



Minutes of the Regular Meeting of the Mayor and Council of the Borough of Bogota, held at the Bogota Senior Center, 375 Larch Avenue, Bogota, NJ, on Thursday, October 4, 2018 at 7:30pm.

Salute to the Flag was led by Councilwoman Fede.

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 December 23, 2017.

Roll Call: Mayor Kelemen and Councilmembers Fede, Macfarlane, Miranda, Murphy, and Napolitano were present. Councilwoman Gates-Ferris was present telephonically until 9:20pm. Also attending were Borough Attorney Bossong, Borough Administrator Scarpa, Bond Counsel Rogut and RCB developer Stein.

Councilman Miranda motioned to add a second Citizen Comments to this agenda, seconded by Councilman Napolitano. Motion carried with Councilmembers Fede, Miranda, and Napolitano voting Yes, Councilmembers Gates-Ferris, Macfarlane, and Murphy voting no, and Mayor Kelemen breaking the tie and voting Yes.

Presentations: - Mayor Kelemen and Councilwoman Fede presented the key to the City and a gift card for Luka's to the bride and groom who were stuck in a flood on their Wedding Day, August 11, 2018, and were rescued by Police Officer La Ferrera and Police Sgt. Cole.

Mayor Kelemen and Councilman Miranda presented certificates to Police Officer Ridel and Captain PETERSKI for saving the woman trapped in a car service vehicle, Sgt. Cole and Officer La Ferrera for saving the bride on her wedding day, and Officer Gerahty, Sgt. Cole and Officer Rivera for aiding a man with a severely cut leg.

- Presentation by RCB Developer: Jonathan Stein explained that 421 units will be built on the waterfront at West Fort Lee Road. He closed on the project on January 10, 2018 and has spent \$25 million so far on the project. He is expecting to spend \$100 million more. They will be taking care of flooding control and storm water drainage. \$125,000 has been deposited and \$250,000 more was given to the Borough. As each building is completed, \$620,000 will be given to the Borough. He explained that as rent increases, revenues for the Borough will grow. The permit fees alone will be very high. Councilman Macfarlane asked how many days would be lost in development due to the weather, and Mr. Stein explained that not much time would be lost because so many things go on each day. Not all progress is halted due to weather. Mayor Kelemen said that he had no confidence in this project at first, but now he does.
- Presentation by Bond Counsel: Steve Rogut explained that the Council will be voting on a bond ordinance for \$4,600,000 which requires a 5% down payment. The developer gave the Borough \$250,000 which would be the down payment. The \$4,350,000 can be paid as short term note payments for 3 to 4 years. Short term notes pay off with community benefits. He said that Bogota's debt right

now is 1.212% out of the 3.5% allowed by the state. He said that the stream of revenue from this project will allow the bond to be paid off in short term. Councilman Macfarlane asked about the interest generated by the bond, and Mr. Rogut said that interest will not be paid until 2020 because no money will be borrowed before 2019. He continued that in 2020, the interest payments could be made with some of the pilot money or community payment. He said that analysis was done by the auditor and bond counsel to be sure this bond ordinance and the recreation center were sound investments. Councilman Miranda referenced a paper he brought that spells out the finances for the Recreation Center. Mayor Kelemen said that this is a once in a lifetime opportunity to give to our children. He said that Chief Maye had commented that the new recreation center would be a good place to use for emergency situations. He said that Moms and Dads would like voting to be out of the schools. Also, the library is full of children who need someplace to go.

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

Many people stood up and spoke to support the new Recreation Center and to explain their reasons for needing a recreation center. People who spoke included John Mitchell, Frances Garlicki, Tito Bard, Jorge Nunez, Rebecca Youla, Jose Chavez, Novia Castro, Lynn Dematracus, Nancy Nunez Pauline Mcdonnell, Ms. Boyle; Luis Fernandez, Antoinette Ramirez, Carmen Diaz, Tania Feliz Patron, Ray Sanchez, Amanda Montgomery, John Powner, Mike Connors, George Shaloub, and Mark Mandetta. Novia Castro also requested more signs in town to keep dogs on a leash. Antoinette Ramirez asked how her children will be kept safe if they go to the new Recreation Center.

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

Councilman Miranda said that he was very proud of everyone who came to the meeting. He congratulated Nancy Nunez who stood up and spoke as a student in town. He said that cameras are installed at the Borough Buildings including the Recreation Center and extra supervisors will have to be added for new programs. He said the rooms could be rented for \$400. More than \$300,000 will be collected in permit fees for the new development. He said that Bogota has the best Racquet Ball Club in the country and a great ice house. We will have great schools, great restaurants, etc. The time is now to build a new Recreation Center. Councilman Napolitano said that Leonia Avenue will be completed in the Spring funded with grant money.

