



Minutes
Open Sessions

February 3, 2022
7:30pm

BOROUGH OF BOGOTA
Mayor and Council Regular Meeting
Virtual Meeting
Chambers 375 Larch Ave, Bogota, NJ

Mayor Kelemen welcomed everyone.

Roll Call of 2022 Council

Mayor Kelemen	Present
Council Carpenter	Present
Councilman Connors	Present
Councilwoman Fede	Present
Councilwoman Granquist	Present
Council President Murphy	Present
Councilman Robbins	Present

Also attending is Borough Attorney Betesh, Bond Counsel Rogut Audit and Borough Administrator Scarpa was absent.

Salute to the Flag

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

Motion was made by Councilwoman Fede, to go into citizen remarks, seconded by Councilwoman Carpenter

Mr. Nunez -He said that would like to go on the public record to state that the Bogota police department is in need of some level of oversight.

Ms. Harper – Expressed her concern regarding the need for more information about the cost of the recreation center to the taxpayers. She wanted to make sure that the council discusses in more details the cost of it.

She also said that the way the citizen remarks are set up makes it difficult to comment on the subjects. The citizens have the opportunity to speak at the beginning and at the end, after resolutions are already voted on item that could impact the citizens without their input.

Ms. Solomov- commented on the new feature at the bottom the meeting screen showing closed captioning, and that it is great access for anybody whose hearing impaired. She thanked all the young kids from helping hands for shoveling every senior citizens home on the senior citizen list that was not shoveled already. She added that the St. Joe's food pantry drive was a huge success.

Ms.Pico- Cabrera expressed her concern about the overnight parking regulations. She said not being able to park on the street makes it very difficult for families with additional vehicles when their driveways do not have enough space. She also expressed her concern in having young drivers parking at the bottom of the streets, which in some cases may not be really feasible or safe, especially late at night. She recommended parking permits for home owners because five times a month permits are not feasible in some cases.

Ms. Ramirez -Wanted to bring up the overnight parking as well, and she is aware that Councilman Robbins was concerned about emergency vehicles getting down the streets. She recommend for the council to do alternate side parking or find another way to grant parking on the street in a safe and fair manner.

Ms. Cabrera – Said how she was of all the young adults that have taken on volunteering for their community to help out the senior citizens in a time of physical need.

Closed citizen remarks – Motion by Councilman Connors seconded by Councilwoman Carpenter. All in favor.

Council President Murphy- Responded to Ms. Harper's questions by saying that the town doesn't have those numbers, and she agreed it's important to have them. She hoped to soon have an answer to her questions.

Bond counsel Rogut- answered about the annual debt service number. He repeated what Mr. Lerch had previously said at the January 20 council meeting, that \$240 would be the estimated tax increase based upon what the recreation center bond was going to be if the Borough did not use any of the Atwater money as an offset.

Councilwoman Carpenter – said that the supplemental debt statement would be at 2.5% and it's also on the website for view.

Mayor Kelemen- Thanked those young helping hands for all of your work. He said those kids are fantastic and they want to help their community.

Councilman Connors- Addressed the overnight parking questions by saying that the majority of residents are not in favor of it. He said that there are many large parking lots available for residents to park. And he recommended for a member of the police department to attend the next council meeting and explain some of the reasons why overnight parking is not safe for the town. He added that a committee should be formed to discuss the matters.

Councilman Robbins – agreed with Councilman Connors in regards to forming a committee to talk about overnight parking and all options. He offered to be part of it.

Councilwoman Fede – addressed Mr. Nunez’s question by saying that she is not aware of any issues involving the police department. As a member of the police committee, she welcomed him to reach out to her and discuss the problem.

Mayor Kelemen- said that he understands there is limited parking, however he has talked with many other mayors and they all complimented him for not having overnight parking in town. He also added there's a couple things that have to be looked into and will try to look on a solution.

Discussion:
Posting Council Meetings Online

Mayor Kelemen welcomed the webmaster Mr. Dwyer to address the discussion regarding posting all meetings online.

Mr. Dwyer said that for the past few weeks he has been working with deputy clerk Flores-Bolivard on posting the meetings online. He recommended posting the meetings on a YouTube account, which is free, and would link to the Bogota web page where the meetings can be viewed. He said that since meetings are conducted now on zoom it's fairly simple to post the recordings on the website. The meetings could post as soon as the next day.

Mayor Kelemen wanted to acknowledge deputy clerk Flores-Bolivard and Mr. Dwyer’s hard work.

Councilman Connors recommended that Mr. Dwyer speak with Administrator Scarpa about the possibility of using some recording equipment the Borough already for the residents to view the meetings.

