

MINUTES

EXECUTIVE MEETING; LODI BOROUGH COUNCIL; July 20, 2021

Time: 5:05 P.M.

CALL TO ORDER

Mayor Luna called the meeting to order.

OPEN PUBLIC MEETING NOTICE

The New Jersey Open Public Meetings Law was enacted to ensure the right of the public to have advance notice of and to attend the meetings of public bodies at which any business affecting their interests is discussed or acted upon. In accordance with the provisions of this Act, the Lodi Borough Clerk has caused notice of this meeting to be published by having the date, time, and place thereof published in the Bergen Record by paid legal advertisement on January 9, 2021 and July 9, 2021, posted in the Office of the Borough Clerk, on the entrance doors to Borough Hall, and on the Borough Website.

This Meeting is being audio recorded.

PLEDGE OF ALLEGIANCE

Mayor Luna asked everyone to stand for the Pledge of Allegiance.

ROLL CALL

PRESENT: (5) CM Leto, CM DiChiara, CM Carafa, Deputy Mayor Martin, Mayor Luna.

ALSO PRESENT: Borough Clerk Carole L. D'Amico, Municipal Manager Vincent J. Caruso, Borough Attorney Alan P. Spiniello, Esq., Borough Engineer Tom Solfaro, Borough Auditor Frank R. DiMaria (joined the meeting at 5:19 P.M.), DPW Director Brian Paladino, Zoning Officer/Construction Official Nick Melfi and Administrative Assistant Rebecca Paladino.

Mayor and Council reviewed items that will take place at the Regular Meeting at 7 P.M.

CERTIFICATES AND AWARDS

*Presentation to Laura E. Cima acknowledging her service to the Borough of Lodi as Deputy Mayor and Councilwoman.

PUBLIC HEARING

Public Hearing for the purpose to obtain public comment on a grant application to the NJDEP Green Acres Program Local Government Assistance grant and loan. The project under consideration includes development of recreation facilities at Lodi Little League Field and a change in project location related to the 2019 NJDEP Green Acres Local Government Stewardship Grant Program and redirecting grant funds from Kennedy Park to Lodi Little League Field.

APPROVAL OF MINUTES:

June 15, 2021	Executive Meeting
June 15, 2021	Closed Session
June 15, 2021	Regular Meeting
June 16, 2021	Special Meeting

COMMUNICATIONS

Received & filed.

RESOLUTIONS

Executive Meeting:	Tuesday, August 17, 2021; 5 P.M.
Regular Meeting:	Tuesday, August 17, 2021; 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.)

Mayor & Council reviewed items on the Consent Agenda

1. Resolution No. 21- 126 approving Bills for July 2021.
2. Resolution No. 21-127 authorizing Mayor Scott A. Luna to execute a non-exclusive agreement with McNerney & Associates for the provision of Professional Services as Real Estate Tax Appraiser to the Borough of Lodi on an as needed basis for the period of July 1, 2021 to June 30, 2022.
3. Resolution No. 21-128 approving renewal of the following inactive liquor license pursuant to N.J.S.A. 33:1-12.39 for the 2021-2022 License Term: License No. 0231-33-045-009, Ramozpo Corporation.
4. Resolution No. 21-129 authorizing the sale of surplus personal property no longer needed for public use in accordance with an email from the Records Division of the Lodi Police Department on an on-line auction website and entering into a contract for same with Propertyroom.com.
5. Resolution No. 21-130 authorizing the proper officers to refund the following overpayment of taxes due to a State Tax Court Judgment: Block 134, Lot 2, 234 Garibaldi Avenue, Lodi; Year(s) 2018, 2019 and 2020.
6. Resolution No. 21- 131 authorizing the proper officers to refund the following overpayment of taxes due to a State Tax Court Judgment: Block 227, Lot 11, 145 Route 46, Lodi; Year(s) 2019 and 2020.
7. Resolution No. 21-132 authorizing the proper officers to refund the following overpayment of taxes due to a State Tax Court Judgment: Block 134, Lot 8, 250 Garibaldi Avenue, Lodi; Year(s) 2018, 2019 and 2020.
8. Resolution No. 21-133 approving Change Order No.1 in the amount of \$11,108.47 (6.68% Increase) for project titled "Improvements to McKinley Avenue-CDBG FY2020.
9. Resolution No. 21-134 approving the issuance of a Vehicle Dealer License to Patrick Nicholson T/A Just Off Lease LLC, 23 Route 46, Lodi; and authorizing Fire Marshal/Fire Prevention Bureau to issue the aforesaid license in accordance with its application and Ordinance No. 808-31.
10. Resolution No. 21-135 authorizing the Borough to accept SFY21 Body-Worn Camera Grant bearing Grant Award #21-BWC-234 State Account No. BFY21-100-066-1020-495 dated June 29,2021 in the amount of \$85,596.00 for program funded and being administered by the State of New Jersey Department of Law and Public Safety Office of the Attorney General and authorizing and directing Borough Manager Vincent Caruso to take whatever steps he reasonably deems appropriate to accept said grant.
11. Resolution No. 21-136 authorizing the submission of an application from the NJDEP, Green Acres Program to fund the following project: Lodi Little League Field Improvements Project and authorizing Mayor Scott A. Luna to execute an Agreement and any amendment thereto with the State for the aforesaid project.
12. Resolution No. 21-137 authorizing the return of escrow deposit # 10815 in the amount of \$500 based on the recommendation of the Zoning Department to Nelson Marques, residing at 299 Farnham Avenue, Lodi, New Jersey for property located at 20 Sidney Street, Lodi, New Jersey 07644, Block 162, Lot 3.
13. Resolution No. 21-138 authorizing entering into Contract with County of Bergen for Shared Services Regarding 911 Communications and Public Safety Dispatch Services for the period beginning January 1, 2022 through December 31, 2026 and authorizing Councilman Emil Carafa, Jr. to execute and Borough Clerk to attest said Shared Services Agreement.

