



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, June 28, 2018 at 7:30pm.

Salute to the Flag

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 23, 2017.

Roll Call: Mayor Kelemen, Councilmembers Fede, Gates-Ferris, Macfarlane, Miranda, Murphy, and Napolitano, Borough Attorney, Borough Administrator,

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

Possible presentation Jay Mahoney

Public Hearing on Park Improvement through the Bergen County Trust Fund Municipal Program

Resolution:

18-096 Bergen County Trust Fund Application: Municipal Endorsing Resolution

Consent Agenda

PC18-07 Payment of Claims

18-097 Cancel Low Escrow Balance for Block 91, Lot 2

18-098 Refund Abandoned Property Escrow to Cyprexx Services for Block 77, Lot 40

18-099 Issue Liquor licenses for 2018 -2019

18-100 Authorizing Renewal of Agreement with Holy Name EMS

18-101 Tax Redemption for Block 106, Lot 3

18-102 Tax Redemption for Block 25, Lot 11

18-103 Approve Hiring Camp Counselors for Summer Camp Program

18-104 Authorization to Cancel the Trust Reserve and transfer the balance to the Current Fund

18-105 Retirement of Sgt. Jonathan Missker from the Bogota PD and Authorizing Retirement Payout

The Following Resolution will be voted on separately:

18-106 Introduction of the Budget

18-107 Authorizing Appointment of Greg Bock from Battaglia Associates as Chief Financial Officer

Introduction of the Following Ordinance:

#1515 CAP Ordinance

Public Hearing on the Following Ordinance

#1514 An Ordinance Amending Schedule VII of chapter 7-3.6 Entitled "Time Limit Parking" – to Establish an Exception for Active Borough Volunteers

Approval: Minutes of 6/7/18

Discussion: Teaneck Repairing of Fort Lee Road

Reports

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

Closed Session: FOP Contract

Adjournment



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

BERGEN COUNTY TRUST FUND APPLICATION: MUNICIPAL ENDORSING RESOLUTION

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Bogota desires to further the public interest by obtaining a matching grant of \$13,435 from the County Trust Fund to fund the following project: Bogota Olsen Park Playground Equipment; and,

WHEREAS, the governing body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body held the required Public Hearing to receive public comments on the proposed park improvements in the application on June 28, 2018; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

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

1. That they are hereby authorized to submit the above completed project application to the County by the deadline of **June 18, 2018**, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the Mayor and Council of the Borough of Bogota has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the Mayor and Council of the Borough of Bogota is committed to providing a dollar for dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That Mayor and Council of the Borough of Bogota agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

RESOLUTION # 18-097

DATE 6/28/18



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

WHEREAS, there exists a balance of 57 cents for second quarter of 2018 on Block 91, Lot 2 a/k/a 108 Chestnut Ave and

WHEREAS, it is at the discretion of the Tax Collector to cancel low balances.

NOW THEREFORE BE IT RESOLVED, BY THE Mayor and Council that the balance due of 57 cents be canceled.

BE IT ALSO RESOLVED, that a certified copy of this resolution is to be given to the Tax Collector for her records.

RESOLUTION # 18-098

DATE 6/28/18



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

WHEREAS, an escrow of \$2000.00 was collected and deposited in the Trust Account of the Borough for Abandoned Property Escrow and

WHEREAS, escrow funds are no longer being collect and the account is being closed and money is being refunded upon request.

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 \$38.87 from the Trust Account for Abandoned Property escrow to Cyprex Services, LLC. 525 Grand Regency Blvd, Brandon Fl. 33520. Att. Mimi Zimmer-Accounting Dept.

BE IT FURTHER RESOLVED, that a certified copy of this resolution is to be given to the Code Enforcement Office, Nick Barese for his records and the check is to be given to Nick Barese for proper processing.

RESOLUTION # 18-099

DATE 6/28/18



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

WHEREAS, the following have made application for Plenary Retail Consumption liquor licenses, which are in proper form and accompanied by license fee of \$2,232.00 each:

0204-33-001-003 Andy's Corner Inc. 257 Queen Anne Rd.

0204-33-007-008 Mato LLC, t/a Cozy Tavern, 131-135 Queen Anne Rd.

