

MINUTES

MONDAY, December 21, 2009; REGULAR MEETING OF THE BOROUGH COUNCIL OF THE BOROUGH OF LODI, NEW JERSEY. TIME: 7:00 P.M.
CALL TO ORDER by Mayor Bruce T. Masopust.

OPEN PUBLIC MEETING NOTICE read by Borough Clerk
NOTICE OF THIS MEETING WAS MADE BY THE BOROUGH CLERK BY PAID LEGAL ADVERTISING ON November 21, 2008 IN THE RECORD NEWSPAPER.
THIS MEETING IS BEING TAPE RECORDED.

PLEDGE OF ALLEGIANCE

ROLL CALL:

PRESENT: (5) CM Schrieks, CW Viscana, CM DeSomma, Deputy Mayor Fiduccia, Mayor Masopust.
ALSO PRESENT: Borough Manager Tony Luna, Borough Attorney Alan P. Spiniello, Borough Engineer Thomas Solfaro, Borough Auditor Frank R. DiMaria, Deputy Police Chief Vincent Quatrone.

CERTIFICATES AND AWARDS

Mayor Masopust and CW Karen Viscana presented McKenna Pope, a 10 year old student at Wilson School of Lodi with a Proclamation and a Borough of Lodi Medallion.

An ad on craig list led to an appearance on the Tyra Banks Show and a free trip to Disney World. McKenna was asked why it was important to have a black Disney princess.

Mayor Masopust stated on behalf of the Mayor and Council he would like to congratulate McKenna Pope.

The next award was presented to Peter Yzquierdo, a junior at Lodi High School who had the opportunity to march and play his trumpet in the Macy's Thanksgiving Day parade.. He marched as part of the Macy's Great American Marching Band.

Mayor stated on behalf of the Mayor and Council He would like to congratulate Peter and presented him with a proclamation and the Borough of Lodi medallion.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

COMMUNICATIONS- Received and Filed.

REPORT OF THE MANAGER

Municipal Manager reported that the bids came in for the garbage collection and the council will act upon that tonight.

Municipal Manager reported that Mayor Masopust met with him today to talk about the Interlocal Agreements.

Municipal Manager reported that we are working on the budget, but unfortunately our hands are going to be tied, not knowing what the cuts if may or not be. We will not get that probably by March coming out of Trenton. We don't really know where we are. So that will be on hold for a period of time.

REPORTS OF ENGINEER

Borough Engineer gave a report on the progress of the roofing project.

RESOLUTIONS

SCHEDULE OF MEETING DATES:

SPECIAL WORK SESSION; MONDAY, JAN. 4, 2010; 6 P.M.
EXECUTIVE MEETING: MONDAY, JAN. 11, 2010; 6 P.M.
REGULAR MEETING: TUESDAY, JAN 19, 2010; 7 P.M.

CONSENT AGENDA (These resolutions are matters covering operation of government and will be passed by one roll call vote covering all items on the consent agenda.)

1. Resolution No. 10-112 approving bills for December 2009.
2. Resolution No. 10-113 approving renewal of inactive license pursuant to N.J.S.A.33:1-12.39 for the 2009/10 and 2010/11 license terms. (The great Atlantic & Pacific Tea Co. Inc.)
3. Resolution No. 10-117 authorizing Borough Treasurer to refund fee in the amount of \$ 150.00 to Gilbert & Catherine Snowden for the rescinding of zoning permit # 20090116.
4. Resolution No. 10-118 entering into the South Bergen Fire Chiefs' Association Mutual Aid Agreement.
5. Resolution No. 10-119 approving Stipulation of Settlement of a litigation entitled Leonard Rothman and Mildred Rothman vs Borough of Lodi and Mayor & Council of the Borough of Lodi.
6. Resolution No. 10-120 authorizing Mayor and Council to enter into a traffic signal agreement with the State of New Jersey, acting through its Commissioner of Transportation for the installation of a new traffic signal at the intersection of Route 46EB Ramps C, D, and Main Street (C.R.61).
7. Resolution No. 10-121 authorizing Mayor and Council to enter into a traffic signal agreement with the State of New Jersey, acting through its Commissioner of Transportation for the installation of a new traffic signal at the intersection of Route 46WB Ramps A,B, and Main Street (C.R.61).
8. Resolution No. 10-123 authorizing Mayor Masopust to execute Risk Consultants Agreement and

Producer/Consultant Agreement between the Borough of Lodi and Professional Insurance Associates, Inc. 9. Resolution No. 10-124 authorizing Mayor to execute a confirmatory Deed of Conveyance and any other related documents conveying or re-conveying title to the property owners regarding property located at 25 Hope Street, Lodi.

10. Resolution No. 10-125 approving settlement of a litigation entitled J.H. Brothers, Inc., Plaintiff vs Borough of Lodi, defendant, in accordance with the proposed Stipulation of Settlement and authorizing Mayor, Borough Manager or any other appropriate official to perform any act necessary to effectuate the purposes set forth.

