

February 26, 2019

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on February 26, 2019.

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 Meetings Act.

ATTENDANCE: Councilwoman Cheatham, Councilman Glass, Councilwoman Hedgepath, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: Councilwoman White and Attorney Feintuch.

Motion to accept the minutes of 1/22/19 as received by Councilwoman Montes, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

Motion to accept the minutes of 2/5/19 as received by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

CORRESPONDENCE:

E MAIL FROM VALERIE WILLIAMS - As of this date you have not complied with our request for your professionals to provide a written response to the following questions: Why is the Borough Zoning Officer blocking the construction permit? The Mayor and Business Administrator have not provided an accurate account as to why our request was blocked from the Land Use Board? Why does the Borough Administration require use of our land without justification? My response was as follows:
There was nothing blocked from the Land Use Board. Barrie Palumbo has all your information. As the Administrator, I am not blocking anything. When you email, it is given to the persons for response. The Mayor and I both spoke with Community Development. They told you many months ago to turn your stairs so it isn't in the Borough right of way. They said to have your contractor do another plan. They would pay for the increased costs. Once that is done, I believe your stair pattern will be approved. I told her when the Planning Board meeting was to be held and I gave her the Mayors number if she wanted to speak to him. I also told her that whether she wanted to believe it or not, I am trying to help her the best I can.

LARRY COHEN - I gave everyone a copy of an email I received from Larry Cohen regarding puppy mills. He would like us to do an Ordinance on this. I am not sure if it has to be an Ordinance or if a Resolution would be ok. I can give this to the Attorney for review if Council wants to proceed.

LETTER FROM KEVIN NUNN PAST VICTORY GARDENS FIRE DEPARTMENT MEMBER - I have a letter from Kevin that I sent to the Attorney for help. They are saying that during 9/11 then Mayor, John Palovitz gave the fire department permission to go to ground zero. From being there, they are now having health issues. Some more so than others. There is a compensation fund set up where they can get medical help, I believe for free. In order to get that they need a letter from us saying they were given permission to go. I'm not sure of all the details, that is why I gave it to the attorney.

EMAIL FROM VALERIE WILLIAMS - I received this today. I would like the necessary information required to file a claim for reimbursement for doctors visits, x-rays, and additional expenses incurred due to lack of Borough maintenance of the stairs located at 7-11 Adams Avenue. As you are aware, the Borough has deemed that our stairs are in the right of way. I demand payment for my injuries. The Clerk said she forwarded all this to Jennifer at HO Baker Insurance. She will be dealing with this. There will be no other correspondence answered on this matter from the Borough. It will be directly addressed through the insurance.

VALERIE WILLIAMS - Valerie called and was asking about a survey from 2003 that Leon Hall did regarding a survey on both sides of Adams Avenue where she lives. She also wanted to know if the handicap ramp at 28 Adams Avenue was in the Borough right of way. I sent Leon up there to look and he measured and said no, the ramp is not in the Borough right of way. Also he said he can not find anything in thier files regarding a survey from 2003.

CORRESPONDENCE CONTINUED:

VALERIE WILLIAMS CONTINUED - I gave Valerie a copy of the email from Leon Hall.

The Mayor asked Council what they want to do regarding the puppy mill ordinance? Do you want Deb to send it to the Attorney? Councilman Glass said we can do a letter. The Clerk said they are asking for an Ordinance. An Ordinance has to be introduced, public hearing, adoption and all is advertised. With a Resolution you don't have to do all the legals.

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

VOUCHERS:

VOUCHER REPORTS

Date of Council Meeting:
Feb. 26, 2019

<u>Voucher #</u>	<u>Payable to:</u>	<u>Type of Service</u>	<u>Amount</u>
2-031	Anderson & Denzler #1	Planning Board - Mtg 1/16/19	43.63
	Anderson & Denzler #2	Engineering & Escrow (Cardona)	5,309.19
	AT&T	Utilities - 361-8121	46.63
	Daily Record #1	Clerk OE - Re-org meeting notices	79.12
	Daily Record #2	Clerk OE - Cancelled budget mtg.	6.45
	Door Jockey, Inc.	Bldgs. & Grnds.	304.00
	Eric M. Bernstein & Associates	Planning Board - Mtg 1/16/19	48.00
	Henry O Baker Ins. Group	Other Insurance	7,637.00
	Horizon Blue Cross Blue Shield	Other Insurance - L. Bly	894.36
	JCP&L #1	Street Lighting	636.90
	JCP&L #2	Utilities - Borough Hall	417.28
	JCP&L #3	Fire OE	90.58
	MicroSystems-NJ.com, LLC	Tax Assessor - Software Maintenance	350.00
	Morris County - MUA	Streets & Roads - Jan. Shade Tree	208.00
	Mount Freedom Printing	Prop. Maint. - Violation forms	200.00
	Nat'l Flag & Display Co.	Bldgs. & Grnds. - 5 Flags	321.30
	NJNG	Utilities - Borough Hall	791.00
	Office Concepts	Finance & Clerk OE	216.58
	Optimum	Utilities - Borough Hall	11.45
	Protective Systems Svcs.	Bldgs. & Grnds. - Replace camera	180.00
	Rockaway Twp. Bd. Of Health	Board of Health - 1st payment 2019	6,194.00
	Staples	Clerk OE - Flash drives for meetings	16.99
	Verizon #1	Utilities - 361-8121	78.71
	Verizon #2	Utilities - 366-5312	252.01
	Work'n Wear Store	Streets & Roads	250.00
		TOTAL	24,583.18

VOUCHERS CONTINUED:

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

Motion to approve the vouchers for payment 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

DEPARTMENT REPORTS:

Building Department - 2 permits issued for a total value of construction of \$8,125.

