

July 28, 2020

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on July 28, 2020.

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, Councilwoman White, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: None. Attorney Feintuch was not present at tonight's meeting.

Motion to accept the minutes of July 14, 2020 as received by Councilwoman Cheatham, seconded by Councilwoman Hedgepath and approved on verbal vote. Councilman Lorenzo and Councilwoman Montes abstained because they were not here for the last meeting.

CORRESPONDENCE:

NOTE TO MAYOR AND COUNCIL FROM CLERK - To date, there have been 14 children that moved out of Victory Gardens with their parents. There have been 23 parents so far that came in to register their children for school. It is a total of 37 children.

DOVER SCHOOLS - I have been talking to the Dover schools trying to get answers to some of our questions we asked them when we met with them. They are trying to get everything ready for the new school year and trying to figure out how they are opening the schools. They have until Friday of this week to come up with a plan on how they will do that. I spoke with the new transportation director for the schools. She gave me a list of the children going to school and what grades they are in. I gave her a copy of the paper we are having the parents fill out for their children. I told her we don't want anyone getting a pass for buses from them unless they have this piece of paper from them. Once Dover submits their plan to the state on getting the kids back in school they will be able to start working on what we asked them for.

LETTER FROM DAN MALONEY - I gave everyone a copy of the letter from Dan. He has been giving us questions about the school and he sent paperwork in that I sent to Phil.

Councilwoman Montes asked who he is? A resident from Victory Highlands Condos. Does he have something to do with the school board? No. Councilman Lorenzo asked if anyone has looked into what he is saying. Joe has a copy of the letter and we spoke about this with the Superintendent of Schools.

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

VOUCHERS:

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

Motion to pay the bills by Councilman Glass, seconded by Councilwoman Hedgepath and approved on roll call:

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

(See Vouchers Next Page)

VOUCHER REPORTS

Date of Council Meeting:
July 28, 2020

<u>Voucher #</u>	<u>Payable to:</u>	<u>Type of Service</u>	<u>Amount</u>
07-29-2020	Feintuch, Porwich, Feintuch, ESQ	Legal Services	796.25
07-30-2020	Herbert Evans, Jr	Bldgs. & Grnds.	350.00
07-31-2020	JCP&L - Fire #1	Fire OE	180.04
07-32-2020	JCP&L - Main #2	Utilities	807.81
07-33-2020	JCP&L - Streets #3	Street Lighting	620.69
07-34-2020	NJ State League Municipalities	Clerk OE	25.00
07-35-2020	Optimum	Utilities	11.45
07-36-2020	Philip Feintuch, ESQ	Legal Services - Monthly services	2,104.17
07-37-2020	Rockaway Twp. Div. of Health	Health Cont. Services	12,760.00
07-38-2020	RVRSA	RVRSA Share services	11,269.00
07-39-2020	Staples	Clerk OE	134.99
07-40-2020	Town of Dover - Fire & EMT Coverage	Adm. & Exec. Fire Dept.	16,500.00
07-41-2020	Verizon - 5312 - #2	Utilities	247.24
07-42-2020	WEX Bank - Shell Gas	Streets & Roads	222.53
07-43-2020	VSP Insurance Co.	Group Coverage	197.40
07-44-2020	Dover Bd. Of Education	School Taxes - July payment	92,746.67
		TOTAL	138,973.24

DEPARTMENT REPORTS:

BUILDING REPORT - 5 permits were issued for a total value of construction:
\$29,000

PROPERTY MAINTENANCE - Everyone has a copy of the report.

MUNICIPAL COURT - We received \$85.00 from the court.

TAX COLLECTOR - Total Tax Receipts Month To Date: \$ 78,835.61
" " " Year To Date: \$986,860.99

REGISTRAR - 2 marriage licenses issued. Total collected: \$56.00

CFO REPORT - Everyone has a copy of Joes report.

COMMITTEE REPORTS:

Councilwoman Cheatham - No report.

Councilman Glass - There is a leak by the Garden Chapel. Dover Water
is aware of it. The Clerk called it in.

Councilwoman Hedgepath - No report.

Councilwoman White - No report.

Councilman Lorenzo - No report.

Councilwoman Garcia Montes - No report.

