



COUNCIL CHAMBERS ARE CLOSED TO THE PUBLIC

Minutes of the Virtual 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, **June 25, 2020 at 7:30pm.**

Salute to Flag was led by Mayor Kelemen.

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 June 23, 2020.

Roll Call: Mayor Kelemen and Councilmembers Carpenter, Connors, Fede, Murphy, Napolitano, and Robbins were present. Also attending were Borough Attorney Bossong and Borough Administrator Scarpa.

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

Rebecca Youla thanked everyone in town who purchased lawn signs to support the food pantry at St. Joseph's as well as those who helped deliver them. She said that \$1,200 is now available to purchase food for the pantry. She will coordinate with the food pantry as to their needs.

Motion was made by Councilwoman Carpenter, seconded by Councilwoman Fede, to close Citizen Remarks. Motion carried.

Public Hearing: Motion was made by Councilman Napolitano, seconded by Councilman Connors, to open public hearing on the submission of a 2020 Bergen County Trust Fund Grant Application for Park Development to improve the Olsen Park facility by building a multi-use turf field with a multi-lane track, fencing, drainage, bleachers and lighting improvements. Motion carried.

There were no public comments about the 2020 Bergen County Trust Fund Grant for Olsen Park.

Motion was made by Councilman Robbins, seconded by Councilwoman Carpenter, to close the public hearing on the 2020 Bergen County Trust Fund Grant. Motion carried.

Motion was made by Councilman Napolitano, seconded by Councilman Connors, to approve the following Resolution pertaining to the Bergen County Trust Fund Application for a Municipal Endorsing Resolution for Olsen Park improvements. Motion carried with Council members Carpenter and Murphy voting No. Councilwoman Carpenter said that this Trust Fund Grant may require matching funds. Councilman Napolitano said that matching funds could be discussed at the

time of bonding. This resolution was needed to apply for the grant, not a monetary commitment. Once the grant is approved, the governing body would discuss matching funds.
20-098 Bergen County Trust Fund Application Municipal Endorsing Resolution

Discussion: Discuss Sesi Report: Councilman Napolitano said that Bogota received the Sesi report concerning further investigation of the soils for the location of the new Community Center. He reminded everyone that the previous estimate for the foundation was \$1.5 million. The Sesi report contained two alternatives. The first alternative was Dynamic Compaction. The cost would be \$60,000 to \$70,000. The second alternative is Rapid Inclusion. This would cost between \$400,000 and \$500,000. He said that the dynamic compaction at the original site would take two to three weeks to do and then the Borough could move forward with the Community Center as well as the basketball and tennis courts. Mr. Scarpa said that the work could begin after Labor Day.

Motion was made by Councilman Napolitano, seconded by Councilwoman Murphy, to authorize Sesi to go out to bid for Dynamic Compaction and to oversee the work of the winning bidder.

Motion carried and the following Resolution was added to the agenda:

20-107 Authorize Sesi to go out to bid for Dynamic Compaction and to Supervise the Construction Work of the winning bidder

PSE&G Truck Issue: Councilman Connors said that he has brought up two or three meetings ago about bucket trucks that were parked behind the high school football field for a few months. He said that Borough Administrator Scarpa explained that there was a gentlemen's agreement and that something was put in writing. Councilman Connors said that he received the emails today from Mr. Scarpa, and he said he is concerned that an employee made decisions without Borough approval. He said that the emails showed that the Borough Administrator found out later. Mr. Scarpa said that the first letter from February showed that the police were involved in the matter and that he was not copied on that first email. He said that he addressed it and considered it to be over. He wrote to the employee and told him not to do it again. He said that the trucks were sub-contractors hired by PSE&G to trim trees away from electrical wires in Bogota and in surrounding towns. He said that it is important to have a working relationship with them in order to get the trees trimmed before they fell on the electric wires. Councilwoman Carpenter said that Don Viviani always allowed the trucks to park there, and Joe Niosi did as well. Councilman Connors said that something being done all the time does not make it right to do. Mr. Scarpa said that the only thing that was done wrong was that he was not notified and a certificate of insurance was not obtained. He said it was handled and will not happen again. Councilman Napolitano said that this situation deserved further investigation even if someone has to be riced to talk about it. He did not understand how a private company can come to a town and ask to park trucks in a town's lot for several months which includes dumping. Mr. Scarpa said that if they were going to discuss the performance of an employee, the employee would have to be riced. Mayor Kelemen said that they should end the discussion and look into the need to rice an employee at the next meeting.

