



Meeting Agenda

Regular Meeting of the Mayor and Council of the Borough of Bogota to be held on Thursday, August 17, 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

Discussion: - Changing Animal Control Provider before year end (60 Day Notice)
- River Road Culvert Discussion
- Discussion on Endorsing the Override of Gov. Christie's conditional veto of the oil train bill

Consent Agenda:

PC17-08 Payment of Claims
17-135 Changing Animal Control
17-136 Auction Ancillary Ambulance Equipment

Introduction of Ordinance:

#1501 An Ordinance Amending Chapter IX Entitled "Building and Housing" to create subsection XII – Entitled "Unsafe and Uninhabitable Structures"
#1502 Salary Ordinance

Approvals:

- Bogota Beautiful is requesting a Block Party for September 9th on West Fort Lee Road between Larch Avenue and Elm Avenue
-Minutes 8/03/17

Reports

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

Closed Session: Personnel –Interviews for new position/ Certification Classes
Real Estate –River Development

Adjournment

Next Meeting: September 7, 2017

RESOLUTION # PC17-08

DATE 8/17/17



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

WHEREAS, as required by NJSA 40A:4-57 and any other applicable requirements, the Chief Financial Officer of the Borough of Bogota has certified there are sufficient funds available in the appropriations of the municipal budget line items to make payment to claimants per the payment of claims;

BE IT RESOLVED that the Mayor and Council of the Borough of Bogota authorizes payment in the aggregate amounts of:

