

October 10, 2023

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on October 10, 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, Councilwoman Hedgepath, Councilman Hale, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: Councilman Glass.

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

Motion to accept the minutes of September 26, 2023 as received by Councilwoman Montes, seconded by Councilman Suarez and approved on verbal vote. Councilwoman Hedgepath abstained as she was absent the last meeting.

CORRESPONDENCE:

LETTER FROM CFO - Everyone has a copy of the information from the CFO. Councilwoman Montes asked if payroll was done? As of the time Letty left this afternoon, she checked and payroll was not done at that time. Councilwoman siad she spoke to Joe and he told her it was done. He said it was done at 9:00 this morning. If it isn't done by the time we come into the office tomorrow, Letty will do it.

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

VOUCHERS:

Mayor Holeman asked if there were any questions on the vouchers? Councilwoman Montes asked why everyone is being paid twice on the vouchers? The Clerk said we cancelled the last meeting of this month for the flu shots. If payroll wasn't put on twice for this listing, the employees would not get paid at the end of the month. Councilman Lorenzo asked if they can get gas at any shell station? Yes, why? Because there is a different stub for a different Shell station. Yes, they can get it wherever they are.

Motion to pay the vouchers by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

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

(See Vouchers Next Page)

VOUCHER REPORTS
COUNCIL MEETING
September 26, 2023

Voucher #	Payable to:	Type of Service	Amount	Check #
10-01	Advanced Auto Parts	Buildings and Grounds	\$ 137.82	
10-02	AJM Contracting	Engineering OE	\$ 40,493.60	
10-03	Alegra Marketing -Print Mail	Clerk OE	\$ 640.00	
10-04	Att Long Distance	utilities	\$ 77.49	
10-05	Dover Board Of Education	Schools Taxes	\$ 97,057.00	
10-06	Dover Court	Shared Court Services	\$ 1,655.83	
10-07	Feintuch Porwich Feintuch	Legal Services OE	\$ 2,204.22	
10-08	Home depot Inc	Buldings and Grounds	\$ 173.21	
10-09	Interstate Waste Services	Trash Removal	\$ 12,267.58	
10-10	Kenvil Power	Buildings and Grounds	\$ 21.96	
10-11	MGL Printing solutions	Dog OE	\$ 648.00	
10-12	Nisivoccia	Annaul Audit	\$ 22,500.00	
10-13	NJDCA Div of Codes Standards	Clerk OE	\$ 68.01	
10-14	NJNG Fire House	Fire OE	\$ 275.01	
10-15	R and L Data	Clerk OE	\$ 274.00	
10-16	Rockaway Township Health Services	Health Services	\$ 6,704.75	
10-17	State of NJ Treasurer	Clerk OE	\$ 75.00	
10-18	The Hartford	Insurance OE	\$ 188.88	
10-19	Viking Pest Control	Buidings and Grounds	\$ 291.60	
10-20	Wex Shell Gas	Buidings and Grounds	\$ 310.28	
10-21	Hector Lorenzo	Streets and Roads SW	\$ 2,331.42	
10-22	Hector Lorenzo	Streets and Roads SW	\$ 2,797.44	
10-23	Leticia Diaz	Clerk SW	\$ 1,780.00	
10-24	Leticia Diaz	Clerk SW	\$ 1,820.00	
10-25	Manuel Venero	Streets and Roads SW	\$ 2,000.00	
10-26	Manuel Venero	Streets and Roads SW	\$ 2,400.00	
Total Vouchers			\$ 199,193.10	

NEW BUSINESS:

ORDINANCE FOR SALT STORAGE - This is something that the State wants all town to pass for stormwater. It is for privately owned salt storage. It is not for our salt storage but for anyone in town that may have a private salt storage area.

The Attorney asked if anyone in town has a private salt storage area? The Clerk said not that she knows of but the State wants everyone to do it and it has to be in place by the end of the year.