Motion was made by Councilman Robbins, seconded by Councilwoman Murphy, to approve the Resolutions on the following Consent Agenda. Motion carried.:

20-099 Authorizing Inclusion in the Bergen County Community Development Program

20-100 Authorizing Execution of an Agreement with Bergen County to Supersede the Cooperative Agreement Dated July 1, 2000 and Amendments Thereto Establishing the Bergen County Community Development Program

20-101 Award Contract for Bogota Public Library Bathroom Renovations

- 20-102 Authorizing Execution of Easement Agreement for Portion of Property at 75 West Main Street
- 20-103 Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for the 2021 Municipal Aid Application for Pine Street Section 2 and Larch Avenue
- 20-104 Bergen County Cares Act Municipality Reimbursement Agreement
- 20-105 Change Order #1 Resolution for Preston Street
- 20-106 Resolution to Advertise for Bids for Pine Street Section 2 Improvement Project

Resolution Voted on Separately:

Motion was made by Councilman Carpenter, seconded by Councilman Connors, to approve the following Payment of Claims. Motion carried after Councilwoman Carpenter requested that the graduation banner be taken out of Celebrations line instead of Recreation.

PC20-10 Payment of Claims

Public Hearing and Adoption of the Following Ordinance took place:

#1543 An Ordinance Amending Schedule XXII of Chapter 7-3.9 Regarding Parking Restricted on Certain Property

Approval: - Recreation Committee By-Laws: Councilman Robbins asked about the Director "Writing a report on all programs or any other matter considered important...". It was explained that the Director already does that. He keeps a report on all programs and current and future events. He works with Jason to keep track of ongoing events. He asked for clarification on Committee duties involving creating and maintaining a Master Plan. It was decided that it should say Master Plan for all Borough Parks, Playgrounds, and Recreational Areas. Councilwoman Carpenter questioned the use of the word "prescribe" in the first paragraph. Councilman Napolitano explained that "Prescribe" means recommend as something beneficial. Councilwoman Carpenter then asked if an ordinance had been adopted to add two members to the Recreation Committee, and Borough Attorney Bossong reported that Ordinance 1537 was adopted in February 2020. She pointed out that Section B says that the Chairman shall have all powers and sign correspondence and she asked if the Recreation Director should have the powers and sign the correspondence. She didn't understand how a chairperson has the authority to sign the correspondence. Mr. Bossong explained that it is not binding to anything. It refers to correspondence that makes recommendations to the Mayor and Council to approve. He continued that the Chairperson cannot act without majority approval from the Committee. She referred to Page 2 under Secretary and asked if 10 days meant business or calendar days. It is calendar days unless it designates business days. She questioned posting of field schedules with the Webmaster. She asked if they are just posting the schedules and not creating them. They are just posting them. She said "assistance from Borough staff" would be the administrator's responsibility. Mr. Connors said that can be removed. She did not understand why the Recreation Director is mentioned there since the Recreation Director answers to the Administrator. Mr. Bossong said that he reviewed the Recreation committee bylaws, and the language is in concert with the ordinance which says that the Recreation Committee works closely with the Recreation Director. She questioned Recreation Committee duties "Review work schedule for coming year". It was explained that the committee can work on the fields, prepare for Recreation sports such as football

Frank Miranda thanked everyone for voting on the bylaws. He said that a working document is important. They looked at different towns in order to create bylaws that were the right fit for our town. They should be accountable and able to bring things they see to the Recreation Director and the Administrator. He said the word partnership was used because they share the field with other towns. He said that a clear directive was needed for the Recreation Committee to make recommendations to the Council.

