



**Open Sessions  
Minutes**

**March 3, 2022  
7:30 pm**

**BOROUGH OF BOGOTA  
Mayor and Council Regular Meeting  
March 3, 2022  
7:30 PM**

**Roll Call of 2021 Council**

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

Also Present: Borough Attorney William Betesh, Borough Administrator Edward Hynes and Deputy Clerk Yenlys F. Bolivard.

Mayor Kelemen welcomed everyone to mayor and council meeting.

Salute to the Flag

**Citizen Remarks:** One (5) minute time limit per person. Councilman Robbins made a motion to open citizen remarks, seconded by Councilwoman Carpenter, all in favor.

**Mr. Nunez –** Said that for the second time he would like to go on the record to state that the Bogota Police Department is in need of some level of oversight.

**Mr. Suarez –** Expressed his interest in renewing the Bogota Swim Club lease He said that he understands it is up for discussion and he wanted to thank the Council for their support of the swim club.

**Ms. Harper** – Congratulated the team that put together the recent presentation called Educate Do not Escalate program. She said it was a great presentation and hopes the town offers more of it. Additionally, she mentioned that Bald Eagles are protected under New Jersey State law, and there have been some sightings of the Bald Eagle at the park. She also expressed some concern regarding the possibility of moving forward with the Rec Center and the use of unattractive materials to build it.

**Mr. Moreno** – Addressed the issue of parking by his residence located at 270 Orchard Terrace, and would like to know if lines can be painted to outline parking spaces on the street.

**Mr. Fede** – Said that the Recreation Center Project is still viable and does have bipartisan support, however he would like to know the reason 3 members voted “no” on the change of use, because that resolution would permit the project to move forward. He wished, Mr. Lerch had not kept referring to the gross amount of the bond. Additionally, he encouraged the council to look into shared service agreements with other towns.

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

**Mayor and Council answered citizen remarks:**

**Councilwoman Carpenter** – Addressed Ms. Harper questions about the type of unattractive materials to be used for the Recreation Center by saying that she is not aware of it. Regarding Mr. Moreno, she advised him to contact the police department about his parking concern. They might be able to add lines in the street. And for Mr. Fede questions about shared services, she said the Borough is reviewing some options.

**Council President Murphy**- Addressed Mr. Nunez’ question by saying that his concern should be followed through and she will look into it again with the direction of the attorney. As for Ms. Harper, she said it was interesting she made a reference to the bald eagles, which was kind of fascinating. And in regard to the recreation center it is on for discussion, because the project hasn't ended. To address Mr. Fede, in regard his questions, she said that she had never agreed that the building should have been on that property, and has not been in favor of its current location.

**Councilwomen Fede**- Addressed Mr. Nunez’ comments about the Police Department and said she had reviewed the matter. She also said that she has spoken with Mr. Nunez on several occasions regarding the matter. In response to Mr. Fede’s comments about shared services, she agreed that it makes sense to have shared services.

**Councilman Robbins**- addressed Mr. Fede's question on the reason 3 members voted "no" on the change of use resolution, by saying it was because he wanted to put the project on a temporary hold.

**Councilwomen Granquist** - Regarding recycling shared services, she said it was confirmed that the DPW Superintendent Mr. Kohles did provide the requested information. However the figures in the Borough's tonnage reports combined the curbside pickups with the recycling center. Therefore, more data collection must be done to complete the Village's questionnaire.

**Councilman Connors**- Addressed overnight parking concerns by saying that he agreed with Councilwoman Carpenter and Councilman Robbins that the town has very narrow streets, and most of the people in town doesn't agree with having overnight parking. But he is in agreement to look into the other options to try to help the residents with the overnight parking.

**Mayor Kelemen**- Regarding the recycling center shared service, he said it is in progress and the Borough is discussing the possibility of a shared service with another town.

### **Discussion:**

#### **Swim Club lease renewal for the 2022 season**

Borough attorney Betesh -explained that the Borough had leases that ran for multiple years, but when the issues with COVID arose, and there were some questions about whether or not the club would be forced to close, some provisions were worked into their lease agreements where the rent that they paid could be prorated depending upon how many weeks the pool season remained open. These newer leases ran for one year terms, and the question before the Council was whether to renew the swim club's lease under those same terms, or to return to the language in the earlier leases.

After a discussion, the council agreed to renew the lease under the same modified COVID terms for an additional year.

Councilwoman Carpenter stepped off the virtual dais and commented on the swim club lease as a citizen, with the permission of the Borough Attorney.

