



### **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 15, 2020, at 7:32pm.**

Salute to the Flag was led by Mayor Kelemen.

After the flag salute, Mayor Kelemen gave a reflection on Edward Sweeney, who died last Saturday. He said that Ed Sweeney and his family were very generous to Bogota. Ed Sweeney was loved and respected by many residents of Bogota. His father died last August. Ed coached many athletes and gave guidance to many young people. His leadership and generosity will be remembered and missed. Many thanks are owed to him for all that he gave to Bogota and its residents. He expressed his condolences to the family of Ed Sweeney and to his New Horizons family..

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 October 3, 2020.

Roll Call: Mayor Kelemen and Councilmembers Connors, Fede, Murphy, Napolitano, and Robbins were present. Councilwoman Carpenter entered the meeting at 7:42PM. Also attending were Borough Attorney Bossong, Labor Attorney Giblin, and Borough Planner Grygiel.

Motion was made by Councilman Robbins, seconded by Councilman Connors, to change the order of the meeting and allow Borough Planner Paul Grygiel to speak before Citizen Remarks. He has another meeting at 8:00pm. Motion carried.

Borough Planner Grygiel explained that he prepared a Draft for one of the two areas in town designated as in need of redevelopment, the South End Redevelopment Plan dated October 7, 2020. In this plan, he broadened the range of land uses including research laboratories, commercial recreation, child care, etc. The plan will be introduced at the next regular meeting of the Mayor and Council as an ordinance. It will then go to the Planning and Zoning Board for approval.

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

Jorge Nunez expressed condolences to the family of Ed Sweeney. He said that at the last meeting, when he finished his statement as a private citizen, he was threatened by a Council person to go hire an attorney. He asked that everyone lower the rhetoric and get back to basics. He said Ethics Laws give good direction. Public office and employment is a public trust. The law states that vitality and stability of representative democracy depends on the public's confidence and integrity of our elected and appointed representatives. When the public perceives a conflict between private interests and public duties of government officers or employees, that confidence is in peril. When a private citizen expresses opinions, they should be allowed. Public officers need to check their duties. When a public official threatens a private citizen with a law suit, that official is derelict of his/her public duties. He said that when a Council person threatened him with a law suit, he perceives it as an intimidation tactic. Guidelines need to be created.

Susan Cruz reported that a current Councilwoman photographed her private residence and shared it on social media. She and her husband are disturbed and concerned. She said that Councilwoman Carpenter made a comment about true democrats. She said that she is a democrat and has always made that known, and she votes for person not party. She said that now one should be up for public scrutiny because of their voting choice, especially from a Council member. She asked if this goes against any moral code or Ethics

code that the town has, and she hopes that it does. She asked that Councilwoman Carpenter in the future have consideration for all private tax paying residents and to think twice before displaying residents' homes and addresses for political attacks. She said that this all occurred after she lost the election. She asked if Council members Murphy and Robbins believe that doxing is ok, since they voted No on Censuring councilwoman Carpenter at the last meeting. She feels violated as a tax paying citizen.

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

Councilman Napolitano said that he felt badly for Mrs. Cruz. He said that the Council expressed their anger two weeks ago when they censored Councilwoman Carpenter. Councilman Robbins agreed with Councilman Napolitano. He apologized to Mrs. Cruz that her name, property, and family were put out there on social media. Councilman Connors said that the doxing was malicious. He reminded everyone that people are burning buildings down, and there is no attempt at an apology. He said that social media is a dark place, and there are consequences. Mayor Kelemen said that everyone should learn a lesson from social media. It can be dangerous.

Discussions: - Labor Attorney Giblin said that the Police Contract was prepared in 2018 and sent to the FOP attorney in September 2018. He was not the Labor Attorney in 2019, but he emailed the FOP attorney in March 2019 and in July of this year as well. Mr. Giblin will talk to FOP attorney and we will continue this on another meeting.

