



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, May 17, 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

Resolution for Police Captain Employment Agreement:

18-089 Authorizing Execution of Employment Agreement with Captain Piferski

Swearing in of New Police Captain

Consent Agenda

PC-18-06 Payment of Claims

18-083 Grant Agreement (FS18-026) between the Borough of Bogota and NJ DEP

18-084 To Designate a \$4,825,130 Bond Anticipation Note as a qualified tax exempt obligation

18-085 Authorization to Designate a New Bus Stop and Delete an existing Bus Stop

18-086 Renew BCUA Solid Waste Service Agreement for June 1, 2018 through May 31, 2020

18-087 Authorize to Tax Collector to prepare and issue estimated tax bill for 3rd quarter taxes 2018

Resolution to Authorize Engineer for RCB Project:

18-088 Authorizing Boswell Engineering to Act as Borough Engineers for RCB Project

Introduction of the Following Ordinance

#1513 An Ordinance Amending Schedule I of Section 7-3.3 Entitled "Parking Prohibited at All Times on Certain Streets" to Allow Parking at the Southern Terminus of Linden Avenue

Public Hearing on the Following Ordinance

#1512 An Ordinance Amending Schedule VII of Chapter 7-3.6 Entitled "Time Limit Parking" – to Establish an Overnight Parking Spot on West Grove Street and Amending Schedule VII of Chapter 7-6.2 Creating a Stop Intersection

Approvals

Minutes of 4/5/18, 4/19/18, and 5/3/18

Discussion

Overnight Parking Exception for Borough Volunteers

Reports

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

Closed Session:

Adjournment



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

Authorizing Execution of Employment
Agreement with Captain Robert Pilterski

WHEREAS, the Borough on April 19, 2018 conducted interviews and promoted Robert Rilterski to the position of Captain of the Bogota Police Department, conditioned upon successful salary and benefit negotiations; and

WHEREAS, the Borough and Officer Pilterski have negotiated the terms of the attached employment agreement subject to the Borough's approval.

WHEREAS, the Borough hereby approves said terms of the employment agreement and is desirous of executing the same.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bogota, that the Borough of Bogota hereby approves the terms of the employment agreement annexed hereto and hereby authorizes the Mayor to execute the attached employment agreement; and

BE IT FURTHER RESOLVED, that upon execution, a copy shall be forwarded to all parties to the agreement for their records and a copy shall be forwarded to the Chief Financial Officer of the Borough.

Jeanne Cook, Borough Clerk

Chris Kelemen, Mayor



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

Grant Agreement (FS18-026) between the Borough of Bogota and New Jersey DEP

WHEREAS, the governing body of the Borough of Bogota desires to further the public interest by obtaining a grant from the State of New Jersey in the amount of \$30,000 to fund the following project:

Community Stewardship Incentive Program – Reforestation & Tree Planting Grant.

NOW, THEREFORE, BE IT RESOLVED that Joseph Scarpa, Borough Administrator, is authorized to make application for such a grant, (b) if awarded, to execute a grant agreement with the State for a grant in the amount not less than \$30,000 and not more than \$30,000, and (c) to execute any amendments thereto which do not increase the Grantee's obligations.

BE IT FURTHER RESOLVED that the Mayor and Council authorize and hereby agree to match 33.33% of the Total Project Amount, in compliance with the match requirements of the agreement. The availability of the match for such purposes, whether cash, services, or property, is hereby certified. 20% of the match will be made up of in-kind services (if allowed by grant program requirements and the agreement.)

The Grantee agrees to comply with all applicable Federal, State, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

Introduced and passed on _____.

Ayes: _____

Noes: _____

Absent: _____



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

Member _____ introduced and moved the adoption of the following resolution and Member _____ seconded the motion:

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF BOGOTA, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF BOGOTA AND AUTHORIZING THE MAYOR, BOROUGH CLERK, INTERIM CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$4,825,130 BOND ANTICIPATION NOTE, DATED MAY 11, 2018, PAYABLE MAY 10, 2019, AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Bogota, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on

obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue a \$4,825,130 bond anticipation note, dated May 11, 2018, payable May 10, 2019 (the "Note"); and

WHEREAS, the Borough desires to designate the Note as a "qualified tax-exempt obligation" pursuant to Section 265(b)(3) of the Code;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Bogota, in the County of Bergen, New Jersey, as follows:

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on the Note be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Interim Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) said Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2018.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2018.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3)

of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2018 dated as of the date of delivery of the Note.