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

NEW BUSINESS:

RESOLUTION IN SUPPORT OF OVERDOSE AWARENESS DAY - Everyone has a copy of the Resolution. It is something that the Couty asked us to do. The Resolution designates August 31 as Overdose Awareness Day.

RESOLUTION IN SUPPORT OF LEGISLATION DESIGNATING AUGUST 31 AS OVERDOSE AWARENESS DAY IN NEW JERSEY

Whereas, legislation has been introduced in the Senate of the State of New Jersey that would designate August 31 as Overdose Awareness Day; and

Whereas, the Borough has been requested by the sponsor of the legislation for the support of the Borough; and

Whereas, the governing body of the Borough is in full accord with the proposed legislation.

NOW THEREFORE, BE IT RESOLVED by the Mayor and convened Council of the Borough of Victory Gardens that the Borough Clerk advise the sponsor of the above reference legislation that Victory Gardens fully support the legislation.

BOROUGH OF VICTORY GARDENS

ADOPTED: July 14, 2020

DAVID HOLEMAN, Mayor

DEBORAH EVANS, Borough Clerk

Motion on the Resolution by Councilwoman Montes, seconded by Councilwoman Hedgepath and approved on roll call:

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

RON YOUNG PROPERTY MAINTENANCE - The Clerk said that Councilwoman Montes wanted this on the agenda. The meeting will be turned over to her at this time.

Councilwoman Montes wanted to know what Ron is making? He makes \$1,356.67 a month which comes out to \$16,280 a year. That is a lot more than what we were paying Greg Stafford to do the same job. This is money that we can save the town. Council as a whole when we something wrong we can let Debbie know and she can send a letter to the person as a warning and then ask them to correct the problem. That would save more money for the town and then maybe we won't have to cancel buses for the children. I would like to know whatthe rest of the Council thinks about this and that is why I asked it to go on the agenda.

The Mayor said that Ron is here tonight. He is doing a great job. He is making the place look much better. He sends out violation letters but he gives the people a month to clean it up. If it isn't done in that time he sends them another notice giving them another 15 days to clean up. Only after that he will do a summons if he feels it is necessary. He works with a lot of the people here. I use to live in Dover. There they give you 3 days. Then you have a summons.

Councilwoman Montes said that she knows he did a good job with cleaning up the town. We got him to clean up the town and that is what he did. For us to use taxpayers money on something that the Council could do what he does. We live here we see this everyday. Council can decide on this.

The Mayor said he is doing a great job. We should be glad to have him. Councilwoman Montes said not at the taxpayers expense. The Mayor said he is keeping our town clean. It looks so much better than what it looked like before. The Mayor said he isn't speaking for himself. He is speaking for residents that tell him the town is looking good. Councilwoman Montes said she is looking out and speaking for people in town also. Debbie does his reports and that is time she is taking away from her work. Councilwoman Montes said the town looks good again. The

NEW BUSINESS CONTINUED:

RON YOUNG CONTINUED - Mayor said that is because Ron is out here and doing his job. He does diligent work for us plus he goes to court when it is necessary for him to go. That is part of his job also. He is on top of keeping this town clean.

The Mayor asked if any Council member has anything to say? Councilwoman White asked what the salaries are in other towns that have a property maintenance person? They are much higher than what we are paying. Ron said that the average for this position is \$25,000 to \$30,000 per year.

Councilwoman Montes wanted to know what town they are? Glen Ridge, North Caldwell, Dover. We are a very small town. Ron said he understands that. When you hired me you hired me because there were many problems in here. It was a mess. I have stacks of violations that have been sent out. I spend many hours in court. Debbie was hired to do the secretary work for property maintenance but she does other things also. Councilwoman Montes asked how many times a week does he go to court? The only time to go is on Mondays. That is when Victory Gardens cases are heard. This past few months how many times have you been in court? Because of the virus, they haven't had court. I have to speak with the Prosecutor via zoom. We go over the cases at that time. Prior to that, how many times did you go to court? Maybe twice a month. It's 3 to 4 hours at a time. You have to sit there and wait for your cases to be heard.