-Discussion of Firewatch Program: Fire Marshall Kern said that the CFO recommended that each individual will be treated as an independent contractor. The department head will create a purchase order. Active members of the Fire Department and Fire Prevention will do the fire watch. Also, a security guard and a competent custodian may also be able to do a fire watch.

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

20-145 Capital Budget Amendment for Real Property  
20-146 Emergency appropriations resolution for Real Property  
20-147 Capital Budget amendment for Central Avenue  
20-148 Emergency Appropriations for Central Avenue  
20-149 Capital Budget Amendment for Handicap Ramps  
20-150 Emergency appropriations for Handicap Ramps  
20-151 Capital Budget Amendment for Fireman's Park  
20-152 Emergency appropriations for Fireman's Park  
20-153 Tax Sale Redemption for Block 102 Lot 1.01  
20-154 Authorizing Electronic Tax Sale  
20-155 Change Order # 1 for CDBG Road Resurfacing at Central Avenue

Motion was made by Councilwoman Carpenter, seconded by Councilman Napolitano, to approve the following resolution which was Voted on Separately:

PC20-16 Payment of Claims

The Following Ordinances were introduced:

#1546 Ordinance establishing Section 16-5 Entitled "Fire Watch Program"  
#1552 Ordinance Amending Schedule VIII of Chapter 7-6.2 Creating Certain Stop Intersections and Creating an Additional first Responder Parking Spot on West Broad Street

The following Bond Ordinances were introduced:

#1549 Bond Ordinance for Acquisition of Real Property for Use Primarily by Fire Department (\$600,000)  
#1550 Bond Ordinance for Handicap Ramps (\$300,000)

(The public hearing on the above bond ordinances will take place on November 12<sup>th</sup>.)

(Bond Ordinance #1551 was tabled from the agenda because the grant was for \$18,000, but the bids came in at over \$100,000. There are questions as to why the cost of the project increased so much. It will be put on the November 12<sup>th</sup> meeting agenda. Motion was

Public Hearing and Adoption of the following Ordinance took place:

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

Approvals: - Councilman Connors requested that the clerk add Lisa Kohles comments about the salaries of the Police chief and Police Captain that were mentioned at the last meeting be added. The governing body agreed to the addition. Motion was made by Councilman Napolitano, seconded by Councilman Connors, to approve the amended Minutes of 10/1/20. Motion carried with Council members Connors, Fede, and Napolitano voting Yes and Council members Carpenter, Murphy, and Robbins voting No. Mayor Kelemen broke the tie and voted Yes.

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

Jorge Nunez said that it is appalling to correct the minutes. Even after amending the minutes to reflect what was said, three members voted No. Why did they not agree with the minutes? That is shameful.

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

Councilwoman Carpenter said that the three members voted No to the minutes as a whole, not on the amendment. She said that she always votes No on the minutes.

Reports: Mayor, Council Committees, Borough Administrator, Borough Clerk

Mayor Kelemen said that Tuesday was raining cats and dogs, and flooding occurred on River Road and Elm Avenue. He met with Congressman Gottheimer and two of his aids that day. They all saw the flooding. They examined the bridge, and Congressman Gootheimer agreed that the CSX bridge needs to be addressed. They saw leaks of mud from the north and south sides of the walls. Mud piles were forming which would be slippery and dangerous. The Congressman saw the rust and the chipping paint. Water was picking up the lead paint which goes into the storm drains. He agreed that was dangerous. He saw that the header under the bridge is split. The Congressman said that he will get in touch with CSX about painting the bridge and repairing it, and he will contact the County about putting lighting under the bridge. Mayor Kelemen said that the COVID cases are rising slightly. There are 233 cases since March. He said that the Fall Festival will be fun, and CDC rules for social distancing etc. will be followed. He said that he is saddened by the loss of Ed Sweeney who had a passion for basketball, so he would like to do something in his honor. He asked for Councilman Napolitano to explain something they discussed. Councilman Napolitano said that Ed Sweeney was a wonderful person and he motioned to name the basketball court at the new Recreation Center after Ed Sweeney. Councilman Connors seconded the motion. Motion carried and the following Resolution was added to the agenda.

