



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, April 5, 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

Memorialize the following Resolution that was approved at the March 1, 2018 Mayor and Council Meeting:  
18-067 Retirement of Captain Sepp

Consent Agenda

18-071 Approval of Lease Agreement between the Borough of Bogota and Bogota Swim Club, Inc.  
18-072 Concerning Funding for Bogota's Affordable Housing Program – Intent to Bond  
18-073 Endorsement of Borough of Bogota's Housing Element and Fair share Plan  
18-074 Resolution of Group Affidavit Form Certifying Receipt of Audit

Introduction of Ordinance

#1510 An Ordinance Amending Chapter VII Entitled "Traffic" Schedule XVII to Add Handicap Parking space Near 137 Gray Street

Public Hearing of the following Ordinances:

#1507 Multi-Purpose Bond Ordinance  
#1508 An Ordinance Amending Chapter 14-4 Entitled "Removal of Garbage"  
#1509 An Ordinance Amending Chapter 21A-10.10 Entitled "Off-Street Parking"

Approvals

Minutes of 3/15/18

Reports

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

Closed Session: Personnel

Adjournment



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

Approval of Lease Agreement between the  
Borough of Bogota and Bogota Swim Club, Inc.,

**WHEREAS**, the Borough of Bogota (“Borough”) and Bogota Swim Club, Inc. entered into a lease agreement on May 4, 2016 for a two (2) year period wherein the Borough leased certain land and structures to Bogota Swim Club, Inc. for operation as a pool; and

**WHEREAS**, on April 30, 2018, the term of this lease agreement between the parties expired; and

**WHEREAS**, the parties have negotiated and agreed upon terms of a new lease agreement annexed hereto, for the continued operation as a pool for the next two (2) years and have adjusted the lease date to February 1, 2018 to allow for more time to ready the pool for the season; and

**WHEREAS**, this agreement for operation of the pool is being awarded pursuant to N.J.S.A. 40A:11-5 as a result of the specialized nature being required to operate the pool.

**NOW THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Bogota, County of Bergen, State of New Jersey, that the Borough hereby authorizes Mayor Christopher Kelemen to execute the attached lease agreement on behalf of the Borough.

ATTEST:

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

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



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

Concerning Funding for Bogota's Affordable Housing Program – Intent to Bond

**WHEREAS**, the Borough of Bogota filed a declaratory judgment action entitled In The Matter Of The Application Of The Borough of Bogota, Docket No.: BER-L-6298-15 requesting the Superior Court of New Jersey to determine that the Borough is in compliance with their affordable housing obligations pursuant to the New Jersey Supreme Court ruling in Mount Laurel IV; and

**WHEREAS**, the Borough of Bogota Land Use Board adopted a Housing Element and Fair Share Plan on March 28, 2018 and the Borough of Bogota has endorsed the same; and

**WHEREAS**, the Borough's Housing Plan Element and Fair Share Plan contains various compliance techniques for provision by the Borough of affordable housing; and

**WHEREAS**, the Borough is submitting to the Superior Court its Request for Substantive Certification and a request for a Judgment of Repose until 2025; and

**WHEREAS**, the New Jersey Fair Housing Act of 1985 (the "FHA"), at N.J.S.A. 52:27D-311(d), provides that nothing therein shall require a municipality to raise or expend municipal revenues in order to provide low and moderate income housing; and

**WHEREAS**, the Special Master has requested that the Borough adopt a Resolution indicating their intent to Bond should insufficient revenues be available through the Borough's Affordable Housing Trust Fund to comply with such Housing Element and Fair Share Plan.

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Bogota, as follows:

1. The Borough believes that there is adequate and stable funding for the affordable housing compliance mechanisms set forth in its endorsed Housing Element and Fair Share Plan, including funding through the Township's Affordable Housing Trust Fund.
2. Upon written notification by the Court, COAH, or any successor in interest, after a finding that inadequate funding exists to complete the affordable housing programs included in the Borough's Housing Element and Fair Share Plan, and in the event that adequate and stable funding in the form of funds from the Township's Affordable Housing Trust Fund, governmental grants, or any other source is not sufficient, then the Borough, in the discretion of the Governing Body then representing the Borough, may determine to provide for an alternate source of affordable housing funding such as, but not limited to, municipal bonding, or elect to modify and change said Housing Plan Element and Fair Share Plan to address its remaining affordable housing obligations.

