

July 25, 2023

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

ABSENT: Councilwoman Hedgepath.

** Attorney Feintuch was also present at this meeting.

Motion to accept the minutes of July 11, 2023 as received by Councilwoman Montes, seconded by Councilman Hale and approved on verbal vote. Councilman Lorenzo abstained as he was not present for the meeting.

** At this time a motion was made to go out of the regular order of business so that we can introduce our 2023 budget.

Motion to go out of the regular order of business for discussion on the 2023 budget by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

At this time the meeting was turned over to the Chief Financial Officer and the Auditor.

CFO Joe Kovalcik - This is the introduction of the 2023 budget. The increase this year per month will be about \$5.54 on the average home. This is better than what it was before. We received an additional amount of money in the relief fund of \$7,690. That is \$3,300 more than last year. We are going up \$67.00 .

Last years local tax was \$1,895.00 and this year it is \$1,961. So that is an increase of \$67.00 on the year for the local part of the budget.

Most of the dollars this year is because of pension and health care. Councilman Glass asked the figures that you are giving, what is this assessed on? A house assessed at \$172,000. Councilwoman Montes asked if the biggest part of the budget is pension and health care? yes, that is what drives the budget. The health care for this year was about 23%. For next year the increase is around 8%. Councilwoman Montes asked if we have a good budget this year? Yes, we do.

Motion was made to introduce the 2023 budget as presented. Motion made by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

Councilman Suarez	Yes
Councilman Glass	Yes
Councilman Hale	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

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

CORRESPONDENCE:

LETTER FROM RESIDENT REGARDING PARKING IN THE BOROUGH - The resident is complaining about the parking situation in here. The beginning of Monroe the Council made a no parking at any time. Vehicles are parked on both sides of the street, day and night, sometimes making it very difficult to get through.

There are houses with more cars than driveways, vehicles parked behind and on the sides of houses on the lawns that haven't been moved for months.

CORRESPONDENCE CONTINUED:

LETTER FROM RESIDENT OCNTINUED: The middle of Monroe has cars parked overnight constantly. People park on both sides of the narrow one way street. Close to the Roosevelt avenue intersection there are commercial vehicles parked on both sides of the street. There is a closed landscape vehicle/trailer that is sometimes left unattached sitting on a block of wood in the street. Also, there is a problem that vehicles drive in coming from the wrong direction. Please investigate these matters.

I am waiting for a new commander at the police barracks. They should have someone appointed within 2 weeks. The Mayor and I will go up at that time and give all this to him. Councilman Glass asked if we can tell them to have someone drive thru on Friday nights and Saturday nights. The Mayor said if anyone has any concerns write them down and give them to him and he will take it to the police when we meet with them.

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

VOUCHERS:

Mayor Holeman asked if there were any questions or comments on the vouchers? Councilwoman Montes said she has a question on # 0740 for Trasente Electric. What was this for? The Mayor said that there was work done up at the firehouse. What work? I didn't know we were having work done up there. It was an emergency. Dover Fire was up there and they said there were issues with the service coming down the side of the building. The pipes were rotted at the bottom and the wires were exposed. Council should be made aware when something like this comes up.

VOUCHER REPORTS
COUNCIL MEETING
July 25, 2023

07-17	Anderson & Denzler Associates	Engineering OE	\$ 2,288.28
07-18	Cy Drake	Clerk OE	\$ 64.95
07-19	Cy Drake	Clerk OE	\$ 59.95
07-20	Dover water commision	Fire OE & utilities	\$ 5,382.00
07-21	Gannett NJ News paper	Clerk OE	\$ 1,088.03
07-22	Henry O Baker	Other Insurance	\$ 9,973.00
07-23	Home Depot	Streets and Roads	\$ 224.25
07-24	Interstate waste	Trash Removal	\$ 12,269.58
07-25	JCPL	Utilities	\$ 419.36
07-26	JCPL	Utilities	\$ 206.23
07-27	JLM Computers	Clerk OE	\$ 514.97
07-28	Leticia Diaz	Planning Board	\$ 90.00
07-29	Morris County MUA	Road OE	\$ 393.75
07-30	Mount fredom printing	Clerk OE	\$ 558.00
07-31	NJ state league of municipalities	Mayor Council	\$ 25.00
07-32	NJNG Borough Hall	Utilities	\$ 1,405.00
07-33	Optimum	Utilities	\$ 25.00
07-34	Protective Measures	buildings and grounds	\$ 370.00
07-35	Verizon	Utilities	\$ 158.83
07-36	Wex Bank Shell	Road OE	\$ 233.64
07-37	Hector Lorenzo	Streets and Roads SW	\$ 2,564.32
07-38	Leticia Diaz	Clerk SW	\$ 1,560.00
07-39	Manny Venereo	Streets and Roads SW	\$ 2,200.00
07-40	Trasanete Electric Inc	Fire OE	\$ 3,417.81
Total Vouchers			\$ 45,491.95

Motion was made to approve the vouchers for payment by Councilman Glass, seconded by Councilwoman Montes and approved on roll call:

Councilman Suarez	Yes
Councilman Glass	Yes
Councilman Hale	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

DEPARTMENT REPORTS:

Building Department - No permits issued.

