

June 9, 2020

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on June 9, 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: Councilman Glass, Councilwoman Hedgepath, Councilwoman White, Councilman Lorenzo, Councilwoman Garcia Montes.

ABSENT: Councilwoman Cheatham.

Motion to accept the minutes of May 26, 2020 as received by Councilwoman Garcia Montes, seconded by Councilman Lorenzo and approved on verbal vote. None opposed.

CORRESPONDENCE: None

VOUCHERS:

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 Councilwoman Hedgepath and approved on roll call:

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

<u>Voucher #</u>	<u>Payable to:</u>	<u>Type of Service</u>	<u>Amount</u>
6/1/2020	Door Jockey	Bldgs. & Grnds.	250.00
6/2/2020	Dover Municipal Court	Muni Court Dover	1,529.79
6/3/2020	Dover Water Commission	Utilities & Fire OE	137.90
6/4/2020	Feintuch, Feintuch, & Popowich	Legal services for Taft, Polk & Garfield	1,850.00
6/5/2020	Glass Gardens, Inc. - ShopRite	Clerk OE	7.56
6/6/2020	Horizon Blue Cross Blue Shield	Other Insurance	910.47
6/7/2020	MGL Printing Solutions	Clerk OE	252.00
6/8/2020	Morris County Farms	Bldgs. & Grnds.	34.00
6/9/2020	Morris County MUA	Streets & Roads	519.75
6/10/2020	NJNG - Fire	Fire OE	183.00
6/11/2020	Postmaster General - Dover	Clerk OE - Stamps & Postcard stamps	435.00
6/12/2020	R & L Data Centers, Inc.	Finance	250.00
6/13/2020	Rubineti, Peter, Private Disposal	Trash Removal	11,233.33
6/14/2020	Verizon #1 - 361-8121	Utilities	73.63
6/15/2020	Verizon #3 - 366-7536	Utilities	60.70
6/16/2020	NJ Health Benefits	Group Insurance	4,809.80
		TOTAL	22,536.93

NEW BUSINESS:

HOUSING OFFICER - The Clerk said she has received 2 resumes. I still have people I am waiting to hear back from. Once I get their information, I will forward it to the Administration Committee for interviews.

RESOLUTION TEMPORARY TAX BILLS - Everyone has a copy.

Resolution of the Borough of Victory Gardens
State of New Jersey, County of Morris,
Authorizing the Tax Collector to prepare
and mail estimated tax bills in accordance
with P.L. 1994, C.72

Whereas, due to the late approval by the State of New Jersey of the Borough of Victory Gardens's 2020 Budget, the Morris County Board of Taxation is unable to certify the tax rates of the Borough, and the Borough of Victory Gardens Tax Collector will be unable to mail the Boroughs 2020-2021 tax bills on a timely basis; and

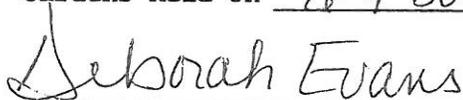
Whereas, the Borough of Victory Gardens Tax Collector, in consultation with the Borough Auditors, has computed an estimated tax levy in accordance with NJSA54:4-66.3, and the Collector signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies.

No Therefore Be It Resolved, by the Borough Council of the Borough of Victory Gardens, in the County of Morris and State of New Jersey on this 9th day of June 2020 as follows:

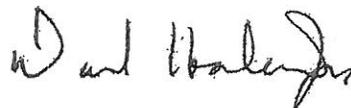
1. The Borough of Victory Gardens Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough of Victory Gardens for the third installment of 2020 taxes. The Tax Collector shall proceed and take such actions as are permitted and required by L.1994,c.72 (NJSA54:4-66.3)
2. The entire estimated tax levy is set at \$2,007,718.96
3. In accordance with the law, the third quarter installment of the 2020 taxes shall not be subject to interest until the later of August 10 or the 25th calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

Karen Ferrone, Tax Collector

I, Deborah Evans, Clerk of the Borough of Victory Gardens, do hereby certify the foregoing resolution to be a true and exact copy of a Resolution adopted by the Mayor and Council of the Borough of Victory Gardens held on 6-9-2020.



