



## Meeting Agenda

Joint Meeting of the Mayor and Council of the Borough of Bogota to be held on Thursday, June 1, 2017, in the Bogota Senior Center at 7:30PM.

The notice requirements of the Open Public Meetings Law have been satisfied as notice was sent to two newspapers on May 29, 2017 and posted on the Borough Hall bulletin board on May 30, 2017.

### Salute to Flag

Roll Call : Mayor Kelemen, Council members Fede, Gates-Ferris, Macfarlane,  
Miranda, Murphy and Napolitano, Other Attendees: Administrator, Attorney

Roll Call: Board of Education

Welcome by Mayor Kelemen  
Comments by Superintendent

Discussion: Areas of Cooperation

Citizen Remarks: One Five (5) minute time limit per person

### Adjournment

Regular Meeting of the Mayor and Council of the Borough of Bogota to be held on Thursday, June 1, 2017 in the Bogota Senior Center at 7:30pm.

Roll Call: Mayor Kelemen, Daniele Fede, Kathryn Gates-Ferris, David Macfarlane, Frank Miranda, Mary Ellen Murphy,  
Tom Napolitano Other Attendees: Administrator, Attorney

Citizen Remarks: One Five (5) minute time limit per person

### Consent Agenda:

- 17-096 Appoint Mark Barone as electrical sub-code official
- 17-097 Authorizing Inclusion in the Bergen County Community Development Program
- 17-098 Authorizing Execution of Agreement with County to Establish Bergen County Community Development Program
- 17-099 Estimated Tax
- 17-100 CAIR program
- 17-101 Authorizing hiring a temporary tax collector while Bogota tax collector is on vacation
- 17-102 Resolution for BAN
- 17-103 Authorizing the Preparation of Specifications for the 2017 Municipal Road Paving Program for the Pascack Valley Cooperative Pricing System #107-PV

### Approval:

Minutes 5/4/17, 5/18/17

### Reports

Mayor, Council Committees: Five (5) minute time limit per Council Member, Administrator, Attorney, Clerk

Closed Session: Litigation  
Personnel

### Adjournment

Next Meeting: June 20, 2017



COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
D. Fede						
K. Gates-Ferris						
D. Macfarlane						
F. Miranda						
M. Murphy						
T. Napolitano						

Re-Appoint Mark Barone As Electrical Sub-Code Official

WHEREAS, pursuant to NJAC 5:23-4.3 and 4.4, mandates that the borough maintain a construction code enforcing agency with an electrical sub-code official; and

WHEREAS, NJSA 52:27D-126 mandates that such appointment be for a four year term; and

WHEREAS, Mark Barone has the requisite licensing to qualify for this appointment and the Mayor has submitted the re-appointment of Mr. Barone for confirmation by Council; and

NOW, THEREFORE, BE IT RESOLVED the re-appointment of Mark Barone as the borough's electrical sub-code official is confirmed for a four-year term from July 1, 2017 to June 30, 2021, for an annual salary provided in the salary ordinance;

BE IT FURTHER RESOLVED, a certified copy of this resolution be sent to Mr. Barone and to the NJDCA, Bureau of Regulatory Affairs, PO Box 816, Trenton, NJ 08625-0816 within 7 days of the date of this resolution;

BE IT FURTHER RESOLVED a copy of this resolution be kept on file in the Borough Clerk's office and is available for public inspection during regular business hours.

Attest:

Approved:

\_\_\_\_\_  
Jeanne Cook, Borough Clerk

\_\_\_\_\_  
Christopher M. Kelemen, Mayor



COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
D. Fede						
K. Gates-Ferris						
D. Macfarlane						
F. Miranda						
M. Murphy						
T. Napolitano						

**AUTHORIZING INCLUSION IN THE BERGEN COUNTY COMMUNITY DEVELOPMENT PROGRAM RENEWAL FY 2018 - 2020**

**WHEREAS**, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

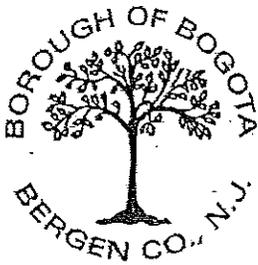
**WHEREAS**, the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

**WHEREAS**, by June 12, 2017, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

**WHEREAS**, it is in the best interest of the Borough of Bogota and its residents to participate in said Programs.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Bogota hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, 2020 (July 1, 2018 – June 30, 2021); and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the Bergen County Division of Community Development no later than June 12, 2017.



COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
D. Fede						
K. Gates-Ferris						
D. Macfarlane						
F. Miranda						
M. Murphy						
T. Napolitano						

**AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE COUNTY OF BERGEN  
TO SUPERSEDE THE COOPERATIVE AGREEMENT DATED JULY 1, 2000 AND  
AMENDMENTS THERETO ESTABLISHING THE BERGEN COUNTY COMMUNITY  
DEVELOPMENT PROGRAM RENEWAL FY 2018-2020**

**WHEREAS**, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

**WHEREAS**, it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these Programs; and

**WHEREAS**, an Agreement has been proposed under which the Borough of Bogota and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq.; and

**WHEREAS**, it is in the best interest of the Borough of Bogota to enter into such an Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Bogota that the Agreement entitled "Three Year Cooperative Agreement" (an Agreement superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003) to clarify the planning and implementation procedures and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Block Grant Program, the Home Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, and 2020 (July 1, 2018 – June 30, 2021) be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately in accordance with law.



COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
D. Fede						
K. Gates-Ferris						
D. Macfarlane						
F. Miranda						
M. Murphy						
T. Napolitano						

**A RESOLUTION AUTHORIZING THE BOROUGH OF BOGOTA TAX COLLECTOR TO PREPARE AND MAIL ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994 C.72**

WHEREAS, the Borough of Bogota has introduced its calendar year 2017 budget, and the Bergen County Board of Taxation is unable to certify the Borough's tax rate at this time, and the Borough of Bogota Tax Collector may be unable to mail the Borough's 2017 3rd and 4th quarter tax bills on a timely basis; and

WHEREAS, the Borough of Bogota Tax Collector in consultation with the Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and he has signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies; and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Borough Council of the Borough of Bogota requests the Director of the Division of Local Government Services to approve the estimated tax levy not exceeding the 105% listed below. Approval will enable the Borough to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest on borrowing,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Bogota, in the County of Bergen, State of New Jersey on this 1st day of June, 2017, as follows:

1. The Borough of Bogota's Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Borough for the third installment of 2017 taxes. The Tax Collector shall proceed upon approval from the Director and take such actions as are permitted and required by P.L. 1993, c.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).
2. The entire estimated tax levy for 2017 is hereby set at \$24,385,111.10.
3. In accordance with law, the third installment of 2017 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth 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.

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BOROUGH OF BOGOTA  
County of Bergen, New Jersey

Calculation of Proposed 2017 Estimated Tax Levies and Rates

ACTUAL TAX LEVIES AND RATES - 2016

Net Valuations Taxable \$ 643,656,400.00

<u>Purpose</u>	<u>Levy</u>	<u>Rate</u>
County	\$ 1,747,747.50	0.272
County Open Space	17,965.88	0.003
Local School	14,811,628.00	2.302
Library	236,869.97	0.036
Municipal	7,466,906.02	1.160
	<u>\$ 24,281,117.37</u>	<u>3.773</u>

ESTIMATED RANGES - 2017

<u>Purpose</u>	<u>95.00%</u>	<u>105.00%</u>
County	\$ 1,660,360.13	\$ 1,835,134.88
County Open Space	17,067.59	18,864.17
Local School	14,071,046.60	15,552,209.40
Library	225,026.47	248,713.47
Municipal	7,093,560.72	7,840,251.32
	<u>\$ 23,067,061.50</u>	<u>\$ 25,495,173.24</u>

ESTIMATED TAX LEVIES AND RATES - 2017

Net Valuations Taxable \$ 642,458,400.00

<u>Purpose</u>	<u>Levy</u>	<u>Rate</u>
County	\$ 1,785,000.00	0.278
County Open Space	19,000.00	0.003
Local School	14,897,836.00	2.319
Library	241,015.41	0.038
Municipal	7,442,259.69	1.158
	<u>\$ 24,385,111.10</u>	<u>3.796</u>

