



## Meeting Agenda

Regular Meeting of the Mayor and Council of the Borough of Bogota to be held on Thursday, March 2, 2017, in the Bogota Council Chambers at 7:30PM.

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 December 30, 2016.

### Consent Agenda:

17-068 Settlement of Tax Appeal: Singh Real Estate Dev - Block 71, Lot 1  
16-069 Refund of Tax Overpayment for Block 35, Lot 20

### Approval:

Minutes 2/16/17

### Discussion:

Amending Council By-Laws  
Expanding Community Garden  
Multi-Purpose Bond

### Reports

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

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

### Closed Session:

### Adjournment

Next Meeting: March 16, 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  
Singh Real Estate Dev. – 140 West For Lee Road, Block 71, Lot 1

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

<u>Docket#</u>	<u>Year</u>	<u>Original Assessment</u>	<u>Proposed Assessment</u>
7553	2014	3,057,000	WITHDRAWN
2871	2015	3,057,000	2,722,700
1843	2016	3,057,000	2,616,300

WHEREAS, upon approval of this Resolution, the tax assessor is permitted to file an assessor's appeal to conform the 2017 assessment to the figures listed for 2016; and

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 which will be 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.

ATTEST

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

\_\_\_\_\_  
Christopher Kelemen, Mayor

Atty. ID No. 028922009  
 Blau & Blau  
 Attorneys at Law  
 223-B Mountain Avenue  
 Springfield, New Jersey 07081  
 (973) 564-9003  
 Attorneys for Plaintiff  
 dkanoff@blauandblau.com

Singh Real Estate De & Inv. Co.,  
 Plaintiff,  
 vs.  
 Bogota,  
 Defendant.

Tax Court of New Jersey  
 Docket Nos. 007553-2014  
 002871-2015  
 001843-2016  
**CIVIL ACTION**  
**STIPULATION OF SETTLEMENT**  
 (Without Affidavit)

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

Block: 71  
 Lot: 1  
 Address: 140 West Fort Lee Road  
 District: Bogota  
 Year(s): 2014

	Original Assessment	County Board Judgment	Requested Judgment
Land	\$1,020,000		\$1,020,000
Improvement	\$2,037,000	Direct	\$2,037,000
Total	\$3,057,000	Appeal	\$3,057,000

Block: 71  
 Lot: 1  
 Address: 140 West Fort Lee Road  
 District: Bogota  
 Year(s): 2015

	Original Assessment	County Board Judgment	Requested Judgment
Land	\$1,020,000		\$1,020,000
Improvement	\$2,037,000	Direct	\$1,702,700
Total	\$3,057,000	Appeal	\$2,722,700

Block: 71  
 Lot: 1  
 Address: 140 West Fort Lee Road  
 District: Bogota  
 Year(s): 2016

	Original Assessment	County Board Judgment	Requested Judgment
Land	\$1,020,000		\$1,020,000
Improvement	\$2,037,000	Direct	\$1,596,300
Total	\$3,057,000	Appeal	\$2,616,300

2. The undersigned have made such examination of the value and proper assessment of the properties and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the properties 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 properties 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. All refunds should be mailed to Blau & Blau, attorneys for Plaintiff.



\_\_\_\_\_  
 Daniel R. Kanoff  
 Attorney for Plaintiff

Dated: January 25, 2017

\_\_\_\_\_  
 Craig P. Bossong  
 Attorney for Defendant

Dated:



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

WHEREAS, a Tax Court Judgment was received for Block 35, Lot 20 a/k/a 61 East Main Street for the years 2015 and 2016 and

WHEREAS, taxes are paid in full for both years thus creating an overpayment.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the proper financial officers are authorized and hereby charged to issue a warrant for \$11,275.00 representing \$3,729.00 for 2015 and \$7,546.00 for 2016 to Law Office of Nathan P. Wolf, LLC and Longview Apts, LLC, 673 Morris Avenue, Springfield, NJ 07081.

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.

**PROPOSED 2017 MULTI-PURPOSE BOND**

260,000 Co-operative Road Resurfacing/Drainage  
50,000 Police SUV  
40,000 Computers  
175,000 Borough-wide Security System  
180,000 Fire Department  
15,000 Sidewalk Repairs (Town trees)  
55,000 Building and Grounds  
220,000 DPW Pelican Sweeper and Dump Truck Body  
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**995,000 TOTAL**

Submitted by Joe Scarpa  
February 24, 2017