



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, May 16, 2019 at 7:44pm.

Salute to the Flag was led by Councilwoman Murphy.

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, Macfarlane, Murphy, Napolitano, and Robbins were present. Councilwoman Gates-Ferris was absent. Also attending were Borough Attorney Betesh Borough Administrator Scarpa as well as representatives from Borough Architects RMC and RCB Urban Renewal Developer John Stein.

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

Zenovia Costa said that she was given permission from Walter Croft to have her own group in the parade. Children would dress in super hero costumes and stand for humanity, equality, etc.

Michele Rupar asked about the deadline for preparing the agenda for a meeting and putting it on the website. She said that Teaneck did a study after the fact for a new development. She said that Councilwoman Gates Ferris said that no studies were done for the West Fort Lee Road project and she is concerned.

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

Borough Clerk Cook explained that the agenda was completed by 12 noon on Tuesday and distributed to the Mayor and Council. It was not sent to the website until today, Thursday. Borough Attorney Betesh explained that there is no specific time in the statute as to when an agenda has to be posted on the website.

Councilman Napolitano explained that all the necessary studies had been done for the West Fort Lee Road project before hand as per the land development laws, and he said that he believes that this was discussed at the last Council meeting as well. Mayor Kelemen said that the studies were done in 2015 or 2016.

Presentation was made by representatives of the Borough Architect, RSC Architects, concerning Firehouse #2 and Firehouse #3. They presented a plan to tear down firehouse #2 because it is in very bad shape. They also spoke about tearing down firehouse #3 and rebuilding it to hold the Fire truck from Firehouse #2 as well.

Presentation was made by Michael Bruno, the attorney representing River Development Bogota, requesting to assign a portion of Redevelopment Agreement and Financial Agreement to a subsidiary company.

Discussion: Discussion took place concerning RCB Urban Renewal. Questions and concerns were addressed by the developer, John Stein, and the attorney, Michael Bruno.

Motion was made by Councilman Napolitano, seconded by Councilman Robbins, to change the order of the agenda and move Resolution 19-089 to follow the discussion about it. Motion carried and Resolution 19-089 was moved up on the agenda.

Motion was made by Councilman Napolitano, seconded by Councilwoman Murphy, to approve the following Resolution. Motion carried.

19-089 Authorizing the Partial Assignment of Block 3, Lots 3, 4, 7, 8, & 9 to RCB Urban Renewal II

Motion was made by Councilwoman Carpenter, seconded by Councilwoman Murphy, to add the following Resolution to the agenda due to the discussion concerning RCB Urban Renewal. Motion carried.

19-090 Resolution Authorizing Execution of Estoppel Certificate

Motion was made by Councilman Macfarlane, seconded by Councilwoman Carpenter, to approve the following Consent Agenda. Motion carried.:

19-084 Appoint Alternate Prosecutor Eric Bernstein and Associates

19-085 Appoint Public Defender Curt J. Geisler

19-086 Award Contract For Leonia Avenue Project Phase III and Phase IV to 4 Clean-Up

19-087 Reimburse Edward Rode for 2018 Property taxes

19-088 Approve Amendment to Shared Service Agreement with Bergen County Animal Control Services to include animal cruelty officer.

Resolution to be Voted on Separately:

Motion was made by Councilwoman Carpenter, seconded by Councilman Robbins, to approve the Payment of Claims with Councilwoman Carpenter recusing herself from voting on the payment to Roy Riggitano. Motion carried.

PC19-05 Payment of Claim

The following Ordinance was discussed. Motion was made by Councilman Napolitano, seconded by Councilwoman Murphy, to table the following ordinance. Motion carried.:

#1525 Ordinance Amending Chapter 9 of the Bogota Code, Entitled "Building and Housing"

Approvals:

Motion was made by Councilwoman Murphy, seconded by Councilman Napolitano, to approve Cindy Cross's request for a block party for June 8, 2019 on Beechwood Avenue from 1pm to 7pm. Motion carried.

Motion was made by Councilwoman Murphy, seconded by Councilman Robbins, to approve the Minutes of the Regular Meeting of the Mayor and Council May 2, 2019. Motion carried with only Councilwoman Carpenter voting No

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

Michele Rugar asked if a 2% transfer fee was incorporated into anything that was voted on. She was told that the 2% transfer fee was not incorporated into any of the "voted on" documents.

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

Reports:

Mayor Kelemen reminded everyone that Memorial Day is a week from Monday. Fire inspections will be at 9:00am. Memorial Services will be at 11:00am in front of Borough Hall, and the parade will begin at 2:00pm. He will be sponsoring his annual breakfast with the 3<sup>rd</sup> graders on June 13<sup>th</sup>. He said that he received an email from a boy scout, Jeffrey Pollek who would like to put Allergy Warning signs around the park between summer and fall of 2019. The signs would explain that people should eat in designated areas only. Jeffrey's brother has life threatening food allergies as do many people, so he would like to do this service for them.

Councilwoman Carpenter read Councilwoman Gates-Ferris' report due to her absence.

