September 22, 2020

Regular meeting of the Mayor and Council of the Borough of Victory Gardens held on September 22, 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.

ATTENDANCE: Councilwoman Cheatham, Councilman Glass (Via phone), Councilwoman Hedgepath, Councilwoman White (via phone), Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: None

Motion to accept the minutes of September 8, 2020 as received by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

CORRESPONDENCE:

ZUFALL HEALTH CENTER - Zufall called me and wanted to know if they can continue doing the breakfast and lunches that Dover is no longer doing? They have spoken to Dover and so this is in conjunction with Dover. They want to do this 4 days a week - Monday, Tuesday, Thursday and Friday. They want to come in from 11:30 to 12:30. They need a parking spot for their van. They do not need to go into the firehouse. They want to know if this is okay for them to do. I told them I had to get Councils approval before they can do anything.

Coucnilwoman Montes said that most kids don't get out of classes until 12:30. Councilwoman Hedgepath said that they should do it from 1 - 2. This way all the kids will be out of school.

BUSING FOR EAST DOVER SCHOOL - The Clerk said that Dover wants to know what we are doing about the East Dover bus? They are working on the bus contract. They need to know how many buses we are having? We have 2 buses that go to the high school, 3 buses to North Dover and 1 bus to East Dover.

Councilwoman Montes made a motion that we keep the bus to East Dover School, 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

IMPAC VICTORY HIGHLANDS CONDO ASSOCATION - They want to put a fence up to block people coming from the firehouse back into the condos. They said that it will be partially on Borough property. He gave us a picture and I will pass that around so you can see it.

They don't want people walking through. They want to put the fence up and they will be responsible for maintenance. A small section would be on our property where it would get put together.

Council said to have the condos put the fence on their own property.

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

VOUCHERS:

The Mayor asked if there were any questions or comments on the vouchers? Counciwoman Montes asked about #22 to HO Baker - I told Debbie to cancel it. She looked back and said it was paid earlier so we voided this one out. Coucnilman Lorenzo asked about #25 forthe Planner - There was an OPRA request that had to be answered by the Planning Board and the Planner is the one that answered it. Coucnilman Lorenzo also said that #18 to the Dover Board of Education and #19 to the Dover court should have some documentation with it. Can we get an invoice to go with these 2 bills? We will ask.

VOUCHER REPORTS
Date of Council Meeting:
September 22, 2020

Voucher #	Payable to:	Type of Service	Amount
9/16/2020	Anderson & Denzler Assoc., Inc.	Eng., Firehouse lot, H. Sunshine Escrow Boro Imp.	2,269.50
9/17/2020	Barco Products	Non-budgetary grants	937.80
9/18/2020	Dover Bd. Of Ed.	School Taxes	92,746.67
9/19/2020	Dover Muni. Court	Muni Court in Dover	1,529.79
9/20/2020	Dover Water Commission	Utilities - Fire OE	145.39
9/21/2020	Feintuch, Porwich, & Feintuch, ESQ	Legal Services OE	3,027.50
9/22/2020	Henry O' Baker Insurance Group	Other Insurance	299.00
9/23/2020	Herbert Evans, Jr.	Bldgs. & Grnds.	350.00
9/24/2020	Ideal Air Inc.	Bldgs. & Grnds.	140.00
9/25/2020	J. Caldwell & Associates, LLC	Planning Board	130.00
9/26/2020	JCP&L - Fire #1	Fire OE	278.77
9/27/2020	JCP&L - Main #2	Utilities	395.08
9/28/2020	JCP&L - Streets #3	Street Lighting	620.39
9/29/2020	JLM Computers	Clerk OE	95.00
9/30/2020	Morris County MUA	Streets & Roads	807.75
9/31/2020	Optimum	Clerk OE	11.45
9/32/2020	Philip Feintuch, ESQ	Legal Services OE	2104.17
9/33/2020	Postmaster General - Dover	Clerk OE	330.00
9/34/2020	Rubinetti, Peter, Private Disposal	Trash Removal	10,933.33
9/35/2020	RVRSA	RVRSA share	11,269.00
9/36/2020	Sunnyside Florist	Clerk OE - Flowers Council Woman Montes	50.00
9/37/2020	Veizon - 263-0001-56 #1	Utilities	76.54
9/38/2020	Verizon - 366-5312 #2	Utilities	246.17
9/39/2020	WEX Bank - Shell Gas	Streets & Roads	343.48
9/40/2020	VSP	Group Insurance	98.70
		TOTAL	129,235.48

Motion to approve the vouchers for payment 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

DEPARTMENT REPORTS:

BUILDING DEPARTMENT - No permits were issued for the month of September.

PROPERTY MAINTENANCE - Everyone has a copy of the report. Deb also said to let you know that the truck at 17 Polk has been removed.

MUNICIPAL COURT - We received $285 from the court.

