



Meeting Agenda

Regular Meeting of the Mayor and Council of the Borough of Bogota to be held on Thursday, August 3, 2017, in the Bogota Council Chambers at 7:00PM.

Salute to the Flag

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

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 July 17, 2017.

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

The following Resolution was acted upon after the Closed Session of the 7/20/17 meeting, and passed by a 4-0 vote:
17-126 Terminating F/T Police Dispatcher Ross Wagner

Consent Agenda:

- 17-127 Settlement of Tax Appeal for River Rock Equities Inc. – Block 113, Lots 7 & 8
- 17-128 Allowing Ridgefield Park/Bogota Soccer Association permission to schedule Recreation Soccer Games
- 17-129 Tax Sale Certificate for Block 77, Block 25
- 17-130 Authorization to Auction the New Ambulance
- 17-131 Petty Cash for Administrator
- 17-132 Petty Cash for DPW
- 17-133 Petty Cash for Police Chief

Approvals:

- St. Joseph's Church is holding a Carnival in September and is requesting approval for raffle licenses. Waive fee.
- Minutes 7/20/17

Reports

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

Closed Session:

Adjournment

Next Meeting: August 17, 2017



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

Settlement of Tax Appeal
 River Rock Equities Inc. – Block 113, Lots 7 & 8

WHEREAS, the owner of the above property has filed tax appeals against the Borough of Bogota for tax years 2014, 2015, 2016 and 2017; and

WHEREAS, the Mayor and Council of the Borough of Bogota have been advised of a proposed settlement for all years of said tax appeal for the above property; and

WHEREAS, the proposed settlement is as follows:

Lot 7 – All appeals will be WITHDRAWN

Lot 8

<u>Docket#</u>	<u>Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>	<u>Refund</u>
1607	2014	5,751,900	WITHDRAWN	0
3959	2015	5,751,900	WITHDRAWN	0
3883	2016	5,751,900	WITHDRAWN	0
3213	2017	5,751,900	5,351,900	15,272

WHEREAS, the Mayor and Council have been advised that the Attorney, Assessor and expert Appraiser have all been consulted and agree upon and recommend the proposed settlement; and

WHEREAS, the proposed tax appeal settlement is set forth in a Stipulation of Settlement attached hereto and made a part hereof.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council hereby approve and accept said terms of the above settlement and authorize the Borough Attorney to prepare and execute on behalf of the Borough any and all documents necessary to effectuate such settlement; and

BE IT FURTHER RESOLVED, that upon the issuance of a Judgment by the Tax Court, the Chief Financial Officer is authorized to issue a refund check for the tax overpayment resulting from this settlement.

BE IT FURTHER RESOLVED, that the Borough Clerk shall provide a copy of this Resolution to the CFO, tax assessor and tax collector.

ATTEST

 Jeanne Cook, Borough Clerk

 Christopher Kelemen, Mayor

MICHAEL A. VESPASIANO, ESQ.
331 Main Street
Chatham, NJ 07928
(973) 635-1100
Attorney ID No. 004341991

River Rock Equities Inc. % N. Park:	:	TAX COURT OF NEW JERSEY
Plaintiff,	:	Docket Nos. 001607-2014,
	:	003959-2015, 003883-2016,
	:	003213-2017
	:	
vs.	:	<u>Civil Action</u>
	:	<u>STIPULATION OF SETTLEMENT</u>
	:	(without Affidavit)
	:	
Bogota	:	Assigned Judge: Novin
Defendant.	:	First Calendar Date: 07/2015

1. It is hereby stipulated and agreed that the assessment of the following property(ies) be adjusted and a judgment entered as follows:

Block: 113 Lot: 8
Year(s): 2014, 2015, 2016
Street Address: West of NYS & WRR

	<u>Original Assessment</u>	<u>County Tax Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land:	\$1,078,000	\$ N/A	
Impvts:	\$ 178,500	\$ N/A	WITHDRAW
Total:	\$1,256,500	\$ N/A	

Block: 113 Lot: 8
Year(s): 2017
Street Address: West of NYS & WRR

	<u>Original Assessment</u>	<u>County Tax Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land:	\$1,078,000	\$ N/A	\$1,078,000
Impvts:	\$ 178,500	\$ N/A	\$ 178,500
Total:	\$1,256,500	\$ N/A	\$1,256,500