Borough Attorney Betesh – said there's nothing preventing the council from uploading their meetings on YouTube. It's done in a lot of towns.

Motion made by Councilman Connors to direct the attorney to prepare a resolution that would authorize the uploading of public council meetings for viewing on YouTube or other online platform, and to remain posted for a period of 90 days. Seconded by Council President Murphy, all in favor.

Update on the Apollo building

Mayor Kelemen read the Borough Administrator's report since he was absent:

Apollo building: The entire second floor will be utilized by the fire department as offices for the chiefs, a file room, and a meeting room.

-The first floor will be split among fire prevention and the Office of Emergency Management.

-The basement will be utilized for records storage for various departments, including the police.

Council president Murphy said it's a good idea let our three police liaisons or rescue and a fire department have a meeting on their own, and address the council on moving forward with those recommendations.

Councilman Connors – said that the Office of Emergency Management department should be close to the police department in case of an emergency.

Councilwoman Fede asked if the Fire department is using the building. Councilman Robbins said they are moving in.

Consent Agenda:

2022-44 Amendment resolution #21-127 authorizing participation in the New Jersey Department of Law and Public Safety Body –worn camera

Motion make by Councilwoman Carpenter and seconded by Council President Murphy. All in favor.

Councilwoman Carpenter thanked everybody that got involved with the body worn cameras.

2022-48 BFD LOSAP Administrator John Dunn. Motion make by Councilwoman Carpenter and seconded by Council President Murphy to accept John Dunn as the administrator for the LOSAP. All in favor.

Resolution to be voted on separately:

PC22-02 Payment of Claims - Motion made by Councilwoman Carpenter seconded by Council woman Granquist to accept the payment of claim. Councilwoman Fede abstained from Tom Service.

Councilwoman Fede- Pointed out that PSEG payments have not been in the payment of claims. She looked at the PSEG bills for purpose of energy tracking. Councilwoman Carpenter said she will look into it with the CFO because PSEG usually has delayed sending their bills.

2022-45 Hire Millennium Strategies as Grant Writer for 2022 – Motion made by Councilwoman Carpenter and seconded by Council President Murphy to hire Millennium Strategies as Grant Writer for 2022. All in favor.

Councilwoman Fede- had a question regarding hourly billing since the proposal that she saw has a flat rate. She said they're charging on an hourly basis and did not see in the contract what the hourly charge is, and is just trying to understand the scope of their services.

Councilwoman Carpenter – explained that any type of extra work they do is by resolutions, however she is going to look into all the previous assignments now that it is brought up.

Resolution 2022-46 to authorize the Change in Use at Olsen Park to permit the Construction of the Recreation Center was tabled by Council President Murphy, to be moved after the public hearing of Ordinance #1570. Seconded by Councilman Connors. All in favor

Resolution 2022-47 to Capital Budget Amendment was also tabled by Councilman Robbins to be moved after the public hearing of Ordinance #1570. Seconded by Councilman Connors. All in favor.

Councilman Robbins and Council President Murphy said that because those two resolutions are related to the votes that are going to be taken later on with regards to the recreation center bond. It makes sense to move them to a later part of the agenda.

Introduction of Ordinance

#1572 an Ordinance to Amend Ch. 23-Police Department (Creation of the Rank of Lieutenant)

Motion made by Councilman Connors to Introduction of Ordinance #1572 An Ordinance to Amend Ch. 23-Police Department (Creation of the Rank of Lieutenant. Seconded by Councilman Connors. All in favor.

Councilwoman Fede asked to add to the Ordinance to amend Chapter 23 a provision that candidates for lieutenant hold the rank of sergeant for a minimum of one year before they're considered for the lieutenant position. The ordinance was introduced with this amendment.

Public Hearing of Ordinance

#1570 Bond Ordinance to appropriate an additional Sum to the Construction of a New Recreation/ Community Center at Olsen Park.

Motion by Councilman Connors and seconded by Councilwoman Carpenter.

Opened for public comments: Introduction Ordinance: 1570 – Bond Ordinance to appropriate an additional Sum for the Construction of a New Recreation/ Community Center at Olsen Park.

Ms. Harper - Concerned about how the project would that impact the residents from a tax perspective.

Mr. Nunez- said that as a taxpayer he believe the recreation center is a worthy investment in the community. He added that regardless of what the cost is, the community needs this investment. And he hopes it will capture some of that money through the additional revenues that are being generated from the Atwater. "I think you need to move forward and make this thing happen".

