



COUNCIL CHAMBERS ARE CLOSED TO THE PUBLIC

Minutes of the Virtual Regular Meeting of the Mayor and Council of the Borough of Bogota, held at the Bogota Council Chambers, 375 Larch Avenue, Bogota, NJ, on Thursday, **October 1, 2020, at 7:30pm.**

Salute to the Flag was led by Mayor Kelemen.

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 September 23, 2020.

Roll Call: Mayor Kelemen and Councilmembers Carpenter, Connors, Fede, Murphy, Napolitano, and Robbins were present. Also attending were Borough Attorney Bossong, , Borough Administrator Scarpa, Borough Architect Billow, and Borough Auditor Wielkocz.

Motion was made by Councilman Napolitano, seconded by Councilman Robbins, to open the meeting to Citizen Remarks. Motion carried.

Lisa Kohles said that Gordon Kohles, Superintendent of the DPW, went to school for 3 years and took the Certification test, and his salary went from \$64,945 to \$90,000 because of his certification. She pointed out that when a Police Officer was promoted to Police Captain, his salary went from \$125,000 TO \$156,000. When a police officer was promoted to Police Chief, his salary went from \$126,000 to \$167,000. She said that Gordon Kohles works 24 hours a day. She said that information in a political flyer was incorrect about Gordon Kohles. She also complained about the pictures on the political flyer which were degrading.

Don Stofan said that he has a tort claim against Gordon Kohles for what he did to him at a funeral for a DPW worker.

Motion was made by Councilman Napolitano, seconded by Councilman Connors, to close Citizen Remarks. Motion carried.

Council member Napolitano said that he would be willing to have a Rice notice issued to discuss DPW Superintendent Kohles contract. Lisa Kohles was found guilty on Ethics charges for voting for a clothing allowance. Councilwoman Carpenter said that Lisa Kohles abstained from voting on the resolution and was found Not guilty. She paid a fine for not answering on time. Councilwoman Fede reminded everyone about Best practices regarding civility to each other and not raising voices.

Mayor Kelemen requested that Sgt Cole's discussion be moved up because he is on duty and needs to get back to work. Motion was made by Councilman Connors, seconded by Councilwoman Fede, to move Sgt. Cole's discussion ahead of Sourcewell's presentation. Motion carried.

Sgt. Cole explained that he would like two ordinances introduced at the next meeting. One ordinance would reduce the West Broad Street stop sign "No Parking" spacing from 50 feet to 25 feet to allow for one parking spot with signage for emergency response only. The other ordinance would be to place a stop sign on the right side of the southwest corner of Linden Avenue at West Grove Street to prevent a potential hazard for pedestrians and the general motoring public. He also requested a yellow dead end sign at the southeast corner of West Grove Street at Linden Avenue. Council members requested that he look at the intersection of Elm Avenue and Munn Avenue for a possible stop sign on Elm Avenue. Councilman Connors will meet him there.

Presentation: Borough Attorney Bossong explained that Sourcewell falls under an exception to the local public contracts law for the bidding process if the entity is a National Coop or a political subdivision. Sourcewell is a public entity of the state of Minnesota. Sourcewell representative Paul Beutell explained that Sourcewell allows for municipalities to purchase a building that will be created as per the specs provided by the municipality without the municipality having to go out to bid for the project. All of the work will be done in preparation for constructing the building by Sourcewell including Dynamic Compaction. There is a firm fixed price. This would alleviate the need for change orders and increases in expenses over the development of the project. Mr. Hans of Hans construction said that the start date could be Spring and at the end of next year the building could be completed. A proposal will be presented with a cost and a schedule of work.

Motion was made by Councilman Napolitano, seconded by Councilwoman Carpenter, to request an estimate from Sourcewell. Motion carried and the following Resolution was added to the agenda.

20-142 Request a Cost Estimate from Sourcewell

Discussions: -Fire Marshall Kern discussed the proposed Fire Watch Ordinance #1546 which needed further investigation and will be discussed at the next meeting.

- Borough of Bogota Social Media Policy: Councilman Napolitano explained that Councilwoman Carpenter posted the architect's estimate for the proposed new Community Center on Facebook which was sent as a confidential message. He said that this was a violation of the Social Media Policy because it corrupted the bidding process. Also, the social media policy says that employees are prohibited from disclosing car accident scenes etc. Councilman Carpenter put a picture on Facebook of what appeared to be a car accident when in fact it was a domestic violence which is also not permitted. Councilman Connors said that Councilwoman Carpenter posted pictures of political opponents houses and their addresses on Facebook. Doxing political opponents is wrong. Councilwoman Fede said that emails sent to Council by Borough Engineer and other professionals should not be put on Social Media. Motion was made by Councilman Napolitano, seconded by Councilman Connors, to censure Councilwoman Carpenter as a Councilwoman for her behavior violating the social media policy and putting the Borough at risk. Motion carried with Council members Connors, Fede, and Napolitano voting Yes, Council members Carpenter, Murphy, and Robbins voting No, and Mayor Kelemen breaking the tie and voting Yes. The following Resolution was added to the Agenda.

