



Regular Meeting of the Mayor and Council of the Borough of Bogota, to be held at the Bogota Council chambers, 375 Larch Avenue, Bogota, NJ, on Thursday, May 2, 2019 at 7:30pm.

Salute to the Flag was led by Councilman Robbins.

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, Napolitano, and Robbins were present. Also attending were Borough Attorney Betesh and Borough Administrator Scarpa.

Motion was made by Councilwoman Murphy, seconded by Councilwoman Gates-Ferris, to open the meeting up for Citizen Remarks. Motion carried.

Tony Culmone requested that a port-a-john be put in Pagano Park.

Michael Connors said that a speaker at the last meeting said that last year's tax increase was \$101, but his tax increase was only \$80. He asked if money was put in the budget for the police officers that will be working in the schools.

Michelle Rugar said that Teaneck is studying the impact of a development after the fact. She hopes that Bogota will do studies concerning school and traffic before moving forward with the new redevelopment studies.

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

Councilwoman Gates-Ferris said that she saw the article about Teaneck in the paper and hopes Bogota will not wait until after development to do studies. She said that she would like someone from the planning board to bring the study that was done for the areas in need of redevelopment now. Councilman Napolitano said that the original study was done years ago as well as an additional study was done to combine the Sifford and Hess properties. Impact studies were done as well. Planner Grygiel could expand on that explanation. As for the new areas in need of redevelopment study, at this time only commercial/industrial is being considered which is what is there now. Councilwoman Carpenter said that the money for the officers was included in the operating budget. Councilman Napolitano said that he spoke to the Police Chief, and there is a \$70,000 short fall that needs to be added to the budget. He said that last year's tax increase was \$79 as per last year's auditor, and the year before was no increase. He said the Moody's report was A2 for 2017 and 2018. He said that 65% of the surplus was used last year. He said that there was no surplus in 2010, 2011, 2012, and 2013.

Mayor Kelemen said that the County tax increase for 2018 was a little over \$20, so the speaker may have added that \$20 to the municipal tax increase by mistake. Councilwoman Carpenter asked that the auditor come to the next meeting to answer any questions. She said that she will bring the tax information that she has to the next meeting.

Mayor Kelemen swore in two new police Auxiliary members: Martin Almonte and Jennifer Polanco. Captain Ray Sanchez of the Police Auxiliary presented badges to Mr. Almonte and Ms. Polanco.

Motion was made by Councilwoman Carpenter, seconded by Councilwoman Murphy, to open the Public Hearing on the Application for Bergen County Trust Fund Municipal Program for Park Development. Motion carried.

There were no Citizen Remarks on the Public Hearing.

Motion was made by Councilwoman Murphy, seconded by Councilman Robbins, to close the Public Hearing on the Application for Bergen County Trust Fund Municipal Program for Park Development. Motion carried.

Motion was made by Councilwoman Gates-Ferris, seconded by Councilman Robbins, to add the following endorsing resolution for a trust fund application. Motion carried and the following Resolution was added to the agenda.

19-081 Bergen County Trust Fund Application Municipal Endorsing Resolution

Discussion:

--Proposed Substance Abuse Policy: Borough Attorney Betesh explained that the present Substance Abuse policy only allows drug testing of employees under reasonable suspicion, but random testing of safety sensitive employees is needed as well as a definition of safety sensitive. He distributed an amendment to the current policy which will include safety sensitive employees to be randomly drug tested as well as the CDL employee. He said that this policy will go into more detail about how testing will be done etc. He said that employees should contact the Designated Employee Representative. Gordon Kohles received the training to be the Designated Employee Representative (DER) for Bogota. Dispatchers were added to the distributed amendment. Motion was made by Councilwoman Carpenter, seconded by Councilman Robbins to add the following Resolution to the agenda. Motion carried.

19-082 Amendment to Substance Abuse Policy with adding Dispatchers

-- Proposed Towing Ordinance: Mr. Betesh explained that the present borough Towing Ordinance does not regulate the fees that can be charged in private contracts. Additionally, the Borough was contacted by two private towing companies who requested that the Borough revise its towing ordinance to increase the fees that they can charge. Police Chief Maye said that Friday fees are very expensive. He also asked for cars to be left outside unless indoor storage is requested by the police or the owner of the vehicle. Crash wrap is also expensive. Mr. Betesh is going to go over the recommendations from the state and from the Police Chief to prepare an amendment to the existing Borough Towing ordinance.

