

January 14, 2020

Regular meeting of the Mayor and Council of the Borough of Victory Gardens, held on January 14, 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 absent for this meeting.

Motion to accept the minutes of December 10, 2019 and the minutes of January 7, 2020 as received by Councilwoman Montes, seconded by Councilman Glass and approved on verbal vote. None opposed.

CORRESPONDENCE:

FROM VALERIE WILLIAMS - Everyone has a copy of Valeries email. It was regarding the Combined Land Use Board minutes for Planning Board. She said the meeting minutes are incomplete. She said that a response she was given was not in the minutes that Debbie typed. The minutes were typed by Debbie Devery as correct.

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

VOUCHERS:

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

Motion made by Councilman Glass, seconded by Councilwoman Montes and approved on roll call:

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

(See Vouchers Next page)

VOUCHER REPORTS

Date of Council Meeting:

January 14, 2020

<u>Voucher #</u>	<u>Payable to:</u>	<u>Type of Service</u>	<u>Amount</u>
01-001-2020	Animal Hospital of Roxbury	Dog OE	175.00
01-002-2020	AT&T	Utilities	88.59
01-003-2020	Behre Associates, PC	Firehouse parking lot project	950.00
01-004-2020	County of Morris Treasurer	911 Costs	5,050.00
	Daily Record	Clerk OE - Tax book available	5.59
01-006-2020	Feintuch, Porwich & Feintuch, ESQ	Legal Services OE, Tort claim	262.50
01-007-2020	Feintuch, Porwich & Feintuch, ESQ	Legal Services OE, RVRSA services	2,922.50
01-008-2020	Gannett New Jersey Newspapers	Clerk OE	66.22
01-009-2020	Gramco Business Comm.	Clerk OE	1,095.00
01-010-2020	Henry Jomecha	Overpayment	985.72
01-011-2020	Henry O. Baker, Ins. Co.	Other Insur. Accident Policy	492.00
01-012-2020	Henry O. Baker, Ins. Co.	Other Insur. Employee Theft coverage	458.00
01-013-2020	Henry O. Baker, Ins. Co.	Other Insur. Blanket Acc. Insurance	492.00
01-014-2020	Home Depot	Clerk OE	179.70
01-015-2020	Home Depot	Recreation	244.91
01-016-2020	Ideal Air, Inc.	Bldgs. & Grnds. - Two invoices	670.00
01-017-2020	Insync Municipal Systems	Tax Collector OE	925.00
01-018-2020	JCP&L - Fire	Fire OE	112.33
01-019-2020	JCP&L - Main	Utilities	417.39
01-020-2020	JCP&L	Street Lighting	628.86
01-021-2020	JLM Computers	Clerk OE - Nov. & Dec. services	190.00
01-022-2020	NJNG	Fire OE	223.00
01-023-2020	NJNG - Boro Hall	Utilities	736.00
01-024-2020	NJCM - N.J. Conf. of Mayors	Mayor - Council Admin	295.00
01-025-2020	NJ Health Benefits	Group Insurance	4,809.80
01-026-2020	NJLM	Mayor - Council Admin	315.00
01-027-2020	Protective Measures - Security & Fire	Fire OE	716.88
01-028-2020	Protective Systems Services	Bldgs. & Grnds.	300.00
01-029-2020	R & L DataCenters, Inc.	Finance OE	250.00
01-030-2020	Registrar's Association of NJ	Clerk OE	25.00
01-031-2020	Rockaway Township Health	Dog OE - rabies clinic	125.00
01-032-2020	Rockaway Valley Reg. Sew. Authority	RVRSA Share	9,680.00
01-033-2020	Tara White	Recreation	69.26
01-034-2020	Treasurer, State of NJ DCA	State Training Fees	21.85
01-035-2020	Treasurer, State of NJ Marriage	Marriage License	75.00
01-036-2020	Verizon - 263-0001-56	Utilities - 361-8121	69.40
01-037-2020	Verizon - 5312	Utilities - 366-5312	244.52
01-038-2020	Verizon - 7536	Utilities - 366-7536	62.40
01-039-2020	WEX Bank - Shell	Streets & Roads	194.00
01-040-2020	VSP Insurance Co.	Group Ins. - Jan. 2020 coverage	98.70
		TOTAL	34,722.12

NEW BUSINESS:

RESOLUTION FOR OVER PAID TAXES - Everyone has a copy of the Resolution. This was for an overpayment from the homeowner and he is requesting the overpayment be returned to him.

**RESOLUTION 2020-xxx
BOROUGH OF VICTORY GARDENS
COUNTY OF MORRIS, NEW JERSEY**

REFUND OVERPAID PROPERTY TAXES

WHEREAS, a double payment was received for Block 19 / Lot 20 and applied to 1st quarter 2020; and

WHEREAS, homeowners have requested the overpayment be returned to them via refund;

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of victory Gardens, in the County of Morris, and State of New Jersey as follows:

Refund of \$985.72 be issued to the property owner on record. Henry Jomecha, 110 Rt. 15, Wharton, NJ 07885.