Motion was made by Councilman Napolitano, seconded by Councilman Connors, to close Citizen Remarks. Motion carried.

Mayor Kelemen said that he had asked in January for bylaws to be created in three months which would have been March. With Covid everything was changed. He thanked everyone for putting in time for this. He was on the Recreation Commission and remembers the time involved in it. He thanked the nine members of the Recreation Committee and congratulated them on creating the bylaws. He said the last time bylaws were created for the Recreation Commission was 1986 when his father was Mayor, so bylaws were created under the two Kelemen Mayors.

Councilman Napolitano thanked the volunteers as well for contributing their time and taking time away from their families to make things happen. He said this is an exciting time with the new community center coming. He said that in today's world, we need a strong community working together.

Reports: Mayor, Council Committees:

Mayor Kelemen said that we are starting Phase 2 of opening our world with hair salons and non-contact sports coming back. The ability to open pools and shopping malls will take effect June 29th. Outside groups maximum went from 100 to 250 with no limit on political and religious functions. Inside occupancy will be allowed at 25% not to exceed 100 people. Casinos and Racetracks will reopen July 2nd. Also on July 2nd, indoor restaurants will open at 25% capacity. Outdoor dining is still allowed. On July 2nd, playgrounds and amusements can open at 50% depending on the community itself. As long as there are no spikes more things will open. This excludes night clubs and gentlemen clubs. The Bergen County executive suggested entering the information for the Cares Act reimbursement as soon as possible. This gives the 25% not covered by FEMA. County testing is continuing at approximately 500 tested daily. Mobil units will be operating until the 3rd week in July. Indoor tennis guidelines will be out soon. The state is hoping on a determination of September school opening by the end of this week or beginning of next week. There is no consideration of gyms opening as Florida and California had spikes related to gym openings. Cleaning procedures must be reviewed. Primary Day is July 7th. There is no word yet on extending the deadline for 3rd quarter taxes. Senior Centers cannot open until a vaccine is found. Libraries are doing curbside pick-up. It is suggested to continue Zoom meetings. Please get tested if you feel that you have been exposed. Bogota had 195 cases and 15 deaths. There is a Kelemen youtube about the Covid 19 Memorial. Anyone with requests about tree or sidewalks should send an email to the clerk at clerk@bogotaonline.org. Mobile testing will take place in Bogota on July 8th at the St. Joseph's Church parking lot. The Bogota OEM Directors are coordinating it. Councilman Napolitano will be the liaison to the Rescue Squad for the remainder of the year. Please be aware that the governing body does not have the authority to determine what businesses can open in Bogota. Businesses must adapt to Borough ordinances, Zoning requirements, and Board of Health rules and guidelines. He sent a letter to Rutgers university School of Environmental and Biological Sciences supporting a grant application with the National Fish & Wildlife Foundation for Hackensack River. The funding will be used for Linear River Connection for enhancing Public access to the river, habitat, etc. and open space. He met with Mayors last year concerning this. Two weeks ago he had the virtual tour of Borough Hall with the third graders He thanks his daughter Nicki for

filming it and for setting up the questions and answers with the third graders. He received many thank you letters. He said that next year, with the Board of Education permission, he will have the third and fourth graders come to Borough Hall for the tour and breakfast with the Mayor. He thanked the members of council who approved the next step for moving forward with the Olsen Park renovations. He said this will be a big improvement. It will be a full size soccer field, football field with lights, two baseball diamonds, a five lane running track and a 100 meter straight dash. It will be open for everyone. Tonight the Council voted to endorse an application for a grant for up to \$850,000 for the renovations. He thanked everyone involved in making this happen. On June 9th, students from Bogota High School conducted a protest march to Borough Hall. Other protests groups joined them. The day before the protest, the Mayor, Administration, OEM Coordinator, and police were updated about the schedule of events. They met with the high school seniors. He congratulated them on a great performance, but is disappointed that no appreciation was given to the Mayor's team for all the protection given to this event. He thanked Captain Pitterski, Sgt. Liriano, OEM, Mr. Scarpa, Mr. Kohles and the whole DPW squad, the Rescue Squad and the Fire Department. He also thanked Little Ferry and Ridgefield Park police, members of the Bergen County Prosecutor's office, members of the Bergen County Sheriff's department, the Bergen county Deployment force, and the Superintendent of Schools. He met with the group outside of Borough Hall, welcomed them into our community and asked for their cooperation. When it was over, Chief Maye was told by the Bergen County police forces and some protestors that Bogota did a fine job and knows how to do it well.