20-156 To Name the Basketball Court at the new Recreation Center after Ed Sweeney

Councilman Connors offered his condolences to the family of Ed Sweeney. He said that Ed was a long time friend of his and coached both of his sons. He attended the Board of Education meeting this past Tuesday where they discussed a blended learning model where half the students will be at home and half will be in school. Monday and Tuesday will be at school and Wednesday will be cleaning. He reported that Steen School was honored with the Blue Ribbon Award. He applauded the Superintendent, the teachers, and the students on a job well done. Fall Sports are moving forward with COVID restrictions. The football team had its first game last weekend. He reported that he attended the Recreation Committee meeting on

Wednesday, and the main topic was the Fall Festival. The Festival has to be scaled down due to COVID. Only packaged foods will be available, and social distancing will be emphasized. There will be a trunk a treat as well. The event will take place on 10/24/2020 from 1pm to 4pm, and the rain date will be 10/25/2020. The Little League team in Little Ferry for 8, 9, and 10 year old players won the championship. Six of the players were from Bogota. Only 2 families signed up for the After Care program. The committee would like to streamline the insurance needed for Recreation events. Governor Murphy gave permission for indoor sports beginning December 3<sup>rd</sup>. The Committee is excited to plan for basketball season for the children.

Councilwoman Carpenter said that she is sad and shocked that Ed Sweeney died. She worked with him for 40 years. She reported that Little Ferry is requesting an increase of the Little League Baseball fee from \$2,500 to \$3,500. Motion was made by Councilwoman Carpenter, seconded by Councilman Connors, to approve the fee increase. After discussion, it was decided that a reason should be given for the increase, so Councilwoman amended her motion to table it. Councilman Connors seconded the motion to table. Motion carried. She received a call from Freeholder Ortiz on October 2<sup>nd</sup> who said that the Census purchase orders were not received. Andrea from Accounts Payable prepared the purchase order for \$796 and submitted it. \$22,000 for the County Cares Act was submitted, but no response has been received from the County. Another \$6,000 or \$7,000 is still to be submitted. She reported that 6 candidates were interviewed for a DPW job, and possibly one will make it. She asked for guidance from the Health Inspector about DPW workers wearing masks. She said that the DPW salaries are very low. Mayor Kelemen said that this was discussed with the Borough Administrator about 3 months ago. The pay scale will be changed. He also instructed the Borough Clerk to have the Health Inspector talk to the DPW about masks.

Councilman Napolitano reported that the Finance Committee will do budget and revenue review next week to be completed before the end of the year. He discussed the progress of the River Club with Construction Official Dan Howel who reported that the TCO is almost done. The Borough will receive a check for over \$600,000 when the certificate is issued. He said that the Rescue Squad has continued Water Training. He attended their meeting on October 7<sup>th</sup>. The Rescue Squad received a Blood Borne Pathogens Kit which was donated by Rebecca Youla's company. He said the Senior Citizens' main concern at this time is being able to vote properly. They are hoping for the Senior bus to be operating soon. He said that Mr. Moore has been doing a great job, but the Seniors would like to be able to shop on their own by taking the bus. He reported that he and Councilwoman Fede met with Police Chief Maye, Police Captain Piferski, and Detective Sgt. Liriano to discuss Halloween. They decided to scale down and close off Larch Avenue only from 1pm to 3pm on Halloween. Chief Maye offered signs that citizens could put in their windows to warn trick or treaters if they do not have candy to give out or to welcome trick or treaters. He said that the Police Chief needs to hire a police dispatcher, and they will need a full time crossing guard by the high school. A part time crossing guard will step up to full time and a new part time crossing guard will need to be hired. Motion was made by Councilman Napolitano, seconded by Councilwoman Carpenter, to authorize Borough Administrator Scarpa to advertise for a part time dispatcher and a part time crossing guard as substitutes. Motion carried and the following resolution was added to the agenda.