The Mayor asked if anyone had anything else to say about Ron not doing his job. Councilwoman Montes said no one said he wasn't doing his job. I never said that. I am trying to save the town money on a position we never had before. We as the Council can be doing this job. Ron said you don't have an Ordinance that says the Council can do it.

Councilwoman Montes asked if there is anyone on Council that has anything to say about this and the \$16,000 we are paying Ron a year.

Councilman Lorenzo said this should be in closed session and not open. The Clerk said that it is Rons perogative to have it either in open or closed session. He asked that it be in open session.

Councilwoman Montes asked Councilman Glass what his feelings are about this? Councilman Glass asked if we ever authorized Ron to go after the illegally parked cars? He can not do cars that are parked on the road. He can do the ones on private property. Councilman Glass says he thinks Ron is fine.

Ron asked the Council if this all came about because he sent the Councilwoman A letter of violation? I haven't been home. I did not get a letter from you. I have asked this to be put on the agenda because people that have lived here for years are saying that you are harrassing them. I didn't get your letter because with being away I have received my mail yet. You say I harass people, you should hear what they say to me. I get called a bigot because I'm white. Iresent that. I tell people to call the Mayor or the Council if they have a problem. I spend a lot of time being harrassed but I know it comes with the job. Ron said that the person that did this job before me didn't write violations. He lived in town, he didn't want to embarrass the people that lived here by giving them a violation.

Councilwoman Montes said she wants to save the town money. It is up to the Council to decide what they want to do.

Councilwoman Hedgepath said she is fine with Ron. I wish eh would go around more. It would be good if he can go around on Thursday evenings. Ron said he only goes to court if they are the same people over and over again. I try to work withthe people.

The Clerk asked Councilwoman Montes if she wanted to do a motion to get a vote? I think it is too much money we are paying him for this little town.

Councilwoman Montes said you want to cut out busing for East Dover school. This money that we pay Ron can go to help pay the busing so we don't have to cut it out.

Councilman Lorenzo said he is in favor of keeping the properties clean. As long as everyone is equal I am ok with him. I keep my property as clean as I can and I would expect everyone else to do the same. If he is making people clean up I am all for it. I will not go against it.

NEW BUSINESS CONTINUED:

RON YOUNG CONTINUED - Councilwoman Cheatham said she would like to make a motion to keep things as they are. Motion was seconded by Councilwoman Hedgepath. Roll call:

Councilwoman Cheatham	Yes
Councilman Glass	Yes
Councilwoman Hedgepath	Yes
Councilwoman White	Abstain
Councilman Lorenzo	Yes
Councilwoman Garcia Montes	No

OLD BUSINESS:

HOUSING OFFICER - The Clerk said that Council asked her to put this on the agenda the last meeting in July. Councilwoman Hedgepath said she thinks we should wait longer as we don't have the information from the school. We still have over 200 children to register. Dover did admit at a school board meeting that there was an error on their part with our taxes. Yes, we are still hearing on what that amount would be. The Clerk said we are still waiting on information from the meeting that the Mayor, our Attorney and I attended. Dovers issue right now is that they have to set a plan up and have it sent in to the State by this Friday. They have to let the State know how they are going to proceed with having school in session - if that is what they are planning to do. They tell me that once they get that done they can get back to us with the information we asked for. By what I was told, they seem to be leaning towards opening partially. They will have half of the class attend Monday and Tuesdays until 12:30 pm so then it counts as a full day. The other part of the class will go on Thursday and Fridays half day and then everyone will do virtual on Wednesdays. This way they will be able to clean the classrooms. Dover did say they made a mistake on the school monies as far as Victory Gardens was concerned. When do we find out the outcome? When they figure it out. Councilwoman Hedgepath said we should hold off for now until they figure out what the error is.

Councilwoman Montes said she feels the housing person is not needed. Deb has done everything to follow this through and she has done everything that the housing officer would be doing. The people would be getting their bus passes from us, correct? No, Dover is still doing the passes. We are gathering the information as to where they live and how many kids are in the household. We are looking at leases and bills and birth certificates. They are registering with us and showing us proof that they live here. The Clerk said the one thing with a housing officer, he can get inside. He can measure the rooms. He can see if there is overcrowding.