Property Maintenance - Everyone has a copy of the Rons report.

Municipal Court - We received \$248.17 from the court.

Tax Collector - Total Tax Receipts Month To Date: \$54,686.40
Total Tax Receipts Year To Date: \$54,686.40

Registrar Report - 1 marriage license issued. Total collected \$28.00

Finance Officer - No report. We just went over his report at the budget meeting.

COMMITTEE REPORTS:

Councilwoman Hedgepath - I went last night to do the presentation for the grant for the firehouse for \$66,200. This is for curbing, signage, parking lot, driveway, inlet repairs, paving. We are waiting now to see if we get the grant.

Councilwoman Cheatham - I attended a meeting where we were listening to requests for funding for towns and companies. We were there in order to find out who is eligible. We won't know until later in the year who has been given the money.

Councilman Glass - Nothing.

Councilman Lorenzo - Nothing.

Councilwoman Garcia Montes - Nothing.

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

NEW BUSINESS:

COST OF TWO NEW SECURITY CAMERAS FOR PARKING LOT - The Mayor said at the budget meeting he wanted to get a few more cameras in the parking lot. We got the estimate for that. For 2 new cameras it will cost \$750. He recommends adding them to the rear of the garage area to cover the rear parking and the dumpster area.

Councilman Glass asked if we will use the same equipment we have now? Yes.

Councilwoman Montes asked if this is the same company that does the work for us

now? Yes. Councilwoman Cheatham asked if they will integrate it into what we have? Yes.

Councilwoman Montes made a motion to approve the job for two new cameras in the parking lot for a cost of \$750. Motion seconded by Councilwoman hedgepath and approved on roll call:

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

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

Larry Cohen - My name is Larry Cohen. I live in Fanwood, New Jersey. I am a volunteer with the Humane Society. I would like to encourage you to join the other 126 municipalities in New Jersey to ban retail sales of cats and dogs in your town. Larry explained why he is out here going from town to town. These breeders in the midwest are considered factory farms. These dogs are in filthy, horrible conditions. This is a moral issue. Is it likely that a store will move into your town selling cats and dogs? No. Is it possible? Yes. We can't get to the breeders. We can't even access their inspection reports anymore. We were able to confirm what these stores were doing. We can't confirm that they are still doing this. We are trying to build a fire wall. We are trying to decrease demand. If the towns won't let these stores in then they can't source their puppies out. The Clerk asked if he has a sample Ordinance? I do, I will send it to you.

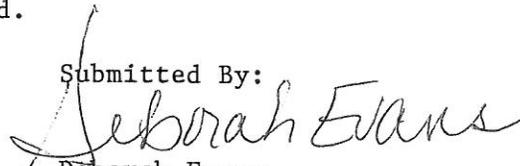
Jim Janone - You should refer to the Planning Board for their restricted uses. On Franklin and South Salem, there is a big pot hole. You should get cameras for the firehouse. People are letting their dogs run in the playground and they are letting them go to the bathroom all over the place without cleaning up after them. The Mayor said that was his next place to consider cameras. You should raise your fines for things like this. Once people get fined, they will stop. The letter from Kevin Nunn you may want to look into. not to take anything away from anyone that was there during 9/11 but I think you should be able to look at the fire department daily logs. You may want to look and see if it is written that permission was given. I already did that the Clerk said. There is nothing written. There is no approval from the Council. From what Kevin said, they spoke to then Mayor, John Palovitz and he gave them permission to go. Then there should be something in their log books that says that. The Clerk said that is why she gave this to the Attorney. What is the voucher for flash drives for meetings for? It is the sticks that we use for the recorder. So when I put in an OPRA request for a digital copy I should be able to get it? Which way do you prefer. You came in and you listened to the recording of the meeting that you wanted and you copied it onto your phone. Yes, but if you can give me a copy I won't have to waste an hour doing that. Well, you will have to speak to Debbie and find out how she can do it for you. We can check with Gramco and see what they say about copying.

Valerie Williams - Can you tell me how many utility poles are on Adams Avenue? The Mayor said he doesn't know. I can look. Didn't you have to approve the right of way? Why did Leon do a survey for my side of Adams Avenue but not the other side? Where is that survey? For the road work being done on Adams, there should be a survey. Utility companies come in and put their poles up and run wires, so therefore, someone knows where the right of ways are. They put in requests for right of ways. Councilman Glass said they put something up on his property and didn't get approval to do it. Who is going to contact the utility companies and see who gave them permission to put poles in the right of ways? They just can't come into a town and say we are putting this pole here and get away with it. Yes, they can. I have a neighbor who has a pole right in their back yard. No one asked permission to put it there. No one gave permission. They just came in and put the pole where they wanted it. If you have a right of way on one side of the street, it should also be on the other side. Are you sending Larry Cohen to the Board of Health? No. I can give Peter a copy of the Ordinance. We will go with the Planning Board first.

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

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

Submitted By:


Deborah Evans
Borough Clerk