



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, May 6, 2021 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 February 1, 2021.

Roll Call: Mayor Kelemen and Councilmembers Carpenter, Connors, Fede, Granquist, Murphy, and Robbins were present. Also attending were Borough Attorney Betesh, Borough Administrator Scarpa, Borough Auditor Lerch, Bond Council Rogut, and CFO Bock.

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

Susan Harper thanked Councilwoman Carpenter for looking into the car accidents on River Road. She and a neighbor have complained about the sign in front of the Recreation Center. She said that they have to keep their curtains closed because the sign shines into their windows. She said that the sign does not have to be on past 11PM. She said that the DPW is doing a great job keeping the parks clean through this pandemic. She said that trees help in terms of pollution from cars and cement factory particles and maintaining the habitat and ecosystem. She said that there are 80 spaces in that area and overflow spaces. She understands the need to be ADA compliant, but there is a need to coexist with the environment. She is 100% for the new Recreation Center. She asked when she will receive a response to her OPRA request. She would like the Borough to hold information sessions about this project.

Jorge Nunez said that at a previous meeting he had complained about repairs that need to be done to the road on Central Avenue and still have not been done. PSE&G tore up the road after it was paved and needs to repave it. He said that a recycling center is a good idea, but the location in a residential area by homes is not appropriate. He asked what the cost will be and why it is so urgent to build it now. He would like more information about it. He would take the Borough to court if it were being built behind his house.

Alexander Viscioso said that he moved to Bogota for the tranquility and natural wildlife. He would ask for his taxes to be cut 50% if a recycling Center is built in front of his house. He asked why Waste Management cannot handle recycling for the Borough to save the borough money.

Jose Chavez of 476 River Road said that a recycling center is a great idea, but he would like to know who came up with the location. It is across from the pool and 100 feet from the fields. He asked why it cannot stay by the train tracks on Cross Street. He said that property values will go down, and he asked where the cost is coming from. He asked if the properties in the area of the Recycling

Center will get a tax break. He asked who would want a recycling center in their backyard. He asked why he was not notified. He is concerned with health issues for the children who play on the fields.

Sherry Solomov said that she heard that the budget is a few thousand dollars off from last year. *and now saw that \$320,000 is being taken from the Atwater money for the budget.* She asked what changed that required that money to be taken. She asked how much will be taken from the Recreation money given to the Borough by Atwater. She is worried about the money for the Recreation project. She said that she comes to most meetings and does not remember hearing about the recycling center. She said that when buying a house, she would ask how far from the school is the recycling center. She feels the Swim Club will be compromised. She asked for a flyer to go out or for an information session like Susan Harper suggested. Jorge Nunez goes to many meetings as well and neither of them knew about this recycling center. She said that a bilingual mailer would be helpful. She said that Bogota Helping Hands is building mental health awareness and connecting with the community. They are sending notes etc.

Michele Salgaro of 468 River Road said that she is glad that the transparency issue was brought up. She said that the Recycling Center will tank property values. She said the location was not communicated to anyone. It is a diverse town where people speak different languages and need to be able to get information. The new Recycling Center is next to the pool and near the fields and the parks. The trains are here already, so the recycling center will add more noise pollution to that. A discussion needs to take place. Transparency is necessary.

Fulvio Ray Santana from 8 Lynn Court said that the new recycling center will be in his backyard. He said that people who go to the meetings did not even know about the location. He said there was a lack of communication. He said that he was speaking for everyone on Lynn Court.

Susan Schroer of 68 Lynn Court asked why the recycling center is being put in a place that will bring rats which could bite or attack children. She sees wildlife all the time. She said that it doesn't matter how clean you keep it. It still will attract wildlife. She asked why it cannot stay where it is now.

Angel Manzano of 74 Beechwood Avenue said that he is a realtor and a recycling center will definitely lower the value of the surrounding properties. He said that with discussion, anything can be solved. Transparency is needed.

Erica Reyes echoed the sentiments about the recycling center. She feels that a discussion should take place about where to put the recycling center. It would be a few steps away from her property. People come to her house to see the eagle in the tree. She is new to the community and would like to see this stopped.

Wanthani Briggs Lopez at 447 Feller Place echoed what the others said about the recycling center. She said that she saved for decades to purchase a house and just moved in last month. She would like to know how this decision was made and who is benefitting from this. Conversations need to take place about this.

