



Minutes of the Regular Meeting of the Mayor and Council of the Borough of Bogota, held at the Bogota Council Chambers, 375 Larch Avenue, Bogota, NJ, on Thursday, March 21, 2019 at 7:30pm.

Salute to the Flag was led by Councilwoman Carpenter.

The notice requirements of the Open Public Meetings Law have been satisfied as notice was sent to two newspapers and posted on the Borough Hall bulletin board on December 27, 2018.

Roll Call: Mayor Kelemen and Councilmembers Carpenter, Gates-Ferris, Macfarlane, Murphy, Robbins, and Napolitano were present. Also attending were Borough Attorney Betesh, Borough Administrator Scarpa, Borough Auditor Lerch, CFO Bock, and Borough Planner Grygiel.

Motion was made by Councilman Napolitano, seconded by Councilwoman Murphy, to open the meeting up to Citizen Remarks. Motion carried.

Michelle Rupar asked why the Introduction of the Budget was not on the agenda. She asked for the certificates for the county committee people to be mailed.

Motion was made by councilwoman Gates-Ferris, seconded by Councilwoman Murphy, to close Citizen Remarks. Motion carried.

Mayor Kelemen explained that the Introduction of the Budget was pulled from the agenda because the Mayor and Council did not receive it until 3:40pm today. He felt that it would not be due diligence to have the Council vote on the budget until they have sufficient time to review it. It could be brought home and voted on at the next meeting.

Borough Planner Paul Grygiel explained that he prepared studies for two areas that were determined to be areas in need of redevelopment. One area was on West Fort Lee Road, and the other area was near the driving range off River Road by Outwater Plastics. The Council in April of 2018 authorized the Planning Board to undertake the investigations into the two areas. He said that his firm prepared studies of each of those areas and in September made them available to the Planning Board who then began to schedule public hearings as per the State Local Redevelopment and Housing Law. After the public hearings, the Planning Board would make a determination and refer it to the Mayor and Council for further action. The fact that condemnation was included in the studies caused several property owners to hire attorneys to question the studies. Various factors pushed the hearings back, and new resolutions were created taking condemnation off of the studies. He went on to explain how an area can be found to be in need of redevelopment. He also explained that the Borough Planner gives advice to Council on various development matters and on affordable housing matters. He then explained that the Master Plan is a policy adopted by the Planning/Zoning Board that is guiding framework for redevelopment etc. which is supposed to be

updated every 10 years. Councilman Napolitano explained that a few years ago Mr. Grygiel gave the Planning and Zoning Board options for compliance with the state for the Master Plan. The Board chose updating the existing Master Plan which was affordable to be compliant. Mr. Grygiel said that he could come to Council meetings whenever the Council has questions.

Motion was made by Councilman Macfarlane, seconded by Councilman Robbins to approve the following Consent Agenda. Motion carried with Councilwoman Carpenter recusing herself from voting on Roy Riggatano's claim.:

PC 19-02 Payment of Claims

19-060 Tax Sale Redemption for Block 107, Lot 19 a/k/a 98 Larch Avenue

19-061 Extend Temporary Budget

19-062 Transfer for Appropriation Reserves

Motion was made by Councilwoman Gates-Ferris, seconded by Councilman Napolitano to appoint Paul Grygiel as Borough Planner for the year 2019. Motion carried and the following Resolution was added to the agenda.

19-063 Appoint Paul Grygiel as Borough Planner for the year 2019.

Motion was made by Councilwoman Murphy, seconded by Councilman Robbins, to introduce the following Ordinance. Motion carried.

#1522 Bond Ordinance for \$109,000 for Palisade Avenue Phase III Project
(Public Hearing will take place on April 4, 2019.)

Motion was made by Councilwoman Carpenter, seconded by Councilwoman Murphy, to introduce the following Ordinance. Motion carried.

#1523 Multi-Purpose Bond Ordinance for \$1,000,000
(Public Hearing will take place on April 4, 2019.)

Motion was made by Councilwoman Gates-Ferris, seconded by Councilwoman Murphy, to introduce the following Ordinance. Motion carried.