WHEREAS, the following have made application for Plenary Retail Distribution liquor licenses which are in proper form and accompanied by license fee of \$1,156.00 each:

0204-44-010-005 Megha Liquors and Grocery LLC. 8 E. Fort Lee Rd.

0204-44-003-010 Sejal Grocery, t/a Welsh Farms, 55 Queen Anne Rd.

0204-44-012-006 Shri Inc., t/a Riverview Liquors, 55 River Road

0204-44-008-004 S&M Brothers LLC, 25 Simpson Ct. Bergenfield NJ

0204-44-009-008 Luxmi Corporation, 9 Terry Ave, Edison, NJ

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bogota that licenses be issued to the above named applicants as of July 1, 2018, as said licenses expire June 30, 2019, and the Borough Clerk is authorized to sign and deliver such licenses.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the New Jersey Director of Alcoholic Beverage Control.



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

AUTHORIZING RENEWAL OF AGREEMENT WITH HOLY NAME EMS

WHEREAS, the Mayor and Council recognize that Bogota resident's safety and lives and responding to medical calls is of the utmost importance within the Borough; and

WHEREAS, being able to provide the quickest response for Bogota residents in case of a medical emergency is of paramount concern to the Mayor and Council; and

WHEREAS, with volunteers, it is sometimes difficult to have a constant timely response to emergency medical calls; and

WHEREAS, The Borough of Bogota entered into agreements with Holy Name EMS in 2016 and 2017; and

WHEREAS, the terms of the agreement will remain the same as prior agreements and in accordance with State Laws and Regulations.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Bogota do hereby authorize renewal of the agreement with Holy Name EMS for July 1, 2018 through June 30, 2019.

ATTEST:

Jeanne Cook, Borough Clerk

Christopher M. Kelemen, Mayor

RESOLUTION # 18-101

DATE 6/28/18



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 17-015 for Block 106, L3 a/k/a 48 Fairview Ave has been redeemed and

WHEREAS, the redemption funds have been deposited into the Borough of Bogota Trust account.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council that the proper financial officers be authorized and are hereby charged to issue a warrant in the amount of \$20,021.12, which represents the certificate amount of \$6,021.12 plus the premium of \$14,000 to American Realty Holdings, 56 Bramshill Drive, Mahwah, NJ 07430.

BE IT FUTHER 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 # 18-102

DATE 6/28/18



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 17-002 for Block 25, Lot 11 a/k/a 80 Kovar Street has been redeemed and

WHEREAS, the redemption checks have been deposited into the Borough of Bogota 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 \$11,662.20, which represents \$2,662.20 for the certificate redemption and \$9,000 premium.

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.



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

HIRING SUMMER CAMP COUNSELORS FOR BOGOTA RECREATION SUMMER CAMP

WHEREAS, a need arose in the Borough of Bogota Recreation Department for the position of Summer Camp Counselor from June 26, 2017 through September 1, 2017 – 40 hours per week; and

WHEREAS, there is a need for four Summer Camp Counselors; and

WHEREAS, The Recreation Director conducted interviews for the aforesaid position; and

WHEREAS, the Recreation Director has recommended the following five candidates to fill the position:

- Fanyu Hercules
- Carlos Castillo
- Joslyn Camilo
- Angela Gonzalez
- Jonathan Castro

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Bogota, county of Bergen, New Jersey that Fanyu Hercules, Carlos Castillo, Joslyn Camilo, Angela Gonzalez, and Jonathan Castro be hired as Recreation Summer Camp Counselors as follows:

Department: Recreation
 Position/Title: Recreation Summer Camp Counselor
 Category: Temporary Help from June 26, 2017 through September 1, 2017
 Rate: Minimum Counselor Rate as appears in most recent Salary Ordinance

RESOLUTION # 18-104

DATE 6/28/18



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

Cancel Reserve and Transfer to Current Fund

WHEREAS, there exists a Reserve for Judgments in the Other Trust Fund in the amount of \$248,575 and,

WHEREAS, this is not approved via a Dedication by Rider Resolution and,

WHEREAS, this amount was appropriated in previous years budgets, and

WHEREAS, the 2018 Municipal Budget includes an appropriation to satisfy all currently outstanding Judgments.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bogota that this Reserve be and is hereby cancelled and the \$248,575 be transferred to the Current Fund to be utilized as a 2018 Budget revenue.