Councilwoman Murphy said that the \$3 million is not here. She said that no notice was given of the change to go out to bond for the Recreation Center. It should have gone to referendum. She is all for the Recreation Center once all the money has been collected from the developer.

Councilman Miranda said that \$2.2 million was bonded for the condemned DPW building. The agreed upon pilot gives benefits to the town. This new Recreation Center requires no taxpayer money. It was a developer's agreement, so a referendum is not needed. The fire engine money was bonded and can be used for a fire engine in two years. Councilman Napolitano reminded everyone that the cell tower money is gone. FEMA money is gone.

Councilwoman Fede thanked everyone who came to the meeting and said that she echos all that was said by the residents. This was an informed decision. She said that she attended the town hall meeting concerning the SRO, and she supports school security. She explained that the police line in the 2018 budget is full for this year, so the SRO will have to go on the 2019 budget. She said the borough has to be fiscally responsible to the taxpayer and the budget.

Mayor Kelemen said that the Recreation Director does wonders with what he has to work with. He said that the Recreation Director asked that the Council move forward with the new Recreation Center. He said that he and the Council do the right thing every time. We will work on the dog signs. No one will be allowed to work in the Recreation building without being thoroughly checked. The Youth Academy is great and will be back. He said that people can see the tax dollars at work. Bogota has character as can be seen by the corn stalks and bows. He said that Bogota has the best Racquet Ball Club in the country and the best Ice Hockey arena, but the worst Recreation Center. He thanked everyone who got up and spoke, acknowledging how difficult it can be to speak in public. He feels badly for the children having to be out in front of the library.

The following Resolutions on the Consent Agenda were approved:

18-138 Grantee Authorizing Resolution for Basketball Court Rehabilitation at Olsen Park

18-139 Authorizing Bids for Ground Lease at DPW Building

The following Resolution was approved with Council members Fede, Miranda, and Napolitano voting Yes and Councilmembers Macfarlane and Murphy voting No:

18-140 Capital Budget Amendment

The Following Resolution was approved:

18-141 Hire Additional Temporary Part time Sub-code Officials for Riverfront Development

The following Bond Ordinance was introduced but defeated with Council members Fede, Miranda, and Napolitano voting Yes and Council members Macfarlane and Murphy voting No:

#1519 Bond Ordinance to Authorize Construction of a New Recreation Center

(A bond ordinance needs a 2/3 vote of the full Council membership.)

Motion was made by Councilman Napolitano, seconded by Councilman Miranda, to open the meeting to public comments. Motion carried with Council members Macfarlane and Murphy voting No.

Tania Feliz Patron asked why Council members would vote against the bond ordinance for the recreation center. She was very disappointed. She was a civil engineer in Jersey City when eminent domain was used when they need to rebuild the high school. Why do some council members not want to push the community forward. She thanked everyone for the details. She is angry and sad.

Rebecca Youla said that she has no children but volunteers for the children in town. She is here ready to help and believes that it will happen.

George Nunez said that he is a registered Democrat and sees that the party is broken. They are playing politics.

George Shaloub said that he has been on many boards etc. and is very disappointed that this bond ordinance was defeated.

Luis Fernandez said that he will let other parents know that two council members voted against the Recreation Center bond ordinance. He is very upset.

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

Councilman Miranda said that he is embarrassed. Politics should not be used for this. He asked for nonpartisan government.

Councilman Napolitano explained that the town has been working on funding for the new recreation center for three years. Now it has to wait another three years because two members want the money in hand even though professionals were here to explain it. Bonding is done regularly. It is like taking out a mortgage to buy a house. No one is given three million dollars.

Councilwoman Fede said that voting down the introduction of the ordinance took away the public hearing date which is not the democratic process. The developer and bond counsel were brought to this meeting to explain everything.

Mayor Kelemen said that the Republicans did not lose tonight. The children lost. He never thought there would be opposition to this center. The sad part is that children, moms, and dads needed one Democrat to cross party lines. He said the Council members Fede, Miranda, and Napolitano, and Mr. Scarpa worked so hard for this to happen. He is extremely disappointed. For two hours residents stayed to let the Council know that they wanted this new Recreation Center.

Approval: Motion was made by Councilman Napolitano, seconded by Councilman Miranda, to approve the Minutes of 9/20/18. Motion carried.

Motion was made by Councilman Napolitano, seconded by Councilman Miranda, to table the remaining items on the agenda. Motion carried.

Motion was made by Councilman Napolitano, seconded by Councilman Miranda, to adjourn. Motion carried and the meeting adjourned at 11:15pm.

Minutes respectfully submitted by Borough Clerk Jeanne Cook.