

April 12, 2016

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on April 12, 2016.

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 Lorenzo and Councilwoman Garcia Montes.

ABSENT: Councilman Jacobus and Attorney Feintuch.

The Mayor asked for a motion to go out of the regular order of business so that Bill Schroeder from Nisivoccia can do the adoption of the 2016 Budget and the Audit.

Motion was made to go out of the regular order of business for the adoption of the 2016 Budget and the Audit. Motion made by Councilman Glass, seconded by Councilwoman Montes and approved on verbal vote. None opposed.

Bill Schroeder - We are here for the public hearing and adoption of the 2016 Budget. We went through State review this year. Council has no questions on the budget.

The Mayor asked for a motion to open the meeting to the public on the budget only. Motion made by Councilman Glass, seconded by Councilwoman Montes and approved on verbal vote. None opposed.

Jim Janone - What is the total increase in the budget? \$13,220 which is 2% .2% is the CAP? Yes. Do we still have that money from the BOE? Yes. We use \$48,000 a year to offset taxes every year. It should last us another 22 years or so. Since we have a \$13,000 increase why don't we use more of that money? The faster we use it the faster we will have to increase taxes. In the next 22 years I don't think alot of the Council people will be here. \$48,000 is a lot of money and that is about 6 tax points. It is a good balance of using the money without jeopardizing the tax CAP for the year that we do run out of money. We pay less than have of the overall state average in taxes. They are doing a very good job here. You still have the same costs as every other town. What does the \$13,000 equate to? It is 2 points. It is a tax increase of about \$2.92 per month or about \$35.00 for the year. This is on an average house with an assessed value of \$172,000. The raises were 3% . Yes.

Joan Cegelka - Joan said the increase for raises comes out to \$9,567. Pers, Social Security and Unemployment comes out to \$2,307. We also increased some revenue Bill said. Is the BOE money invested or is it in the general account? It is in the general account for the Borough. It is generated some revenue. You can't go out for more than a year on Certificates of Deposits. You are only allowed to use Municipal Funds for certain investments. The current rates are very low. They are about one tenth of 1% . We have to use some of this money to offset normal operations of the Borough. At the end of 2015 your balance was \$706,680 was your fund balance. Does this include any thing else? It does not include any receivables or payables. What do we have a total in the bank? \$3,438,000.00 . If you put some money in a CD wouldn't that generate more money than being in the checking account? Yes. It is earning in the savings account. Theoretically yes. I would have to talk to your CFO to find out what the cash flow needs are for the Borough. You still have to pay the County and the Schools. You have to wait until you get your tax money coming in. How much are school taxes yet this year? We don't know yet. We also don't know what the County is doing. If County doesn't go up it doesn't mean our portion won't go up. They are calculated on the overall valuations of the entire County. The County waits until everyone has their adopted budget in and then they come out with their figures.

No other comments from the public.

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

BE IT RESOLVED by the Mayor and Council of the Borough of Victory Gardens, County of Morris, that the budget herein set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and the authorization of the amount of \$674,139.00

Motion was made to adopt the Resolution and approve the 2016 Budget. Motion made by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

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

Motion was made to open the meeting to the public for the adoption and Resolution for the Audit. Motion made by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

Joan Cegelka - Are the audit recommendations the same this year as last year. There are three less this year. The only two left are the segregation of duties which we will have forever because there is such a small staff here. It is like a badge of honor. I would say that 80% of our municipalities in this area have this recommendation. The other one is the encumbrance accounting fixed asset system. The encumbrance and accounting for fixed assets, how long does it take your staff to do our audit? I don't know. We are here for about a week with 3 or 4 people and then we work on it back at the office. Would it go faster if we had the encumbrance system with all the reports? No. It would take longer. Right now we don't have to audit it because you don't have it. It is one less thing we have to do. We have all the reports. They are done. You just don't have the encumbrance system. Okay.

Jim Janone - Is the Capital fund still the same as last year? No. There were some ordinances done throughout the year. What is our total? CIF went down \$50,000. Outstanding Ordinances total \$400,000. Wasn't there something when we had the fire? Yes, I believe that is included in the \$400,000. When ordinances get cancelled then it goes back into the budget. The money we have in the bank is that FDI covered under insurance? No. It is GUPTA. It is government insurance. It has to be covered in full. The cost for the audit went up \$600. It goes up 2% every year. Why not force the town to do the encumbrance? I can't force them to do anything. The encumbrance system is good when you have 5 people that are allowed to order paper and all 5 order. If there was only \$100 in the budget and all 5 ordered you now have outstanding bills. You don't have that problem here because you only have 1 person ordering. You will never over expend the budget. You never have over expended the budget. So this isn't a problem. There is no encumbrance system by itself. It is part of a whole accounting package. You have the overall cost and then the people putting the information in and maintaining it. Every year we go through State review of our budget. If we had the encumbrance system we would not have to go through State review every year. You don't have a big need for this. Fixed assets I would say that half our towns do not have this. To have a company come in and do fixed assets is expensive. If the State ever comes down on any of the towns then everyone will have to do it.