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

**Retirement of Sergeant Jonathan Misskerg from
the Bogota PD and Authorizing Retirement Payout**

WHEREAS, Sergeant Jonathan Misskerg has submitted his retirement papers to the New Jersey Division of Pensions and Benefits and has retired from the Bogota Police Department as of June 1, 2018; and

WHEREAS, pursuant to the terms of the Collective Bargaining Agreement, Sergeant Misskerg is entitled to be compensated for unused vacation, holiday and personal days as well as terminal leave; and

WHEREAS, as certified to by Captain Pilterski, Sergeant Misskerg is retiring with a total of 628.5 unused hours (vacation, adjustment, holiday and vacation) which equates to a total of \$36,534.71 and is also eligible for two months terminal leave which equates to \$20,151.75 for a Grand Total of \$55,686.46; and

WHEREAS, the Borough of Bogota thanks Sergeant Misskerg for his years of service to the Borough of Bogota and to the citizens of the Borough of Bogota and wishes him well in his retirement.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bogota, that the Borough of Bogota hereby acknowledges the retirement of Sergeant Misskerg, thanks him for his service and authorizes the Chief Financial Officer to issue a check for sums due and owing as outlined above; and

Jeanne Cook, Borough Clerk

Chris Kelemen, Mayor

BOROUGH OF BOGOTA

CALENDAR YEAR 2018

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Ordinance #1515

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Borough Council of the Borough of Bogota in the County of Bergen finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Borough Council hereby determines that a 1.5% increase in the budget for said year, amounting to \$69,524.95 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Bogota, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Borough of Bogota shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$243,337.33, and that the CY 2018 municipal budget for the Borough of Bogota be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**BOROUGH OF BOGOTA
ORDINANCE NO. 1514**

**AN ORDINANCE AMENDING SCHEDULE VII OF CHAPTER 7-3.6 ENTITLED
“TIME LIMIT PARKING” – TO ESTABLISH AN EXCEPTION FOR ACTIVE
BOROUGH VOLUNTEERS**

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, namely overnight parking; and

WHEREAS, the Governing Body recognizes that volunteers and first responders need to respond as quickly as possible to emergencies and time is precious in those situations and therefore should be able to have their vehicles parked on the street and ready to respond as expeditiously as possible; and

WHEREAS, for those volunteers that meet the definition of “Active Volunteer Member” as that term is defined within the Borough Code, the Governing Body would like to issue annual parking passes to exempt them from the ban on overnight parking within the Borough; and

WHEREAS, said parking passes shall be issued by the Chief of Police annually upon certification by the respective Departments which members qualify as “Active Volunteer Members” and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Bogota, Bergen County, New Jersey that Chapter 7-3.6 entitled “Time Limit Parking” be amended as follows:

7-3.6 Parking Time Limited on Certain Streets.

- A. No person shall park a vehicle for longer than the time limit shown in Schedule IV at any time between the hours listed in Schedule IV of any day upon any of the streets or parts of streets described in Schedule IV attached to and made a part of this chapter. (Ord. 1/12/67; Ord. 7/10/75; Ord. 9/9/76; Ord. 807; Ord. #1114, S3; Ord. #1136, S3; Ord. #1160, S3; Ord. #1176, S3; Ord. #1180, S1; Ord. #1185, S1; Ord. #1191, S3; Ord. #1250, S2; Ord. #1367; Ord. #1382; Ord. #1395)
- B. *Exemptions. The Chief of Police shall be permitted on an annual basis to issue to any qualifying Active Volunteer Member, as defined in §32-1.2, a permit exempting them from the provisions of Schedule IV related to overnight parking only. Said permit shall be valid for one calendar year and shall only be issued and in effect so long as said Active Volunteer Member qualifies as the same. Any authorized Borough of Bogota volunteer who is not covered by Chapter 32 benefits, shall be eligible for a permit under this*

ORD 1514

section upon certification of their Department Head that they have participated in at least 50% of the calls.

Amendments in italics

BE IT FURTHER ORDAINED, that a copy of this Ordinance shall be sent to the Chief of Police and the Borough of Bogota Police Department; and

BE IT FURTHER ORDAINED, that if any section of this Ordinance shall be deemed invalid as a matter of law, such invalidity shall not affect any other portion contained herein; 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