BOROUGH OF VICTORY GARDENS ORDINANCE FOR
PRIVATELY OWNED SALT STORAGE

Motion to approve the ordinance on introduction by Councilman Lorenzo, seconded by Councilwoman Montes and approved on roll call:

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

(See Ordinance Next Pages)

BOROUGH OF VICTORY GARDENS
ORDINANCE FOR PRIVATELY OWNED SALT STORAGE

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This Ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality in the Borough of Victory Gardens to protect the environment, public health, safety and welfare and to prescribe penalties for failure to comply.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- A. De-icing materials means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. Impervious surface means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. Storm drain inlet means the point of entry into the storm sewer system.
- D. Permanent structure means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
- 2. The design shall prevent stormwater run on and run through, and the fabric cannot not leak;
- 3. The structure shall be erected on an impermeable slab;
- 4. The structure can not be open sided; and
- 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

- E. Person means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

De-icing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th, but no longer than 30 days without prior written approval from the Department:
 - 1. Materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run through;

2. Materials shall be placed at least 50 feet from the surface water bodies, storm drain inlets, and/or ditches or other stormwater conveyance channels;
3. Materials shall be formed in a cone shaped storage pile;
4. All storage piles shall be covered as follows:
 - A. The cover shall be waterproof, impermeable, and flexible;
 - B. The cover shall extend to the base of the pile(s);
 - C. The cover shall be free from holes or tears;
 - D. The cover shall be secured and weighed down around the perimeter to prevent removal by wind;
 - E. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly cord nets provide a suitable method. Items that can potentially hold water (e.g. old tires) shall not be used.
5. The site shall be free of all de-icing materials between April 16th and October 14th.

- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of solid de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15th thru April 15th.
- C. The property owner shall designate a person(s) responsible for operations at the site where these materials are stored, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met.

Exemptions:

The Ordinance does not apply to facilities where the stormwater discharges from salt storage activities are regulated under another NJPDES permit.

Enforcement:

This ordinance shall be enforced by the (Police Department and/or other Municipal Officials of the Borough of Victory Gardens) during the course of ordinary enforcement duties.

Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this Ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines of \$250.00 per violation.

Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

Effective Date:

This Ordinance shall be in full force and effect from and after its adoption any publication as may be required by law.

Introduced: October 10, 2023

Adopted: _____

Mayor, David L. Holeman, Jr.
Borough of Victory Gardens

ATTEST: _____
Deborah Evans, Borough Clerk

Councilwoman Montes asked if our Halloween flier is on the website? I believe that it was put on. If not, we will put it on for tomorrow.

OLD BUSINESS:

DAY PITNEY CANNABIS APPLICATION - The Attorney asked if there were any questions on this application. Everyone has a copy of it.

Motion was made to accept the cannabis application for Day Pitney. Motion made by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on roll call:

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

Councilwoman Montes asked what has to be done next? The Attorney said he will speak to their attorney and he thinks we need to do a Resolution and then it will be forwarded to the Planning Board. SO what we did tonight will be subject to the Planning Board and what they have to do as the next steps.

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

Jim Janone - The 2% cannabis fee, how will that be calculated? The State does the calculation. I mean what will the town do with the money received? We dont know yet. We don't know what the amount is. You have to dedicate the money. The Attorney said you do not have to dedicate it. Who is doing the bank recs? I don't believe anyone is doing them at this time. Well, I heard that someone offered to do it and they were never answered. We received an email, we answered it. I told the requestor that the Council did not approve anything, did not mention it. It was something that was brought up in the public session of the meeting by a resident. Who then is doing the reconciliations then? The CFO will do them but I don't think they have been done yet. Payroll - you said the CFO wasn't doing it but you have been doing it? Yes. Did the Council elect someone to do it? No. Anyone can call in payroll. No, the Clerk said, Not just anyone can call in payroll. I am listed as a contact and the payroll company allows me to do it. Sewer reports that I brought up. Leon said it takes longer than 2 seconds to do the report. When will the closed session be allowed for the public. No time frame. it is an ongoing situation. Once it is cleared up then the closed session will be released. We did not have an Easter Party. There was money spent on ice cream. Where did that end up going?

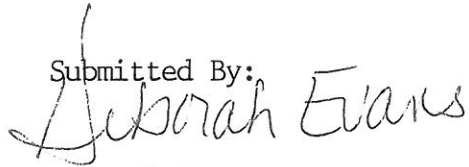
Public Meeting Continued:

Jim Janone Continued - Councilwoman Hedgepath said the party was cancelled because she had an emergency. The ice cream truck charged us \$100.00 and it was non refundable. Where will the rest of the money go from that party. We are having a Halloween Party and we will be having a bigger Christmas Party. Did you talk to Leon about the sidewalk on Monroe. I did. He said it wasn't in the specs and the same type of sidewalk is like that next to the church. Does Leon Hall have a sewer license? I don't believe so. The licensed operator in their company is Bill Ryden.

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. None opposed.

Submitted By:



Deborah Evans
Borough Clerk