20-143 Censure Councilwoman Carpenter as a Councilwoman for her behavior violating the social media policy and putting the Borough at risk.

Motion was made by Councilman Robbins, seconded by Councilman Napolitano, to approve the Resolutions on the Consent Agenda. Motion carried.:

20-139 Repayment of Taxes due to Veteran Disabled exemption for Steven Ricafort at Block 108, Lot 13.02

20-140 Repayment of Taxes due to Veteran Disabled exemption for Angel Bruno Jr. at Block 58, Lot 04

20-141 Support Submission of Application to the NJ Department of Transportation Alternatives Program

Motion was made by Councilman Napolitano, seconded by Councilwoman Fede to approve the following Resolution to be Voted on Separately:

PC20-15 Payment of Claims

Motion was made by Councilwoman Carpenter, seconded by Councilman Robbins, to Introduce of the Following Ordinance. Motion carried.:

#1548 Ordinance authorizing the Purchase of Lot 17.01 in Block 105, Commonly Known as 31 Fairview Avenue, by the Borough of Bogota

Public Hearing and adoption of the following Bond Ordinance took place:

#1547 Bond Ordinance for Central Avenue Road Work

Approvals: - -Motion was made by Councilwoman Murphy, seconded by Councilman Robbins, to approve St. Joseph Church's request for a raffle for January 16, 2021. Motion carried.
-Requests for amendments to the minutes were made. Councilwoman Carpenter asked that "DPW questioned" be changed to "there was a question". Councilwoman Fede said that "pubs" should be changed to "hubs". Motion was made by Councilman Robbins, Seconded by Councilman Napolitano, to approve the Minutes of 9/17/2020. Motion carried.

Motion was made by Councilman Robbins, seconded by Councilman Connors, to open the meeting to Citizen Remarks. Motion carried.

Jorge Nunez requested that Council post all Zoom meetings on the website. He said that Mrs. Kohles is unprofessional. He said that when Councilwoman Carpenter was a member of the Board of Education, she wrote an email which contributed to an \$800,000 pay out in a lawsuit. He asked if she was doing this as a Councilperson or just as a citizen.

Motion was made by Councilman Robbins, seconded by Councilman Napolitano, to close Citizen Remarks. Motion carried.

Councilwoman Carpenter said that she would like a copy of everything said at this meeting and told Mr. Nunez to get an attorney.

Reports:

Mayor Kelemen gave an update on COVID cases: 228 cases up to September 22. There were no cases after September 22. Still 15 reported deaths, and his heart and soul go out to the families of those that died. He said that restaurants have some inside eating now. Schools are open for the teachers. More people are in the parks. He congratulated the residents of Bogota for enforcing the law. He said that High School football is starting again, but only two tickets will be given to each player for their families. He reported that the Superintendent of Schools is hoping to purchase the Masonic Temple. It will be going before the planning board on October 22. He will be meeting with Congressman Gottheimer in a week or so about the train trestle. He said that the town-wide decorating for fall will be cancelled to a later date.

Councilman Connors reported that the Board of Education had a meeting on September 22. He said that the schools will be reopening for students on October 19 with a hybrid schedule of 2 days in school and 3 days at home. He said that special education students returned to school in small classroom settings. He said that virtual back to school was taking place tonight. He said that a virtual meet the candidates was held in September for Board of Education candidates. He announced that Steen Elementary School was awarded "Blue Ribbon Elementary School". He congratulated the teachers and the students. He said that there was no Recreation meeting since the last Council meeting, but a committee meeting was held tonight for the Fall Festival. A lot of things are planned for it. A trunk and treat will be held on the roadway at Olsen Park. He said that Mr. Miranda will be working with Mr. Moore to get things ready for the festival. He gave a shout out to Sherry Solomov for her efforts. He said that Councilwoman Carpenter said that there is \$12,000 in the Celebration line. The Fall Festival will cost \$6,000. He asked if the Fall Festival will be covered. He asked if there could be pumpkin painting at the Fall Festival. There were no objections.