Motion was made by Councilman Connors, to extend the lease under the same terms as last year, seconded, councilwoman Fede. All in favor. Councilwoman Carpenter recused herself from voting. The lease will run until January 31, 2023. Resolution Number 2022- 66

**Authorizing to re-advertise to re bid for recreation center.**

The Mayor and Council discussed the needed to find a contractor that will be able to perform the construction for the current budgeted cost. At the February 17, 2022 Mayor and Council meeting, the Council did not pass an Ordinance to increase the bond for the Recreation Center.

Motion was made by Council President Murphy to authorize the re-advertisement of bids for the recreation center, seconded Councilman Connors. All in favor. This will allow the Council to open negotiation with the contractors for minor changes to reduce the cost of the project, should the next round of bids also get rejected on the basis of cost. Borough Attorney Betesh advised the Governing body that substantial changes to the building or the parking lot cannot be considered in a negotiated procurement. Resolution number 2022-68.

**Consent Agenda:**

**Resolution to be voted on separately:**

PC22-04 Payment of Claim - Motion made by Councilwoman Carpenter seconded by Council woman Granquist to accept the payment of claims. Councilwoman Fede mentioned that PSEG bills were included in this bill list.

**Public Hearing of Ordinance**

Deputy Clerk Yenlys Flores-Bolivard read the ordinance by title: 1572, an Ordinance to Amend Ch 23-Police Department--the creation of the Rank of Lieutenant for the Bogota Police Department.

Motion was made by Councilwoman Fede to open Public Hearing for Ordinance 1572, an Ordinance to Amend Ch 23-Police Department (Creation of the Rank of Lieutenant) seconded by Councilwoman Carpenter All in favor.

**Open for public comments:**

No public comments.

Motion made by Councilwoman Carpenter to close public comments for Ordinance #1572, seconded by Councilman Connors. All in favor.

Motion made by Councilman Robbins to adopt 1572 an Ordinance to Amend Ch 23-Police Department (Creation of the Rank of Lieutenant), seconded by Councilwoman Fede. All in favor

**Approvals of the Minutes:**

Motion was made by Councilman Robbins to approve the Minutes 02/03/2022, seconded by Council President Murphy. All in favor.

## Closed Session Minutes

Motion was made by Councilwoman Carpenter to approve Closed Session Minutes 02/03/2022, seconded by Councilman Connors. All in favor.

### **2<sup>nd</sup> Citizen Remarks:**

One Five (5) minute time limit per person

Motion was made by Councilwoman Fede to open the second citizen remarks, seconded by Councilwoman Carpenter. All in favor.

**Mr. Nunez-** Commented on the renewal of the swim club lease by saying that since Councilwoman Carpenter is president of the swim club she should've recused herself from making any comments. Asked if any of the Council members had contacted the low bidder for the Rec Center. All members' present said no.

**Ms. Harper** – Agreed that a shared service will be beneficial for the town.

**Ms. Bernie** – Asked if any of the council has reach out to other towns for shared services like Hackensack, or if anybody reached out to the new owners where the recycling center is currently located to do a short term-lease.

### **Mayor and Council answered citizen remarks:**

**Councilwoman Carpenter-** addressed Mr. Nunez comments regarding the swim club by saying that she does not earn a profit by being the president of the Swim Club. Therefore, she was allowed to recuse herself and answer a question. Regarding Ms. Bernie question she had asked that same question to the Mayor, Council, and Attorney if anyone had gotten in contact with the new owners of the Out water building but no one from the Council answered.

### **Reports:**

#### **Five (5) minute time limit per Council Member**

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

**Mayor Christopher Kelemen** announced the retirement of the Bogota Recreation Director Mr. Jim Moore. He said, Mr. Moore has served in this position for over 22 years. His retirement will go into effect at the end of May. Another announcement was the resignation of Borough Clerk Ms. Jeanne Cook and thanked her for her time and dedication to the Borough. He wishes her well.

Mayor Kelemen asked for a motion to move the March 17 mayor and council meeting to March 24. Motion was make by Councilman Connors, seconded by Councilwoman Granquist. All in favor. Resolution # 2022-69.Looking forward to the Voluntary dinner event on Saturday

**Councilwoman Granquist**- Thanked DPW workers for their great job. The rescue squad has a new member. He will be added to the roster once his background check has been completed.

Rescue will be participating in the Bergenfield St. Patrick's Day parade scheduled for March the thirteenth at 2 PM. As far as the shared services, they are trying to set up a meeting with Ridgfield Park to go over their proposal.