No other comments from the public. Bill Schroeder said that a public hearing on the audit is not needed. Just so you know that information.

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

(See Resolution Next Page)

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT
FORM OF RESOLUTION

WHEREAS, N.J.S.A.40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body, and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C.5:30-6.5, a regulation requiring that the Governing Body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the Annual Audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body attached hereto; and

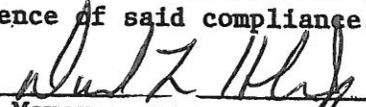
WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty five days after the receipt of the Annual Audit, pursuant to N.J.A.C.5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

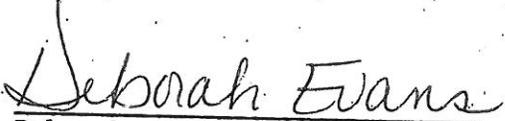
WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S.52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the Director (DLGS) under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Victory Gardens, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.


Mayor David L. Holeman, Jr.

I, Deborah Evans, Clerk of the Borough of Victory Gardens, do hereby certify that this is a true and exact copy of the Resolution passed at a meeting held on April 12, 2016.


Deborah Evans, Borough Clerk

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

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

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

Motion to accept the minutes of March 22, 2016 as received by Councilman Glass, seconded by Councilwoman Montes and approved on verbal vote. None opposed.

CORRESPONDENCE:

UPDATE PARKING ORDINANCE - I sent out letters to homeowners on Polk Avenue and Monroe Avenue. 21 letters were sent out certified mail and regular mail. We will be having these residents or homeowners at our meeting of May 10, 2016. They were sent a letter with the amended parking ordinance and the ad that was in the paper.

DOG BITE - Normally I wouldn't mention this but there was a drug arrest in Victory Gardens were there were 6 arrests. There was a dog bite which resulted in a cop getting bit. Our ACO was called in to get the dog. The dog has been at Golub Animal. We will be getting a bill for \$586.00 from them. Usually what happens, is that we have the owners pay the bill. If they can't pay it then the town has to pay it. The owners paid \$450.00. I settled on that because otherwise the town would have to pay the whole bill. The town will have to pay \$136. This will be on the next voucher listing.

Motion to accept correspondence by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

VOUCHERS:

Voucher #	Payable to:	Type of Service	Amount	Check #
4-001	Dover Board of Education	School Taxes - April	75,231.34	
4-002	Nisivoccia LLP - CPA & Advisors	Annual Audit - 2015	16,090.00	
4-003	Peter Rubinetti, Private Disposal, LLC	Garbage Trash Removal - April	10,533.33	
4-004	Waste Management of NJ, Inc.	Garbage Trash Removal - March	8,188.91	
4-005	RVRSA	RVRSA Share - April	7,847.00	
4-006	BSI Financial Services	Tax Collector OE / Redemption	6,791.69	
4-007	Henry O. Baker Insurance Group	Other Insurance - Pkg. renew. & NJ surc	6,121.00	
4-008	State of NJ- Dept. of Treas.-Div of Pe	Group Insurance - Health & RX for April	4,947.06	
4-009	Feintuch, Porwich & Feintuch, ESQ	Legal Services OE - Trash removal bids	2,712.50	
4-010	Philip Feintuch, ESQ	Legal Services OE - April	1,973.13	
4-011	Dover Municipal Court	Munic Court Dover - April	1,470.42	
4-012	Treasurer State of NJ	Streets & Rds. - Annual Fee, Water disc	1,050.00	
4-013	Victory Highlands C/O IMPAC Prop. M	Street Lighting reimbursment 2015	725.17	
4-014	Anderson & Denzler Assoc., Inc.	Engineering OE - Gen. Eng. & Stormwat	654.80	
4-015	JCP&L	Utilities - Boro Hall	629.03	
4-016	Postmaster General - Dover	Clerk OE - Stamps	376.00	
4-017	NJNG	Fire OE	359.89	
4-018	Jerry Flatt - Animal Control	Dog OE	300.00	
4-019	Herbert Evans, Jr.	Bldgs. & Grnds.	300.00	
4-020	Mount Freedom Printing, LLC	Clerk OE and Tax Collector	264.00	
4-021	Shell	Road OE	229.84	
4-022	Verizon	Utilities - 366-5312	212.97	
4-023	Verizon	Fire OE	98.95	
4-024	Vision Service Plan	Other Insurance	121.79	
4-025	Signarama	Fire OE - Not an Exit signs	114.00	
4-026	MMTC	Fire OE - Firehouse overhead door	114.00	
4-027	Daily Record	Clerk OE - Salary & Parking Ordinance	110.88	
4-028	Daily Record	Clerk OE - Audit report summary	102.96	
4-029	Daily Record	Clerk OE - Budget Summary	58.08	
4-030	Office Concepts Group	Clerk OE - Paper	60.56	
4-031	Petty Cash	Clerk OE - Certified letters	64.77	
4-032	Deborah Evans - Petty Cash reimburs	Clerk OE - Certified letters	100.00	
4-033	Deborah Evans - Recert for Clerks Lic	Clerk OE - Clerk's license	50.00	
4-034	AT&T	Utilities - 361-8121	45.91	
4-035	M.C. Registrars Assoc.	Clerk OE - Debbe Evans Class	25.00	
4-036	Eduardo Martinez	Streets & Roads SW	2,417.36	
4-037	Hector Lorenzo	Streets & Roads SW	1,410.64	
4-038	Deborah Devery	Admin SW	821.94	
	Total		152,724.92	

