



## Meeting Agenda

Regular Meeting of the Mayor and Council of the Borough of Bogota to be held on Thursday, May 4, 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

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.

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

Consent Agenda:

17-087 Tax sale Certificate Redemption for Block 71, Lot 9

17-088 Tax Sale Certificate Redemption for Block 69, Lot 6

17-089 Tax Sale Certificate Redemption for Block 45, Lot 5

17-090 Renew Participation in the BCUA Solid Waste Cooperative Marketing Program

17-091 Authorizing Granting of License for fence – 344 River Road

Introduction of Ordinance

#1498 Amending Chapter VII Section 9 Entitled "Bus Stops" and Schedule XII to Relocate an Existing Bus Stop

Approval:

Minutes 4/6/17 and 4/27/17

Discussion: DPW

Reports

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

Closed Session: Personnel

Adjournment

Next Meeting: May 18, 2017

RESOLUTION # 17-087

DATE 5/4/17



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

WHEREAS, Tax "Sale Certificate 14-015 for 234 Larch Ave a/k/a Block 71, Lot 9 has been redeemed and

WHEREAS, the redemptions 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 \$27,760.12 to Public Tax Investments, LLC, P.O. Box 1030, Brick, NJ 08723.

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

RESOLUTION # 17-088

DATE 5/4/17



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

WHEREAS, Tax Sale certificate 16-009 for Block 69, Lot 6 a/k/a 234 Elm Avenue has been redeemed and

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

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council authorize the proper financial officers and they are hereby charged to issue a warrant in the amount of \$29,794.95 to Christiana Trust CUST GSRAN-Z LLC, Philadelphia, Pa 19176-6276.

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

RESOLUTION # 17-089

DATE 5/4/17



| 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 16-005 for Block 45, Lot 5 a/k/a 14 East Fort Lee Road 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 \$12,706.29 to Christiana Trust CUST GSRAN-Z LLC, P.O. Box 71276, Philadelphia, PA19176-6276.

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

RESOLUTION # 17-090

DATE 5/4/17



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

WHEREAS, in 2013 the Borough of Bogota entered into a Solid Waste Service Agreement with the BCUA to participate in the BCUA Solid Waste Cooperative Marketing Program; and

WHEREAS, the BCUA Cooperative Marketing Program has enabled Bogota to take advantage of cost savings that have resulted from the collective marketing of solid waste from more than one municipality; and,

WHEREAS, this agreement terminates on May 31, 2017, and it would be in the best interest of the Borough of Bogota to extend the current agreement for an additional year;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Bogota wishes to extend the Solid Waste Service Agreement with the BCUA for one year terminating on May 31, 2018.

RESOLUTION # 17-091

DATE 5/4/17



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

Authorize Granting of License -- 344 River Road

WHEREAS, the Borough of Bogota wishes to enter into an agreement with Ricardo Nicolas and Susan Harper, with a principle place of residence at 344 River Road; and

WHEREAS, the Borough, as Licensor hereby grants to Ricardo Nicolas and Susan Harper, the Licensee, the right to utilize a portion of Licensor's property which is adjacent to Licensee's westerly property line as identified the tax map of the Borough of Bogota as Lot 27, Block 1, more specifically a strip of land approximately five foot (5') by forty foot (40'); and

WHEREAS, the sole purpose of said License is to allow the Licensee to maintain, repair and/or replace an existing fence on the property;

WHEREAS, the License shall be revocable by either party, but shall inure to all party's respective successors, heir and assigns and shall be recorded with the Clerk of Bergen County; and

WHEREAS, the License shall only provide the Licensee the right to maintain and care for the fence located upon said property and shall not grant any fee simple ownership rights in said property to licensee now, nor any time in the future;

WHEREAS, said License shall be in substantially the same form as annexed hereto as Exhibit 'A'.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bogota, that a License be entered into between the Borough and Ricardo Nicolas and Susan Harper and hereby authorize the Mayor to execute the attached License Agreement effectuating the same.

BE IT FURTHER RESOLVED, that upon execution the Borough Attorney is hereby authorized to record said License with the Bergen County Clerk and that copies of this Resolution and License be forwarded to the Licensee.

ATTEST

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

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

17-091

Prepared by: \_\_\_\_\_  
Craig P. Bossong, Esq.