Motion was made by Councilwoman Gates-Ferris, seconded by Councilman Robbins, to approve the following Resolutions on the Consent Agenda. Motion Carried.:

19-078 Hire Dianne Bandelt as after Care Counselor for Recreation Center

19-079 2018 Tonnage Grant Resolution

19-080 Tax Redemption for Block 55 Lot 6

Approval:

Motion was made by Councilman Napolitano, seconded by Councilman Macfarlane, to accept the Minutes of the Regular Meeting of the Mayor and Council for April 18, 2019. Motion carried with Council members Napolitano, Macfarlane, and Robbins voting Yes, Council members Carpenter, Gates-Ferris, and Murphy voting No, and Mayor Kelemen breaking the tie and voting Yes.

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

Lisa Kohles said that she did not understand a \$70,000 shortfall in the budget. She said that the Board of Education is paying for the police officers and is paying half towards equipment and uniforms for the officers.

Michael Connors mentioned the election fraud that took place in Elmwood Park and said that the town should be concerned about the integrity of the elections. He said that many children that move out of town are not removed from Bogota's voting record.

Michele Rugar asked if a number a number had been assigned to the substance abuse resolution. She also if the town had a program in place for people to give them guidance for substance abuse help.

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

Councilwoman Carpenter said that Challengers at the polls can say something if a person doesn't live in Bogota. She said that Elmwood Park involved absentee fraud. She said that her husband presented his driver's license and was turned away, so there is a need to do something. Discussion took place concerning training of poll workers. Unfortunately, there are not many people willing to be poll workers anymore. The Clerk said that the Resolution for the Substance abuse police is 19-082. Councilman Napolitano said that the Police chief had concerns about salary and wages and an operating budget short fall.

Borough Attorney Betesh said that the substance abuse policy contains a list of substance abuse professionals, and the DER will recommend that the employee speak to a substance abuse professional.

Reports: Mayor, Council Committees:

Mayor Kelemen told Tony Culmone that the town will look into putting in a port-a-john at Pagano Park. He said that he was asked to take part in the Hackensack River Corridor Demonstration Project. This project is led by Angela Johnsen who is the project coordinator for the Center of Urban Environmental Sustainability. This is a study with the Northern New Jersey Community Foundation along with the River Keepers and the Rutgers Center to stimulate economic development and increase cooperation among the seven communities along the river bank. They are interested in putting walking tracks, bike trails, etc. He will be meeting with her in a couple of weeks and invited any interested Council member to join him. He reported that the VFW had a beautiful ceremony yesterday for Loyalty Day which he attended with Council members Napolitano and Carpenter. He said that Bogota VFW Commander Alex Hernandez was presented with a plaque from the Governing Body for all of his hard work with Loyalty Day, Veteran's Day, Citizen of the year, and his help with Memorial Day. He thanked everyone who came to the presentation of the grant money which the town has been working on for two years. He is looking forward to seeing the renovations at Olsen Park including swings, handicap swings, some climbing mechanisms,

basketball and tennis court repairs which have been needed for years. He thanked Councilman Robbins for agreeing to be the liaison to the Swim Club.

Councilwoman Gates-Ferris reported that the library applied for a grant for archiving records. There was a New Jersey Nature Day on March 26th which was attended by 65 children. The next meeting of the Library board will be Monday, May 13. There was an historical lecture about the Hackensack River on Tuesday night at the library. Loyalty Day occurred last night, and the town-wide cleanup and fence weaving will occur on Saturday. Memorial Day and Bogota Day are coming soon.

Councilwoman Carpenter said that the Recreation Committee has not had a meeting since the last Council meeting. She spoke to Jim Moore who said that ice tea, hot dogs, lemonade, and popcorn will be given out by the Recreation Committee on Bogota Day. The DJ, fireworks and rides were confirmed as well as the trackless train and pony rides. Food trucks will contact the Board of Health for permits. She said that on Wednesday she met with a representative from CSX along with Nick Barese, Joe Scarpa, Gordon Kohles and Council members Robbins and Napolitano. Concerns about erosion and rust will be addressed. She attended the County meeting and said there were concerns about the ice contract and the Meadowlands Power Plant. On May 18th, there will be a student march at the BCUA protesting the power plant. Bergen community College started their STEM Program. Congressman Gottheimer introduced a bipartisan bill to protect senior citizens from financial fraud and scams which was passed April 30th. Senator Menendez introduced a bill concerning election fraud from cyber-attacks. She reported that the Freeholders introduced Project Search which is an internship program for high school seniors who have a handicap and can work at Holy Name Hospital. She will speak to the School superintendent about it.

Councilman Napolitano said that the Senior Advisory Board will be meeting on Monday. BACSA has found a new venue for Project Graduation. They will have a New York Cruise. They will have a car wash to raise money for it and are requesting donations. He gave a Police summary report. There were 719 General Calls, 1100 overnight parking permissions, 2700 calls. He said that he received the operating budget from the Police Chief and a letter requesting \$2,500 for the Youth Academy which he believes would be coming from the police budget, so he would like the police budget to be discussed. He said that the Mayor did a great job giving Alex Hernandez the plaque last night. The Loyalty event was very well done with the veterans and the students reading their essays. He said that Alex Hernandez told him about a program the governor is offering where towns receive a Municipality Award for honoring veterans. If a municipality scores enough points for honoring its veterans, it will receive an award, so Bogota is going to work on that.