Mrs. Solomov- said it's been way too long that the community of Bogota has waited for a new recreation center. There have been meetings after meeting and listening back and forth to the votes yes or no. She noted that it is something that the community needs and it has to be done. The children deserve it. She also added that for the amount of money in taxes that people are paying they must have something to show off.

Ms. Harper- added there has been a very significant contingent in the town that while they are not against the recreation center, they wanted to see the parking lot scaled back in order to preserve our environment. She expressed how it is important to preserve the environment and how it's going to impacts the one park Bogota has.

Mr. Miranda- as a tax payer and resident of Bogota, and as a previous councilman, he wanted to apologize to all those that have expressed they want a community center. He said "I maybe should have done more to drive this so that the pricing wouldn't have catapulted to double of what it is today." He also said he believed that the town is in need of a community center more than ever. Many parents' work long hours and it will be beneficial and safe for them to have a place where their kids can wait for them.

Mr. Nunez- said he agreed 100%, with Harper's position regarding the environment and he believes all those adjustments should be incorporated and take into account what many members of the community have brought to the forefront in terms of the destruction of trees. He understands that permits have been issued with Green Acres, but he believes some accommodations can be made to maintain the integrity of the trees and the environment in the park.

Mr. Fede – said that as a longtime resident, he is in favor of a recreation or community center. He said it's not just good for young people but for seniors and everyone in the community. He also added that it is his understanding this is a bond ordinance. It certainly is not an obligation to spend all the money. He commented that this ordinance is the first step to move forward, and if it does not pass, then the project cannot move forward. Additionally, he said" I urge you to pass the ordinance, and then deal with the comments that you've heard, because you've heard two sides."

Ms. Berney – Said she is concerned about the increases in taxes on houses, which are quite high. She asked who is monitoring and controlling all these costs and all the different aspects of what has to be done. I definitely think we do need a rec center.

Ms. Youla _ said that as a member of the recreation committee it is important for her to see the new recreation center built. She also added that it would be fantastic to see the shovels, actually in the ground. She hoped that the council agreed this time, and that you go forward. It is something to be proud of. In regard to Ms. Harper's concerns, she believes they should be accommodated as well.

Motion to close public hearing by Councilwoman Carpenter. Seconded by Council President Murphy. All in favor.

Answered citizens remarks questions in regards to public hearing-

Mr. Rogut - wanted to clarify to the public that the Borough has the ability to borrow \$31.3 million. He said, prior to this ordinance, against that \$31 million, there's \$14 million dollars borrowing capacity. He noted that in essence the Borough is allowed to borrow 3.5% with the recreation building. With this ordinance, the debt that the Borough will have authorized will be 2.5%. He also said there is some money left over from the developer's contribution to the recreation center. He explained that as more C/O's are issued, they will have more cash from the developer to offset the amount that we're going to have to bond. He also added that some of the PILOT money will defray debt service. He said that based on what Mr. Lerch said, it will cost taxpayers around \$240.00 a year if this bond is approved, prior to offsets. He also said that the Borough will receive 10% of the gross rents from the Atwater apartments once they are all done.

Councilwoman Carpenter – clarified that this is not a community center, it is a rec center, which was a title required by Green Acres a long time ago when we got it approved. She said she understands Mrs. Harper's concerns and everybody else's about the trees and so forth, and she will work hard on this personally. She pointed it out that there's \$500,000 that were spent already on the project that is included in the debt numbers, therefore she believes they need to move forward. She explained that because they are bonding for this money, it don't necessarily need to be used.

Councilman Connors- said he agreed with Councilwoman Carpenter's statements. He also said he agreed there were a lot of mistakes made by many people and probably he was at fault for something, however it is time to move forward. He explained that if no significant footprint changes are made and the footprint is left as it is, he has been told by more than one architect that the town could save up to a million dollars, based upon making minor changes that left the footprint as is. He asked for all the elected officials to come together and get this done.

Council President Murphy –Explained the reasons why she didn't vote for the Recreation Center back in 2018. She said that her only objection was that she was waiting for the PILOT money.

And she also asked for the council to put the question on a referendum, and ask the community if they wanted to bond.

Councilman Robbins- Said that he believes the price for the Recreation Center is too high. He also added that the town doesn't have a new firehouse, which was put on the back burner.

Councilman Connors – Agreed with councilman Robbins on the price tag for the recreation center, but said there's ways to bring it down to a more reasonable number that the town will accept. Additionally he said, there is a wonderful development down by the river and every year that money can be used to offset the debt. He also said there is an account with close to \$3 million still sitting there. To address Councilman Robbins concern regarding the need for a fire house, he said the Apollo building was purchased to give the Fire department great offices and space, and that a new fire house will happen at some point. It will happen after this one project is completed, then the next one can be addressed.