BOROUGH OF BOGOTA

Bill list

08/02/17 - 09/01/17

| <u>Vendor</u> | <u>ponum</u> | <u>Amount</u> | <u>Description</u> | <u>Account</u> | <u>Check #</u> |
|----------------------|--------------|---------------|--------------------|----------------|----------------|
| PITNEY BOWES | 3040899 | 1,020.99 | POSTAGE + | General | 0 |
| ENVIRONMENTAL | 3040900 | 336.00 | INV# 269847M - | Solid Waste | 0 |
| ENVIRONMENTAL | 3040901 | 420.00 | INV# 269851 - | Solid Waste | 0 |
| ENVIRONMENTAL | 3040902 | 840.00 | INV# 270047 - | Solid Waste | 0 |
| ENVIRONMENTAL | 3040903 | 420.00 | INV# 269640 - | Solid Waste | 0 |
| ENVIRONMENTAL | 3040904 | 525.00 | INV# 269639 - | Solid Waste | 0 |
| ENVIRONMENTAL | 3040905 | 420.00 | INV# 269833 - LOGS | Solid Waste | 0 |
| SUMMIT RISK SERVICES | 3040906 | 6.00 | REMAINING PAT DUE | Legal | 0 |
| PITNEY BOWES | 3040907 | 444.99 | INV# 3303796448 - | General | 0 |
| TED'S DELI | 3040908 | 140.00 | LUNCHEON FOR | General | 0 |
| AIRPOWER | 3040909 | 1,932.00 | ANNUAL SRVC | Fire - O/E | 0 |
| OLYMPIC GLOVE & | 3040910 | 319.80 | CALIBRATION OF 4 | Fire - O/E | 0 |
| BOGOTA EXEMPT | 3040911 | 500.00 | ANNUAL DUES FOR | Fire - O/E | 0 |
| KENNETH GUIDA | 3040912 | 37.41 | (FD) KEY | Fire - O/E | 0 |
| TOM'S SERVICE CENTER | 3040913 | 1,153.15 | (FD) TIRES AND | Fire - O/E | 0 |
| RIEDEL SIGN CO. | 3040914 | 525.00 | INV# 12052 - PAST | TRUST-OTHER | 0 |
| G & S HARDWARE | 3040916 | 55.79 | INV# 281282 - 55 | Buildings & | 0 |
| TOM'S SERVICE CENTER | 3040917 | 391.40 | INV# 32108 - (DPW) | DPW - O/E | 0 |
| HOME DEPOT CREDIT | 3040918 | 50.32 | PISTOL NOZZLE/ | Buildings & | 0 |
| HOME DEPOT CREDIT | 3040919 | 29.94 | HDX NITRILE DISP | DPW - O/E | 0 |
| HOME DEPOT CREDIT | 3040920 | 147.00 | 60 GALLON CARRY | Buildings & | 0 |
| G & S HARDWARE | 3040921 | 10.78 | INV# 281222 - QT | Buildings & | 0 |
| PRESTIGE AUTO WASH | 3040922 | 9.00 | INV# 2245 - FULL | DPW - O/E | 0 |
| TIRE MANAGEMENT LLC | 3040923 | 409.75 | INV# 74661 - | Solid Waste | 0 |
| VERIZON | 3040924 | 39.32 | DPW ALARM LINE AT | Buildings & | 0 |
| JOHN A. EARL, INC. | 3040925 | 68.36 | INV# | Buildings & | 0 |
| SHERWIN-WILLIAMS | 3040926 | 214.90 | INV# 2947-7 5 | Buildings & | 0 |
| SHERWIN-WILLIAMS | 3040927 | 214.90 | INV# 2922-0 5 | Buildings & | 0 |
| SHERWIN-WILLIAMS | 3040928 | 214.90 | INV# 0492-6 5 | Buildings & | 0 |
| SHERWIN-WILLIAMS | 3040929 | 226.07 | INV# 6115-8 5 | Buildings & | 0 |
| KEEHN POWER PRODUCTS | 3040930 | 184.75 | INV# 08842 - | Buildings & | 0 |
| KEEHN POWER PRODUCTS | 3040931 | 94.86 | INV# 08917 - OIL, | Buildings & | 0 |
| COOPER PEST | 3040932 | 65.00 | INV# 1168322 - | Buildings & | 0 |
| BEYER BROS. CORP. | 3040933 | 592.97 | INV# 27607 - | DPW - O/E | 0 |
| WB MASON | 3040934 | 52.01 | INV# I46229743 - | DPW - O/E | 0 |
| WB MASON | 3040935 | 52.01 | ORDER # S050896190 | DPW - O/E | 0 |
| UNIVERSAL ELECTRIC | 3040936 | 55.00 | INV# 0207148 - | Buildings & | 0 |
| TRAFFIC SAFETY & | 3040938 | 248.76 | INV# 184081 - | Buildings & | 0 |
| MATERA'S NURSERY | 3040939 | 113.05 | INV# 9369953 - | Buildings & | 0 |
| MATERA'S NURSERY | 3040940 | 251.30 | INV# 9369686 - | Buildings & | 0 |
| LINCOLN LANDSCAPING | 3040941 | 542.50 | SPRAY LAWN AREAS | Buildings & | 0 |
| NEW JERSEY DOOR | 3040942 | 587.74 | EMERGENCY REPAIR | Buildings & | 0 |
| TIMMERMAN EQUIPMENT | 3040943 | 646.90 | INV# 0213074-IN - | DPW - O/E | 0 |
| UNITED MOTOR PARTS | 3040944 | 59.94 | INV# 1707670 - | DPW - O/E | 0 |
| BI-COUNTY JUNIOR | 3040945 | 1,300.00 | BCJSFL ANNUAL DUES | | 0 |
| LINCOLN LANDSCAPING | 3040946 | 3,795.00 | CONSTRUCT A 65 | | 0 |
| WB MASON | 3040947 | 312.87 | INV# I46146263 - | Police - | 0 |
| METROCOM WIRELESS | 3040948 | 1,488.30 | INV# 47895 - | Police - | 0 |
| MGL PRINTING | 3040949 | 170.00 | DELINQUENT NOTICES | Revenue | 0 |
| A.F.A TEAM SPORTS | 3040951 | 1,240.15 | | | 0 |
| INSERRA SUPERMARKETS | 3040952 | 42.26 | | | 0 |
| A.F.A TEAM SPORTS | 3040953 | 1,390.15 | | | 0 |
| COSTCO WHOLESALE | 3040954 | 349.14 | | | 0 |
| JAMES MOORE | 3040955 | 377.63 | | | 0 |
| ELMWOOD ENCLOSURE | 3040958 | 1,703.00 | RADIATOR COVERS + | 2016 #1488 | 0 |
| BOGOTA AUTO BODY | 3040959 | 893.67 | REMOVE DECALS FROM | OEM - O/E | 0 |
| SPECTROTEL | 3040961 | 1,794.52 | INV# 8165807 - | Telephone | 0 |
| VERIZON WIRELESS | 3040962 | 1,894.83 | ACCT# | Telephone | 0 |
| A & M ALARM SYSTEMS | 3040963 | 495.00 | INV# 14342 - | Buildings & | 0 |
| A & M ALARM SYSTEMS | 3040964 | 65.00 | INV# 14120 - | Buildings & | 0 |
| A & M ALARM SYSTEMS | 3040965 | 96.00 | INV# 14114 - | Buildings & | 0 |
| A & M ALARM SYSTEMS | 3040966 | 125.00 | INV# 14489 - | Buildings & | 0 |
| JOSEPH M. BALDACCI | 3040967 | 130.46 | SUPPLIES FOR | Shade Tree | 0 |