Property Maintenance - Everyone has a copy of the report.

Tax Collector - Total Tax Receipts Month To Date: 84,126.16
" " " " Year To Date: 1,154,797.32

Registrar - 1 marriage license issued for a total collected: \$28.00

COMMITTEE REPORTS:

Councilman Glass said that he is working on getting the estimates for the fence at the leaf dump. We can't get rid of the old fence by ourselves. I called the County and they won't take it because we don't have any DEP permits. The dumpster would be \$800 for the panels and posts but I don't know how much it would be for the concrete. Deb, you gave me a quote for the garage doors? Yes, the company sent that over today. We had a problem with one of the garage doors. The cable was broken and they came in and took care of that. They said they saw other things that were wrong and that needed attention. I talked to Hector he said everything else with the doors was fine. We have salt damage.

No other reports were offered at this time.

Motion to accept and put on file all reports by Councilwoman Montes, seconded by Councilman Glass and approved on roll call:

Councilman Suarez	Yes
Councilman Glass	Yes
Councilman Hale	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

NEW BUSINESS:

2023 BUDGET INTRODUCTION - Already done earlier in the meeting.

RESOLUTION CHAPTER 48 STATE HEALTH BENEFITS - The state wants us to do this resolution for State Health Benefits. Councilwoman Montes asked if this was for workers with 25 years and over? Yes. I called around to other towns and they no longer offer this to their employees. Years ago the other towns paid full time medical benefits after retirement but they don't do it anymore. That is correct. It is a big expense on our taxpayers Councilwoman Montes said. We shouldn't pay this for our retirees because they will have Medicare when they retire.

The Clerk said this has been in our policy and procedure manual for many years. We have talked about this several times over the years because I have brought it to the Council's attention. The most recent time was in October of 2022. Both at the meeting of 10/11 and 10/25/22. I said at that time you may want to change the policy manual before anyone new comes on. At that time, Council said no to leave it as it currently was.

Councilwoman Montes said she wants this changed so that none of our employees get health benefits on retirement. A lot of the other towns don't do it anymore. That is correct the Clerk said, but it doesn't change for the employees that are currently here. It will be for any new employee coming in.

Councilman Lorenzo asked if it is mandated by the State? The Resolution? Yes.

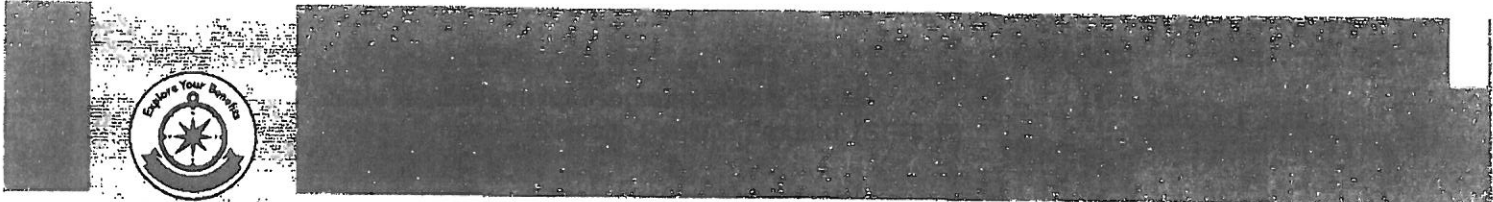
Councilwoman Montes asked what is the Chapter 48 for? It's for the employees you currently have that are full time.

The Clerk said she will put it on the next agenda for changes to the Policy Manual. We can discuss at that time. Once the Attorney has all the changes then he will do up a Resolution so the policy can be changed.

Councilman Lorenzo asked about Letty? She is part time. She is in another part of the pension for part time people. What happens if she goes full time? Then she will move over to the full time pension benefits.

NEW BUSINESS CONTINUED:

CHAPTER 48 STATE HEALTH BENEFITS CONTINUED - After the changes are made to the policy manual then no one that is full time will get health benefits when they retire. Letty is under her husbands health benefits soshe won't need ours. Councilman Glass asked how it would affect Manny? He will be covered if he is here for 25 years. He falls under the current policy because he was hired prior to any changes. But he also would have to be here for the 25 years years.