Deborah Evans
Borough Clerk



David L. Holeman, Jr
Mayor

NEW BUSINESS CONTINUED:

RESOLUTION FOR TEMPORARY TAX BILLS CONTINUED -

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

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

HOUSING OFFICER ORDINANCE INTRODUCTION: - The Clerk said she spoke to the Attorney about this. The attorney said there are a few things that need to be adjusted on this Ordinance. I want everyone to be familiar with this. Deb asked me about fines which I did not address. Once you adopt there has to be a time where this doesn't become effective. So that would be after adoption the ordinance will be effective 90 days later. If found in violation the tenants need time to get out. The landlords can be fined. But you have to give the tenants time to find another place to live. The landlord will have to pay 6 months rent to the tenant if the Ordinance is being violated.

I will include those things that need to be done and then give this to Deb so she can send it out to the Council. Then I will need everyones input on this.

Councilman Lorenzo asked if we notified the landlord? Yes we have done that.

The Attorney said you can also have the landlords pay for these inspections that have to be done by the housing officer.

The Clerk asked the Attorney if he wants to speak at this time about what they talked about with it not mattering if the house is a rental or owner occupied.

The Attorney said the way the ordinance is written it affects not only the absentee landlords but also the homeowner. If an owner has a house in here and they live in that house and they have too many people living there according to the housing code, they are in violation also. The housing code talks about square footage for the homes and how many people are allowed based on the square footage.

Councilwoman Montes said she thought home owners that lived here were exempt from this? No, they are not. The way the code is written, it doesn't matter. You can't discriminate the renters. It is for everyone. You can not convert a basement. There is no living quarters in the basements unless you have means of egress. You have to have sanitary conditions. For a bedroom you have to have 70 square feet for the first occupant and 50 additional feet for the second person. So it is 120 square feet for 2 people. So this is basically a 10x12 room Councilman Glass said.

In the apartments/condos the State goes in and inspects every 5 years. We can also go in. A housing officer has the right to go into homes. If the people let you in that is great. If they don't you go to court and get a search warrant. Then they have to let you in. The Attorney said that if Council comes up with anything they have questions on or anything you want added, let Deb know so she can contact me for discussions.

The attorney said Dover counts the number of students at the beginning of the school year. They use that as a ratio and we pay 9% of their budget predicated upon 9% of the students coming from Victory Gardens. This is the simple way to do things. I don't know if it is the correct way to do it. The Superintendent of Schools would know that.

Councilwoman Montes said she doesn't feel good about having to put people out of their homes. None of us want to do that. If we find out Dover is wrong and they charged us how do we recoup that money?

This will be held until the next meeting.

NEW BUSINESS CONTINUED:

OPENING PLAYGROUND - The Clerk said we were going to discuss this tonight but there is no need to do that now. The Mayor said he received a response back from the Governors office. Playgrounds still have to be closed.

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

Joan Cegelka - Is there anyway that you can have the children register here with the Clerk before anything gets done with Dover? The ASSA report is a final count of children as of October 15th. Dovers figures have to match Victory Gardens. We have no one comparing figures with Dover so we basically take what they give us as the count. You can have the parents come here to register the kids and then we can match with what Dover has. I know for a fact, that kids came in to Dover before that final count, they kept them with Dover for the ASSA count and then turned them over to Victory Gardens after the count was over. Which meant that Dover got the State Aid and Victory Gardens got the tuition. You can not depend on Dover to keep the count of your kids. The Clerk said we found that out. You have to have the parents come here and show proof that these kids live in our town. Ask for more proof than a license and registration. The Clerk said we know that as people keep licenses with their old addresses on them because they never get it changed.

You mentioned someone on Coolidge Avenue who had someone going to the Dover schools but the child wasn't their own child, he was a relative, can we make them pay for that tuition? The Attorney said they have to establish that this is a legitimate residence. They have to have guardianship papers.

The Clerk said she thought this was asked when the kids went for bus passes and then we learned that when they give out passes they don't ask anything. From what I was told, all that information is gathered by the school when a child comes in to register. They look everything over so when it is time to issue a bus pass all that information is already there and they don't have to do anything but issue the pass.

The Attorney said we should notify Dover that they are not allowed to register any child that Victory Gardens hasn't approved of. They will have to register with us and we will have to approve it before Dover gets it.