| <u>Vendor</u> | <u>ponum</u> | <u>Amount</u> | <u>Description</u> | <u>Account</u> | <u>Check #</u> |
|----------------------|--------------|---------------|--------------------|----------------|----------------|
| AUTOMOTIVE BRAKE | 3040968 | 25.30 | INV# 1714134 - IN | DPW - O/E | 0 |
| NEW JERSEY DOOR | 3040969 | 587.74 | INV# 114542 - | Buildings & | 0 |
| NEW JERSEY DOOR | 3040970 | 570.00 | INV# 114553 - | Buildings & | 0 |
| G & S HARDWARE | 3040971 | 41.80 | INV# 281663 - | Buildings & | 0 |
| STORR TRACTOR | 3040972 | 252.93 | INV# 766906 - | Buildings & | 0 |
| PRESTIGE AUTO WASH | 3040973 | 13.50 | INV# 2278 - FULL | DPW - O/E | 0 |
| VERIZON | 3040974 | 58.15 | DPW FAX LINE | Buildings & | 0 |
| MID-AMERICAN SALT, | 3040975 | 1,009.84 | TONS OF ROAD SALT | DPW - O/E | 0 |
| SANITATION | 3040976 | 184.58 | INV# 49262 - | DPW - O/E | 0 |
| ENVIRONMENTAL | 3040977 | 525.00 | INV# 270245 - | Solid Waste | 0 |
| ENVIRONMENTAL | 3040978 | 378.00 | INV# 270246 - | Solid Waste | 0 |
| ENVIRONMENTAL | 3040979 | 540.00 | INV# 270164 - | Solid Waste | 0 |
| TRAFFIC SAFETY & | 3040980 | 32.00 | INV# 184153 - BAGS | Buildings & | 0 |
| TOM'S SERVICE CENTER | 3040981 | 509.63 | INV# 32142-(DPW) | DPW - O/E | 0 |
| SUPERIOR | 3040982 | 269.27 | INV# 272150145 - | DPW - O/E | 0 |
| HOME DEPOT CREDIT | 3040983 | 24.91 | 6 PK OF LATEX | DPW - O/E | 0 |
| RAPID PUMP & METER | 3040984 | 425.00 | INV# RIR133931 - | Buildings & | 0 |
| NEW JERSEY DOOR | 3040985 | 4,350.00 | NEW DOOR | 2017 #1494 | 0 |
| ALEX BREUSS | 3040988 | 180.00 | FOOD FOR TRAINING | Fire - O/E | 0 |
| ALEX BREUSS | 3040989 | 45.00 | FOOD FOR TRAINING | Fire - O/E | 0 |
| TROPHY KING | 3040990 | 20.00 | ACCOUNTABILITY | Fire - O/E | 0 |
| NEW JERSEY FIRE | 3040991 | 606.00 | CUTTERS EDGE / | Fire - O/E | 0 |
| NEW JERSEY FIRE | 3040992 | 1,438.00 | ROOF VENT SAW | Fire - O/E | 0 |
| NEW JERSEY FIRE | 3040993 | 2,138.00 | VENTILATION SAW | Fire - O/E | 0 |
| BOGOTA BOARD OF | 3040994 | 1,224,825.83 | 09/2017 BILLING | Local | 0 |
| BOROUGH OF LITTLE | 3040995 | 5,825.00 | 09/2017 BILLING | Municipal | 0 |
| AQUA CHILL | 3040996 | 175.00 | 09/2017 BILLING | General | 0 |
| FPSF ATTORNEYS AT | 3040997 | 6,500.00 | 09/2017 BILLING | Legal | 0 |
| KELLY, KELLY & | 3040998 | 200.00 | 09/2017 BILLING | Planning/Zo | 0 |
| JERSEY ELEVATOR CO, | 3040999 | 148.98 | 09/2017 BILLING | Buildings & | 0 |
| OCEAN CLEAN LLC | 3041000 | 1,945.00 | 09/2017 BILLING | Buildings & | 0 |
| SUBURBAN DISPOSAL | 3041001 | 24,666.66 | 09/2017 BILLING | Solid Waste | 0 |
| MID-BERGEN REGIONAL | 3041002 | 3,045.33 | 09/2017 BILLING | Board of | 0 |
| BERGEN CNTY HUMANE | 3041003 | 1,250.00 | 09/2017 BILLING | Animal | 0 |