**Councilman Connors**- He reported that BACSA had a meeting and it was great. No Board of Education meeting. He said there are plans for more educational outreach to the community.

The rec basketball has finished, and there will be trophy presentations this coming Friday night and Saturday.

**Councilwoman Carpenter** –For the county no report. For financing grants, the town received from FEMA \$23,000 for hurricane relief. Thanked millennium for their assistance. She added that J. E. C. Grant to help with the Fireman's Park. Received \$15,000 and then an additional \$51,000 plus.

**Council President Murphy**- Was unable to make it to the Planning and zoning meeting, however Councilwoman Fede will be able to provide a report on it. Had a personnel meeting with Councilwoman Fede and the administrator to advertisement for a permanent administrator. This advertisement is posted. Thanked the administrator Mr. Hynes for keeping them informed regarding the administrator position. She asked for a motion to advertise for a new recreation center director, and to add a bachelor's degree as a qualification. Motion made by Council President Murphy to advertise for the recreation director position, seconded by Councilman Connors. All in favor. Resolution number 2022-64.

**Councilman Robbins**- The Fire Department is following up with the DPW superintendent about the roof, repair and heating issues at Hose 2, and Mr. Kohles will be checking on their boiler. The Fire Department has also started to update their computer system with info share. They are updating all of their ID's for the current year, and they have applied for 5 members to attend a seminar called Defensive Aerial Operator, which is hosted by Leonia on the 5<sup>th</sup>. Looking forward to the event on Saturday.

**Councilwoman Fede**- She said that there was a discussion on the need to repair the Garden beds. Several were repaired last year and over time, they're starting to work on that, and also the rain barrels. The paints pretty much peeled but the barrels are in good shape, so they need to be refurbished. They talked about having an Arbor Day ceremony through the fifth grade poster contest. Also discussed green fair, and a Styrofoam drive to recycle Styrofoam, and then generally plan shred day. Thanked Ms. Cruz, whose a graphic designer on the Environmental Commission, she prepared the placard that's needed for the appliances. Police Auxiliary attended a meeting with the State police and the county coordinator. There are changes to the police auxiliary program. A ceremony to administer the oath to the 2 new sergeants will be held in the

future. Thanked the Council for passing the Lieutenant ordinance. She received notice that Bogota has been awarded Tree City, U.S.A. Certification. The Borough has 20 or 21 years Tree City U.S.A.

**Administrator Hynes-** Administrator position has been published in the New Jersey classifieds, the New Jersey League and in the Borough website.

**Borough Attorney Betesh-** A copy of the police radio contract will be finalized and put in final form to be signed by next week. Received a copy of the deed restriction for the newest building that's been constructed at the Atwater site. This is the building located at 3000 West Fort Lee Road. Additionally, a resolution will be added to the next agenda to authorize the Mayor to sign off on the deed. This is part of the Borough's affordable housing obligations that the Atwater building.

Motion made by Councilwoman Carpenter to go into closed session, seconded by Councilman Robins, all in favor. 9:45pm

**Closed Session:**

Motion made by Councilwoman Carpenter to go back to open session, seconded by Council President Murphy, all in favor.

Re-Development

Personnel – Clerk position/Recycling coordinator

Litigation

Attorney-Client

Motion was made by Councilman Connors to approve Ms. Yenlys Flores-Bolivard as Acting Borough Clerk, accordance with the provisions of 40A:9-133A. Seconded by Councilwoman Carpenter. All in favor. Resolution number 2022-61

Motion was made by Councilwoman Carpenter to transfer the Registrar of Vital Statistics position, and the Secretary to the Shade Tree Commission positions to Ms. Flores-Bolivard in her new position as Acting Borough Clerk. Seconded by Council president Murphy. All in favor Resolution number 2022-62

Motion was made by Councilwoman Council President Murphy to advertise for the Recreation Director position, seconded by Councilman Connors. All in favor. Resolution number 2022-64.

Council President Murphy made a motion to approve the posting of an advertisement to fill the position of Deputy Clerk. Seconded Councilman Carpenter. All in favor. Resolution number 2022-65

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Councilwoman Fede made a motion to designate Mr. Kohles as the Borough's Recycling Coordinator, seconded by Councilman Connors. All in favor. Resolution number 2022-63

**Adjournment** 11:36 pm

Motion made by Councilwoman Carpenter to adjourn, seconded by Council President Murphy. All in favor.

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

Yenlys Flores-Bolivard