**REVOCABLE LICENSE**

**THIS AGREEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, between the Borough of Bogota, a municipal corporation of the State of New Jersey, having its principal place of business at 375 Larch Avenue, Bergen County, Bogota, New Jersey, hereinafter called "LICENSOR" and Ricardo Nicolas and Susan Harper, with a principle place of residence at 344 River Road, Bergen County, Bogota, New Jersey, hereinafter collectively called "LICENSEE",

**WITNESSETH:**

**FIRST:** For the sum of One Dollar (\$1.00) which is hereby accepted and acknowledged, Licensor hereby gives to Licensee a license to use a certain portion of Licensor's property, in Borough of Bogota, County of Bergen, and State of New Jersey, as identified on the tax map of the Borough of Bogota as Lot 27, Block 1. More specifically, an approximately five (5') foot by forty foot (40') strip of land on the westerly side of Licensor's property shall be utilized by Licensee, as if belonging to Licensee, for the sole purpose of allowing Licensee to maintain and care for an existing fence that is on the property. Said strip of land is identified and delineated on the survey annexed hereto as Exhibit 'A'.

**SECOND:** This License shall run in perpetuity but shall be revocable by either party upon thirty (30) days notice to the other. The Licensor reserves the right to revoke said license if said strip of land becomes needed by the Licensor. If the entire fence on the property becomes completely destroyed or removed and Licensee wishes to rebuild, said License shall automatically be revoked and said new fence shall be built solely within the confines of Licensee's property.

**THIRD:** This License shall only provide Licensee the right to maintain said existing fence upon the licensed property and shall not grant any ownership rights in said property to Licensee either now, nor any time in the future.

**FOURTH:** Licensee shall assume all risk and hereby releases Licensor and each of its officers, agents, servant, and employees, and its successors and assign, for any and all liability for losses or damage to Licensee, licensee's guests, or the property which may in any manner arise out of or result from Licensee's use of the property.

**FIFTH:** By granting this License, the Licensor represents that the Licensor has good and marketable title to the property and has full right and authority to grant said license to the extent there are any rules or regulations regarding the same.

**SIXTH:** This License Agreement shall inure to the benefit of this Licensee and any successors, heirs and assigns who are granted title or an interest in the property at 344 River Road.

**IN WITNESS WHEREOF,** Licensor has caused this Agreement to be signed individually and the Licensee has caused this Agreement to be signed by its proper officer or agent thereunto duly authorized.

LICENSOR:

LICENSOR:

By: \_\_\_\_\_  
Susan Harper  
344 River Road

By: \_\_\_\_\_  
Ricardo Nicolas  
344 River Road

LICENSEE:

By: \_\_\_\_\_  
Christopher Kelemen, Mayor  
Borough of Bogota

**EXECUTE AND RETURN TO:**

Craig P. Bossong, Esq.  
**Florio Perrucci Steinhardt & Fader, LLC**  
218 Route 17 North, Suite 410  
Rochelle Park, New Jersey 07662

**BOROUGH OF BOGOTA  
ORDINANCE NO. 1498**

**AN ORDINANCE AMENDING CHAPTER VII SECTION 9 ENTITLED "BUS STOPS"  
AND SCHEDULE XII TO RELOCATE AN EXISTING BUS STOP**

**WHEREAS**, the Borough of Bogota previously adopted Chapter VII entitled "Traffic" establishing regulations regarding parking, travel and other regulations regarding the roadways and streets in the Borough; and

**WHEREAS**, in consultation with NJ Transit, Schedule XII of subsection 9 of Chapter VII establishing the bus stops located throughout the Borough; and

**WHEREAS**, in consultation and with the recommendation and agreement of NJ Transit (dated April 12, 2017) and pursuant to Resolution 17-085 adopted by the Mayor and Council on April 27, 2017, the bus stop along Palisade Avenue at Beechwood shall be relocated;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Bogota, Bergen County, New Jersey that Schedule XII, Entitled "Bus Stops" of Chapter VII, Section 9 be amended as follows:

Section 1. Schedule XII entitled "Bus Stops" be amended as follows:

**SCHEDULE XII**

Palisade Avenue

~~On the west side of Palisade Avenue beginning at the southerly curblin of Beechwood Avenue and extending 100 feet southerly~~

*On the west side of Palisade Avenue beginning at the northerly curblin of Walnut Avenue and extending 105 feet northerly*

[Deleted sections are struck through, insertions are italicized]

**BE IT FURTHER ORDAINED**, that the Clerk shall send a certified copy of this Ordinance to NJ Transit and the Borough of Bogota Police Department; and

**BE IT FURTHER ORDAINED**, that the any and all signage shall be installed to effectuate the purposes of this Ordinance and such signage shall conform to the Manual on Uniform Traffic Control Devices; and

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect as required by law.

ATTEST

Borough of Bogota

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

By: \_\_\_\_\_  
Chris Kelemen, Mayor