| MUNICIPAL CAPITAL | 3041004 | 696.77 | 09/2017 BILLING | Data | 0 |
| SUN LIFE FINANCIAL | 3041005 | 4,721.86 | 09/2017 BILLING | Group | 0 |
| NATIONWIDE EMPLOYEE | 3041006 | 294.06 | 09/2017 BILLING | Group | 0 |
| UNUM LIFE INSURANCE | 3041007 | 862.21 | 09/2017 BILLING | Group | 0 |
| O'NEIL CONTRACTING, | 3041008 | 90.00 | INV# 0000147803 - | Buildings & | 0 |
| SHIRLEY M. BISHOP, | 3041009 | 229.16 | PROF. SRVCS / CASE | Legal | 0 |
| N.J. DEPT OF COMM | 3041010 | 409.00 | ANNUAL INSPECTION | Due State | 0 |
| BUG DOCTOR | 3041011 | 395.00 | INV# 554311 - BIRD | Buildings & | 0 |
| BUG DOCTOR | 3041012 | 495.00 | INV# 554308 - BIRD | Buildings & | 0 |
| FPSF ATTORNEYS AT | 3041013 | 112.00 | RE: COAH | Legal | 0 |
| FPSF ATTORNEYS AT | 3041014 | 476.00 | RE: TAX APPEALS | Legal | 0 |
| FPSF ATTORNEYS AT | 3041015 | 409.05 | RE: LABOR | Legal | 0 |
| FPSF ATTORNEYS AT | 3041016 | 14.00 | RE: JACKSON | Legal | 0 |
| ASSOCIATED APPRIASAL | 3041017 | 3,500.00 | 2017 COUNTY TAX | Tax | 0 |
| TRI-STATE TECHNICAL | 3041018 | 95.00 | INV# 25044 - | Data | 0 |
| TRI-STATE TECHNICAL | 3041019 | 95.00 | INV# 25060 - TV | Data | 0 |
| ROGUT MCCARTHY LLC | 3041020 | 2,884.46 | SERVICES RENDERED | Legal | 0 |
| WINDSOR BARREL WORKS | 3041021 | 489.00 | QUOTE# 20170103 - | Buildings & | 0 |
| ATLANTIC TOMORROWS | 3041022 | 458.41 | COPY MACHINE LEASE | Data | 0 |
| COSTA ENGINEERING | 3041023 | 400.00 | INV# 19180 - PROF. | 2017 #1493 | 0 |
| COSTA ENGINEERING | 3041024 | 6,850.00 | INV# 19179 - PROF. | 2017 #1494 | 0 |
| WB MASON | 3041025 | 285.71 | SMALL ROUND TABLE | Buildings & | 0 |
| NJ ADVANCE MEDIA | 3041026 | 31.00 | PUBLIC NOTICE | Municipal | 0 |
| NEW JERSEY DIV. | 3041027 | 33.00 | MAINT. AND | Municipal | 0 |
| NJ Dept of Health | 3041028 | 30.00 | DOG REPORT - JULY | BOGOTA | 0 |
| WB MASON | 3041029 | 180.94 | INV# I46021976 - | Municipal | 0 |
| BOGOTA RESCUE SQUAD | 3041030 | 2,500.00 | AID TO VOLUNTEERS | Rescue | 0 |
| WB MASON | 3041031 | 143.88 | ORDER# S051071969 | General | 0 |
| TRI-STATE TECHNICAL | 3041032 | 760.00 | INV# 24089 - | Police - | 0 |
| TRAP FIND LLC | 3041033 | 150.00 | TRAP FIND CLASS | G - BC | 0 |
| SAFARILAND | 3041034 | 100.00 | OC AEROSOL | Police - | 0 |
| TOM'S SERVICE CENTER | 3041035 | 585.69 | INV#'S 32158 & | Police - | 0 |
| PRESTIGE AUTO WASH | 3041036 | 94.50 | INV# 2285 - JULY | Police - | 0 |
| H S I NEWARK | 3041037 | 300.00 | PRO-ACTIVE | Police - | 0 |
| WOODRUFF ENERGY | 3041038 | 49.10 | ACCT# 770985 - | Natural Gas | 0 |
| PHILLIPS PREISS | 3041039 | 375.00 | INV#'S 24341 & | | 0 |
| CHRISTIANA TRUST | 3040950 | 10,475.82 | TAX REDEMPTION - | TRUST OTHER | 35186 |

