was in the original ordinance. The last part of it deals with menhancial issues, and the running of the facility. It deals with the taxesthat have to be paid, transfer tax, collection of taxes, administration of the transfer tax, record keeping, returns, It is the every day operations.

Motion was made to adjourn the meeting by Councilwoman Hedgepath, seconded by Councilman Glass and approved on verbal vote. None opposed.

Submitted By:

*Deborah Evans*

Deborah Evans  
Borough Clerk