ORDINANCES

HEARING & ADOPTION – ORDINANCE NO. 2021-17

AN ORDINANCE TO ESTABLISH STORM WATER CONTROL.

HEARING & ADOPTION – ORDINANCE No. 2021-18

AN ORDINANCE TO AMEND ORDINANCE 195-11, AN ORDINANCE TO LIMIT AND RESTRICT TO SPECIFY DISTRICTS AND TO REGULATE THEREIN BUILDINGS AND STRUCTURES, KNOWN AS THE ZONING ORDINANCE OF THE BOROUGH OF LODI TO PERMIT ALTERNATIVE TREATMENT CENTERS AND AUTHORIZED RECREATIONAL MARIJUANA RETAIL FACILITIES AS CONDITIONAL USES IN A SPECIFIED AREA LOCATED WITHIN THE I-LI LIGHT IMPACT INDUSTRIAL ZONE DISTRICT AND TO OTHERWISE PROHIBIT THE CULTIVATION, MANUFACTURING, PROCESSING, WAREHOUSING, DISTRIBUTING, AND/OR SALE OF MARIJUANA (CANNABIS)

HEARING & ADOPTION – ORDINANCE NO. 2021-19

AN ORDINANCE TO ESTABLISH A CANNABIS TRANSFER TAX IN THE BOROUGH OF LODI PURSUANT TO N.J.S.A. 24:6I-1 et seq.

INTRODUCTION- ORDINANCE NO. 2021-20

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF LODI CHAPTER 445 ENTITLED SEWERS.

- DPW Director Brian Paladino & Zoning Officer/Construction Official Nick Melfi reviewed and made suggestions to Amend the Code of the Borough of Lodi Chapter 445 Entitled Sewers.

REPORT OF THE ENGINEER

Borough Engineer Tom Solfaro reported:

- Ferndale Court will be worked on 2nd week of August.
- First Street & McKinley are down to a punch list. They still have to plant trees.
- Greenlawn-working with Brian regarding curbs.
- Police Department had flooding with the last storm.
- 439 Farnham Avenue- part of the wall came down because of a mudslide. Nick Melfi and Brian Paladino were out at the site. Harrison Avenue Property received violations in regard to the mudslide.
- Green Acres- Little League Field.
- Mayor Luna asked can we reach out to Green Acres regarding Multipurpose Building. Tom stated that we need approval from Green Acres before buying supplies. Councilman Di Chiara asked about installing solar panels on the roof of that building. DPW Director Brian Paladino stated the Engineer would have to do load calculations prior to installing solar panels.
- Mayor Luna asked about 165 Terrace Ave. Borough Attorney Alan Spiniello had previously sent an email to the Mayor and stated that it's fine to forward that email to the resident.
- Regarding trees uplifting sidewalks, DPW Director Brian Paladino explained that we need to determine who planted the tree. Borough Attorney Alan Spiniello stated that he had sent an email addressing Case Law regarding sidewalk liability.

MAYOR AND COUNCIL REPORTS

Mayor Luna reported:

- He spoke to Zoning Officer in regard to Hamilton Ave car lots. Zoning Officer/Construction Official Nick Melfi stated that Gary Paparozzi has been handling the car lots. Deputy Mayor Martin stated Planner Gary Paparozzi should be instructed to attend Council Meetings in order to give the Mayor and Council an updated report.
- Mayor Luna spoke about one address getting 40-44 temporary overnight parking passes. He asked how many temporary passes can a resident request before they are required to get a sticker? Deputy Mayor Martin spoke to Police Chief Donald Scorzetti

and he will review. Zoning Officer/Construction Official Nick Melfi and Fire Marshall Paul Wanco will check houses.

- Councilman Di Chiara mentioned the Parking Sticker program used by Garfield.
- Working with Artie in regards to 46 Hunter, 55 and 58 Sidney Street. Borough Attorney stated that they should refer to our ordinance on abandoned and foreclosed properties and Artie should send a summons.