Councilwoman Carpenter said that the DPW is looking for employees. Interviews have not started. There are no veterans applying for the DPW position. The County building is open at 25 to 30% capacity. Freeholders meetings are still being held twice a month as zoom meetings. She spoke to Germaine Ortiz about grants. She said they are focusing on COVID grants right now. She said that Bogota has not submitted their invoices for the Census grant reimbursement.

Councilman Napolitano did not have the police call list for the month yet. He said that the Police and Fire are enjoying the new parking spots. Police interviews are continuing. He said that the Seniors miss having the Bus for shopping. He said that the audit was completed, and the tax bills will be mailed out soon. He reported that the tax collection rate is 97% which is very good considering COVID. He reported that the Borough will be applying for a second round of COVID reimbursement and FEMA money from the tropical storm. Rob Foster will be coordinating that with the finance office. He said that the Rescue Squad will be meeting next week. All vehicles were serviced. The boat has been repaired. He reported that paving on Pine Street will begin next week, and there will be a pre-construction meeting next week for handicap ramps for Main Street and River Road. The Borough requested that the County start on Main Street in order to get Main Street paved this year because it is in such bad shape. This is a County project. Main Street will be paved border to border. River Road will probably be paved next year. He said that the residents on Kramer Court and Roadway are happy with the road paving. 2019 and 2020 Road repaving has been done. Central Avenue and parking for police and fire is done. He said that Mr. Scarpa will probably mention repairing Preston Street which is a concrete road and South Street. Hopefully the sidewalk next to the high school will be repaired soon.

Councilwoman Murphy had no report.

Councilman Robbins said that Captain Dunn of Hose 3 would like to throw a retirement party for Kathy Viviani (President of the Ladies Auxiliary) in the backyard of Hose 3 on October 17 with a tent. There will be limited use of bathrooms and the kitchen. He said that social distancing will be followed. Masks will be worn. There will be less than 30 people attending, and it will be mostly family. The reason they want to use Firehouse 3 is because Kathy Viviani's husband, Don, was an active member of Hose 3 for many years. Motion was made by Councilman Robbins, seconded by Councilwoman Murphy, to allow the use of Hose 3 for a retirement party for Kathy Viviani. Motion carried and the following Resolution was added to the agenda. A sign in sheet will be used at the party for COVID reasons.

20-144 Council allows the backyard of Hose 3 Facility to be used for a Retirement Party for Kathy Viviani.

Councilwoman Fede said that the last Swim Club meeting of the year was held and was well attended. She said that there were no issues vis a vis community members. The Swim Club said that they would like to make some changes to the lease, so they need to advise the attorney of what changes they want before November. She said that questions were raised about the utility trucks in the parking lot. There is concern about the recycling center and parking. They would like to know when the recycling center will open and if there will be an issue with parking on Saturdays during Swim season. She reported that the Friends of the Library will be having a bake sale on Sunday. She said that the final garden clean-up is taking place. She reported that the planning Board is considering a new application for a variance that is much simpler than the old application. That will require a change in the ordinance. She reported that the borough received a large stock pile of PPE supplies from the County, and she assisted in putting it all away. She requested that Labor Counsel come to the next meeting to discuss the Police contract.

Borough Administrator Scarpa said that they are getting the decorations for the garland and lights around Borough Hall and wreaths. There will be money for the Fall Festival. He said that the DPW will paint the Main Street overpass. He said that the 3rd quarter safety meeting took place. He will be getting price quotes for the cupola, the railings, etc. for Borough hall. He is working on the Best Practices check list which is due the end of October. He is waiting for the signs for the Fire Department parking. He said that the After Care program should begin soon. He reported that the road on Preston Street must be repaired by Suez Water. He said there is a sinking manhole on South Street. He said there were only 5 concerns from the auditor which was good. Mayor Kelemen asked him to look at Fairview Avenue which is sinking again. He said the DPW interviews will take place next week.

Borough Attorney Bossong explained that the Borough adopted certain areas in need of redevelopment. He said that attorneys of property owners have called concerning those areas. He said that last week an attorney called about the Golf Center on Cross Street. He recommended that the planner, Mr. Grygiel,

create a redevelopment plan and adopt it via ordinance. The Planning Board will review it and send it back to Council. There was no objection to Mr. Grygiel creating a redevelopment plan.

Motion was made by Councilman Connors, seconded by Councilman Napolitano, to go into Closed Session. Motion carried at 10:40pm and the following resolution was added to the agenda.
20-144C Closed Session for tort claims.

When the meeting reconvened, motion was made by Councilman Connors, seconded by Councilman Napolitano, to adjourn. Motion carried and the meeting adjourned at 11:43.

Minutes respectfully submitted by Borough Clerk Jeanne Cook.