Councilman Connors reported that at the June 9th Board of Education meeting, Mr. Kennedy said that the students were cleaning out their lockers. He congratulated the elementary schools for the virtual week of the arts. The scheduled school closing is June 15th. He said the protest march was successful. The superintendent thanked the borough and the Mayor for the graduation banner. Discussion took place about Sex Ed curriculum which should begin in either 2021 or 2022. Local Boards would have a say in what was taught. Parents will have the option to opt out of the class. At the June 16th meeting, the Superintendent congratulated everyone that attended the virtual graduation and is hoping for an outdoor graduation in July. Students brought the chrome books home for the summer for summer work. Summer school will be held virtually. A survey was sent home to parents. 160 people responded, and 58% do not feel comfortable having their children return to school in September. The teachers' contract was also approved on June 16th. Grants were obtained for Physical education and musical instruments for the elementary schools. The purchase of the masonic lodge was finalized at \$700,000. The Recreation Committee had two emergency meetings on bylaws and summer camp. He thanked the Council for approving the bylaws. Any questions on legality of a meeting should go through the Borough attorney. He said the Committee is confused about summer camp. He was told that Mr. Scarpa and Mr. Moore decided on the summer camp flyer. Flyers went out that said there would be a late fee of \$1 per minute for parents that are late picking up their children. Who decided on that? Who determines rain dates? Registration fee was increased but not discussed. Counselor salaries went up due to minimum wage increases, but no vote was done on raising fees. He never saw the flyer. He was told that Mr. Scarpa and Mr. Moore decided that there would be no recreation football this year. Why was the committee not consulted?

Councilwoman Carpenter said that the DPW is hiring three full time DPW workers as they lost two workers. Mr. Scarpa and Mr. Kohles conducted interviews yesterday. They will be interviewing summer help for the DPW at \$15 per hour. A new garbage truck should be arriving within three weeks. (Mayor Kelemen reminded everyone that the bucket truck has arrived.)

Councilman Napolitano reported that the Seniors have not been meeting at all but are grateful for the support from the Borough with shopping etc. He said that police continue to have less calls due to the Covid, about 60%. He thanked the police for their help with food collection for the food pantry. He is happy about the \$125,000 grant for a police officer. There will be two officers retiring soon. The estimated tax bills are scheduled to be sent out next week. The cash flow is fine. The Borough is in a good financial position despite the COVID. He thanked the council for voting on the grant application for Olsen Park. In trying to improve the Recreation facilities, all financial help is good. The 2019 paving is complete. The 2020 paving bids were opened this week, and the Central Avenue bids were opened today and came in under budget. He said that he would like to hear more about the River Cleanup since Bogota does border the river. He is glad that the governing body jumped on the parking issue for first responders, and he thanked the Council for voting on the foundation for the Community Center.

Councilwoman Murphy reported that the Bogota Public Library received a COVID response grant of \$9,750 on June 10th and a \$2,000 grant the next day. Bathroom renovation will be done soon. She apologized for being unable to attend Rescue meetings and thanked the governing body for taking care of that.

Councilman Robbins said that the Fire Department had their first Fire Meeting at the Bay practicing social distancing of 6 feet. He said the Bogota Volunteer Fire Department received a 4 ISO rating. (A ten is the worst and a 1 is the best.) It was determined that the fire department is well equipped to respond to any fire emergency in the community. The ISO rating determines a portion of property taxes. They are working on a rating of 3 which will require more training that they have started. He said they are hoping to get a CAT system that will dispatch information directly to lap tops which will help with faster response times. He would like the next step for a new firehouse to be discussed at the next meeting. Architect Bilow was asked to review the feasibility study done by RSC. He would like Mr. Bilow to attend the next meeting. The fire department needs emergency generators. Broad Street has one that is only good for running lights. It does not address heat, air conditioning, kitchen or other indoor needs. Mayor Kelemen asked Mr. Scarpa to look into the possibility of generators being mentioned in a bond.