ATTEST:

Jeanne Cook, Borough Clerk

Christopher Kelemen, Mayor



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

Endorsement of Borough of Bogota’s Housing Element  
And Fair Share Plan

**WHEREAS**, the Land Use Board of the Borough of Bogota, State of New Jersey, adopted the Housing Element of the Master Plan on March 28, 2018; and

**WHEREAS**, a true copy of the resolution of the Planning Board adopting the Housing Element is attached pursuant to N.J.A.C. 5:96-2.2(a)2; and

**WHEREAS**, the Planning Board adopted the Fair Share Plan on March 28, 2018; and

**WHEREAS**, a true copy of the resolution of the Planning Board adopting the Fair Share Plan is attached pursuant to N.J.A.C. 5:96-2.2(a)2.

**NOW THEREFORE BE IT RESOLVED** that the Governing Body of the Borough of Bogota, Bergen County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Borough of Bogota Land Use Board; and

**BE IT FURTHER RESOLVED** that a list of names and addresses for all owners of sites in the Housing Element and Fair Share Plan has been included with the filing; and

**BE IT FURTHER RESOLVED** that the Governing Body of the Borough of Bogota, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-2.2, requests that the Superior Court of New Jersey hereby accept and approve said plan and grant a Judgment of Repose indicating that the Borough has fulfilled its obligations and is deemed compliant with their affordable housing obligations pursuant to said Housing Element and Fair Share Plan.

ATTEST:

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

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

**BOROUGH OF BOGOTA**

	Aye	Nay	Absent	Abstn.	No Vote
Ambrosio			0		
Frias (Alt. 1)	✓				
Kelemen			0		
Mancini			0		
Maye			0		
Mitchell	✓				
Napolitano	✓				
O'Hagan (Alt. 2)	✓				
Shalhoub	✓				
Trotta	✓				
Zampetti	✓				
Vote Total					

DATE: March 27 2018  
 RESOLUTION: 2018-3  
 MOTION BY: Zampetti  
 SECOND BY: Napolitano

**RE: 2018 Housing Element and Fair Share Housing Plan**

**RESOLUTION 2018-3**

**PLANNING/ZONING BOARD OF BOROUGH OF BOGOTA**

**WHEREAS**, the Planning/Zoning Board of the Borough of Bogota, at a duly convened meeting March 27, 2018, and;

**WHEREAS**, the Planning/Zoning Board of the Borough of Bogota has undertaken a review of the Housing Element and Fair Share Housing Plan of Master Plan for the Borough of Bogota; and

**WHEREAS**, the Planning/Zoning Board of the Borough of Bogota Board hired as planner, the firm of Philips Preiss Grygiel, LLC, to prepare a proposed Master Plan, which was adopted by the board; and

**WHEREAS**, Philips Preiss Grygiel, has recommended that the board adopt the 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota; and

**WHEREAS**, the Planning/Zoning Board of the Borough of Bogota scheduled a Public Hearing on March 27, 2018, regarding the adoption of the 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota; and

**WHEREAS**, notice of said hearing was properly published in a newspaper of general circulation, and

**WHEREAS**, notice of said hearing was given to the clerk of each adjoining municipality ten days prior to the hearing, via certified mail; and

**WHEREAS**, notice of the hearing, along with a copy of the proposed plan was served upon the County Planning Board via certified mail; and

**WHEREAS**, the Planning/Zoning Board of the Borough of Bogota having Completed the Public hearing on March 27, 2018, and

**WHEREAS**, Paul Grygiel, the Board Planner; having appeared at the hearing and presented the

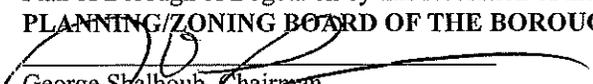
proposed amendment to the Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota plan ; and