Karen L Ferrone, Tax Collector

DATED: January 14, 2020

I, Deborah Evans, Township Clerk of the Borough of Victory Gardens, County of Morris, State of New Jersey, do hereby certify the foregoing resolution to be a true and correct copy of a resolution adopted by the Borough Council at a regular meeting held on January 14, 2020.



Deborah Evans, Township Clerk

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

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

NEW BUSINESS CONTINUED:

INTRODUCTION OF THE 2020 CAP BANK ORDINANCE -

**CALENDAR YEAR 2020
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Governing Body of the Borough of Victory Gardens in the County of Morris finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and the citizens; and

WHEREAS, the Governing Body hereby determines that a 1.0 percent increase in the budget for said year, amounting to \$10,755.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the Borough of Victory Gardens, County of Morris, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Victory Gardens shall, in accordance with this ordinance and N.J.S.A. 40A:40-45.14, be increased by 3.5% amounting to \$37,642.50, and that the CY 2020 municipal budget for the Borough of Victory Gardens be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote thereon, be filed with said Director within 5 days after such adoption.

Introduced: 1-14-2020
Adopted :

*Deborah Evans
Borough Clerk*

Motion on the Cap Bank Ordinance by Councilman Glass, seconded by Councilwoman Montes and approved on roll call:

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

NEW BUSINESS CONTINUED:

MUNICIPAL FAIR HOUSING RESOLUTION - Community Development said we do this every year and they needed us to do it again.

**EXHIBIT "F" - SAMPLE
MUNICIPAL COUNCIL FAIR HOUSING RESOLUTION**

The Borough of Victory Gardens supports Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. It is the policy of Victory Gardens (name of municipality) to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, ancestry, sex (including pregnancy), national origin, nationality, familial status, marital or domestic partnership status, affectional or sexual orientation, atypical hereditary cellular or blood trait, genetic information, liability for military service, mental or physical disability, perceived disability, AIDS/HIV status and Lawful Income or Source of Lawful Rent Payment (Section 8). The Boro of Victory Gardens further objects to discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, ancestry, sex, national origin, handicap or disability as prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Fair Housing Law) and the New Jersey Law Against Discrimination. Therefore, the Municipal Council of Victory Gardens (name of municipality) do hereby approve the following resolution.

BE IT RESOLVED, that within available resources, the Boro of Victory Gardens (municipality) will assist all persons who feel they have been discriminated against under one of the aforementioned categories, to seek equity under federal and state laws by filing a complaint with the New Jersey Division on Civil Rights and the U.S. Department of Housing and Urban Development, as appropriate.

BE IT FURTHER RESOLVED, that the Boro Victory Gardens shall publicize this resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law, the New Jersey Law Against Discrimination, and any local laws or ordinances.

BE IT FURTHER RESOLVED, that the municipality will at a minimum include, but not be limited to: (1) the printing and publicizing of this resolution, a fair housing public notice and other applicable fair housing information through local media, community contacts and placement on the Municipal website and in other social media; (2) distribution of posters, flyers, and any other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

Approved this 14 day of January (month), 2020 (year)

ATTEST



Signature of Authorized Representative

David L. Holeman, Jr.

Printed Name of Authorized Representative

1-14-2020

Date

973-366-5312

Telephone Number

Motion on the Resolution by Councilwoman Montès, seconded by Councilman Lorenzo and approved on roll call:

20

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

NEW BUSINESS CONTINUED:

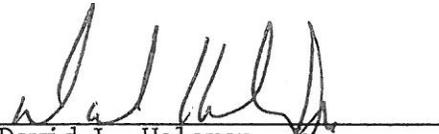
AUTHORIZING RESOLUTION FOR IMPROVEMENTS TO PARKING LOT AT THE FIREHOUSE -

MUNICIPAL COUNCIL AUTHORIZING RESOLUTION

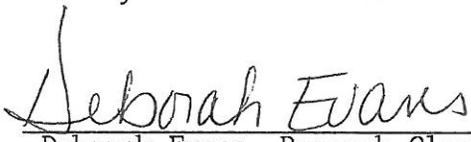
At a meeting held on January 14, 2020 the Borough Council of the Borough of Victory Gardens adopted the following Resolution:

The Borough Council authorizes an application to the Morris County Community Development Block Grant (CDBG) Program for the Improvements to Firehouse Parking Lot described in the proposal. If awarded CDBG funds, the Borough of Victory Gardens shall implement the activities in a manner to ensure compliance with all applicable federal, state and local laws and regulations.

Dated: January 14, 2020


David L. Holeman, Sr.
Mayor, Borough of Victory Gardens

I, Deborah Evans, Clerk of the Borough of Victory Gardens, do hereby certify that this is a true and exact copy of the Resolution adopted by the Mayor and Council of the Borough of Victory Gardens held on January 14, 2020.


Deborah Evans, Borough Clerk

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

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

NEW TORT CLAIM PAPERWORK FROM HO BAKER INSURANCE - This is something that our insurance company gave us. I gave everyone a copy. This is just a new form that they want all their accounts to do in place of the old one that was just one page. Phil did it up for us and all was okay with him. This form is for anyone trying to sue the Borough, it is asking more questions that the original one.