Councilwoman Murphy said that she attended a meeting on April 15th with the architects asn Joe Scarpa, Councilman Robbins, and Alex Breuss. An updated 74 page draft has been prepared by the architects. Mr. Scarpa will meet with the architect to update at the next meeting. A boy scout is working with the fire department for his eagle scout badge. He would like to paint the Maltese Cross marker in front of all the fire hydrants. He asked if the Borough could provide the paint which would cost about \$130. Motion was made by Councilwoman Murphy seconded by Councilman Napolitano, to approve the Eagle Scout project for the Maltese Cross markers. Motion carried. She said that Mr. Grygiel was in a car accident, so he missed the last planning and zoning meeting. The study will be voted on at the May 14 meeting. She is concerned about styrofoam collection. It has to be looked into before moving forward.

Councilman Robbins reported that the Rescue Boot Drive was a success. They collected over \$4,000 in donations. They purchased new tools from their last fund raiser. They will put a picture of the

tools on line to thank donators, and they will have a table at Bogota Day. There have been no air traffic complaints for the month of April. The first recorded Council meeting, April 18, is on the website. He said that the town is working on purchasing a camera, but will use the IT consultant's camera until one is purchased. He attended his first Swim Club meeting where he introduced himself. He is looking forward to working with them, and the president will keep him updated. He reported that PSE&G is currently fixing gas leaks at various areas on River Road. Suez Water has started removing lead pipes on Leonia Avenue. There are various sink holes being addressed in town, one on Palisade Avenue by the Church is being repaired by the developer. A sink hole on Park Place is being addressed, the DPW will camera the storm drain line for the sink hole on Elm Avenue to see if there are any other issues. Bogota Beautiful will be doing the fence weaving from 11am to 4pm on Saturday. All are welcome. He has spoken to Senior Citizens about recording the meetings. He asked if there is some way to offer classes to the Seniors on using the computer. He also asked if a computer could be made available in the Senior Center, so Seniors can go to the website.

Councilman Macfarlane reported that the Board of Education met on Tuesday and the Superintendent presented the budget report. The tax levi is the 2% CAP. He said that the reserve is up to \$4 million. The reserve is for capital expenses so as not to bond. This year the Board of Ed will be buying a new school bus. The old bus will be used by the athletes. There will be an IT upgrade, repairs at Bixby School, and extension of classrooms for anticipated growth. He said the tax levi will result in a \$121 per year on an average home. The taxes are made up of Municipal, School, and County. The Board of Education will be doing their own grant writing instead of using an outside firm. The preschool program will be expanding. The budget has passed. Bond Anticipation Notes have been consolidated in a general bond of \$6.5 million at a rate of 2.65%.

Borough Administrator Scarpa asked for the port-a-john on the property across the street to be moved to the back of the house. He said that the handicap spot in front of the building needs to be painted. The stormwater report has been submitted. The tonnage report was also submitted. A lot of dead trees and dead limbs were taken down in Olsen Park and by the Swim Club. The baseball field will be repaired from the damage made from the Carnival. The Board of Education will work on that. A wetland study was done on the property across from the Swim Club. The DEP will send a report in 6 to 8 months. The town received 100,000 for the repair of Cane Street from Community Development. The tree planting grant will be withdrawn, because we will not be planting trees. A Road opening application has been prepared.

Borough Attorney Betesh thanked the Council for approving the Substance Abuse Policy amendment. He said one state tax appeal has been filed for 227 River Road. He said that the Borough Engineer said that the DEP reviewed the town's flood ordinance, and a draft will be made to amend it. He said that Article 3, Section 5 of the bylaws need to be amended. The bylaws committee will meet and discuss.

The Borough Clerk reminded everyone to follow the Open Public Meetings Act.

Motion was made by Councilwoman Murphy, seconded by Councilman Macfarlane, to go into Closed Session at 9:55pm for Real Estate and Litigation. Motion carried,

When the meeting reconvened at 10:45pm, motion was made by Councilman Napolitano, seconded by Councilwoman Gates-Ferris, to add the following Resolution to the agenda. Motion carried:

19-083 To adopt a Rehabilitation Manual for COAH

Motion to adjourn was made by Councilman Napolitano, seconded by Councilwoman Gates-Ferris, to adjourn. Motion carried and the meeting adjourned at 10:46pm.

Minutes respectfully submitted by Borough Clerk Jeanne Cook