| <u>Vendor</u> | <u>ponum</u> | <u>Amount</u> | <u>Description</u> | <u>Account</u> | <u>Check #</u> |
|------------------------|--------------|---------------------|--------------------|----------------|----------------|
| PUBLIC TAX | 3040957 | 27,760.12 | TAX REDEMPTION | TRUST OTHER | 35187 |
| HOLY NAME MEDICAL | 3040960 | 2,000.00 | (PD) ZETRON SERIES | Police - | 40217 |
| R.M.S. | 3040986 | 3,291.47 | CLAIM# 479714842 - | General | 40218 |
| R.M.S. | 3040987 | 374.98 | CLAIM# | Buildings & | 40219 |
| Total Bill List | | 1,388,636.18 | | | |



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

Changing Animal Control Services Mid-Contract

WHEREAS, the Borough of Bogota is required to have animal control services; and

WHEREAS, Bergen County Humane Enforcement is the Borough 's current Animal Control provider, and the Borough's contract can be cancelled provided 60 day notice is given and a valid reason for cancelling; and

WHEREAS, animal complaints have increased, and Bergen County Animal Control of the County of Bergen has a larger facility as well as more vehicles and staff to handle the greater demand for Animal Control Services, along with a lower cost; now

THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Bogota hereby authorize the Borough Administrator to give 60 day cancellation notice to Bergen County Humane Enforcement in order to change services to Bergen County Animal Control.



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

Authorize Borough Auction for Ancillary Items from First Aid

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 such as Backboards, reeves, etc., 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 certified check made out to the Borough of Bogota at the time of pick-up of the item.
3. The Borough will not deliver the item 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.

ATTEST

 Jeanne Cook, Borough Clerk

 Christopher Kelemen, Mayor

**BOROUGH OF BOGOTA
ORDINANCE #1501**

AN ORDINANCE AMENDING CHAPTER IX ENTITLED "BUILDING AND HOUSING" TO CREATE SUBSECTION XII - ENTITLED "UNSAFE AND UNINHABITABLE STRUCTURES"

WHEREAS, the Borough of Bogota has established Ordinances regarding the Buildings and Housings contained within the Borough; and

WHEREAS, pursuant to the authorization granted in N.J.S.A. 40:48-2.5, the Borough desires to adopt an ordinance to govern those buildings that are unfit for human habitation, occupancy, or use; and

WHEREAS, the Borough has previously appointed the Construction Code official as the public officer that is responsible for the enforcement of the Bogota Construction Code Department;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Bogota, Bergen County, New Jersey that Subsection 12, Entitled "Unsafe and Uninhabitable Structures" of Chapter IX, shall be added as follows:

Section 9-12 UNSAFE AND UNINHABITABLE STRUCTURES:

9-12.1 The Borough's Construction Code Official shall be appointed to exercise the powers prescribed within this Section.