Block: 113 Lot: 7
 Year(s): 2014, 2015, 2016
 Street Address: West of NYS & WRR

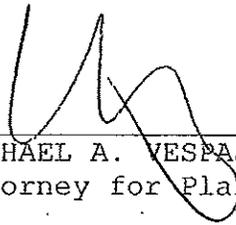
	<u>Original Assessment</u>	<u>County Tax Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land:	\$1,036,000	\$ N/A	
Impvts:	<u>\$4,715,900</u>	<u>\$ N/A</u>	WITHDRAW
Total:	\$5,751,900	\$ N/A	

Block: 113 Lot: 7
 Year(s): 2017
 Street Address: West of NYS & WRR

	<u>Original Assessment</u>	<u>County Tax Board Judgment</u>	<u>Requested Tax Court Judgment</u>
Land:	\$1,036,000	\$ N/A	\$1,036,000
Impvts:	<u>\$4,715,900</u>	<u>\$ N/A</u>	<u>\$4,315,900</u>
Total:	\$5,751,900	\$ N/A	\$5,351,900

2. The undersigned have made such examination of the value and proper assessment of the property(ies) and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property(ies) as they deem necessary and appropriate for the purpose of enabling them to enter into the stipulation. The assessor of the taxing district has been consulted by the attorney for the taxing district with respect to this settlement and has concurred.
3. Based upon the foregoing, the undersigned represent to the court that the above settlement will result in an assessment at the fair assessable value of the property(ies) consistent with assessing practices generally applicable in the taxing district as required by law.
4. Statutory interest, pursuant to N.J.S.A. 54:3-27.2, having been waived by taxpayer, shall not be paid provided the tax refund is paid within 60 days of the date of entry of the Tax Court judgment. Refund shall be payable to "Michael A. Vespasiano, Attorney Trust Account".

Dated: July 27, 2017



MICHAEL A. VESPASIANO
Attorney for Plaintiff

Dated:

CRAIG P. BOSSONG
Attorney for Defendant



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

Authorize Ridgefield Park/Bogota Soccer Association to Use Fields

WHEREAS, a request was made by the Ridgefield Park/Bogota Soccer Association to utilize the Borough Soccer field for play of their games this season; and

WHEREAS, the Mayor and Council deem it in the best interest to allow such use.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council hereby approve the use of the Borough Soccer field by the Ridgefield Park/Bogota Soccer Association for use during this season; and

BE IT FURTHER RESOLVED, that the clerk shall forward a copy of this resolution to the Recreation Committee, Recreation Director, and the Ridgefield Park/Bogota Soccer Association.

ATTEST

Jeanne Cook, Borough Clerk

Christopher Kelemen, Mayor

RESOLUTION # 17-129

DATE 8/1/17



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

WHEREAS, Tax Sale Certificate number 16-012 for block 77, Lot 25 a/k/a 200 Beechwood Ave has been redeemed and

WHEREAS, the redemption funds have been deposited into the Borough Trust Account.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the proper financial officers are authorized and hereby charged to issue a warrant in the amount of \$10,475.82 to Christiana Trust Cust. GSRAN-Z LLC, P.O. Box 71276, Philadelphia, Pa. 19176-6276.

BE IT FURTHER RESOLVED, that a certified copy of this resolution is to be given to the Tax Collector and that the check is to be given to the Tax Collector for proper processing.



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

Authorize Borough Auction

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:11-36 and N.J.S.A. 40A:12-13, the Borough of Bogota may sell any personal property that is no longer needed for public use; and

WHEREAS, the Mayor and Council of the Borough of Bogota have determined that said below property is not needed for public purposes or use and wishes to divest its interests in the same; and

WHEREAS, this sale will be in an "as is" condition without any express or implied warranties.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bogota, as follows:

1. The surplus property identified below shall be sold in an "as is" condition without express or implied warranties. It is recommended that items be inspected prior to placing a bid.
2. The successful bidder will be required to pay in cash or certified check made out to the Borough of Bogota at the time of pick-up of the item or vehicle.
3. The Borough will not deliver the item or vehicle to the successful bidder and the transfer of title, payment and removal off site is to occur within seven (7) business days after the sale has occurred.

SCHEDULE A

Number	Item Description	Minimum Bid
1	2014 Ford/Horton Ambulance E45 VIN # 1FDXE 4FS8E DB068 40	\$1000

ATTEST

Jeanne Cook, Borough Clerk

Christopher Kelemen, Mayor