



Minutes
February 5, 2026
Open Session
7:30pm

BOROUGH OF BOGOTA
Mayor and Council Work Session Meeting

**Meeting of the Borough of Bogota Mayor and Council meeting held on February 5, 2026 in
Borough Hall, 375 Larch Ave, Bogota, New Jersey at 7:30 P.M**

PLEDGE OF ALLEGIANCE

Councilman Hordern led the Pledge of Allegiance.

MAYOR'S ANNOUNCEMENT

In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-1, et. seq. the notice for this meeting's time, date, location, and agenda fulfilled the requirements by a copy of the Annual Notice of Meetings being sent to the newspapers officially designated for 2026, filing a copy in the Borough Clerk's Office, and posting it on the Borough bulletin board.

Mayor Fede- memorialized the passing of former Police Chief William J. Hancock.

ROLL CALL

Mayor Fede	Present
Council President Kohles	Present
Councilwoman Carpenter	Present
Councilman Hordern	Present
Councilman McHale	Present
Councilman Mitchell	Present
Councilwoman Vergara	Present

Also attending were Borough Administrator O'Malley, Borough Attorney Betesh, and Deputy Clerk Baque.

CITIZEN REMARKS: One (5) minute time limit per person

Motion: Councilman Mitchell made a motion to open Citizen Remarks. Seconded by Councilwoman Carpenter. The motion passed with a voice vote.

Joe Wynman- questioned the status of the new garbage pail law, the DPW breakfast investigation, the DPW truck decals, the Kennedy Building, Rescue Squad training, the financial auditing process, and the concrete plant. He read a statement about penalties for violating the Open Public Records Act.

Bob Callejia- asked about ICE and interactions with law enforcement.

Motion: Councilwoman Carpenter made a motion to close Citizen Remarks. Seconded by Councilwoman Vergara. The motion passed with a voice vote.

COUNCIL RESPONSE TO CITIZEN REMARKS

Councilman Hordern- as a councilman he does not perform investigations. The structure that was removed was not the concrete plant; it was an old unused asphalt plant. The concrete plant will continue to be used and is staying the same.

Borough Administrator O'Malley- will check on the enforcement of the new garbage law with Property Maintenance. He did not have any updates on the DPW truck labelling, Kennedy Building, or Rescue Squad. ICE is a federal agency that does not inform local police about its operations, the Bogota Police do not participate in any ICE actions.

Councilwoman Carpenter- the Borough's auditing firm is Lerch, Vinci, and Bliss and the auditor is Dieter Lerch. Immigration will be discussed later in the meeting; a small informal community committee was formed to let residents know more about their rights concerning ICE.

Borough Attorney Betesh- the Borough receives a lot of OPRA requests and the staff in the Clerk's office are trained to respond. No clerk has been cited for willfully violating an OPRA request.

DISCUSSION

ICE Statement

Council President Kohles- read a proposed statement from the Mayor and Council: *We are aware that federal immigration and Customs Enforcement (ICE) officers have recently been active in some communities, including areas in New Jersey. These actions have taken place without notice and have caused fear and uncertainty for many families.*

The Mayor and Council want to be very clear: Bogota is a community built by immigrants, and our diversity makes us stronger. We are deeply concerned about the stress and worry that these

enforcement actions may cause our residents. We want our immigrant neighbors to know that you are all valued, you belong here, and the Borough stands with you.

The Borough of Bogota remains committed to keeping our community safe, welcoming, and united. The Bogota Police Department does not enforce civil immigration laws and does not ask about immigration status during everyday interactions. This follows New Jersey Law and the Attorney General's Immigration Trust Directive, which is designed to build trust between residents and local government.

Help is available for anyone who is feeling affected or distressed. Community organizations and nonprofit partners are ready to support residents in need. We encourage anyone with questions or concerns to reach out to trusted organizations and legal resources.

Bogota is home to people from many backgrounds, and we remain committed to treating everyone with dignity, fairness, and respect.

The Mayor and Council agreed with the statement and the mayor directed the Borough Administrator to post it on the website.

Councilwoman Carpenter- suggested that a resolution on the topic be passed by the Council and handed to the Administrator, who would then send it to the county and state. She attended a meeting on the issue and reported that the county would try to prevent federal agencies from using empty warehouses as immigrant holding facilities. She was in contact with Assemblywoman Haider and Assemblywoman Park to try to get someone from the ACLU to attend the next Council meeting and provide information.