Johnny Arroyo asked if there was anything being done about abatements, asbestos and air quality testing. He is very concerned about the soap factory property. He said that a lot of branches fall on his property from the CSX property. He cannot go into the yard with his grandchildren. Those trees need to be trimmed. He has tried to contact CSX.

Rebecca Youla said that the OEM Coordinator received a call from Walnut Avenue about a large tree limb. She said that the DPW got called in for overtime, but Rescue was not called. There were 5 volunteers on duty that night in Rescue. Why did the protocol change for calls. She said that Fire Chief Kalman asked for extrication equipment at the Capital Budget meeting when the town has *three pieces of that extrication equipment*. She said that the Atwater money for the Recreation Center should not be moved. That money is needed for the Recreation center.

Motion was made by Councilman Connors, seconded by Councilwoman Fede, to close Citizen remarks. Motion carried.

Councilwoman Fede said that she was happy to see 59 people attending the meeting. She said that there was a Green Acres hearing about the Recreation Center. She said that a 5 or 6 foot sign was put up advertising the meeting. She said that it is a shame that no one came. She said that permit applications were submitted for the recycling center, so certified letters should have been sent to the neighbors in a 200-foot radius.

Councilman Connors said that something can be done to fix the sign by the Recreation Center. He said that parking is needed so that people do not have to walk too far to the Recreation Center, and more activities can take place that will require a lot of parking. He said that 40 trees are a lot to come down, but 100 trees are supposed to be planted. He is hoping the Volunteers' dinner can take place on the basketball courts. There will be a need for parking spaces for that as well. He said that the "cookie jar" for the Recreation Center is being dipped into a lot. Money has been taken out before, but this has to stop. He would like the borough Auditor to explain why so money needed to be removed. He is not in favor of the recycling center at that location. He said that the Borough is on top of the situation on Leonia Avenue (the former soap factory).

Borough Administrator Scarpa said that he spoke to Recreation Director Moore the day after the last Council meeting and had the lights on the sign dimmed from 80% to 20%. He said that they will turn the sign off at 11pm. He said that the recycling center will not have garbage, only cardboard, and will be well kept. He said that the recycling center used to be in the middle of a parking lot in a residential area. When the DPW building was remodeled, the recycling center was moved to Cross Street where the bubble is to store DPW equipment since Hurricane Sandy. That is not Borough property. He said that in his town there is a recycling center by the Swim Club and by the entrance to a County Park. It will only be open during certain hours. There will be a fence, and it will be an improvement. He said that the new recycling center has been discussed and voted on since 2018. Borough Attorney Betesh said that residential development has been taking place at 520 Palisade Avenue in Teaneck, and remedial work is being done which is required by the state as far as we know.

Councilman Connors asked if the Recycling Center could be tabled while the Borough looks for another location.

Borough Administrator Scarpa said that he would like to go around and show everyone the plans.

Councilwoman Fede said that it would be a good idea to have a zoom meeting to show the plans to everyone.

Mayor Kelemen thanked everyone for attending the meeting and reminded everyone that the Mayor and Council meet on the first and third Thursday of the month. He is glad that lighted sign is being taken care of, and he is sure that the cutting down of trees will be looked into. He said that he knows that Central Avenue is in need of repair. He knows about the ordinance, and he will follow up on it. He said that almost \$700,000 was brought in from the Atwater development. He said that he is tired of taking that money out for the budget. He said that he is a real estate agent and does not like the site of the recycling center, and there is no rush to move it at this time. He said that there is a lot of building that needs to be done in town. He said that a pilot program was agreed upon a few years ago for the Atwater project and the borough received 3.5 million dollars

as a community enhancement grant for recreation and a little bit for tax relief. He mentioned at the last meeting that Outwater Plastics is looking to sell and a developer would also like a pilot program, and the developer may let us keep the land we are using now for recycling. He said that the School Superintendent is interested in fixing the high school field. That area may be used for parking. He said that he will look into the issues with the trees on CSX property. He will contact Property Maintenance Inspector Barese who has a contact at CSX. He said there was a lengthy conversation last month about all the things that are needed including a fire house and fire trucks etc. Councilwoman Fede suggested having the Bond Counsel let us know what we can afford.