DEPARTMENT REPORTS CONTINUED:

TAX COLLECTOR - Tax bills went out yesterday.
Total Tax Month To Date: $ 374,915.76
Total Tax Year To Date: 1,571,962.53

REGISTRAR - One marriage license issued for a total collected: $28.00

FINANCE OFFICER - No reprot from Joe.

COMMITTEE REPORTS:

Councilwoman Cheatham - Nothing
Councilman Glass - Nothing
Councilwoman Hedgepath - Nothing
Councilwoman White - Nothing
Councilman Lorenzo - Can we check the wall at the firehouse. If we are doing work up there we should get that wall taken care of. The Clerk said she spoke to Leon Hall about this. He is asking the contractor that will be doing the work if there if he can do a change order and fix that for us also. He will go over that at the pre construction meeting they will be having within the next 2 weeks. I did ask Eddie and Hector if they could fix it and they looked at it and said they couldn't do it.
Councilwoman garcia Montes - Nothing

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

NEW BUSINESS:

BOROUGH HALLOWEEN PARTY - The Clerk said that the CDC is advising the towns not to have parties. I spoke with Peter in Rockaway Township. He said towns are cancelling because it just isn't safe yet. So, I need to know what Council wants to do.
Councilwoman Montes said that we didn't have an Easter party and we aren't having a Halloween party, we need to do something. Can we do maybe backpacks with supplies? Councilwoman Hedgepath said most of the kids got hteir backpacks through Dover. Councilwoman Montes said our kids didn't get anything from Dover. Councilwoman Hedgepath said her son did. St. Johns Church was giving them out. The Mayor siad that was from the Church - not the Town. Councilwoman Cheatham asked if the people we got the backpacks from last year, are they doing it again? Councilwoman Montes said that they were left over from the previous year and it said Dover on them. The Mayor siad that was done in conjunction with Municipal Alliance.

Councilwoman Hedgepath said she would look into the cost for purchasing back packs and putting supplies in them and then get bcck to the Council. I will look into that instead of having the Halloween Party. We can throw candy in there. The families will have to register because little kids would need different things compared to the high schoolers. Councilwoman Montes said to contact Wal Mart. They may help out. The Mayor asked if a letter will go out? The Clerk said not yet. We should see how much it will cost.

TRICK OR TREATING IN THE BOROUGH - The Clerk said she wanted to ask the Council about this. There are some towns that are cancelling this altogether. We get families in from other towns and I can't say how safe anything would be. The Clerk said she isn't worried about our kids going out, we just have to think about others coming in. Council said to leave Halloween as is.

EAST DOVER BUS - We talked about this earlier in the meeting.

OLD BUSINESS:

ZONING OFFICER/HOUSING OFFICER - The Clerk said you need to make a decision on what you want to do. Barrie is our Zoning Officer she does Planning Board and Zoning. She will be leaving the end of October. We did talk about a housing officer to go in to help with over crowding. If youwant me to start looking for someone to fill this position I have to know what you want me to look for. Councilwoman Montes asked if I had anyone in mind? I have 2 people that I spoke to about this. Councilman Lorenzo asked about Phil tobaygo? He said it was too much work and he didn't want it. It requires going to Planning Board meetings and then also doing zoning. Barrie is also the Planning Board Clerk. Councilwoman Hedgepath said to advertise for both as a combined person but have them give us separate fees as to what it would cost and then give it to us combined also. The attorney said the Borough needs to have a housing officer. They can go into houses and see if there is a violation.

OLD BUSINESS CONTINUED:

HOUSING OFFICER/ZONING OFFICER CONTINUED - Councilwoman Hedgepath made a motion to hire a zoning officer/housing inspector combined but also to see what they would charge if the job was split. Seocnded by Councilwoman Montes and approved on roll call:

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

MEDICAL MARIJUANA DISPENSARY - We have not heard anything else from them justtheir original request. Council has to decide what they want todo. Councilman Glass asked what would happen to the liquor license? It would just be dropped. Will it be there for someone else to use? Not under their name. The State allows so many liquor licenses per town based on your size. He hasn't talked about selling it to anyone.

Councilwoman Montes said she thought they already did this. Councilwoman Cheatham said it was discussed but we never said what we wanted. Council said to turn it over to Planning Board. Planning Board wants to know what it is hat you want the Ordinance to include? Do you want medical marijuana only? If recreational is passed into law, do you want them to be able to have this in the same building? What about all the oils, creams, etc, that goes with the sale of this stuff? From what I understand, the Clerk said, if you allow a dispensary in town, you can charge them as you would a liquor license. With a liquor license you can only charge up to a certain amount. I'm sure you will have to follow State guidelines. I also heard that if you have this in town, the State will be taxing the company also. So there may be additional money brought in for the town on the money the State collects. This is only hearsay. I don't know if that is true or not. You have to have something in an ordinance to say that you want just medical or if it becomes legalized that you want that too. If you don't have it spelled out you may be forced to do something that you don't want to do.