Councilwoman Fede reported that she submitted the Sustainable Jersey on time on June 15th. She hopes the Borough will qualify. It will be finalized next fall. She attended the high school virtual awards ceremony. She brought a lot of plastic to Englewood. The trex boxes are available at Borough Hall and the police lobby for anyone to drop off plastic bags. She thanked Rescue and Fire for the birthday drive bys which concluded on June 15. There were several dozen drive-bys. Ridgefield Park will have a 4th of July parade but only with vehicles. There will be no hot dog truck or beer truck. Shred Day will be July 18th. Friends of the Library is now officially a non-profit corporation recognized by the IRS. All but one garden plot are planted in the Community Garden. One member put a light on the sign and another member donated an American flag. Atwater has put out an ad for affordable housing. A local Zumba instructor would like to teach outdoor Zumba at the park or in a parking lot. She has insurance. The Recreation Committee was notified about her.

Borough Administrator Scarpa said that Shred Day is July 18th from 9am to 1pm. The Road Program for 2019 was completed. Other roads will be started soon. The bid was awarded tonight for the library rest room. There was a quarterly safety meeting today. The Borough is getting a new fence at the DPW yard. The Fixed Asset Inventory is completed. He put the memo for green purchasing in everyone's mailbox. He said that tax collection was down 2% this year due to COVID. That is a \$314,470 loss. He said that the Recreation Camp is regulated by the State. He said that the \$1 late

fee must have come from the state. No determination has been made about football by the State. He said that the bill in question from the last meeting that was paid late was a bill that was missing. The BCUA only recently noticed that it had not been paid last year. Councilman Connors asked why the Recreation Committee was not involved in the contents of the flyer or the fee increase for the Summer Camp. Mr. Scarpa said that the information on the flyer must be from the state. Councilman Napolitano asked if the Council voted on the fee increase and the answer was No. Mayor Kelemen requested a meeting next week to discuss the flyer and the fee increase.

Borough Attorney Bossong said that the advertising for Affordable Housing units went out. The Administrative Agent solicited and sent out notifications to the quad county area. Applications will be accepted by the administrative agent, and a lottery will be held for the 42 units. They are expecting about 100 applications will be received. The administrative agent will screen the applicants to be sure that they qualify for affordable housing. Once the screening is done, a lottery will be held. The winners will be offered leases.

Borough Clerk Cook reported that the rabies clinic was a success and thanked OEM, the Police, the Police Auxiliary, Rescue, Fire, and the DPW for all their help. She also reminded everyone that July 7th is Primary Day. The Recreation Center will be the only polling center. Only the blind, illiterate, and handicapped will be allowed to vote in the machine. All other voters should vote by mail. If anyone lost their ballot, they vote provisionally at the Recreation Center.

Motion to go into closed Session for a Personnel matter was made by Councilman Robbins, seconded by Councilman Napolitano. Motion carried at 10:05pm.

When the meeting reconvened at 10:30pm, motion was made by Councilwoman Fede, seconded by Councilman Napolitano, to amend the resolution from the December 19, 2019 meeting, extending Joseph Scarpa's contract to 2022. The amendment would reflect all terms of the December 2, 2019 correspondence by Joseph Scarpa that would include extending his contract to December 31, 2021 at a salary of \$120,000, with a \$500 increase in the recycling coordinator stipend and a \$100 per month increase in the phone, car expense allowance.

Motion was made by Councilman Robbins, seconded by Councilwoman Fede to adjourn. Motion carried and the meeting adjourned at 10:40pm.

Minutes respectfully submitted by Borough Clerk Jeanne Cook.