Presentation: Bond Counsel Steve Rogut said that the last bond issue was in 2019 for \$5,675,000 in bonds which will mature in 2032. He said existing bonded debt is fairly level for the next few years with drop off in debt service in 2026 of about \$150,000. All debt will mature in 2032. He said that now the borough has \$2,950,000 in short term debt. The borough has \$1,130,000 in projects with no debt issued yet which includes the bond ordinance being introduced tonight. He said that by statute, the borough is allowed debt of 3.5% of equalized valuation, and the borough is at about 2%. He said that the borough has 10 million in borrowing capacity before reaching debt limit. He said that he and Borough Auditor Lerch can work on a debt plan to show what the impact would be on the debt service component in the budget for spending various amounts of money. They will see the potential tax impact of moving forward with the projects, and they will look for additional sources of revenue to reduce tax impact. Mr. Lerch said that for a meaningful plan, estimates for projects need to be fine-tuned and the governing body needs to prioritize their needs in order to have something to work with. Mr. Rogut reminded the governing body to also add in the yearly priorities such as road work and equipment.

Discussion : - Recommendation To Pave Section of Second Place - Borough Administrator Scarpa said that Second Place needed to be paved before the dedication ceremony. Quotes were received. Motion was made by Councilwoman Murphy, seconded by Councilman Connors, to approve awarding the bid to the lowest quote for paving Second Place. Motion carried and the following Resolution was added to the agenda 21-099 Award of Contract to Smith Sondy for Section of Second Place

- Ordinance concerning the 'NJ Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act' which legalizes cannabis sales in NJ: Borough Attorney Betesh suggested adopting an ordinance to ban all cannabis activities which can be changed at any time. This way there is no rush in deciding what would be best for the borough. The ordinance will be introduced at the next meeting.
- Revision of Borough Zoning Code-Municipal Buildings & Facilities – Mr. Betesh explained that 31 Fairview Avenue is in a residential area, so the zoning ordinance will have to be changed to allow Municipal use in all zones. An ordinance will be introduced at the next meeting. Then it will have to go to the Planning and Zoning Board for recommendation, and then it will be returned to the governing body for adoption.

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

21-091 Authorization to advertise for bids for Roadway Improvements Pine Street Sec 2 and Larch Avenue

21-092 Neglia Professional Services Contract for Pine Street Section 2 and Larch Ave

21-093 Agreement to Renew Solid Waste Service Agreement June 1, 2021 through May 31, 2023

21-094 Authorize Submission of Strategic Plan for Bogota Municipal Alliance Grant for 2022
21-095 Authorizing Endorsement of the TWA Application for the Recreation Center
21-096 Resolution Cancelling Special Emergency – Covid 19

Resolution to be voted on Separately:

Motion was made by Councilman Robbins, seconded by Councilwoman Carpenter, to approve the following Resolution. Motion carried.

PC21-08 Payment of Claims

Borough Auditor Lerch explained that the budget was basically the same as last year. This year it is \$10,891,000. Last year's budget was \$10,888,000. He said the amount raised for taxation is flat. This year it is \$7,934,000 and last year it was \$7,966,000. He said that the amendment included Financial Salary and Wages increased slightly and Planning and Zoning went down slightly. Capital Improvements went from 42,500 to 45,000 because of a grant that required a down payment. He explained that for Revenues, \$175,000 came from Atwater, and \$204,000 came from the American Rescue Plan. Trenton will not accept any budget with the American Rescue Plan in it until final regulations on spending come from the Federal government. He said that the borough should receive over \$800,000 between 2021 and 2024. He said that money could be used for the new Recreation Center since it is supposed to be used for Capital Improvements.

Motion was made by Councilwoman Carpenter, seconded by Councilwoman Murphy, to open the Public Hearing on the Budget. Motion carried.

Carmel Birney asked if the school budget passed and what was the increase in taxes from that.

Motion was made by Councilwoman Carpenter, seconded by Councilwoman Murphy, to close the Public Hearing on the budget. Motion carried.

Councilman Connors told Carmel Birney that the School Budget passed with an increase of \$100 in taxes.

Resolutions to be Voted on Separately:

Motion was made by Councilwoman Murphy, seconded by Councilwoman Carpenter, to approve the following Resolution. Motion carried with Councilwoman Fede voting No.

21-097 Amendment to the 2021 Budget

Motion was made by Councilwoman Carpenter, seconded by Councilwoman Murphy, to approve the following Resolution. Motion carried.