Councilman Hordern- asked residents to respect each other's opinion on the matter and to protest peacefully. If ICE comes into the area, he reminded residents that they are permitted to record and are not allowed to get in their way, as they may be charged with obstruction.

Emergency Crossing at West Fort Lee Road

Councilman Hordern- there are two arteries crossing over town, Main St. and River Rd. When one is shut down it becomes extremely difficult for emergency services to get around town. There is a pedestrian crossing at Fort Lee Road. He would like to approach CSX to create an emergency vehicle crossing there, as there used to be one there years ago. This would allow emergency vehicles to get across town quickly if one of the other routes are shut down.

Councilman Mitchell- the crossing at Fort Lee Road should be a regular vehicle crossing, as there used to be an underpass there that was filled in.

Councilman Hordern- expects it to be a fight with CSX to install the crossing, he does not know of any others of these types of gates in existence. Fire trucks are larger than police cars and it is very difficult to get it across town when one of the corridors is closed.

Borough Administrator O'Malley- foresees it being a sliding fence gate that is controlled with a garage door opener. It would only be used in dire emergencies when access is cut off. CSX installed bollards there to make it a pedestrian crossing which would have to be removed.

The Council agreed that though it will be difficult to convince CSX to allow the crossing but authorized Councilman Hordern to make the request.

INTRODUCTION OF ORDINANCES

Ordinance 1653 – Amending Chapter 3 of the Bogota Code, entitled “Police Regulations” – Increase Snow Removal Penalty around Fire Hydrants

Motion: Councilman McHale made a motion to introduce Ordinance 1653. Seconded by Councilwoman Carpenter. All Councilmembers present voted yes, except for Councilman Hordern who recused himself.

Before consideration of Ordinance 1654, Mayor Fede left the dais and Council President Kohles presided over the meeting.

Ordinance 1654 – Amending Chapter 2 of the Bogota Code, entitled “Administration” – Modify the “Purposes” section of the Bogota Fire Department

Motion: Councilwoman Carpenter made a motion to introduce Ordinance 1654. Seconded by Councilwoman Vergara. All Councilmembers present voted yes, except for Councilman Hordern who recused himself.

After the introduction of Ordinance 1654, Mayor Fede returned to the dais and resumed presiding over the meeting.

PUBLIC HEARING AND ADOPTION OF ORDINANCES

Ordinance 1649 – Amend Ch 21A of the Bogota Code, entitled “Zoning”

Motion: Councilwoman Carpenter made a motion to open the public hearing on Ordinance 1649. Seconded by Councilman Hordern. The motion passed with a voice vote.

Borough Attorney Betesh- explained that Ordinances 1, 3 and 4 on the agenda relate to the affordable housing settlement reached between the Borough and Fair Share Housing. Ordinance 1649 amends the zoning code, and as such had to go before the Planning and Zoning Board, which reviewed the ordinance and determined that its language conformed with the Master Plan.

Deputy Clerk Baque- read Ordinance 1649 by title.

Joe Wynman- asked about the town's obligation to have these ordinances passed or implemented and the consequences if they are not.

Borough Attorney Betesh- the Council has already agreed to the mediation settlement and the ordinances are part of the implementation of that settlement. There is a state mandate that these ordinances be approved by next month at the latest. The documents were drafted by the Affordable Housing Counsel in consultation with the Borough Planner. They contain the terms required to effectuate the settlement.

Councilman Hordern- if the ordinances are not passed it, is a violation. The state told the town that it needs to create a large amount of affordable housing. The town then entered a negotiation and came to an agreement on the amount of housing allowed, which must be followed. Each town must do this; the number varies by factors such as available land and population.

Borough Attorney Betesh - if the town does not comply, they are subject to builder's remedy lawsuits which allow builders to disregard local zoning codes and construct something out of character with the surroundings. The mediation settlement allows for the town to keep control of its planning and zoning and be immune to builder's remedy lawsuits.

Councilwoman Carpenter- noted there is a timeline of 10 years for the housing units to be available.

Motion: Councilman McHale made a motion to close the public hearing on Ordinance 1649. Seconded by Councilwoman Carpenter. The motion passed with a voice vote.

Motion: Councilwoman Carpenter made a motion to adopt Ordinance 1649. Seconded by Councilman McHale. All Councilmembers present voted yes.