Introduction Ordinance: 1570 – Bond Ordinance to appropriate an additional Sum to the Construction of a New Recreation/ Community Center at Olsen Park.

Mr. Rogut explained that making the capital budget amendment is just a technicality that the town needs to do if they are going to adopt the bond ordinance. He recommends to table and then do it at the meeting after it adopts the bond ordinance. If the Council adopts the bond ordinance tonight, all it's doing is putting an authorization on the books. The town is under no obligation to spend any of this money or borrow any money. So by adopting the bond ordinance, even if you were subsequently rejecting the bids and go out to bid again, all its doing is setting in motion the appropriation of a maximum amount of \$9,710,000 to spend on this building.

Councilwoman Fede- said that the recommendations of Mr. Rogut should be taken into consideration since he is one of the best in the state, plus the process costs money.

After Bond Counsel Rogut and the Borough Auditor advised and gave recommendation of the recreation bond ordinance, a motion was made by Councilwoman Fede seconded councilman Connors to move the bond ordinance for the recreation center to the February 17, 2022 council meeting.

Called the roll:

Councilwoman Carpenter, Councilwoman Fede, and Councilman Connors voted yes.
Council president Murphy, Councilwoman Granquist, and Councilman Robbins voted no.
Mayor Kelemen broke the tie to allow bond ordinance move to the next meeting agenda.

Public Hearing of Ordinance

#1571 Ordinance amending Chapter 7A of the Bogota Code to authorize the placement of a handicapped parking space on the street in front of 127 High view Place.

Open for public comments:

No comment

Motion made by Councilwoman Carpenter, to close public comments for ordinance #1571, seconded by Council President Murphy. All in favor.

Motion was made by Councilwoman Granquist to adopt #1571, Seconded by Councilman .All in favor

Resolutions were tabled to be moved to the February 17, 2022 meeting:

2022-46 authorize the Change in Use at Olsen Park to permit the Construction of the Recreation Center

2022-47 Capital Budget Amendment

Motion was made by Councilman Connors to table resolutions 2022-46-2022-47 to the February 17, 2022 meeting, seconded by Councilman Connors. All in favor.

Approvals:

Minutes 12/16/2021

Motion was made by Councilman Robbins to approve the minutes of 12/16/2021, seconded by Council President Murphy. All in favor.

Closed Session Minutes

Motion was made by Councilwoman Carpenter to approve closed session minutes of 12/16/2021, seconded by Councilman Connors. All in favor.

Sine Die and Re-Organization Minutes 1/06/2022

Motion was made by Councilwoman Carpenter to approve Sine Die and Re-Organization Minutes of 1/06/22, seconded by Councilman Robbins. All in favor.

Minutes 1/20/2022

Motion was made by Councilwoman Carpenter to Minutes of 1/20/2022, seconded by Councilman Connors. All in favor.

Minutes closed session 1/20/2022

Motion was made by Council President Murphy to Minutes of 1/20/2022, seconded by Councilman Robbins. All in favor.

2nd Citizen Remarks:

One Five (5) minute time limit per person

Motioned was made by Councilman Connors to go into citizen remarks, seconded by Councilwoman Carpenter. All in favor.

Mr. Ortiz- asked why the Borough administrator was not at the meeting. He was concerned about the side street on Fairview Ave.

Mr. Nunez- agreed with Mr. Ortiz that the administrator has missed a few meetings and he should be reimbursing the taxpayers for his lack of attendance at the meetings, which he believes is part of his job.

Ms. Berney - concerned about the town going back for bids. Also asked who is the person managing the project and the spending.

Ms. Harper- said that the citizens' requests about saving the trees should be taken into consideration, and that it is very important for the administrator to be part of these meetings.

Ms. Youla- told the council to stop spending taxpayer money and make a decision on continuing with the project or not. She also added that if the citizen's concerns were incorporated when the plans were unveiled at the time, then we wouldn't be in this situation of backtracking and talking about it again.

Mr. Fede- asked the council to please move forward and save money by doing a shared service.

Motion was made by Councilwoman Carpenter, seconded by Councilman Robbins to close citizen's remarks. All in favor.

Answered citizen remarks questions-

Councilwoman Carpenter- said that no discussion should take place regarding an employee's attendance. She added that she doesn't know what happened to his parents, and it's no reason for anyone to speak regarding any employees.