**NOW THEREFORE BE IT RESOLVED** that the Planning Board hereby determines as follows:

1. The goals and objectives Bogota's Land Use Plan are to incorporated in the 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota. The proposed amendment is consistent with the General Purposes of the Municipal Land Use Plan.
2. The proposed 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota will maintain and enhance the quality of established neighborhoods in Bogota and protect the residential character and prevailing densities of the community.
3. The proposed 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota will assist in the rehabilitation of areas in need of improvement, redevelopment, and upgrading including utilization of assistance programs and private efforts.
4. The proposed 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota provides housing opportunities and a variety of housing for various income levels of the population including senior citizens.
5. The proposed 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota promotes provides and promotes adequate community services for all portions of Bogota.
6. The proposed 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota promotes and expands economic opportunities and job opportunities and the economic well-being of Bogota's citizens in an expeditious manner.
7. The proposed 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota will preserve and expand the supply of safe, decent and reasonably priced housing by increasing residential land availability, and improve access between jobs and housing, eliminate unnecessary regulatory delays and coordinate the provisions of public infrastructure with housing development, while also promoting low - and moderate income and affordable housing through code enforcement, housing subsidies, community-wide housing approaches and coordinated efforts with the New Jersey Council on Affordable Housing.
8. The Planning/Zoning Board of the Borough of Bogota concludes that the proposed 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota is consistent with the goals and objectives of the Municipal Land Use Law outlined in NJSA 40: 55 (D)- 28 et. Seq.
9. The Planning/Zoning Board of the Borough of Bogota concludes that the proposed 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota is consistent with the mandates of the New Jersey State Development and Redevelopment Plan, adopted by the State Planning Commission, and The Fair Share Housing Act; the State Planning Act and obligations required by the Council on Affordable Housing.
10. The Planning/Zoning Board of the Borough of Bogota concludes that it will adopt the 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota prepared by Philips Preiss Grygiel, LLC.

NOW THEREFORE BE IT RESOLVED THE THAT THE PLANNING BOARD OF THE BOROUGH OF BOGOTA, hereby memorializes the adoption the 2018 Housing Element and Fair Share Housing Plan of the Master Plan of Borough of Bogota on by this resolution of the Planning Board.

PLANNING/ZONING BOARD OF THE BOROUGH OF BOGOTA

  
George Shalhoub, Chairman

  
Tina Trotta, Secretary

I hereby certify the foregoing to be a true copy of a resolution adopted by the Planning Zoning Board of the Borough of Bogota at a meeting held on 3.27.18, 2018.

ATTEST: George Medina  
George Medina, Clerk of the Board



**BOROUGH OF BOGOTA  
ORDINANCE NO. 1510**

**AN ORDINANCE AMENDING CHAPTER VII ENTITLED "TRAFFIC"  
SCHEDULE XVII TO ADD HANDICAP PARKING SPACE NEAR 137 GRAY STREET**

**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**, Patrolman Kevin Geraghty in a memorandum to the Chief, which the Chief concurred and recommended to the Mayor and Council dated March 14, 2018 recommends the installation of a handicap parking space in front of 137 Gray Street; 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. 39:4-197.6 authorizes a municipality to designate a restricted parking handicap zone in front of a residence if the resident has a handicap placard or handicap license plate; and

**WHEREAS**, the Chief of Police has confirmed all the requirements of N.J.S.A. 39:4-197.6 have been met for the placement of a restricted handicap parking space in front of 137 Gray Street and is recommending the same; and

**WHEREAS**, such restricted parking space shall only remain while the individual residing in 137 Gray Street and qualifying for such parking space shall be residing there.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Bogota, Bergen County, New Jersey that Chapter VII entitled "Traffic" be amended as follows:

Section 1. Schedule XVII entitled "Parking Reserved for Physically Handicap Persons" be amended to include subsection 'x':

**SCHEDULE XVII**

- x. One spot immediately in front of the residence at 137 Gray Street

**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

BOND ORDINANCE #1507

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW FIRE ENGINE AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF BOGOTA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,265,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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BE IT ORDAINED by the Borough Council of the Borough of Bogota, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Bogota, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new information technology equipment and a new fire engine and new automotive vehicles, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment

BOND ORDINANCE #1507

appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Acquisition of new additional or replacement equipment and machinery and a new fire engine, including original apparatus and equipment, for the use of the Fire Department consisting of (i) a fire engine, (ii) a generator and (iii) fire hose.