Motion on the new form by Councilman Glass, seconded by Councilwoman Montes and approved on roll call:

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

NEW BUSINESS CONTINUED:

Just a reminder that we have a Board of Health meeting on January 21. That will be the Re-organization for the Board of Health as well as thiiie regular meeting for the year.

OLD BSUINESS:

ROXBURY ANIMAL HOSPITAL - The Clerk just wanted everyone to know she is still looking for a place for our animals. We are still waiting to hear back from Jefferson and Dr Holdes Vet group. I also have Peter from Rockaway Township looking for us. All the local places I called they didn't want to do it. Some have had bad experiences with other towns and they just got out of that part of the business altogether. I'm still looking.

RESOLUTION FOR SHARED SERVICES AGREEMENT WITH THE TOWN OF DOVER FOR COURT -

(See Resolution Next page)

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

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

RESOLUTION OF THE BOROUGH OF VICTORY GARDENS
AUTHORIZING THE BOROUGH TO CONTINUE THE SHARED
SERVICES AGREEMENT FOR A SHARED MUNICIPAL COURT
WITH THE TOWN OF DOVER, MORRIS COUNTY

Whereas, the Town of Dover, Morris County, State of New Jersey, had established a Joint Municipal Court and was the lead municipality in and around the year, 2012; and

Whereas, the Borough of Victory Gardens has been party to an Amended Shared Services Agreement with the Town of Dover, Morris County for a number of years; and

Whereas, the term of that Amended Agreement has expired; and

Whereas, both parties to that Amended Agreement are in accord to continue the relationship; and

Whereas, Dover has ample court staff and resources to accommodate the Municipal Court and violations bureau of Victory Gardens and is offering those services; and

Whereas, Victory Gardens is satisfied with the Agreement proffered by Dover, and

Whereas, N.J.S.A. 2B:12-1(c) requires municipalities entering into a Shared Court Agreement adopt a resolution authorizing and clearly identifying the agreement; and

Whereas, the Mayor and Council of Victory Gardens find it in the best interests of the Borough to renew the agreement wherein Victory Gardens agrees to pay to Dover as follows:

Year One: \$19,098.48 and subsequent years payments an amount equal to the immediate prior year payment plus a 2% annual escalator for each year thereafter; and

Whereas, the Agreement shall commence on January 1, 2020 upon adoption of this Resolution, Dover having already passed same, the approval by the Assignment Judge of the Morris/Sussex Vicinage and approval by the New Jersey Administrative Office of the Courts.

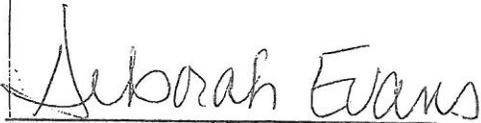
NOW THEREFORE, BE IT RESOLVED by the Mayor and convened Council of the Borough of Victory Gardens that the Borough Clerk advise the Municipal Clerk of the Town of Dover that it has renewed the Shared Services Agreement with Dover Municipal Court under the terms of the Agreement; and

IT IS RESOLVED that this Resolution take effect immediately.

FURTHER IT IS RESOLVED THAT THE MAYOR AND BOROUGH CLERK

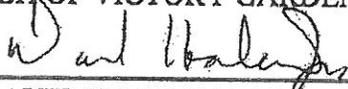
EXECUTE THE PROFFERED CONTRACT FORTHWITH.

ADOPTED: January 14, 2020



DEBORAH EVANS, Borough Clerk

BOROUGH OF VICTORY GARDENS



DAVID HOLEMAN, Mayor

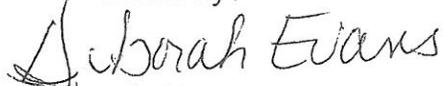
Motion to open the meeting to the public by Councilwoman Montes, seconded by Councilwoman Cheatham and approved on verbal vote. None opposed.

Jim Janone - You had a link on our website to go to the company that does our ordinances and the link is not working. The site is down. I will have Debbie get in touch with them tomorrow to see what is wrong. I asked the Mayor before about the annual report that Dover is supposed to give us and I haven't gotten an answer. The Mayor said he did get a report from Dover but he doesn't have it with him tonight. He will have it for the next meeting. Do you have all of them. No. He just gave me one. Are you going to share that with the Council. Yes. What are you doing with the fire/ems sharede services agreement? We are waiting on the Attorney review. We had some questions. I think most of them have been answered. The Attorney is not here tonight. When he gets everything he wants and all is ok we will adopt. Right now it is still on hold. They are still covering us. There is no lapse in service. Voucher #003 for Behre what is that for? He is doing the survey work for the firehouse parking area. What is the firehouse parking consist of? Paving, curbing, the drain that is back there has to be replaced. We applied last year for the grant and the work is getting done this year. I wanted to discuss tonight about the planning board items but since the ordinances weren't on line, I couldn't get the information.

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

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

Submitted By:


Deborah Evans
Borough Clerk