Before consideration of Ordinance 1650, Mayor Fede left the dais and Council President Kohles presided over the meeting.

Ordinance 1650 – Amend Ch 2 of the Bogota Code, entitled “Administration” – Repeal
Section 2-16 of the Bogota Code, entitled “Rescue Squad”

Motion: Councilwoman Carpenter made a motion to open the public hearing on Ordinance 1650. Seconded by Councilman McHale. All Councilmembers voted yes, except for Councilman Hordern who recused himself.

Mayor Fede- objected to the findings in the preamble of the ordinance. She did not sign the introduction of the ordinance and would not sign the final version. The merger has resulted in the loss of volunteers, loss of services, and no measurable cost savings. She recently attended a meeting where it was suggested that a community environmental response team (CERT) be formed to assist the Fire Department and Police which does not make sense when the Rescue Squad could provide those services.

Rebecca Foster was told that the Borough was thinking about paying volunteers or DPW workers to perform some of the duties that the Rescue Squad used to provide. The process from September to date would have been easier to accept if the Council declared at the outset it was going to get rid of the Rescue Squad rather than force a merger.

Motion: Councilwoman Carpenter made a motion to close the public hearing on Ordinance 1650. Seconded by Councilwoman Vergara. All Councilmembers voted yes, except for Councilman Hordern who recused himself.

Borough Attorney Betesh- directed the Deputy Clerk to change signature line on ordinance from Mayor to Council President.

Motion: Councilwoman Carpenter made a motion to adopt Ordinance 1650. Seconded by Councilman McHale. All Councilmembers present voted yes, except for Councilman Hordern who recused himself.

After the adoption of Ordinance 1654, Mayor Fede returned to the dais and resumed presiding over the meeting.

Borough Administrator O'Malley- a meeting was held to discuss the handling of fires where people are displaced from their homes and need to be transported to the Senior Center. A small one-time payment for transportation is an option. There have been two fires within the past year where this has occurred. People need transportation, temporary shelter, toiletries, and food during the first 48 hours while recovering.

Borough Attorney Betesh- the landlord is legally responsible to their tenants when they are displaced. If the Borough is looking to establish a program to assist displaced tenants and charge the cost of those services to the landlord, an ordinance is required.

Ordinance 1651 – Amend Ch 22A of the Bogota Code, Entitled “Affordable Housing Development Fees”

Motion: Councilman McHale made a motion to open the public hearing on Ordinance 1651. Seconded by Councilman Hordern. The motion passed with a voice vote.

Borough Attorney Betesh- the ordinance is another component of the affordable housing settlement. The document was drafted by the planner and it meets all the requirements that the Borough agreed to when the settlement was reached.

No one from the public wished to speak.

Motion: Councilman McHale made a motion to close the public hearing on Ordinance 1651. Seconded by Councilwoman Carpenter. The motion passed with a voice vote.

Motion: Councilwoman Carpenter made a motion to adopt Ordinance 1651. Seconded by Councilman Mitchell. All Councilmembers present voted yes.

Ordinance 1652 – Amend Ch 22B of the Bogota Code, Entitled “Affordable Housing”

Motion: Councilman Hordern made a motion to open the public hearing on Ordinance 1652. Seconded by Councilwoman Vergara. The motion passed with a voice vote.

Joe Wynman- asked for a synopsis of the ordinance and how it is different from the prior ones.

Borough Attorney Betesh- Ordinance 1652 repeals the Affordable Housing Ordinance in its entirety and replaces it. It complies with the settlement and the new affordable housing rules that all municipalities must follow.

Motion: Councilwoman Carpenter made a motion to close the public hearing on Ordinance 1652. Seconded by Councilwoman Vergara. The motion passed with a voice vote.

Motion: Councilman Mitchell made a motion to adopt Ordinance 1652. Seconded by Councilman Hordern. All Councilmembers present voted yes.

CONSENT AGENDA

Resolutions

2026-67 Award Recommendation – Garbage Collection and Disposal - Suburban Disposal
2026-68 Approve Webmaster Salary Increase – Ray Dwyer
2026-69 Approve Safety Coordinator – Hector Liriano
2026-70 Approve Deputy Borough Clerk Compensation – Melissa Baque
2026-71 Approve NJ Department of Community Affairs 2026 Local Recreation Improvement Grant Program
2026-72 Approving Shared Services Agreement of County-Owned Emergency and Non-Emergency Equipment

Councilwoman Carpenter- noted that three companies picked up bids for garbage collection and disposal, but only Suburban, which is the Borough's current garbage contractor, responded.