Library – Trustee meeting was on Monday, here are some highlights:

- The Trustees gave a big thank you to the Council for increasing the 2019 budget by \$26,000 – it is greatly appreciated
- Trustees discussed revisions to the personnel Sick Time policy and are working on finalizing a Performance Review form and process for the Library Director
- BCCLS requested access to the Library to make deliveries and pick-ups; the Trustees think this could be a security risk and suggested installing something like a locker in front of the Library that could be accessed anytime by someone with a key. Some deliveries are quite large so sufficient space is required
- June 22 is the Mighty Read an hour-long marathon story-time featuring community leaders reading to kids
- Chelsea is managing the Strategic Plan for BCCLS and presented the first draft to the Executive Board last night
- Chelsea attended the HS PTO meeting to share the library's strategic plan
- New end panels for the shelves was installed this week
- A consultant visited the library on April 19 to assess our local history collection and space; she will provide a full report that can be used to apply for grants
- 2019 circulation is up by over 2,000 from 2018; as of the end of April over 1,843 kids and adults attended the 122 programs provided at the library so far this year; over 16,000 items were circulated; there are 4,500 card holders; 699 passports were processed and 195 volunteers' hours were logged

125<sup>th</sup> Anniversary Celebration

- The Journal Committee plans to have a draft of the Journal (over 100 pages) by mid-June with the final document going to print in early Sept.
- Next newsletter will be sent over the summer and will feature homecoming weekend and the Gala

Reminder: Junior Police Academy Fundraiser in tomorrow (Friday) night at 7pm at the VFW

NYC licensed cars – I asked Chief Maye what could be done and he responded in an email that I shared with the Council members

Councilwoman Carpenter attended the Board of Education meeting and learned that Mr. Chang received grant money of \$3,300 so the garden area can be fixed by the Garden Club. Recreation Committee confirmed who will be working on June 1 for Bogota Day and that water will be given out on Memorial Day. She was not able to attend the County meeting last night. The DPW is repairing pot holes and the parks for Memorial Day. She said that Gordon Kohles requested that

the Borough join the Educational Coop in order to order the bucket truck. She said that the NJCFF would like to set up a ribbon cutting ceremony on Bogota Day for the fence weaving and Bogota Beautiful would like to set up a table on Bogota Day.

Councilman Napolitano reminded everyone about the Memorial Day Veterans' Ceremony and Parade. He said that the borough is still working on a Community Award from the Governor for appreciation of Veterans. He said that Military Appreciation Month ceremony would occur on May 17<sup>th</sup> at 12:30pm in the Bergen County Administration Building. He reported that a senior was very grateful to Police Officer Ryan Ward for helping with groceries. He said that Madeline Banks is now in assisted living and the seniors asked about getting new tables and chairs and about sidewalk repairs. He is concerned about the police budget short fall and hopes it can be worked out. He also asked that the Youth Academy commitment of \$2,500 from the police and \$2,500 from the Council be processed soon.

Motion to cut the check for the Youth Academy was made by Councilman Napolitano, seconded by Councilwoman Murphy. Motion carried.

Councilman Napolitano spoke about the fencing on Main Street. He asked if the Borough can continue the fencing on Main Street due to safety issues.

Councilwoman Murphy reported that the next Planning and Zoning meeting will take place on May 28<sup>th</sup>. She said that Paul Grygiel will be at the June 11<sup>th</sup> meeting. She said that the Interstate Contract approval for the dry cleaners took place. She said that members of the Community Garden asked to be part of the Bogota Creative Team. She would like them to come to a meeting in June. She reported that Community Garden plots are available, and Joe Gallagher is the point person. A plot costs \$50 for one plot and %75 for two plots. She said that the Fire Department helped with watering the garden plots. She reiterated that the architects spoke about the firehouses and said that the Borough has until October to make a decision on the firehouses.

Councilman Robbins said that Code Enforcement Officer Nick Barese spoke to the CSX representative about painting the train bridge. He said that there are environmental issues due to the lead paint, and a federal inspection reported that the structure was okay.

Councilman Macfarlane had been away, so he had no report.

Borough Administrator Scarpa said that the bids for the cleaning service came in. He said that the quote for the Basketball/Tennis Court repair was too high, and the current engineer will revise the quote. He said that a flyer will be going out for Bogota Day, and Reverse 911 may be used to notify residents of Bogota Day. The Recreation Building will be repainted with new flooring and new tile and grout. He reported that the fire escapes are partly finished.

Borough Attorney Betesh reported that the stormwater ordinance needs to be revised to be part of the National fund. He submitted revisions to the DEP and is waiting for feedback. He said that the Special Master for COAH, Shirley Bishop, said that all four requirements have been met.

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

Motion was made by Councilwoman Murphy, seconded by Councilwoman Carpenter, to go into Closed Session at 10:05pm. Motion carried and the following Resolution was added to the Agenda: 19-090C Closed Session for Real Estate Litigation.

Motion was made by Councilman Napolitano, seconded by Councilwoman Murphy, to reopen the Public meeting at 10:40pm.

Motion to adjourn was made by Councilman Macfarlane, seconded by Councilwoman Murphy. Motion carried and the meeting adjourned at 10:45pm.

Minutes respectfully submitted by Borough Clerk Jeanne Cook.