A Resolution to Adopt the Provisions of Chapter 48 (N.J.S.A. 52:14.17.38) Under Which a Public Employer May Agree to Pay for the SHBP and/or SEHBP Coverage of Certain Retirees.

BE IT RESOLVED:

1. The Borough of Victory Gardens 0444000
Corporate Name of Employer *SHBP/SEHBP Employer Location Number*

hereby elects to adopt the provisions of N.J.S.A. 52:14-17.38 and adhere to the rules and regulations promulgated by the State Health Benefits Commission and School Employees' Health Benefits Commission to implement the provisions of that law.

2. This resolution affects employees as shown on the attached *Chapter 48 Resolution Addendum*. It is effective on the 1st day of January, 2023.
Month *Year*

3. We are aware that adoption of this resolution does not free us of the obligation to pay for post-retirement medical benefits of retirees or employees who qualified for those payments under any *Chapter 88 Resolution* or *Chapter 48 Resolution* adopted previously by this governing body.

4. We agree that this resolution will remain in effect until properly amended or revoked with the SHBP and/or SEHBP. We recognize that while we participate with the SHBP and/or SEHBP, we are responsible for providing the payment for post-retirement medical coverage as listed in the attached *Chapter 48 Resolution Addendum* for all employees who qualify for this coverage while this resolution is in force.

5. We understand that we are required to provide the New Jersey Division of Pensions & Benefits (NJDPB) complete copies of all contracts, ordinances, and resolutions that detail post-retirement medical payment obligations we undertake. We also recognize that we may be required to provide the NJDPB with information needed to carry out the terms of this resolution.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the:

Borough of Victory Gardens 07 / 18 / 2023
Corporate Name of Employer *mm* *dd* *yyyy*
337 South Salem Street Victory Gardens, Dover NJ 07801
Street Address *City* *State* *Zip Code*
973 366-5312
Area Code *Telephone Number*

[Signature] CFO
Signature *Official Title*

23 22-6013175
Number of Employees *Employer's State Employer Identification Number (EIN)*

Mail Completed Resolution to: New Jersey Division of Pensions & Benefits
Health Benefits Bureau
P.O. Box 299
Trenton, NJ 08625-0299

NEW BUSINESS CONTINUED:

RESOLUTION CHAPTER 48 CONTINUED:

Motion to adopt the Resolution by Councilman Glass, seconded by Councilman Suarez and approved on roll call:

Councilman Suarez	Yes
Councilman Glass	Yes
Councilman Hale	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Abstain

APPOINTMENT OF PART TIME TAX COLLECTOR -

RESOLUTION APPOINTING TEMPORARY PART TIME TAX COLLECTOR, ANGELICA SABATINI

WHEREAS, the governing body of Victory Gardens has determined the need for a temporary part time Tax Collector in that the permanent position is temporarily vacant; and

WHEREAS, there Borough Clerk has the opportunity to fill the position on a part time basis, and

WHEREAS, Angelica Sabatini is willing to accept the position on a part time basis, and

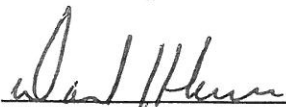
WHEREAS, Angelica Sabatini has all the necessary credentials to fill the position of Tax Collector; and

WHEREAS, the governing body has determined a fair recompense for the efforts of this position to be One Thousand Dollars (\$1,000.00) per month, and

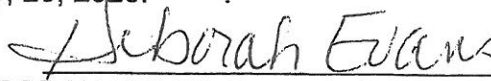
WHEREAS, the hours devoted to this position shall be flexible; and

WHEREAS, Angelica Sabatini agrees to accept such sum as full compensation for the duties required by this position, and is entitled to no other benefits such as health insurance and holidays.

NOW THEREFORE IT IS RESOLVED by the Mayor and Council of the Borough of Victory Gardens appoint Angelica Sabatini as Tax Collector for the Borough at a monthly stipend of One Thousand Dollars (\$1,000.00) per month and no other benefits and shall commence her duties commencing August 1, 2023 for an indeterminate period.


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 the Mayor and Council, which meeting was held on Tuesday, July, 25, 2023.


DEBORAH EVANS, Borough Clerk

Prepared: July 18, 2023

NEW BUSINESS:

APPOINTMENT OF NEW PART TIME TEMPORARY TAX COLLECTOR - The Clerk said we discussed this at the last meeting when we went into closed session. This new person wanted \$1,500 per month. I told her what we pay Karen and she wanted a slight increase to \$1,000 a month. We paid Karen \$953.33 a month and the increase would be \$46.67 a month.

Councilwoman Montes asked if Karen doesn't come on would the new person be willing to stay? I asked her and she said she would.

The Clerk said she likes Karen, she does her job well and I hope she comes back once her family situation gets better.