Mayor Fede- asked that in the future, the Deputy Clerk include the name of the company a contract is being awarded to in the title of resolutions listed on meeting agendas.

Motion: Councilman Mitchell made a motion to approve the consent agenda. Seconded by Councilwoman Carpenter. All Councilmembers present voted yes.

Resolution to be Voted on Separately

PC26-02 Payment of Claims

Motion: Councilwoman Carpenter made a motion to approve PC26-02. Seconded by Councilman Mitchell. Council President Kohles recused herself on any items related to the DPW or Superintendent Kohles and voted yes on the remainder of items. Councilman Hordern recused himself on any items related to the Bogota Fire Department and voted yes on the remainder of items. Councilmembers Carpenter, McHale, Mitchell, and Vergara voted yes.

APPROVALS

Work Session Meeting Minutes – January 15, 2026

Councilwoman Carpenter- is going to vote no on the meeting minutes as Mayor Fede's Ramadan comments were included in the minutes at length and all the other Councilmembers' comments were very brief.

Motion: Councilman Mitchell made a motion to approve the Work Session Meeting Minutes – January 15, 2026. Seconded by Councilman Hordern. All Councilmembers present voted yes, except for Councilwoman Carpenter who voted no.

2026-73 Approve Pamela Dirr as a probationary member of the Bogota Fire Department Engine Hose 2

Motion: Councilwoman Carpenter made a motion to approve Resolution 2026-73. Seconded by Councilman McHale. All Councilmembers present voted yes, except for Councilman Hordern who recused himself.

Raffle License Application no. 2026-01 – St. Joseph Church – Waive \$20 Fee – Sunday, May 11, 2026 at 2:00 PM

Motion: Councilman Hordern made a motion to approve Raffle License Application no. 2026-01. Seconded by Councilwoman Vergara. All Councilmembers present voted yes.

2nd CITIZEN REMARKS: One (5) minute time limit per person

Motion: Councilman Mitchell made a motion to open 2nd Citizen Remarks. Seconded by Councilman McHale. The motion passed with a voice vote

Rebecca Foster- asked whether Mayor Fede ever received the requested fire roster.

Motion: Councilwoman Carpenter made a motion to close 2nd Citizen Remarks. Seconded by Councilman McHale. The motion passed with a voice vote.

COUNCIL RESPONSE TO 2nd CITIZEN REMARKS

Council President Kohles- passed the request for the fire roster onto the Fire Chief, who provided it to Mayor Fede in June and he will update her on specifics.

Mayor Fede- did not receive a new roster, she has one from June.

Fire Chief Breuss- the latest roster is from June, it needs to be updated.

CLOSED EXECUTIVE SESSION

2026-74 Closed Session – Litigation and Personnel

Motion: Councilwoman Carpenter made a motion to adopt Resolution 2026-74 and enter closed session. Seconded by Councilman McHale. The motion passed with a voice vote.

OPEN SESSION

Motion: Councilman Mitchell made a motion to enter open session. Seconded by Councilwoman Carpenter. The motion passed with a voice vote.

Borough Attorney Betesh- during closed session one of the items that was discussed was interviews for the position of municipal clerk. At the conclusion of the interviews the Council would like to extend a conditional offer of employment to Scott Devlin in accordance with the Borough's salary guide and the policies & procedures manual and conditioned upon Mr. Devlin accepting the terms of employment.

Motion: Councilwoman Carpenter made a motion to extend a conditional offer of employment to Scott Devlin in accordance with the Borough's salary guide and the policies & procedures manual, and conditioned upon Mr. Devlin accepting the terms of employment. Seconded by Councilman Hordern. All Councilmembers present voted yes.

ADJOURMENT

Being no further business before the governing body, **Councilman McHale** made a motion to adjourn the meeting, which was seconded by **Councilwoman Carpenter**. The motion passed with a voice vote at 10:52 PM.