#1524 Index Rate Ordinance

Borough Auditor Dieter Lerch explained the 2019 budget. He explained that the public hearing will take place after 28 days of the introduction. He said that the borough is in good financial shape. He explained that the short-term debt has been changed to long term debt.

Motion was made by Councilwoman Carpenter, seconded by Councilman Macfarlane, to introduce the 2019 Budget. Motion carried and the following Resolution was added to the agenda:

16-064 Introduce the 2019 Budget

Approvals:

Motion was made by Councilman Napolitano, seconded by Councilman Robbins, to approve the Minutes of the Regular Meetings of February 21, 2019, February 28, 2019, and March 7, 2019. Councilwoman Gates-Ferris noted that she received the minutes two days ago instead of 7 days ago as per the by-laws. Councilman Napolitano asked if Councilwoman Gates-Ferris had a chance to read the minutes in two days, noting that the budget was received two hours ago and was voted on. Councilman Napolitano voted Yes, and Council members Carpenter, Gates-Ferris, Macfarlane, Robbins, and Murphy voted No.

Councilwoman Gates-Ferris requested that the agenda be sent separate from the back-up before each meeting, and the resolutions, ordinances, and payment of claims be sent separately as well because it is difficult for her to find them if they are sent in one packet. She also requested that the agenda have the correct titles of resolutions and ordinances when sent.

Councilman Macfarlane requested that each revised agenda be numbered to be able to see which is the latest.

Motion was made by Councilman Napolitano, seconded by Councilman Robbins, to open the meeting to Citizen Remarks. Motion carried.

Auxiliary Police Captain Ray Sanchez asked if the increase for the Auxiliary Police is separate from the clothing allowance and if the auxiliary police are still under the police budget or if they have their own line now.

Lisa Kohles thanked the finance department and Dieter Lerch for their work, for giving the library a \$25,000 increase, and for not raising taxes by much. She asked if taxes were raised last year.

Michelle Rugar asked if the election certificates will be sent out soon. She also said that there were two changes to the Democratic County Committee that she will provide to the clerk. The clerk said that she will send them out.

Motion was made by Councilman Macfarlane, seconded by Councilwoman Murphy, to close Citizen Remarks. Motion carried.

Councilwoman Carpenter explained that the increase will not include the clothing allowance. She said that nothing else was changed.

Dieter Lerch said that the taxes went up approximately 4 points which was \$101 on an average house in the previous year.

Reports:

Mayor Kelemen said that he spoke to Steve Welsh about putting the clock on for the open space grant. He requested a retail ban on the sale of marijuana to maintain the quality of life in Bogota before the state passes the law to legalize it. Other towns have already passed ordinances to ban the sale. He will have Chief Maye come to the next meeting to give a sample of the bans being used by other towns. He reported that one of our DPW workers who was recently promoted to full time, Albert Albino, just became a father, so congratulations are in order.

Councilwoman Gates-Ferris reported that the 125th newsletter came out. There are several events coming up such as fence weaving, loyalty day, a town wide clean-up, the Memorial Day parade, etc. which are all in the calendar. Bogota Day is on June 1st. She said that fireworks are in the budget for \$15,000 and she would like Council to discuss spending so much money on fireworks.

Councilwoman Murphy agreed that it was too much money to spend. Borough Administrator Scarpa and Mayor Kelemen pointed out that the fireworks were in the \$40,000 budget for the anniversary from the beginning. Mayor Kelemen and Administrator Scarpa both explained the extravaganza of fireworks that the entire town can enjoy.

Motion was made by Councilman Macfarlane, seconded by Councilwoman Carpenter to authorize the administrator to sign the contract with the Fireworks Extravaganza in Paramus, NJ for June 1st fireworks 20 minute show for \$10,000. Council members Carpenter, Macfarlane, and Napolitano voted Yes. Council members Gates-Ferris, Robbins, and Murphy voted No. Mayor Kelemen broke the tie and voted Yes. The following Resolution was added to the agenda:

19-065 To Authorize the administrator to sign a contract with Fireworks Extravaganza for June 1st

Councilwoman Gates-Ferris said the Library trustees met, and they are updating the staff performance process. She said that they appreciate the increase in the budget.