Councilman Lorenzo said we should give this a chance, what we are currently doing and see what we get. The Clerk said she agrees with the Councilman in some respects. We can't make the people come to us, we can only ask that they come in and register. Dover will be sending out notices through their system to let people know to come get the passes. We have to put pressure on Dover to not issue passes unless we say so. The Clerk said in our meeting we mentioned this and they told us we can not deny a child to go to school. If they said they live here we can't deny entry into the schools unless we have proof that they don't live here. If they don't come in and fill out the form, we can not deny them going to school.

Councilwoman Montes said we aren't denying anyone but if they aren't on the leases they shouldn't be there. Correct the Clerk said. The apartments have been very good. They sent out letters after I gave them a list of the school age children in their apartments. They sent about 15 letters out telling the occupants that these people are not listed on the lease and shouldn't be living there. Of course, with all this COVID stuff going on they can't kick them out.

Councilwoman White said that people don't have to let anyone in to check the apartments with COVID. That is correct. Once all this is over though, a housing officer can get in. If they refuse they can get an injunction to go to court and have them issue paperwork saying they have to let the housing officer in.

Councilwoman Montes made a motion that we table this until next year when we have time to gather all the information. Seconded by Councilwoman Hedgepath and approved on roll call:

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

OLD BUSINESS CONTINUED:

HOUSING OFFICER CONTINUED - The Clerk said that she met with the new person that does the bus passes this morning. I gave her the paperwork that we are having the people come in and sign their children up with us. They have that now. I asked her not to issue any bus passes unless she gets this paperwork from the residents. The Clerk said when she met with the transportation person from Dover, they brought a list of all the kids from Victory Gardens. We will match that up with what they are telling us.

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

Victor Husbands - I have been a homeowner for 6 years. This is the first time that I am coming to you. I am sick and tired of people in this town, on the weekends making all the noise that they make. I understand you like your music. I understand that. Play it low so the whole neighborhood doesn't have to listen to it. I shouldn't have to call the police - I have better things to do. 4th of July was over on that date. I have pets. Last Saturday night, fireworks going off around 12:30 in the morning. It angers me. I take care of my property, I follow all the rules. If you have a home, you need to take care of that home. I lived in Morris Township for almost 30 years. I love it here. I could get up at 7 in the morning on the weekend and run my lawn mower. I don't do that. I have respect for others. There is a yellow line by the fire hydrant in front of my house. Good job of painting the line, but everyday someone is parking in front of my house in that spot where they aren't suppose to park! It is almost a foot that they are blocking my driveway. I park behind my house and people will park in my driveway thinking I'm not there. Even if I am not home - respect my property. You don't just do the right thing when someone is looking. You need to do it all the time. People need to respect that. There is an ordinance and people should follow it. Councilwoman Montes said our ordinance is no loud noise at all times. People have to call the police.

I don't want to do that. I have things to do and the police have things to do. People act like they don't know they shouldn't be doing this. It's not like this is only going to 8 pm. This is going all night long. I work and have to get up in the morning. This is very frustrating.

Councilwoman White asked if he has tried to talk to the people making the noise? No. I shouldn't have to. You send out fliers. This is on the fliers.

The Clerk said she started a flier today about the noise. Not that it will do any good - but we will send it out again.

I think the people making the noise should be fined as well as the owners of the property if they have renters.

Jim Janone - I have a question about this whole property thing that went on tonight. We have a council member that isn't following the rules and he hasn't received any violations. The Mayor asked who is that? Jim Glass. The back of his grass is about 12 inches high. He has multiple sheds back there. Property maintenance has to be enforced equally. Residents see this. I'm not picking on him. You are the elected officials. You are suppose to set an example for us. Councilwoman Montes said you shouldn't pick and choose who you want to go after. I was looking at some old paperwork on some resolutions you passed. For the liquor licenses, it says that no objections were given by the public. When were the liquor licenses brought up before the public? The Clerk said we do liquor licenses every year. They are always done in June. There was no public comment period. You have the right to speak at a meeting just like you are doing now. Even though you already passed the resolution the public didn't have any where to comment. You can comment in the public portion of the meeting. When someone is being hired in the town you don't put it in the Resolution as to how much they are being paid. The cost associated with that is always stated, the Clerk said. Council won't approve anyone without knowing what the cost is. The dollar amount has to be put in the resolution when you do your appointments for the year. That is for all the professional services. With your estimated tax bill, you didn't put all the figures in. Other towns have put in the amount of the tax and they put in what the total tax rate was that the tax assessor was using. It isn't the assessor, it is the Collector the Clerk said. Our resolution doesn't say anything. The Collector is the one who did the Resolution. As an example, Dover has it in theirs. Dover just passed the budget. Ours was done much longer ago than theirs. We used to have two public comment periods. We no longer