VOUCHERS CONTINUED:

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

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

NEW BUSINESS:

FINANCIAL DISCLOSURE STATEMENTS - The Clerk wanted everyone to know that it is time to get this done again. They must be completed by April 30, 2016. It seems to be a little easier this year. All the information from years past is already put on there.

EXIT SIGNS FOR FIREHOUSE - After discussion the Council decided to give the job to Time Electric. We received two estimates one from Fino Electric for \$795.00 and the one from Time Electric was \$675.00 . We sent out to several different companies but these are the two we got back.

Motion was made to give the job to Time Electric in the amount of \$675.00 . Motion made by Councilwoman Montes, seconded by Councilman Lorenzo and approved on roll call:

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

OLD BUSINESS:

PUBLIC HEARING, ADOPTION OF 2016 MUNICIPAL BUDGET - Done earlier in the meeting.

ADOPTION OF AUDIT AND RESOLUTION - Done earlier in the meeting.

SALARY ORDINANCE, PUBLIC HEARING AND ADOPTION -

AN ORDINANCE TO AMEND AN ORDINANCE TO ESTABLISH A SALARY RANGE AND FIXING SALARIES OF OFFICIALS AND EMPLOYEES OF THE BOROUGH OF VICTORY GARDENS.

Motion was made to adopt the ordinance by Councilwoman Montes, seconded by Councilman Glass.

At this time a motion was made to open the meeting to the public on the Salary Ordinance only. Motion made by Councilwoman Cheatham, seconded by Councilman Glass and approved on verbal vote. None opposed.

Joan Cegelka - Who creates the figures? Amy. Does she have a formula? I don't know. Some of the amounts have went up and some are the same. Yes. The salaries are per person. Not that they are making that but that is what they are. The breakdown for the Roads Department is Eddie makes \$57,138. Hector makes \$33,343. This is the figure from 2015. I got figures from the salary account for 2015. This is what Amy gave me. Who is our Book Keeper. I don't know. It may be Charlie. We just left it in. Who is William O'Conner? Our electrical inspector. Greg Ryan retired? From Victory Gardens, yes.

Jim Janone - Jim asked the salaries again for Eddie and Hector. Eddie is \$57,138 and hector is \$33,343. How come there is a big difference? Eddie is the Supervisor. Eddie started here in 1996 and Hector started in 2006. These are individual titles. These are per person. It doesn't mean they are making that. Is property maintenance in the ordinance? Yes. Limit of \$20,000. Ron is doing a good job and he is taking people to court.

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

The Mayor said we have a motion on the adoption of the Salary Ordinance. We need a roll call:

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

COMMITTEE FOR CAMPERS AND TRAILERS - The Clerk said she put this on the agenda because I don't know if we made a decision on if there would be a committee. I sent what Councilmen Jacobus and Glass did up and what I did up to the Attorney. I didn't know if you want to have a committee or not. The Mayor said that if Councilman Lorenzo wants to be on the committee they will set up a meeting for after the Board of Health meeting next week and talk about this.

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

Joan Cegelka - The flier about pools and having fences around them. The state law says there has to be a fence or they have to be emptied every time you use it. Why do you have to know the separate costs? You don't. You are putting the total cost of everything together. How many pools did we have last year? I think we had about 4 that got permits last year.

Jim Janone - Voucher list we are paying about \$300 for phone service. She is still looking. We have another call out with another company. A bill for \$2,700 for garbage bids for the Attorney. We went to bid twice. The first time someone bid on a three year service and the other one did five years. You still have to go out to bid and advertise again. Bill Schroeder said you don't have to open to the public on the audit. I understand that. You do open to the public. Yes, so if there are any questions Bill can answer. Why not revise your pool ordinance? The ordinance we use is State. Who monitors the pools? Phil Tobaygo. Where do they get drained?

Ron also goes around and he is on the weekends and during the week. Polk and Monroe Avenue did you say you sent out notifications? Yes. We gave them a copy of the Ordinance. The meeting date to be heard. It went out certified and regular mail. Signs will be put up? Yes.

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

Motion to adjourn our meeting by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

Submitted By:

Deborah Evans

Deborah Evans
Borough Clerk