



Welcome to the  
*Borough of Bogota*

Bergen County, New Jersey

Special Meeting

Agenda  
Open Session

Borough Hall  
375 Larch Ave, Bogota, NJ 07603

August 1, 2024  
5:00 P.M.



Mayor

Daniele Fede

Council President

Consuelo Carpenter

Councilmember

Lisa Kohles

Councilmember

Patrick H. McHale

Councilmember

John Mitchell

Councilmember

Robert Robbins

Councilmember

Diana Vergara

Borough Administrator

Conall O'Malley

Borough Attorney

William Betesh

Borough Clerk

Yenlys Flores-Bolivard

**BOROUGH OF BOGOTA**  
**Mayor and Council Special Meeting**

PLEASE TAKE NOTICE THAT in accordance with the Open Meeting Act, N.J.S.A. 10:4-1, et seq the notice for this meeting's time, date, location, and agenda fulfills the requirements, by sending a copy to the newspapers officially designated for 2024, filing a copy in the Borough Clerk's Office and posting it on the Borough Building bulletin board.

In accordance with the Open Public Meetings Act and NJSA 40A:60-3(g), the **\*\*Borough of Bogota\*\*** hereby announces that a special meeting of the Mayor and Council will be held at 5:00 p.m. on Thursday, August 1, 2024 for the purpose of discussing the Amended and Restated Shared Services, Access, Use, & Maintenance Agreement with the Board of Education of the Borough of Bogota. Formal action may be taken. This meeting will be held at the Borough Council Chambers located at 375 Larch Ave, Bogota, NJ 07603.

**I. PLEDGE OF ALLEGIANCE**

**II. MAYOR'S ANNOUNCEMENT**

**III. ROLL CALL**

Mayor Fede  
Council President Carpenter  
Councilwoman Kohles  
Councilman McHale  
Councilman Mitchell  
Councilman Robbins  
Councilwoman Vergara

Also Attending:  
Borough Administrator O'Malley  
Borough Attorney Betesh  
Borough Clerk Yenlys Flores-Bolivard

**IV. CLOSED SESSION**

2024-176 Authorizing Meeting Not Open to the Public, Pursuant to NJSA 10:4-12

**V. CONSENT AGENDA**

**Resolutions**

2024-174 A resolution of the Borough of Bogota authorizing and approving an amended and restated **shared services agreement** between the Borough of Bogota and the Bogota Board of Education related to Oscar E. Olsen Park Fields.

2024-175 A Resolution of The Borough of Bogota Authorizing and Approving a **Deed Notice** for Stormwater Management Measures in Relation to The Athletic Complex Site and Field Improvement Project at Oscar E. Olsen Park and Feigel Field.

**VI. ANY OTHER MATTER THAT MAY RELATE TO THE ATHLETIC COMPLEX SITE AND FIELD IMPROVEMENT**

**VII. PUBLIC COMMENT**

**VIII. ADJOURNMENT**

*Agenda is subject to change*



COUNCIL	YES	NO	ABSENT	ABSTAIN	RECUSE	MOTION	SECOND
C. Carpenter							
L. Kohles							
P. McHale							
J. Mitchell							
R. Robbins							
D. Vergara							
Mayor D. Fede (Tie Vote Only)							

**A RESOLUTION OF THE BOROUGH OF BOGOTA AUTHORIZING AND APPROVING AN AMENDED AND RESTATED SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF BOGOTA AND THE BOGOTA BOARD OF EDUCATION RELATED TO OSCAR E. OLSEN PARK FIELDS**

**WHEREAS**, as part of the Bogota Board of Education (BOE) referendum approved by the public on March 14, 2023, the BOE has undertaken an Athletic Complex Site and Field Improvements Project (the “Project”), which involves both Oscar E. Olsen Park, and Feigel Field; and,

**WHEREAS**, in order to effectuate the Project, the Borough of Bogota and BOE must enter into an agreement providing for the BOE’s right to access, use, and maintain the Borough’s property, both during construction of the Referendum Project improvements, and subsequently; and,

**WHEREAS**, the Borough’s property is located at Block, 1 Lot 30 of the Tax Assessment Map of the Borough of Bogota; and,

**WHEREAS**, an Amended and Restated Shared Services, Access, Use, & Maintenance Agreement between the Bogota Board of Education and the Borough of Bogota (“Amended Shared Services Agreement”), was negotiated between the parties; and,

**WHEREAS**, a copy of the Amended Shared Services Agreement is attached as an Exhibit to this resolution; and,

**WHEREAS**, the Amended Shared Services Agreement provides that, *inter alia*, the BOE will install the referendum project improvements on the fields, that the BOE will maintain the Borough’s fields and equally share those costs with the Borough, and that the BOE will have limited use of the Borough’s fields during the school year.

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Amended Shared Services Agreement is hereby authorized and approved, with such changes as the Mayor and Council, the Borough Administrator and the Borough Attorney deem necessary to effectuate the purposes of this Resolution, including any non-material changes that may be required by the New Jersey Department of Environmental Protection.