Jim Janone - What are you doing about outdoor dining? Funny you should ask, I was just talking to Barrie about that this morning. Alonzos want to have outdoor dining in the parking lot. I refered it to Barrie. You can't have anything unless the town does a Resolution. They may be able to have it on the sideealk as long as it doesn't encroach on anyone elses' store. This stuff on the housing you may want to look at this. If a married couple share a bedroom and the bedroom by square footage isn't big enough then you may run into some problems. Not all houses in here are the same size. The school aid, I looked on line and I wish someone on this Board would go to the Dover Board of Ed meetings when they open back up, can't we have a liason that goes to these meetings to represent us? You don't need a liason, you just need someone to go to be a part of the public. Due to the virus, the Governor is saying that he is taking back school aid. He is supposed to be taking back 335 million. Dover is supposed to be losing 2.8 million dollars. Where is Dover going to find that money to make up? This is for next year, not this year. This is what the Governor is saying he is going ot do. The Attorney said that is a recommendation by the Legislature.

Brunilda Orama - Has anyone looked at budget cuts that we can do? Do we really need to have t he parties for the kids? Do we need the park? Who pays for the firehosue? Who pays for utilities at the firehouse? We do, it is out building. Dover responds to our fire/rescue. Wehave people that aren't working. Councilwoman Montes said we have the cheapest taxes going. I think it may be Mine Hill. I don't know. Our taxes keep going up. This increase is because of the children going to Dover. We have 61 more kids going to the Dover schools. The Attorney said we have nothing to do with Federal Reserves. We don't know what they are going to do. The Attorney said these people will be looking for votes. You don't have to vote for them. There are a lot of things that are uncertain right now. I have a lot more to ask. Can I leave a list so it can be looked at? Yes, you can give us a copy.

PUBLIC PORTION CONTINUED:

Theresa Mendoza - You did discuss transportation. I know when I was on the VG Board of Education that we are within the 2 mile radius for East Dover School. Yes, we are looking at cutting that bus out the Clerk said. Our busing is a courtesy - not an obligation. We have a 25-28% poverty rate in VG. We are over twice as much as Dover. Our median income is about \$25,000 less compared to Dover. We have 61 new students according to Dover. We haven't put any new housing units in. Where are these new kids. If these people are stacking then something needs to be done. Busing invites theft of services. It is a fact. People see that kids are being dropped off in here, so they can take our buses. Council member raises, it's tough times here. Why did we pay so much for our windows for the town hall? It went thru the bidding process and we chose the lowest bidder. All bids are sealed and opened either at the Council meeting or the Engineer comes here and opens them at a meeting with the bidders. Who is our housing enforcement right now? We don't have anyone that is why we are talking about hiring someone. DYFS has rules for number of people in homes based on square footage. Population density - NJ is the most populated State in the Union.

Gina Brisson - Can you put a motion to extend time for 5 minute speaking? We can but then if we extend for one everyone will want it. Can you vote on the agenda with flexibility? The agenda is made the Friday before a meeting. The public doesn't make the agenda. If you have something that you would like to speak about that may take more time you can ask the governing body if they will make an exception. I saw the notice on the Victory Highlands Condos bulletin Board about the increase in taxes due to the 61 new kids that came in to the Dover school system. I was disappointed that we didn't get individual notification about this. I don't have kids, I know there is some part of responsibility there as a resident. I have neighbors that are seniors who can barely pay their mortgage on top of the association fees that we have to pay every month. At the beginning of the COVID 19 we got a notice that the recycling would be suspended. I don't understand why that would happen as we pay taxes. It was later retracted. The Clerk said that for us to stop recycling it wasn't us directly. The place where the recycling was being taken was shut down so there was no place to get rid of it. We brought in a new dumpster to pick up and so we never did not pick up. Currently we are taking the recycling to New York until our recycling plant reopens. I got a notice about my dog not being registered and that was put on my door. How come I can't get an important notice about my taxes directly sent to me? The notice you received about your dog was from the people that do the dog/cat census. They go door to door. A notarized paper should also be used for the people registering children. If the adult is not the child's legal parent or guardian there should be an order from the courts. I am holding you all accountable especially if you receive a salary.

Councilwoman Montes said we are not allowed to send to each individual condo. We were told that one flier is enough and it will be posted on the bulletin board.

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

Councilwoman Montes said she would like to thank Pastor Tim from the Garden Chapel, Mayor Holeman and Council for letting them bring the food in for Victory Gardens. We are bringing in food to help the people that live here and its good stuff that they are giving out. People should call Pastor Hector, they will be given a number and put on the list. Pastor Tim is really good. The Mayor thanked Councilwoman Montes and the rest of the Council for their help in this also.

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

Submitted By:

Deborah Evans
Deborah Evans
Borough Clerk