11. Resolution No. 10-126 approving transfers within the 2009 Transitional Budget appropriations.

12. Resolution No. 10-127 authorizing Chief Financial Officer to cancel the 209 Transitional Year Current Fund Budget appropriations. (Employee Group Insurance; Amount: \$ 800,000.00.)

13. Resolution No. 10-128 authorizing Tony Luna, Municipal Manager to execute an agreement with the Bergen County Department of Health Services to perform health services of a professional nature for the period of January 1, 2010 through December 31, 2010 at a cost of \$ 4,725.00 for training plus the purchase of the vaccine under State contract based on \$ 48.00 per vaccination.

14. Resolution No. 129 authorizing to execute an agreement with the Bergen County Department of Health Services to perform animal control services of a professional nature for the period January 1, 2010 through December 31, 2010 at a cost not to exceed \$ 37, 394. 76.

15. Through 20; Resolution Numbers 10-131 through 10-136 authorizing to refund overpayment of taxes due to overpayment of taxes.

21. Resolution No. 10-137 authorizing the acceptance of the bid by Louis Barbato Landscaping, Inc. And entering into contract for the purchase, planting and pruning of Shade Tree.

22. Resolution No. 10-138 authorizing Mayor Masopust to execute an agreement with the Bergen County Department of Health Services to perform public health services of a professional nature for the period January 1, 2010 through December 31, 2010 at a cost not to exceed \$ 32,121.14.

23. Resolution No. 10-139 authorizing the acceptance of the bid by Future Sanitation, Inc. And entering into contract for the collection and disposal of Solid Waste-Vegetative Waste and Recyclable Materials.

Mayor stated Bill # 10-8859 is being pulled. (Patwood Roofing)

MOTION: CW Viscana, second CM Schrieks to approve consent agenda.

Ayes: (5) CM Schrieks, CW Viscana, CM DeSomma (CM DeSomma abstained on Bill # 10-5060 and yes on all the rest), Deputy Mayor Fiduccia, Mayor Masopust.

(B) RESOLUTIONS

Before te Borough Clerk went into the readings of Ordinances, Mayor interrupted the Business portion of the meeting to introduce Assemblywoman Joan Voss and Assemblywoman Connie Wagner from the 38th District. Assemblywoman Voss and Assemblywoman Wagner presented Mayor Masopust and the Borough Council a check in the amount of \$ 15,711.01.

ORDINANCES

INTRODUCTION; ORDINANCE NO. 2010-08; TOWING AND STORAGE ORDINANCE OF THE BOROUGH OF LODI..

MOTION CM Schrieks, second Deputy Mayor Fiduccia to approve.

Ayes: (5) CM Schrieks, CW Viscana, CM DeSomma, Deputy Mayor Fiduccia, Mayor Masopust.

HEARING & ADOPTION; ORDINANCE NO. 2010-15; An Ordinance to amend Ordinance No. 87-27 of the Borough of Lodi entitled, "Recycling."

Mayor opened hearing on Ordinance No. 2010-15.

Any citizens in the audience wishing to be heard. None.

Mayor closed hearing on Ordinance No. 2010-15.

MOTION: CM Schrieks, second Deputy Mayor Fiduccia to adopt.

Ayes: (5) CM Schrieks, CW Viscana, CM DeSomma, Deputy Mayor Fiduccia, Mayor Masopust.

HEARING & ADOPTION; ORDINANCE NO. 2010-16; An Ordinance prohibiting animals on school property.

Mayor opened hearing on Ordinance No. 2010-16.

Any citizens in the audience wishing to be heard. None.

Mayor closed hearing on Ordinance No. 2010-16.

MOTION: CW Viscana, second CM DeSomma to adopt.

Ayes: (5) CM Schrieks, CW Viscana, CM DeSomma, Deputy Mayor Fiduccia, Mayor Masopust.

HEARING & ADOPTION; ORDINANCE NO. 2010-17; An Ordinance regarding the pet populations in the Borough of Lodi.

Mayor opened hearing on Ordinance No. 2010-17.

Any citizens in the audience wishing to be heard. Yes.

1. Louis Avola felt that the fines were too low, and should be higher. Matter discussed with Borough Attorney.

Mayor closed hearing on Ordinance No. 2010-17.

MOTION: CW Viscana, second CM Schrieks to adopt.

Ayes: (5) CM Schrieks, CW Viscana, CM DeSomma, Deputy Mayor Fiduccia, Mayor Masopust.

MAYOR AND COUNCIL REPORTS

CM SCHRIEKS

CM Schrieks reported that the Fire Department had applied for two grants and Lodi had been successful on one of those applications for \$ 152,000 worth of 72 turn out years. We also applied for a truck. He stated I don't think we got the truck, but we got the \$ 152,000 for our Fire Department.

CM Schrieks wanted to publically thank the D.P.W., the Borough manager and other employees who did a tremendous job with our snow storm.

CM Schrieks wished everyone a healthy, happy Christmas.

CW VISCANA

CW Viscana wished everyone a Merry Christmas and a Happy New Year.