Councilwoman Carpenter said that the DPW building is beautiful and well cared for by the DPW workers. She attended the Recreation meeting, and they are waiting for 125th anniversary basketballs to be delivered. The Easter Egg hunt will be April 13 or on the rain date of April 20th. Mr. Moore needs to know who will be attending it. The PeeWee field will have a carnival April 16th to April 20th. Saturday March 23rd will be a Baseball fundraiser at Applebee's. Opening Day for baseball will be April 6th. She will be having a phone conference with Ms. Zur this Tuesday. She thanked the auditors, CFO Bock, Mr. Scarpa, and Councilman Macfarlane for their help with the budget.

Councilman Napolitano said that BACSA is putting together a session on vaping. He said that it will be targeting junior high school students and younger. He asked if the Council would help with the BACSA insurance payment of \$150. He said that this afternoon he attended a session on Opioids in Wykoff. Attending the session were the New Jersey Attorney General, Hackensack Meridian Health CEO Bob Garrett, and Dr. Kelly. The session focused on alternatives to pain medicine. He said the meeting was well attended and geared to police, teachers, nurses and school professionals. He reported that he spoke to Alex Hernandez and AJ Luna of the VFW who are helping a family in need of assistance to avoid homelessness.

Councilwoman Murphy said that the Fire Officials did not have a meeting, but she met with Mr. Breuss and learned that the Fire Department spoke to the developers, and the developers were able to upgrade to better protection for the new buildings with 13s and R13s. She said that the Planning and Zoning Board have a meeting on Tuesday where Whispering Woods (concerning the billboards) will be discussed. She said that the Council has to decide on what to do about the \$30,000 matching grant for trees. She asked if the \$30,000 grant could be used for trimming or just for purchasing trees. Motion was made by Councilwoman Murphy, seconded by Councilwoman Carpenter to hire Paul Cowie for tree grant if grant allows for tree trimming. Motion carried. The following resolution was added to the agenda:

19-066 To Hire Paul Cowie for tree trimming grant if the grant allows pruning of the trees.

Councilman Robbins reported that the Rescue Squad does not have a meeting until April. He said that there are 39 vacant properties to date. He reported that Borough Hall is getting an address number for the front of the building. He said that 174 Central Avenue needed a fence around the property and now has one. He reported a problem with the water in front of the Tilcon property that causes the DPW to have to clean up the street because of concrete spilling onto the road as trucks go on and off the property. He said that there was another water main break at the golf center. He is speaking with the owners of the property. He said that the Palisade Avenue Phase III project will begin on April 1st.

Councilman Macfarlane said that the Senior Advisory meeting will be next week. He said that the Board of Education met and are preparing their budget. He said there will be a minimal tax increase, and the superintendent is working on having a decent reserve fund.

Administrator Scarpa said that he spoke to the Recreation Director about Pagano Park where children are jumping off the roof of slides. The roofs will be removed. He said that a grant was applied for to include a labyrinth, benches and a clock. A new bus stop was installed at Main Street

and Palisade Avenue. There will be a Pre-Construction meeting on Tuesday and a Community Development meeting on March 27th. He said that the Pascack Valley Cooperative is having trouble moving forward, so the Borough may have to go out to bid alone for the road work that was to be done by Pascack valley Cooperative.

Motion was made by Councilman Napolitano, seconded by Councilwoman Murphy, to pay the \$150 insurance fee for BACSA through the Borough. Motion carried.

Borough Attorney Betesh said that he only had a closed session issue.

Borough Clerk Cook reminded the governing body to follow the Open Public Meetings Act.

Motion was made by Councilwoman Murphy, seconded by Councilman Napolitano to go into closed session. Motion carried and the governing body went into closed session at 9:24pm.

The following Resolution was added to the agenda:

19-066C Closed Session Resolution

When the regular meeting returned, motion was made by Councilman Robbins , seconded by Councilwoman Murphy, to adjourn. Motion carried and the meeting adjourned at 9:56pm.

Minutes respectfully submitted by Borough Clerk Jeanne Cook.