Estimated Budget	Within 95%-105% Range
Estimated Budget	Within 95%-105% Range
Approved Budget	Within 95%-105% Range
Approved Budget	Within 95%-105% Range
Approved Budget	Within 95%-105% Range

Percentage Increase 100.43%

Certified by:

\_\_\_\_\_  
Elizabeth L. Wiemer, Tax Collector

\_\_\_\_\_  
Frank Di Maria, Chief Financial Officer



COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
D. Fede						
K. Gates-Ferris						
D. Macfarlane						
F. Miranda						
M. Murphy						
T. Napolitano						

### CAIR Program

WHEREAS, the Joint Insurance Fund (JIF) requires that Motor Vehicle (MV) records be checked annually for all those in the Borough driving Municipal vehicles; and

WHEREAS, the Borough Police Department needs to conduct these motor vehicle checks; and

WHEREAS, the Police cannot check MV records without Bogota's participation in the NJ MV CAIR program; and

WHEREAS, CAIR stands for Customer Abstract Information Retrieval, now

BE IT RESOLVED, that the Mayor and Council authorize the Borough of Bogota to participate in the NJ MV CAIR program in order to satisfy JIF guidelines and protect both the employees and the taxpayers of Bogota.



COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
D. Fede						
K. Gates-Ferris						
D. Macfarlane						
F. Miranda						
M. Murphy						
T. Napolitano						

WHEREAS, the Tax Collector will be on vacation from August 18<sup>th</sup> through September 5, 2017  
and

WHEREAS, the business of the Collector's office must be conducted in her absence including Tax Redemptions, collection of delinquent taxes, email, phone messages, deposits for all departments, posting and other duties.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the Tax Collector is authorized to hire temporary help to work approximately 14 hours in the collector's absence.

BE IT FURTHER RESOLVED, that the rate of pay for the temporary employee who is a professional from another tax office in Bergen County will be \$35.00 per hours.



COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
D. Fede						
K. Gates-Ferris						
D. Macfarlane						
F. Miranda						
M. Murphy						
T. Napolitano						

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BOGOTA, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF BOGOTA AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$5,092,000 BOND ANTICIPATION NOTE, DATED MAY 12, 2017, PAYABLE MAY 11, 2018, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

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WHEREAS, the Borough of Bogota, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on

obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$5,092,000 bond anticipation note, dated May 12, 2017, payable May 11, 2018 (the "Note"); and

WHEREAS, the Borough desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bogota, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Note be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2017.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2017.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3)

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of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2017 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote:

Ayes:

Nays:

[SEAL]

ATTEST: \_\_\_\_\_  
Borough Clerk



COUNCIL	YES	NO	ABSENT	ABSTAIN	MOTION	SECOND
D. Fede						
K. Gates-Ferris						
D. Macfarlane						
F. Miranda						
M. Murphy						
T. Napolitano						

Authorizing the Preparation of Specifications for the 2017 Municipal Road Paving Program for the Pascack Valley Cooperative Pricing System #107-PVCPS

WHEREAS. the Borough of Westwood, acting as lead Agency for the Pascack Valley Cooperative Pricing System (107-PVCPS) has received a proposal from Kenneth Job, P.E. of Hackensack as the Lead Engineer for the 2017 Pascack Valley Cooperative Municipal Road Paving Program, in an amount not to exceed \$500 per participating municipality; and

WHEREAS. the municipal engineers serving the communities participating in the 2017 Pascack Valley Cooperative Municipal Road Program were asked to provide a quote for this service; and

WHEREAS, Kenneth Job, P.E. was selected after providing a quote of \$500 per municipality.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Bogota hereby appoint Kenneth Job, P.E. as Lead Engineer for the 2017 Pascack Valley Cooperative Municipal Road Paving Program; and

BE IT FURTHER RESOLVED that the Mayor and Council hereby authorize the preparation of specifications and the bid project which may also be bid as an alternate with the Bergen County Road Paving Program.