Deputy Mayor Martin reported:

- The Police Department issued 590 parking tickets in the month of June. The Deputy Mayor suggested that the Chief or Deputy Chief should begin in August to give a report, for example: # of parking tickets, # of accidents, # of DWI's. Deputy Mayor Martin also stated that we have to realize that the Police cannot cover the whole town in one night.
- Deputy Mayor Martin asked Municipal Manager Vincent Caruso about the hold up with the paving of Harrison Avenue? He was told that at a Garfield Meeting they stated that Lodi is holding up the project.

Mayor Luna continued:

- The Mayor asked why employees that are driving in town, if they see a tree branch, shopping cart, etc, why can't they stop and pick it up?
- Nick Melfi said he will be setting up a meeting with Shop Rite to discuss the issue of shopping carts left all over town. Mr. Spiniello stated that many municipalities are requiring bollards to be installed so shopping carts cannot be removed from front of store. This is something that the Borough can consider.
- CM Carafa asked about the creek by Massey Street.
- Mayor stated that he has a list of loose ends that I would like to complete:
 - 1) Garbage- the amount of garbage that is collected is over the amount allowed.
 - 2) Riverview Park - Pat & the guys are cleaning the park. I received a call from Mrs. Geswaldo and Rebecca and I met with her in regards to putting together some type of a garden idea with the seniors.
- Reached out to Steve Lolocono regarding the St. Joseph Feast opening. It is customary for the Mayor and Council to walk from Borough Hall with the Priests and others as well as a band to open the Feast. It would be nice for us to sponsor the band. Too late for this year but maybe for next year.
- VFW is advertising for a "Puff & Paint" night. Discussion over who owns the property there. We will look into that tomorrow.
- Mayor has a meeting scheduled with Lou Tucci's son in reference to his family history with the swimming pool that was in Lodi.

REPORT OF THE MANAGER

Municipal Manager Vincent Caruso reported:

- While checking a sewer line, the camera got stuck in one of the laterals. We had to call in Montana to assist and the cost was \$11,000.
- We received an email in refence to PVSC -fracking. We will send to Borough Engineer Tom Solfaro to review and will discuss in August.
- Jet Age Park
- Asked Borough Engineer if we received the reimbursement for the ADA Curb project? Tom stated that Bagnato & Sons were the contractor and he will look into this.

REPORT OF DPW DIRECTOR BRIAN PALADINO

DPW Director Brian Paladino reported:

- ADA Park - Tom came to look today and we cannot proceed with the construction until we receive two parts. There is a problem getting materials not just for this project but all over. We will continue with any other things we can do in the meantime.

Councilman DiChiara asked about a shooting range and was told there no real spot for a range in town. The Deputy Mayor asked if we can do a shared service with Saddle Brook to use their range? The Municipal Manager stated that we are using the County Range in Mahwah now. Discussion followed.

B RESOLUTIONS

OLD BUSINESS

NEW BUSINESS

HEARING OF CITIZENS

No citizens wishing to be heard, the Mayor asked for a motion to close the Hearing of Citizens.

MOTION: CM DiChiara, second CM Leto to close the Hearing of Citizens.
AYES: (5) CM Leto, CM DiChiara, CM Carafa, Deputy Mayor Martin, Mayor Luna.
TIME: 6:00 P.M.

MOTION: CM Leto, second Deputy Mayor Martin to go to Closed Session.
AYES: (5) CM Leto, CM DiChiara, CM Carafa, Deputy Mayor Martin, Mayor Luna.
TIME: 6:00 P.M.

BE IT RESOLVED by the Mayor & Council of the Borough of Lodi that the Mayor & Council go into closed session and exclude the public pursuant to N.J.S.A. 10:4-12 to discuss:

- (a) Litigation, potential litigation, personnel and
- (b) The minutes of the particular matter discussed in closed session will be made available to the general public once that particular matter is finally concluded and are approved.

MOTION: CM Leto, second Deputy Mayor Martin to reconvene the Open Session.
AYES: (5) CM Leto, CM DiChiara, CM Carafa, Deputy Mayor Martin, Mayor Luna.
TIME: 6:50 P.M.

MOTION: CM Leto, second CM Deputy Mayor Martin to adjourn.
AYES: (5) CM Leto, CM DiChiara, CM Carafa, Deputy Mayor Martin, Mayor Luna.
TIME: 6:51 P.M.

Minutes respectfully submitted,

Carole L. D’Amico, R.M.C.
 Borough Clerk

	AYE	NAY	ABSTAINED	ABSENT
M CM LETO	✓			
CM DICHIARA	✓			
S CM CARAFA	✓			
DEPUTY MAYOR MARTIN	✓			
MAYOR LUNA	✓			

THIS IS TO CERTIFY THAT THIS
 IS A TRUE COPY AS ADOPTED BY THE
 BOROUGH COUNCIL OF THE BOROUGH
 OF LODI, N.J. AT A MEETING HELD
 ON August 17, 2021
 BORO CLERK Carole L. D'Amico, RMC