SECTION 8. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote:

Ayes:

Nays:

[SEAL]

ATTEST: _____
Borough Clerk



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

Authorization to Designate a New Bus Stop and Delete an Existing Bus Stop

BE IT RESOLVED by the Mayor and Council of the Borough of Bogota, county of Bergen, State of New Jersey, that pursuant to N.J.S.A. 39-4-8€~~€~~, the following described location is **designated** as a bus stop:

Municipal Road

1. Along Queen Ann Road, northbound, on the easterly side thereof at:
 - a. Elmwood Avenue – (Far side)
Beginning at the prolongation of the northerly curbline of Elmwood Avenue and extending 100 feet northerly therefrom (Location 32785)

That pursuant to N.J.S.A. 39-4-8(e) the following described location is **deleted** as a bus stop:

1. Walnut Street – (Far Side)
Beginning at the northerly curbline of Walnut Street and extending 100 feet northerly therefrom (Location 11073)

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Bogota will enforce the needed traffic regulations governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the traveling public.

DATED: _____

ATTEST: _____

Jeanne Cook, Borough Clerk

Mayor Christopher M. Kelemen



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

Renew Solid Waste Service Agreement with BCUA for June 1, 2018 through May 31, 2020

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 renew the agreement for a two year period;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Bogota wishes to renew the Solid Waste Service Agreement with the BCUA for two years beginning June 1, 2018 and terminating on May 31, 2020 at a cost of \$66.39 per ton inclusive of the \$3.00 per ton recycling tax.



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

Authorize Tax Collector to Prepare and Issue Estimated Tax Bills for 3rd Quarter 2018 taxes

WHEREAS, N.J.S.A. 54:4-66.3, pursuant to Section 3 of P.L. 1994 c. 72 and 54:4-66.2, the Borough Council of the Borough of Bogota has determined that the Tax Collector will be unable to complete the mailing and delivery of the tax bills by June 15, 2018 due to the absence of a certified tax rate; and

WHEREAS, The Bogota Tax Collector, in consultation with the Bogota Acting Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have both signed a certification showing the tax levies for the previous year, and the range of permitted estimated tax levies;

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Tax Collector requests the Council to approve the estimated tax levy of \$25,057,942.20 at a tax rate of \$3.900; which is between the mandated estimated range proposed by the Local Government Services. Approval will enable the Borough to meet its financial obligations, maintain the tax collection rate, and provide uniformity for tax payments and save the unnecessary cost of interest expenses on borrowing;

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of Bogota, County of Bergen, State of New Jersey, hereby authorizes that:

1. The Tax Collector of the Borough of Bogota is hereby authorized and directed to prepare and issue estimated tax bills for the Borough of Bogota for the third quarter installment of 2018 taxes.
2. The entire estimated tax levy for 2018 is hereby set at \$25,057,942.20. The estimated tax rate for 2018 is hereby set at \$3.90.
3. In accordance with the law, the third quarter installment of 2018 taxes shall not be subject to interest until the later of August 10 or the twenty-fifth calendar day after the date the estimated bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be forwarded to the Tax Collector and Acting Chief Financial Officer of the Borough of Bogota for their records.

ADOPTED at a Regular meeting of the Borough Council on May 17, 2018.

ATTEST:

BOROUGH OF BOGOTA

Jeanne M. Cook, Clerk

Christopher M. Kelemen, Mayor

cc: Tax Collector; Finance Department

BOROUGH OF BOGOTA

CALCULATION OF PROPOSED 2018 ESTIMATED TAX RATE

BASIS OF PROPOSED TAX LEVY AND TAX RATE

2018 MUNICIPAL BUDGET - PROPOSED
 2018 LOCAL SCHOOL BUDGET-ADOPTED
 2018 BERGEN COUNTY BUDGET - INTRODUCED
 2018 BERGEN COUNTY OPEN SPACE BUDGET - INTRODUCED

ACTUAL 2017 TAX LEVY AND RATE2018 ESTIMATED RANGE FOR TAX LEVY
(PERCENTAGE OF 2017 LEVY)

		TAX RATE			
			95.00%	105.00%	
MUNICIPAL	7,442,259.69	1.1580	MUNICIPAL	7,070,146.71	7,814,372.67
MUNICIPAL LIBRARY	241,015.41	0.0380	MUNICIPAL LIBRARY	228,964.64	253,066.18
LOCAL SCHOOL	14,897,836.00	2.3190	LOCAL SCHOOL	14,152,944.20	15,642,727.80
COUNTY	1,754,697.58	0.2740	COUNTY	1,666,962.70	1,842,432.46
COUNTY OPEN SPACE	<u>72,934.30</u>	<u>0.0110</u>	COUNTY OPEN SPACE		<u>76,581.02</u>
TOTALS	<u>24,408,742.98</u>	<u>3.8000</u>	TOTALS	<u>23,188,305.83</u>	25,629,180.13

2018 ESTIMATED TAX RATE

2018 NET VALUE TAXABLE- 642,458,400

AMOUNT TO BE RAISED BY TAXATION: TAX RATE:

MUNICIPAL	7,600,000.00	1.183	(PROPOSED BUDGET WITHIN 105% RANGE)
MUNICIPAL LIBRARY	243,438.20	0.038	(ACTUAL 2018)
LOCAL SCHOOL	15,344,504.00	2.388	(ADOPTED BUDGET WITHIN 105% RANGE)
COUNTY	1,800,000.00	0.280	(ESTIMATED BUDGET WITHIN 105% RANGE)
COUNTY OPEN SPACE	<u>70,000.00</u>	<u>0.011</u>	(ESTIMATED BUDGET WITHIN 105% RANGE)
TOTALS	<u>25,057,942.20</u>		

CERTIFIED BY: _____
 Ray Herr
 Acting Chief Financial Officer

CERTIFIED BY: _____
 Betty Wiener
 Tax Collector



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

**Authorizing Boswell Engineering to Act as
Borough Engineers for RCB project**

WHEREAS, the redevelopment project known as River Development (RCB Urban Renewal) will require oversight, review and execution of certain engineering documents on behalf of the Borough; and

WHEREAS, the Mayor and Council of the Borough of Bogota hereby desires to appoint and authorize the Jeffrey Morris, P.E. of Boswell Engineering to oversee and execute any and all engineering documents on behalf of the Borough.

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Bogota hereby appoints Jeffrey Morris, P.E. of Boswell Engineering as the engineer of record on behalf of the Borough for the River Development project being undertaken by RCB Urban Renewal; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be provided to Mr. Morris and RCB Urban Renewal LLC for their records.

**BOROUGH OF BOGOTA
ORDINANCE #1513**

AN ORDINANCE AMENDING SCHEDULE I OF SECTION 7-3.3 ENTITLED "PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS" TO ALLOW PARKING AT THE SOUTHERN TERMINUS OF LINDEN AVENUE

WHEREAS, the Borough of Bogota previously adopted Section 7-3.3 entitled "Parking Prohibited At All Times on Certain Streets" to prohibit parking on certain streets and portions of certain streets; and

WHEREAS, Schedule I contains a list of streets which prohibits parking on certain street and portions of certain streets; and

WHEREAS, N.J.S.A.39:4-138.6 permits a municipality to adopt certain rules and regulations upon streets that are solely contained within the municipality and deemed municipal street, and

WHEREAS, it has been brought to the attention of the Mayor and Council that parking at the southern terminus of Linden Avenue is no longer needed to be included within the Ordinance and the Chief of Police concurs with said determination and recommendation.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Bogota, Bergen County, New Jersey that Schedule I of Section 7-3.3 be amended as follows:

SCHEDULE I

NO PARKING

Name of Street	Side	Location
Linden Avenue	Both	From West Grove Street to West Broad Street Southern Terminus

~~removed~~

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

BE IT FURTHER ORDAINED, that all signage shall be installed to effectuate the purposes of this Ordinance and shall indicate that parking therein is done at the individuals "own risk"; 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

**BOROUGH OF BOGOTA
ORDINANCE NO. 1512**

**AN ORDINANCE AMENDING SCHEDULE VII OF CHAPTER 7-3.6 ENTITLED
“TIME LIMIT PARKING” – TO ESTABLISH AN OVERNIGHT PARKING SPOT ON
WEST GROVE STREET AND AMENDING SCHEDULE VII OF CHAPTER 7-6.2
CREATING A STOP INTERSECTION**

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, a request was made to examine the expansion of overnight parking on West Grove Street; and

WHEREAS, Officer Kevin Geraghty, in a memorandum to the Chief and annexed hereto, has reviewed the area and is recommending that overnight parking be expanded on West Grove Street from Linden Ave to the Conrail right-of-way (i.e. dead end); and

WHEREAS, in order to effectuate the same, a stop sign shall be placed on the north corner of West Grove Street and Linden Ave. and parking shall be no closer than 25 feet to the stop sign; and

WHEREAS, N.J.S.A. 39:4-197 authorizes a municipality to take certain actions regarding public roadways that are wholly within their jurisdiction and deemed municipal roadways without the approval of the Commissioner of Transportation, and

WHEREAS, N.J.S.A. 39:4-138.6 authorizes a municipality to designate the permissible distance a person may park from a STOP sign.

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

SCHEDULE VII

*Vehicles with passenger registrations are permitted to park overnight on the following roadways:

f. North Side of West Grove Street between Elm Ave and the Conrail right-of-way but no closer than 25’ of the STOP sign located on the northeast corner of Linden Ave.

BE IT FURTHER ORDAINED, that Schedule VIII of Chapter 7-6.2 entitled “Stop Intersections” be amended as follows:

ORD 1512

SCHEDULE VIII

West Grove Street and Linden Avenue

STOP sign shall be installed on the northeast corner of the intersection on Linden Ave

BE IT FURTHER ORDAINED, that a copy of this Ordinance shall be sent to 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 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