9-12.2 Petition that Structure is unfit for human habitation, occupancy, or use

- a. The Construction Code Official shall be empowered to determine based upon their own inspection and determination that any building shall be unfit for human habitation, occupancy or use; or
- b. At least five (5) residents shall be permitted to sign a petition addressed to the Construction Code Official charging that any building is unfit for human habitation, occupancy, or use at which time the Construction Code Official shall be required to perform such inspection and render a report.
- c. Upon receipt, the Construction Code Official shall provide a copy of said petition to the Borough Administrator and shall provide a copy of their final report to the Borough Administrator.

9-12.3 Complaint and Hearing

- a. If the investigation by the Construction Code Official, whether on their own, or via a petition signed by the residents pursuant to subsection 9-12.2(b), determines that there is a basis for such charges that the structure is unfit for human habitation, occupancy, or use, the Construction Code Official shall serve upon the owner of the premises a complaint, stating the charges in that respect and containing a notice that a hearing will be held before the Construction Code Official, or their designated agent, at a place therein fixed,

#1501

not less than seven (7) days nor more than thirty (30) after service of the complaint and to appear in person, or otherwise, and give testimony. The rules of evidence prevailing in the Courts shall not be controlling in hearings before the Construction Code Official.

- b. If after such notice and hearing, the Construction Code Official determines that the structure under consideration is unfit for human habitation, occupancy, or use, they shall state in writing their findings of facts in support of such determination and shall issue and cause to be served upon the owner thereof and parties in interest an order:
 - i. Requiring repair, alteration or improvement of the said structure to be made by the owner, within a reasonable time, which time shall be set forth in the order or have the said structure vacated and closed within the time set forth in the order; and
 - ii. If the building is in such a condition as to make it dangerous to the health and safety of persons on or near the premises, and the owner fails to repair, alter or improve the said structure within the time specified in the order, then the owner shall be required to remove or demolish the said structure within a reasonable time as specified in the said order of removal.

9-12.4 Failure to Comply

- a. That, if the owner fails to comply with an order to repair, alter or improve or, at the option of the owner, to vacate and close the building, the Construction Code Official may cause such building to be repaired, altered or improved, or to be vacated and closed; that the Construction Code Official may cause to be posted on the main entrance of any building so closed, a placard with the following words: "This structure is unfit for human habitation, occupancy, or use; the use or occupation of this structure is prohibited and unlawful."
- b. That, if the owner fails to comply with an order to remove or demolish the building, the Construction Code Official may cause such building to be removed or demolished or may contract for the removal or demolition thereof after advertisement for, and receipt of, bids therefor.

9-12.5 Fees and Lien

That the amount of

- a. The cost of the filing of legal papers, expert witnesses' fees, search fees and advertising charges, incurred in the course of any proceeding taken under this act determined in favor of the municipality, and
- b. Such cost of such repairs, alterations or improvements, or vacating and closing, or removal or demolition, if any, or of the amount of the balance thereof remaining after deduction of the sum, if any, realized from the sale of materials derived from such structure or from any contract for removal or demolition thereof, shall be a municipal lien against the real property upon which such cost was incurred. If the structure is removed or demolished by

#1501

the Construction Code Official, he shall sell the materials of such structure, if any. There shall be credited against the cost of the removal or demolition thereof, including the clearance and, if necessary, leveling of the site, the proceeds of any sale of such materials or any sum derived from any contract for the removal or demolition of the structure. If there are no such credits or if the sum total of such costs exceeds the total of such credits, a detailed statement of the aforesaid costs and the amount so due shall be filed with the municipal tax assessor or other custodian of the records of tax liens and a copy thereof shall be forthwith forwarded to the owner by registered mail. If the total of the credits exceeds such costs, the balance remaining shall be deposited in the Superior Court by the Construction Code Official, shall be secured in such manner as may be directed by such court, and shall be disbursed according to the order or judgment of the court to the persons found to be entitled thereto by final order or judgment of such court. Any owner or party in interest may, within thirty (30) days from the date of the filing of the lien certificate, proceed in a summary manner in the Superior Court to contest the reasonableness of the amount or the accuracy of the costs set forth in the municipal lien certificate.

BE IT FURTHER ORDAINED, that the Clerk shall send a certified copy of this Ordinance to the Borough of Bogota Construction Code Official; 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