DEPUTY MAYOR FIDUCCIA

Deputy Mayor Fiduccia wanted to congratulate our Court Administrator Carole DeFalco, who received special recognition from the Municipal Court Administrator Certification Board. Carole handed in a project that they said was so good that it will serve as a model on their internet site for all of the court administrators.

Deputy Mayor also wished everyone a very Happy holiday.

CM DE SOMMA

CM DeSomma also wanted to compliment the Borough Manager, D.P.W. workers, all the outside contractors, part-time help for their efforts and their work performed during the snow removal .this past weekend. A job well done by all. Excellent work.

CM DeSomma wished everyone, all the Borough employees, Mayor and Council, Borough Manager, families, all the Lodi residents a very Merry Christmas and a Happy and Healthy New Year.

CM DeSomma stated a special congratulations to the PBA Local 26 for winning another grievance. Happy holidays to PBA Local 26. He asked Deputy Police Chief to relay his message to the PBA in that he qualified his vote.

MAYOR BRUCE T. MASOPUST

Mayor stated on behalf of the Council and along with the Manager, he met with the Executive Director and Engineer of Passaic Valley Sewer in an effort to work out an Inter-local Agreement regarding the camera study and cleaning of our sewer lines for a 6 month period at no cost to the Borough of Lodi. This would enable us to get an idea about the condition of our sewer system and the amount of water infiltration which ultimately if fixed would be a huge savings to the Borough of Lodi.

Mayor also reported that heir was no flood after the rain.

Mayor reported that this Council and the Manager decided to bid the garbage contract with multiple options. The result is the contract we awarded tonight. It will be approximately a \$ 200,000 or better savings to the Borough of Lodi while still providing twice weekly garage pick-up and Wednesday recycling. The difference will be that half the town will be Monday-Thursday, the other half will be Tuesday-Friday.

Mayor Masopust thanked the Council for their hard work in committee assignments and at the one extra work session a month, taking on specific issues, ordinances and discussions.

Mayor Masopust stated he represented the Council at the Lodi AARP Meeting and at the Mass for the 25th Jubilee for Sister Theresa Mary Martin.

Mayor reported that CM Schrieks and himself attended the Felician College Dinner honoring Sister Theresa Mary Martin.

Mayor reported that CM Schrieks and himself had discussions with County Executive Dennis McNerney and also with Bergen County Sheriff Leo McGuire.

Mayor Masopust represented the Council at the Garfield Fire Co. # 4 Pancake Breakfast (one of our mutual aides), represented the Council at the Lodi Senior Citizens's Club Meeting. And also represented the Council at the Lodi Jr. Police Academy Graduation Ceremony.

Mayor attended the Bergen County YMCA Awards Dinner honoring two local people. This dinner benefitted the YMCA Scholarship Fund.

Mayor reported that the Christmas Tree Lighting was Friday, December 4th. On behalf of the Council he thanked the LHS Choir under the direction of Ann Arella; the LHS Cheerleaders who were our elves; Mr. & Mrs. Santa Claus; Vice Principal Rachel Yzquerdo for keeping the Santa picture line organized and all the Departments of the Borough of Lodi that contributed to this special event.

Mayor stated he performed a ribbon cutting ceremony at All Starz Sports Instructional School.

Mayor and CM Schrieks represented the Council at the Lodi Moose Children' Christmas Party and also represented the

Council at the LHS Band pancake breakfast.

Mayor and Municipal Manager Luna represented the Council at the Lodi Senior Citizen's Christmas Party.

Mayor Masopust represented the Council at the following events:

Roosevelt School Breakfast with Santa.

Knights of Columbus Breakfast.

Mass honoring Sister Mary Antonella Chunka.

Christmas Luncheon at Felician College and sharing of the Wafer.

Lodi AARP Christmas with the LHS Choir.

Mayor stated he performed ten weddings this month.

Mayor Masopust wished everyone a Merry Christmas, Happy Holiday Season and a Healthy, Happy New Year.

OLD BUSINESS

NEW BUSINESS

HEARING OF CITIZENS

1. Domenic Staine - 89 Avenue D commented on the way the snow removal was performed this year. Mr. Staine stated it was fantastic.

Mr. Staine wished everyone a Merry Christmas and a Happy New Year.

2. Joseph Russo - 356 North Main Street raised his concerns in regard to Ordinance No. 2010-16 and asked who is going to enforce this ordinance.

3. Kendell Kardt - 223 Albert Street, Lodi stated on behalf of the residents of Costa and Brown's Park wish everyone a Happy holiday and a Prosperous and Healthy New Year.

Mr. Kardt also wanted to express his appreciation and to stated how impressed he is with the work this Council does at their work sessions.

ADJOURNMENT

MOTION: CW Viscana, second CM Schrieks to adjourn.

Ayes: (5) CM Schrieks, CW Viscana, CM DeSomma, Deputy Mayor Fiduccia, Mayor Masopust.

TIME: 7:50 P.M.

THE ABOVE MINUTES WERE APPROVED AND ADOPTED ON _____.