20-157 To Authorize Borough Administrator to Advertise for Part Time Police Dispatcher and Part Time Crossing Guard

He said that a new police officer will be hired. There is a detailed application process that has to be followed due to criteria for the grant that will be used to pay the new officer's salary. He and Councilwoman Fede feel that the interviews should be done in person in the Council Chambers one at a time. There are 7 applicants that need to be interviewed.

Councilwoman Murphy reported that she attended the October 13<sup>th</sup> meeting of the Library Board, and the meeting centered around the annual performance evaluation of the Library Director. Yvonne Montemoroux presented a final evaluation for the Board to review. The goals and objectives were rolled out to January and February because of the COVID. They reported that they surpassed what was anticipated in budget revenue for passports. They are working with the schools on what they can provide after school virtually.

Councilman Robbins had no report.

Councilwoman Fede reported that Ed Sweeney will be honored by the VFW on Veterans' Day, November 11<sup>th</sup> at 8PM. He had been nominated for Citizen of the Year because of all he has done through the years for Bogota. Commander Hernandez said that he will be moving forward with that and there will be a presentation for Ed Sweeney on Veterans' Day. She reported that Wells Fargo planted two Cherry trees on Larch Avenue and want to plant two more on Main Street. She said it is great when businesses in town want to help beautify the town. She said that the Friends of the Library bake sale was successful and they may have more. The library funding will be increasing. She said that the town has spent over \$20,000 on tree takedowns in the last month and a half. She is concerned because the list keeps growing. There is a need to add this growing tree list to the budget for next year.. The emergency work this year took all the money from the budget for trees. She received an email from Sustainable Jersey. The Borough needs 150 points to qualify, and we are at 110 points now. A resolution that contains the Green Purchasing policy will have to be approved at the next meeting. The list for Sustainable Jersey includes Asset inventory, having a Creative Team, having a Green Team, Emergency Tracking and Management, having a community garden, building a healthier community, having an Environmental Commission, having a community forestry Plan, adopting a Green Purchasing Policy, having a prescription drug safety disposal, paper shredding, mandatory recycling, etc. There is a lot of work involved to be part of Sustainable Jersey, and she is proud of Bogota for having these items.

Councilman Napolitano asked for a shout out to Councilwoman Fede and Rebecca Youla for sign drive they ran for St. Joseph's food pantry. They were able to purchase a lot of food for the food pantry from the money earned from the signs. St. Joseph's is very appreciative of what they did. He said that the food pantry needs hams and turkeys as well as canned chicken, white meat tuna, oatmeal, chili, spam, and toilet paper.

Borough Attorney Bossong reported that he received the contract for the purchase of 31 Fairview Avenue and will be reviewing it before it is signed. He reminded everyone that a Special Council meeting will be held on October 29<sup>th</sup> at 7:30pm concerning Green Acres and the change of use of a portion of Olsen Park for a new Recreation Center.

Borough Clerk Cook announced that there will be free COVID Testing in Teaneck on October 27<sup>th</sup>. She also reminded everyone that Election Day is November 3<sup>rd</sup>, and that only blind and handicapped people can use the voting machine. Vote by mail ballots can be placed in a drop box at the polling locations or in one of the 18 drop boxes located throughout Bergen County. Anyone who misplaced or did not receive a mail in ballot can call the County for a duplicate or vote provisionally on Election Day.

Motion was made by Councilman Napolitano, seconded by Councilwoman Murphy, to adjourn the meeting. Motion carried and the meeting adjourned at 10:02pm.

Minutes respectfully submitted by Borough Clerk Jeanne Cook.