Appropriation and Estimated Cost	\$ 575,000
Down Payment Appropriated	\$ 27,400
Bonds and Notes Authorized	\$ 547,600
Period of Usefulness	10 years

BOND ORDINANCE #1507

B. Road resurfacing at various locations in the Borough, as set forth on a list on file or to be placed on file with the Borough Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being resurfaced are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 260,000
Down Payment Appropriated	\$ 12,400
Bonds and Notes Authorized	\$ 247,600
Period of Usefulness	10 years

C. Undertaking of storm water and sanitary sewer improvements at various locations.

Appropriation and Estimated Cost	\$ 15,000
Down Payment Appropriated	\$ 715
Bonds and Notes Authorized	\$ 14,285
Period of Usefulness	40 years

D. Undertaking of sidewalk repairs at various locations.

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 2,400
Bonds and Notes Authorized	\$ 47,600
Period of Usefulness	10 years

E. Acquisition of new additional or replacement equipment and machinery and a new automotive vehicle, including original apparatus and equipment, for the use of the Department of Public Works ("DPW") consisting of (i) a pickup truck and (ii) a dump body.

Appropriation and Estimated Cost	\$ 55,000
Down Payment Appropriated	\$ 2,700
Bonds and Notes Authorized	\$ 52,300
Period of Usefulness	5 years

BOND ORDINANCE #1507

F. Installation of a charging station for electric vehicles at the DPW Yard.

Appropriation and Estimated Cost	\$ 10,000
Down Payment Appropriated	\$ 480
Bonds and Notes Authorized	\$ 9,520
Period of Usefulness	15 years

G. Undertaking of various improvements to public buildings, grounds and parks.

Appropriation and Estimated Cost	\$ 116,000
Down Payment Appropriated	\$ 5,525
Bonds and Notes Authorized	\$ 110,475
Period of Usefulness	10 years

H. Acquisition of new information technology equipment consisting of computer equipment for the use of various Borough departments, offices and agencies.

Appropriation and Estimated Cost	\$ 50,000
Down Payment Appropriated	\$ 2,500
Bonds and Notes Authorized	\$ 47,500
Period of Usefulness	5 years

I. Acquisition of new additional or replacement equipment and machinery and a new automotive vehicle, including original apparatus and equipment, for the use of the Police Department consisting of (i) firearms, (ii) tasers and (iii) an SUV.

Appropriation and Estimated Cost	\$ 90,000
Down Payment Appropriated	\$ 4,300
Bonds and Notes Authorized	\$ 85,700
Period of Usefulness	5 years

J. Acquisition of new additional or replacement equipment and machinery consisting of bulletproof vests and other safety equipment for the use of the Auxiliary Police.

Appropriation and Estimated Cost	\$ 9,000
Down Payment Appropriated	\$ 450

BOND ORDINANCE #1507

Bonds and Notes Authorized	\$ 8,550
Period of Usefulness	5 years

K. Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of an SUV for the use of the Rescue Squad.

Appropriation and Estimated Cost	\$ 35,000
Down Payment Appropriated	\$ 2,130
Bonds and Notes Authorized	\$ 32,870
Period of Usefulness	5 years

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Aggregate Appropriation and Estimated Cost	\$1,265,000
Aggregate Down Payment Appropriated	\$ 61,000
Aggregate Amount of Bonds and Notes Authorized	\$1,204,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$52,500 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$61,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough or heretofore appropriated for down payments or for the capital improvement fund by an emergency temporary appropriation, are now available to finance said

BOND ORDINANCE #1507

purposes. The sum of \$61,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$1,204,000 are hereby authorized to be issued pursuant to the Local Bond Law.

Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,204,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date,

BOND ORDINANCE #1507

shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 9.45 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,204,000 and that the issuance of

BOND ORDINANCE #1507

the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the

BOND ORDINANCE #1507

maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage.