Councilwoman Fede – addressed Mr. Fede's question concerning recycling shared service and said that the lack of cooperation is making the process difficult. They have asked the Borough for critical information to evaluate a shared service agreement and that information has not been provided to them. It may well be that it may not exist, but it can certainly be prepared. She said that all she is asking for is cooperation from the Borough's side to get the information to the consultant that Ridgefield Park is graciously paying, so she can evaluate the situation. She added that they are waiting for a spreadsheet of information that hasn't been provided, and it needs to be.

Mayor Kelemen - regarding the recycling center shared service, he said it is very difficult communicating with certain employees. He added that a couple of months ago he assigned Councilwoman Granquist to schedule an appointment with Administrator Scarpa to follow up on that. Ms. Granquist said she was not able to meet with the administrator yet.

Councilman Connors- asked the residents to be patient because they want make sure taxpayer money is going to be spent properly.

Reports:

Five (5) minute time limit per Council Member

Mayor, Council Committees, Borough Administrator, Borough Attorney, Deputy Clerk

Mayor Kelemen- Covid 12 new cases- DPW great job cleaning up the snow last week- Thanked the fire department, police and OEM for their time and dedication. Thanked all the young adults for helping the people in need of cleaning up the snow.

Councilwoman Granquist- Thanked DPW workers for their great job. DPW worked over 21 hours, double time and half and used over 191.70 diesel fuel and 52.50 gallons of gasoline during the storm. She added that they used 50 pounds of salt on the sidewalks. As far as the shared service there's no update as yet.

Councilman Connors- He reported that BACSA will have a meeting on Monday February 7 at 7pm at the Borough Hall. He said there were no other meetings this past week but next week the Board of Education will have a meeting on Tuesday at 7pm.

Councilwoman Carpenter – Thanked all the DPW for their time and great job cleaning up the snow. She also mentioned that the county discussed a resolution partnering with Bergen Community College and the economic development, they got \$90,000 in grants and students will be working. Additionally, she said there was an article advertisement called NJEDA –economic development authorities for small businesses improvement grants. The amount for Bergen County is \$15 million, 40% of it or \$6 million will be reserved for businesses and nonprofits located in opportunities zone. Thanked everyone for appointing Millennium again. She said the Borough has \$104,000 set or in progress for approval and hope it comes out to be more.

Council President Murphy- No report on the library- planning and zoning's next meeting is February 8th.

Councilman Robbins- the WI Fi is up and running at Hose 3 in the Apollo building. Engine one's heater is currently not working and DPW superintendent Mr. Kohles is looking into it, as it might need to be replaced. Engine two has been out of service, at the moment, because they're replacing an alternator. The left side of the building the gutters are either bent or not sitting properly so rain is leaking through the face of the building and that's not good for the inside.

Councilwoman Fede- Police reported there will be sergeant promotions at the next meeting, and the chief wanted to give the council member's time to evaluate the packets. No meeting with the seniors yet, however they reported that their appliances were lovely. Planning and Zoning need to review the zoning ordinance, as many provisions are out of date. She reached out to the CFO and administrator to let them know and to request a \$2,500 set aside in their budget. Reminder for people to RSVP to the volunteer dinner.

Closed Session: Motion to enter closed session 11:26 pm

Litigation
Personnel
Redevelopment

Opened session

Motion was made by Councilman Connors to continue open session, seconded by Council President Murphy. All in favor.

Borough attorney Betesh addressed a discussion that took place in closed session concerning the Borough Administrator Mr. Scarpa, and following that discussion, a series of resolutions were put on the record that pertain to his contract and his employment.

On November 10, 2021, Resolution #21-170, was adopted to extend Mr. Scarpa's employment contract until the end 2022. However, upon attorney review of the contract. There were provisions spotted that did not comply with the state statute, and so a resolution is going to be made to rescind that prior resolution, in so far as it ratifies contract terms that do not comply with the statute.

Motion was made by Councilman Robbins to rescind Resolution #21-170 and seconded by Council President Murphy. Majority of the council voted yes: Fede, Granquist, Robbins, Connors and Council President Murphy voted yes. Councilwoman Carpenter voted no.

Motion was made by Councilman Robbins for the immediate dismissal of Joseph Scarpa as Borough Administrator and seconded by Councilwoman Granquist. Called the Roll: Fede, Granquist, Robbins, Connors and Council President Murphy voted yes. Councilwoman Carpenter voted no.

Adjournment 1:37 am

February 11, 2022

I hereby certify that this is a true copy of the minutes.

Yenlys Flores-Bolivard

Borough of Bogota Minutes YFB