PUBLIC COMMENT CONTINUED:

Jim Janone Continued - have that. A lot of towns do this. Jim read a comment regarding this. The Clerk said you said it may be open twice. It doesn't have to be. Once you vote on something you can't go back and redo it.

The Mayor said we voted as a body to have 1 open session to the public. The Mayor said that back when that was a part of the council meeting it was being abused. We were sitting in here and not getting out until 11 at night. Jim said you never have sat here until 11 at night. The Clerk said yes we have. I remember being here until 12 and 1 at one point. The Mayor said the public is always welcome to speak.

Joan Cegelka - What kind of mistake was made with the figures from Dover? Councilwoman Hedgepath said they didn't mention what the mistake was or for how much. They just said there was a mistake and they will figure it out. If they made a mistake and there will be a reduction, will we see that reduction in our tax bills? The Clerk said the tax bills haven't gone out yet. We only sent the August one out. That was an estimated bill. They told us we were going up in our bills because of the extra 61 kids coming from Victory Gardens into Dover schools, and that extra was approximately \$700 on the year per household. If it was a 2 family house it would be more. I went back in records and found the funding formula and that is where the mistake was made, I believe. They have not given us what that mistake was. You haven't been billed yet for the increase. If we billed you for it, I would assume it would be a credit. We wouldn't bill everyone that kind of money just to do it. Joan asked if the Clerk gave them the funding formula? Yes, I found it in old records. What have they been using all these years? They said this is the first time it was overbilled. In prior years it was the right funding formula. Is there a new business administrator in Dover? Yes. Also, transportation director is new and a few others. You are talking about cutting for property maintenance. How many line items in the budget were increased even though they had a balance from last year? Councilwoman Montes said probably all of them. The Clerk said she didn't know. How much were the raises in the budget? What did that total? The Mayor said he wasn't sure. He would have to go back and look it up. Joan said these past years you are voting for raises and our taxes keep going up. This year especially, there should have been no raises especially with COVID and people losing their jobs. How many members on this Board voted no on the raises? The Clerk said she doesn't think any of them voted no. You should go over your budget and try to cut the fat from it before you want to cut services.

Ron Young - A comment was made about Jim Glass and his backyard. I didn't know about that. He has had those sheds for many many years. Long before I was hired. I spoke with the Zoning Officer and she told me, not with his property, but she told me there are pre existing conditions. I can go after him for tall grass. If I get a complaint I act on it immediately.

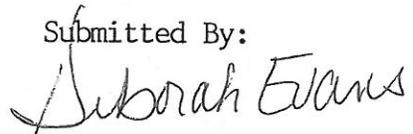
Diane Feola - I called the police at 7 pm on night. The music was blasting so loud, I was in my house with the door shut and the air on and it was still pounding. The police asked me why I am calling them at that time. I asked them if they couldn't hear what I was talking about. The noise ordinance has times in there but not decibels. It is very hard to get someone on that. You have to know how to read the machine and you have to have the machine in order to read the decibels, Councilman Lorenzo said.

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

The Clerk said she has one more thing. We were waiting on an estimate from UPBEAT for garbage cans. We need 2 more cans in town. I have been getting complaints on two streets about people hanging out and throwing their garbage in the street. If we had cans on the corners where this is happening, hopefully it won't happen any longer. We need to purchase 2 cans. We have the money in Clean Communities to pay for them. The cost is \$912 each. I just need Council approval to get them. Council said they are okay with this and to get them.

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

Submitted By:

A handwritten signature in cursive script that reads "Deborah Evans". The signature is written in black ink and is positioned to the right of the printed text "Submitted By:".

Deborah Evans
Borough Clerk