**RESOLUTION # 2024-174**

**DATE: 08-01- 2024**

3. The Mayor, Borough Administrator, Borough Clerk, and any other necessary Borough official or professional, are hereby authorized to execute any and all documents, and to take any and all actions necessary to effectuate the purposes of this Resolution.

**CERTIFICATION**

I, Yenlys Flores-Bolivard, Municipal Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council at a meeting held on 08-01- 2024.

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Yenlys Flores-Bolivard, Municipal Clerk



**RESOLUTION # 2024-175**

**DATE: 08-01- 2024**

COUNCIL	YES	NO	ABSENT	ABSTAIN	RECUSE	MOTION	SECOND
C. Carpenter							
L. Kohles							
P. McHale							
J. Mitchell							
R. Robbins							
D. Vergara							
Mayor D. Fede (Tie Vote Only)							

**A RESOLUTION OF THE BOROUGH OF BOGOTA AUTHORIZING AND APPROVING A DEED NOTICE FOR STORMWATER MANAGEMENT MEASURES IN RELATION TO THE ATHLETIC COMPLEX SITE AND FIELD IMPROVEMENT PROJECT AT OSCAR E. OLSEN PARK AND FEIGEL FIELD.**

**WHEREAS**, as part of the Bogota Board of Education (BOE) referendum approved by the public on March 14, 2023, the BOE has undertaken an Athletic Complex Site and Field Improvements Project (the “Project”), which involves both Oscar E. Olsen Park and Feigel Field; and,

**WHEREAS**, in order to effectuate the Project, the BOE is required by the New Jersey Department of Environmental Protection to execute and record a Deed Notice for stormwater management measures; and,

**WHEREAS**, the Borough, as owner of the property, has consented to this Deed Notice; and,

**WHEREAS**, a copy of the Deed Notice for Stormwater Management Measures (“Deed Notice”) is on file in the BOE Secretary’s office and Borough Clerk’s office.

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

1. The aforesaid recitals are incorporated herein as though fully set forth at length.
2. The Deed Notice is hereby authorized and approved with such changes as the Mayor and Council, Borough Administrator, and Borough Attorney deem necessary to effectuate the purposes of this Resolution, including any non-material changes that may be required by the New Jersey Department of Environmental Protection.
3. The Mayor, Borough Administrator, Borough Clerk, and any other necessary Borough professional, official, officer, or employee are hereby authorized to execute any and all documents and to take any and all actions necessary to effectuate the purposes of this Resolution.

**CERTIFICATION**

I, Yenlys Flores-Bolivard, Municipal Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council at a meeting held on 08-01- 2024.

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Yenlys Flores-Bolivard, Municipal Clerk



**RESOLUTION # 2024-176**

**DATE: 08-01- 2024**

COUNCIL	YES	NO	ABSENT	ABSTAIN	RECUSE	MOTION	SECOND
C. Carpenter							
L. Kohles							
P. McHale							
J. Mitchell							
R. Robbins							
D. Vergara							
Mayor D. Fede (Tie Vote Only)							

**CLOSED SESSION**

**AUTHORIZING MEETING NOT OPEN TO THE PUBLIC, PURSUANT TO NJSA 10:4-12**

**WHEREAS**, The Open Public Meetings Act, NJSA 10:4-12, provides that an executive session, not open to the public, may be lawfully held by a public body in certain circumstances when authorized by a resolution; and

**WHEREAS**, the Mayor and Council finds that it is necessary for the Mayor and Council to discuss, in a session, not open to the public, certain matters related to the item or items authorized by NJSA 10:4-12(b) and designated below as follows:

- Matters, which, by express provisions of a federal law or state statute or rule of court shall be rendered confidential
- Matters in which the release of information would impair a right to receive funds from the Government of the United States
- Matters which, if disclosed, would constitute an unwarranted invasion of Privacy, as further defined by NJSA 10:4-12(b) (3)
- Collective bargaining agreements or negotiations therefore with public employees and/or their representatives
- Matters involving the purchase, lease, or acquisition of real property with public funds, the setting of banking rates, or the investment of public funds, where the setting of banking rates or the investment of public funds, where the disclosure could adversely affect the public interest, if the discussion were disclosed
- Tactics or techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection, and any investigation of violations or possible violations of the law
- Pending or anticipated litigation or contract negotiations in which the Borough is or may become a party
- Matters involving the employment, appointment, termination of employment, Terms and conditions of employment, evaluation, promotion, or disciplinary action of any specific current or prospective public employee(s), unless all the individual(s) affected request(s) in writing that the matters be discussed at a public meeting



**RESOLUTION # 2024-176**

**DATE: 08-01- 2024**

- Deliberations of a public body occurring after public hearing that may result in the imposition of a specific civil penalty or the suspension or loss of a license or permit or party as a result of the actions or missions of the party.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of Bogota that an executive session, not open to the public shall be held to discuss matters of topic(s) referred to above as permitted by law and the matters so discussed will be disclosed to the public as soon as possible and to the extent that such disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel. A copy of this resolution will be kept on file in the Borough Clerk's office and is available for public inspection during regular business hours.

**CERTIFICATION**

I, Yenlys Flores-Bolivard, Municipal Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council at a meeting held on 08-01- 2024.

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Yenlys Flores-Bolivard, Municipal Clerk