Motion was made on the appointment of the new part time temporary Tax Collector by Councilman Glass, seconded by Councilman Lorenzo and approved on roll call:

Councilman Suarez	Yes
Councilman Glass	Yes
Councilman Hale	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

OLD BUSINESS:

AMENDMENT TO RECYCLING ORDINANCE - The Clerk said this is the public hearing and adoption so you will have to open the meeting to the public for comment.

AMENDMENT TO CHAPTER 17-3.4 COLLECTION
OF RECYCLABLE MATERIALS

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

Jim Janone - What was the change that was made? Just the weight limit? Yes and the size of the receptacle. How are they going to know the weight when they pick up? They won't have a scale with them. They will know by the size of the container. If they try to lift it and it is too hard to lift up, then they will know. Also, the resident can put out as many containers as they want. What are they going to do if people put out all these containers and they blow over? They will pick the recycling up just like they do now. Who will enforce? They will put stickers on the container and it will be left there. If someone refuses to comply with the weight limit what happens?

Councilman Lorenzo said if we have to buy a scale we will and the men can take it with them. The Clerk said if once they get the sticker and then they don't take care of the problem, and if they leave the recycling to the curb then we can have the property maintenance person write them up.

Joan Cegelka - So, we have to go out and buy new cans? No. Use the ones you have now. If they are 60 pounds or gallons, then don't fill them all the way. These guys can't lift 50 pounds? How much money do you make on recycling? None. It is all part of the contract with the haulers. You have to keep the recycling out of the mainstream garbage. Otherwise you will pay more for garbage collection. When did we stop getting money for recycling? It has been a very long time - years. Many years the Clerk said. People will start throwing recycling in the garbage. We have some people that do that now. Most people are good.

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

Motion to adopt the ordinance by Councilman Glass, seconded by Councilman Hale and approved on roll call:

Councilman Glass	Yes
Councilman Suarez	Yes
Councilman Hale	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

Attorney Feintuch said he needs a motion to have the Mayor and the Clerk sign off on the contracts for Coolidge/Monroe sidewalks and also for the Washington Avenue Project.

The first one is for AJM Contracting for the Coolidge/Monroe Avneues sidewalk improvements in the amount of \$43,275.

Motion was made by Councilwoman Montes to have the Mayor and Clerk sign off on the contract for the Coolidge/Monroe Project in the amount of \$43,275. Seconded by Councilman Suarez and approved on roll call:

Councilman Suarez	Yes
Councilman Glass	Abstain
Councilman Hale	Yes
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	Yes

The next one is for the Washington Avenue project and that is to be done by American Asphalt in the amount of \$116,732.19. We have not received the performance bond yet. I spoke with them this morning and they said it would be delivered today and it wasn't. The motion should read that we are signing off on the contract but nothing will be done until we get the performance bond.

Motion was made by Councilwoman Montes to allow the Mayor and Clerk to sign off on the contracts for American Asphalt and trucking in the amount of \$116,732.19 but nothing will be done and they can't start work until we receive the performance bond. Motion was seconded by Councilman Hale and approved on roll call:

Councilman Suarez	Yes
Councilman Glass	No
Councilman Hale	Yes
Councilman Lorenzo	No
Councilwoman Garcia Montes	Yes

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

Jim Janone - Parking in the Borough is a joke. You have to enforce it. Fire Chief use to give out tickets for parking. Tell the Dover Fire Chief to come in and do it. Authorize Ron to write tickets. The garage doors - Hector said everything is good. The closed session with the Tax Collector, is that done now? Yes. When will the work be done on Washington Avenue? Right now we don't have a date. There is a preconstruction meeting tomorrow and we will know then. What about Coolidge/Monroe? when we have the preconstruction meeting with them we will know. Definite on the Washington Avneue will be done before the kids go back to school. Dover applied for a grant for the lead abatement, did we? No. Does anyone know about the report that the Water Department in Dover came up with? I haven't heard anything. Victory Gardens is mentioned. The report is about the water lines. They are going to be replacing lines in here. They are applying for a grant. They have until 2031 to get the work done. They will do 10% each year. The residents should know about this.

Joan Cegelka - We changed the things with pension years ago. Nothing with pension was ever changed. We made changes in the employees manual. Any changes in the policy and procedure manual we have. Any changes made were updated when they were made. Nothing was done with pension because the Council can't do anything with pensions. That is the State. For the parking Council has been working on this since Mayor palovitz was here. No one does anything. Can Mayor and Council write tickets in the areas of town that they live in? Councilman Glass said let Ron do it. The Clerk said it would have to be done at night. A lot of this goes on over night.

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 Councilman Glass and approved on verbal vote. None opposed.

Submitted By:

Deborah Evans

Deborah Evans
Borough Clerk