**BOROUGH OF BOGOTA  
ORDINANCE NO. 1508**

**AN ORDINANCE AMENDING CHAPTER 14-4 ENTITLED "REMOVAL OF  
GARBAGE"**

**WHEREAS**, the Borough of Bogota previously adopted Chapter 14-4 entitled "Removal of Garbage" and established certain restrictions and violations therefor; and

**WHEREAS**, upon review of Section 14-4.10 entitled "Violations" the penalty for a first offense was indicated to be a "written warning plus court costs"; and

**WHEREAS**, it is recognized that there would be no "court costs" associated with a written warning so the Ordinance needs amended to comply as intended.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Bogota, New Jersey that Section 14-4.10 entitled "Violations" be amended as follows:

14-4.10          Violations

a. Any person who violates any provision of subsection 14-4.1 to 14-4.9 shall, upon a conviction, be liable for a penalty as follows:

1. First offense - Written warning, ~~plus court costs.~~

remainder of section remains unchanged

[strikethrough sections to be 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 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

**BOROUGH OF BOGOTA  
ORDINANCE NO. 1509**

**AN ORDINANCE AMENDING CHAPTER 21A-10.10 ENTITLED "OFF-STREET PARKING"**

**WHEREAS**, the Borough of Bogota has drafted certain regulations regarding "Off-Street Parking" requirements contained within Ordinance § 21A-10.10; and

**WHEREAS**, the Borough wishes to amend said regulations to provide for limitations on commercial vehicles parking on Residential properties in Residential Zones; and

**WHEREAS**, the Mayor and Council has received complaints related to the number of vehicles, as well as the operation of vehicles and the noise associated therewith which has prompted a review of the same.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Bogota, Bergen County, New Jersey that Subsection 21A-10.10 entitled "Off-Street Parking" of Section 21A-10 entitled "Supplementary Regulations Governing Principal Permitted Uses" be amended as follows:

**21A-10 Supplementary Regulations Governing Principal Permitted Uses**

**21A-10.10 Off-Street Parking**

**a. thru h. remains unchanged**

**i. Commercial Vehicles in Residential Zones**

1. *Residential.* In all Residential Zones, vehicles with commercial, omnibus, school bus or school vehicle license plates, and vehicles with passenger plates and displaying commercial signs upon the vehicle shall not be parked at any time during the day or night except in enclosed garages or as provided in subparagraph (a) below.

(a). The tenant or owner of residential property may park one (1) of the above vehicles on the driveway of that property or in residential parking lots providing that the vehicle complies with the following:

i. Vehicle does not exceed TWO (2) AXLES.

ii. All vehicles with open storage capacity (such as an uncovered truck bed, dump truck, etc...) covered by this subsection shall be free of debris between the hours of 6:00 p.m. and 6:00 a.m. on Monday through Friday, and at all times on Saturday, Sunday and State and Federal legal holidays.

2. This restriction shall not apply to vehicles with commercial plates used by persons engaged in work or service within the building or property line and in conjunction with a validly issued building permit. Construction equipment may be parked on the premises for only so long as necessary for the ongoing construction.

3. Debris shall mean materials such as paper boxes, crates and materials of a similar nature, and also included within this term are tin cans, bottles, crockery, glassware, household sweepings, household receptacles and utensils, lawn cuttings, hedge trimmings, leaves, brush, garden rubbish, tree branches, discarded clothing, rags and any other household wastes, and other refuse and rubbish of whatsoever kind or description, including used building materials, fixtures and sweeping from construction or destruction.

ii. *Exemptions.* The Land Use Board of the Borough may grant variances to this code section.

- ii. *Violations and Penalties.* Any person convicted of a violation of a provision of this subsection or any supplement thereto shall be liable to a penalty as prescribed in Chapter III, Section 3-1 with the understanding that every day a violation shall occur shall be considered a separate offense as prescribed in Chapter III, Section 3-2.

**BE IT FURTHER ORDAINED**, that if any provision of this Ordinance shall be deemed invalid it shall not affect the enforcement of the remainder thereof; 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