21-098 Adoption of 2021 budget

The Following Ordinances were introduced:

#1560 Multi-Purpose Bond Ordinance

#1561 2021 Salary Ordinance

Approvals: - Motion was made by Councilwoman Fede, seconded by Councilwoman Granquist, to approve the Minutes of 4/15/2021. Motion carried with only Councilwoman Carpenter voting No.

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

Susan Harper said that River Road residents have been taken for granted for years. Buses and trucks go by regularly. She said that the Green Acres meeting was only 7 minutes long. She had logged into it and it was over. It should have stayed live for 10 or 15 minutes. It was a very important meeting and more time should have been given for people to join. She is very concerned *about the Recycling Center and property values*. She is also concerned with cutting down trees and air pollution which needs to be taken seriously. She wants a new Recreation Center, and the borough needs transparency.

Jorge Nunez said that the property at Fairview Avenue is not zoned for the use intended. He suggested getting a blanket ordinance for carte blanche zoning. He said that the property that the new recycling center will be on is not zoned for it either. He said that the Planning and Zoning Board passes zoning ordinances, not the Mayor and Council.

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

Borough Attorney Betesh said that the governing body has to introduce a zoning code ordinance. Then it is forwarded to the Planning and Zoning Board for approval. Then it goes back to the governing body for adoption. He will look into the zoning for the Recycling Center site.

Reports:

Mayor Kelemen said that there have been 894 reported COVID cases since March of 2020. His heart and prayers go out to all those that lost loved ones to COVID. He reported that the COVID 19 fair last week had light attendance. On Tuesday, May 11, there will be a COVID testing and Johnson and Johnson vaccine clinic from 1pm to 4pm at Overpeck County Park. He said that Walter Croft reported that there will not be a Memorial Day parade this year, only morning services in front of Borough Hall. He wants to resume honoring the men and women by displaying flags on parade route and bunting on Borough Hall and possibly replace the wreaths. He said that the monuments in front of Fireman's Park should be decorated as well by the DPW. Fireman's Park has a concrete wall of all who perished in World War I. The original American Legion Hall was there. He was notified by James Conti of Congressman Gottheimer's office that the railroad bridge will be repaired by Spring. Mr. Conti asked if there are any reports from the DEP, and there are not. Once the bridge is painted etc, lighting will be put under the bridge. The area will be cleaned up. He said that Bergen County wants to replace the culvert with a larger pipe which will take a long time. He asked them not to do it because Borough Engineer Costa showed that what they want to do will only eliminate about a foot of water. He said that closing off that area for a long time will hurt the businesses there. He said that School Superintendent Kennedy congratulated the Borough on getting close to \$500,000 in grant money for the fields and said that he would like to have a joint venture with the Borough on fixing the fields. He met with the Board of Education about working together for improving the fields. He thanked Councilmen Robbins and Connors, Superintendent Kennedy, and the BOE for working together. He said that Mr. Narvaez had to resign from the Recreation Committee. He asked for approval to appoint Maureen Miller to the Recreation Committee.

Motion was made by Councilman Connors, seconded by Councilwoman Carpenter, to approve the appointment of Maureen Miller to the Recreation Committee. Motion carried.

He congratulated the teachers during National Teacher week; he honored the Firefighters on National Firefighters' Day; he thanked all the nurses for all they do on National Nurses Day. He wished all the Mom's a Happy Mother's Day.

Councilwoman Granquist reported that Councilwoman Fede donated a wally boat to the Rescue Squad which is being set up for service. Rescue will be participating in rope training in Ridgefield Park and there will be Hurtz tools training in the coming weeks. Rescue would like it if the town would send a packet to residents to help them to know about the volunteer organizations. She reported that *the DPW is cleaning the parks.*

Councilman Connors said that the BOE budget was adopted with a tax increase of \$117 per year. He said the boiler replacement at the high school will be done this year. The Newsweek article shows Bogota High School ranking 165 out of 400 high schools. He congratulated Mr. Kennedy. The BOE is planning to open a middle school for 6th and 7th graders at the former St. Joseph's Elementary School, and Dr. Alphonso will be the principal. He said that the baseball team is doing well. School Superintendent Kennedy is happy to say that there will be a prom this year. There will be indoor and outdoor graduations, June 18th for the High School and June 16th and 17th for the elementary schools. He said that the Recreation Committee met on April 21. Jim Moore and the Committee handled sign-ups for football. They will join Bergenfield for football which will start in the fall. There will be a movie night in July and August and hopefully summer camp will take place. He thanked Sherry Solomov, Rebecca Youla, and the helping hands for raising \$2,700 by selling purple ribbons. Mr. Leone is going to work on welcome packets for new residents which was suggested by Mayor Kelemen. The Police Committee met with Chief Maye. He congratulated Sgt. Negrón who retired last Thursday and wished him a wonderful retirement. Chief Maye wants to do interviews for patrolmen at the May 20 meeting. There is a candidate for a former military person to be a police officer.