The Attorney said that if Council is against the dispensory then there should be an ordinance to that effect. You would do this for any marijuana facility. If someone makes an application and you don't have any ordinance you just can't say no. The attorney said we can say in the ordinance that we are only allowing one dispensary. We won't identify it as medical or recreational. This would be providing that they get the necessary State approvals.The Attorney said this would be up to the Planning Board to have their Attorney draw up the ordinance.

Motion was made by Councilwoman Montes to allow 1 marijuana dispensory in the Borough. Motion seconded by Councilwoman Hedgepath and approved on roll call:

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

CODIFICATION OF ORDINANCES - The Clerk said we have been talking about this at several meetings. I did ask General Code when the last supplementaion took place. That was done in 2010 and it covered 30 ordinances from 2004 - 2010. That one cost us $7,451. The current supplementation covers 2011 through 2019. There are 34 Ordinances and the cost is $7,663 that is including the ecode.

Everyone has a copy of everything that I received from the company that would do this work - General Code. I gave everyone a copy of the most recent paperwork from General Code and why we should have the code on line. Most of what was written was for the ease ofthe residents to find ordinances they may want to look at but it is also for when Joe does the Best Practices Inventory that the State requires every year. For having the code on line you get points for the best pratices and that would help our score and help us to keep our State Aid that we currently are receiving.

OLD BUSINESS CONTINUED:

CODIFICATIONS OF ORDINANCES - Council said they don't think we need to get this done. All Council has the updated Ordinances that we do every year. The Clerk said that each of you receive a copy of the ordinances. You can put htose into the book that you currently have. The questions are, do you? Do you have your updates? are you putting them in your Ordinance Book? You have to put them in the right section of the code book so that if anyone asks you for information, you are giving them the correct information.

The Attorney said that this a matter of credibility. There should be a volume or book that has all your ordinances in them and one that is updated periodically. Councilwoman Montes asked the Clerk if her book is up to date? No. I have the book that everyone has. As we pass ordinances, I don't put them in the book. Too many people use my book and all the pages would be gone. I have another book where I put all the updated ordinances but that isn't in the current book.

The Attorney said we should have a bound volume ofthe legitimate ordinances of the Borough.

Councilwoman Montes made a motion NOT to do the update to the ordinances. Motion seconded by Councilman Glass. Roll call:

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

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

Chris Trotsky - In regards to the ordinance update. What are you getting for that? I like it I just may not understand it all. Is it yearly? Is it a one time thing? The Clerk said if you have the ecode that is when they put it on line so everyone can access it. That costs $1,195 for that service. That is done every year. For the company to do the updateed ordinances and have them in our current book the costs is $6,468. That amount is only paid out when you getthe updates. For us, it seems that those updates are every 8 to 10 years.

Jim Janone - The wall at the fire house. Do you think you can put a 4 foot fence up on top of the wall. Kids play in the driveway. That drop off is pretty big. Kids sit on the wall. It is a hazard right now. That wall has been there for a long time the Mayor siad. Zoning and Housing, why don't you do a shared service with another town? League of Municipalities will post help wanted sings on their website and it is free of charge. We haven't heard an update on the schools? Are we getting a refund of monies? We don't know yet. We are looking for a refund with the school busing. They are trying to work all of that out. What happens when ESC ceases operations in December? This is what we are waiting to hear on. If the children aren't going to school at all this year then we shouldn't be charged for busing. If the school has to go into a contract so they have something in place for if and when the kids go back to school, then there should be something in the contract that if their services aren't used, there is a refund. Everything is up in the air at this point the Clerk said. We were also waiting on the Council to decide if they wanted to get rid of the bus to East Dover or keep it. Tonight they voted to keep it. That could have saved a little money, but they decided to keep it the Clerk said. Jim said that in June the Dover Board of Education did a contract for busing. This whole thing with the medical marijuana - you guys haveto be careful. You can't have personal opinions about these things. You have to decide what is best for the community.

Joan Cegelka - Is the Show Place still in business? They are not. They have the property up for sale. When you talk about the dispensary do you have to say in your ordinance that is just a medical one? The Attorney said his recommendation would be to have it listed as general marijuana. We can still deny it but this would allow for both medical and recreational. I believe that there will not be separate dispensorys. You can't jsut say it will be medical only? I don't think so the attorney said. It will be done by the guidelines that the State lays out. Morris County Superintendent of Schools - has anyone contacted the transportation coordinator at the County. You can see if they can help with the transportation issue. They were always a big help to me. ESC is not leasing buses anymore? Correct. Are they still putting out bids for the different schools for busing? The Clerk said that from what she was told ESC had their own buses and they are getting rid of them. They let their drivers go. ESC always did it Joan said. They do all the work and then they pick the cheapest contract for our buses.

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

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

Submitted By:

Deborah Evans

Deborah Evans
Borough Clerk