Councilwoman Carpenter contacted the County about the \$462,000 grant. She is waiting for a response. She said that Green Acres paperwork is needed. DEP testing needs to be done. (Councilman Connors said that it would be good to wait for engineer's reports.) She mentioned grants that are pending: click it or ticket, Enforcement and education, Congressional Appropriations Request Olsen Park Community Center, NJEC for Pollinator garden, Sustainable Jersey, \$1.1 million for ladder, Open Space Municipal Park Improvement Program, DCA local recreation Improvement grant, Gary Sinise first responder grant, and Global Foundation fire prevention grant program. She reported that the presentation for Pat Schuber will take place on May 13 at 11:30AM.

Councilwoman Murphy said that there were no reports for Library or Planning and Zoning.

Councilman Robbins asked when the WIFI at Hose 3 will be fixed. For TENAC, there were two noise complaints from Bogota. On April 21 and 23, there was mid-day noise. He thanked Mayor Kelemen for inviting him to the buildings and grounds meeting. The next meeting is on May 19 and he would like to attend it.

Councilwoman Fede attended the Bogota Creative Art meeting. She said that they are looking for Volunteers to pull weeds in the garden at the high school. June 12 Bogota will be participating in the County Arts Amble, and Bogota Beautiful will pay the fee for any interested artist. She attended the Ridgefield Park Green Fair and assisted at it. The most popular event was the archery with trainers. There was fishing off a dock. There was a big turnout. She worked at the "re-use" table. She is working on the tree list this year, and she said that the tree list needs to be updated. Most of last year's tree budget went to storm damage. In the Community Garden, 3 beds have to be replaced and 8 have to be repaired. May 22 is Shred Day, and the Friends of the Library will have a book sale that day. She said that she would like to acknowledge Wells Fargo for resetting all the bricks, and planting 4 flowering dogwood trees. She would like to recognize them in some way. She said that Mrs. Kahn came to see her two weeks ago and asked if she could donate lunch to first

responders. Fire Chief Kalman helped her to deliver delivered 25 box lunches to the Fire Department, 10 to Rescue, both shifts of ambulance and both shifts of the police. She said that at the next Council meeting, interviews should be taking place for patrol officers. At a future meeting will be interviews for sergeants.

Borough Administrator Scarpa said that the Annual Recycling tonnage report was submitted. He worked on the Salary Ordinance and the Multi-Purpose bond. He said that revisions will be made in the personnel policy which will be voted on in June.

Borough Attorney Betesh said that May 12 is the target closing date for 31 Fairview Avenue. He spoke to the Assessor about tax appeals, and there were 17 County Board appeals. May 25th will be the hearings. There was a meeting with the developer for 520 Palisade Avenue in Teaneck about the entranceway and culvert. The entranceway will have what looks like grass over pavers and a raised curb on the development side and no curb on the Bogota side. He said that the Fire Department, the Police Chief, the Administrator heard the proposal. The Police and Fire had no objection. The Fire Department was concerned about trucks going over the pavers but determined that Teaneck has larger and heavier trucks than Bogota so there will be no problem. He said that the gate proposed was flimsy. There is 6 foot metal fencing. They demanded that the gate resemble the fence. He will get pictures for the governing body. The developer said that experts walked the site and said that the drain belongs to Bogota, not Teaneck. He is waiting for a full story about that. Palisades Avenue is main access to facility. The Developer and Bogota must agree on emergency access. They are waiting to hear from the DPW for access of sewer lines. He said that Bergenfield is still discussing merging football with Bogota. (Mayor Kelemen asked why the drain is inside the Teaneck fence.)

The Borough Clerk had no report.

Motion was made by Councilman Connors, seconded by Councilwoman Carpenter, to go into closed session for litigation. Motion carried at 11:26pm.

The Borough Clerk had to leave the closed session meeting at the request of the Borough Attorney and was not invited back to the meeting until it concluded.

Minutes respectfully submitted by Borough Clerk Jeanne Cook.