CERTIFICATION

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



Melissa Baque, Deputy Clerk



BOROUGH OF BOGOTA

ORDINANCE NO. 1653

INTRODUCTION

DATE: 02-05-26

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
L. Kohles			✓				
C. Carpenter		✓	✓				
W. Hordern					✓		
P. McHale	✓		✓				
J. Mitchell			✓				
D. Vergara			✓				

AN ORDINANCE AMENDING CHAPTER 3 OF THE BOGOTA CODE, ENTITLED "POLICE REGULATIONS"

Increase Snow Removal Penalty around Fire Hydrants

WHEREAS, Chapter 3 of the Bogota Code sets forth the police regulations for the Borough; and,

WHEREAS, Section 3-5.1 sets forth the regulations for removing snow and ice throughout the Borough; and,

WHEREAS, Section 3-5.1(g) of Chapter 3 requires the owners of property abutting a fire hydrant to clear the fire hydrant of snow within 24 hours of snow coverage; and

WHEREAS, Section 3-5.1(g) further provides that failure to clear the snow around a fire hydrant within that time period may result in a penalty not to exceed Seventy Five (\$75.00) Dollars; and,

WHEREAS, the Borough's Code Enforcement Officer has recommended that the aforementioned penalty be increased to One Hundred and Fifty (\$150.00) Dollars to encourage compliance; and,



WHEREAS, the Mayor and Council have accepted the recommendation of the Code Enforcement Officer, and wish to increase the penalty in Section 3-5.1(g) to One Hundred and Fifty (\$150.00) Dollars.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bogota, that Section 3-5.1 of Chapter 3 of the Bogota Code is hereby amended, revised and supplemented as follows:

SECTION 1: AMENDMENT TO SECTION 3-5.1, ENTITLED “REMOVAL OF SNOW AND ICE REQUIRED”.

Sub-part “g” of Section 3-5.1, entitled “Removal of Snow and Ice Required” is hereby amended, revised and supplemented as follows:

- g. The owner of any real property abutting any fire hydrant shall clear such fire hydrant of snow, within 24 hours of snow coverage. If the owner fails to perform the required clearance within the specified time, the Borough may perform the clearance and bill the owner in accordance with the provisions of Subsection 3-5.4 below, in an amount not to exceed \$150. All penalties collected in connection with this subsection shall be dedicated for use by the Bogota Fire Department, and shall be maintained by the Chief Financial Officer or Comptroller of the Borough of Bogota in an account dedicated for such purpose.

SECTION 2: SEVERABILITY.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION 3: INCONSISTENCY.



Any and all ordinances, or parts thereof, in conflict or inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.

SECTION 4: EFFECTIVE DATE

This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

CERTIFICATION

✓

ATTEST:

Deputy Clerk

APPROVED:

Mayor

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of an Ordinance introduced by the Borough of Bogota, Bergen County, New Jersey at a meeting held on 02-05-26.



BOROUGH OF BOGOTA

ORDINANCE NO. 1654

INTRODUCTION

DATE: 02-05-26

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
L. Kohles			✓				
C. Carpenter	✓		✓				
W. Hordern					✓		
P. McHale			✓				
J. Mitchell			✓				
D. Vergara		✓	✓				

AN ORDINANCE AMENDING CHAPTER 2 OF THE BOGOTA CODE, ENTITLED "ADMINISTRATION"

Modify the "Purposes" section of the Bogota Fire Department

WHEREAS, Chapter 2 of the Bogota Code sets forth the administrative rules and regulations applicable within the Borough; and,

WHEREAS, Section 2-10 of Chapter 2 sets forth the rules and regulations applicable to the Bogota Fire Department; and,

WHEREAS, following the recommendations of a report prepared by the Audit Committee established by the Mayor and Council on April 3, 2025, the Bogota Council adopted Resolution #2025-251 at its regularly scheduled meeting of December 4, 2025, which, *inter alia*, transferred the responsibilities of the Bogota Rescue Squad to the Bogota Fire Department; and,

WHEREAS, the Mayor and Council wish to amend Section 2-10.3 of Chapter 2 of the Bogota Code, to formally incorporate the purposes of the Bogota Rescue Squad into The Fire Department Ordinance of the Borough of Bogota.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bogota, that Chapter 2 of the Bogota Code is hereby amended as follows:

SECTION 1: AMENDMENT OF SECTION 2-10.3, ENTITLED "PURPOSE OF THE DEPARTMENT".



Section 2-16, entitled "Purpose of the Department" is hereby amended, revised and supplemented as follows:

The Fire Department shall be responsible for the protection from fire of life and property in the borough, and shall respond to all emergency situations when requested, and provide for the protection of life and property in that capacity. The Fire Department shall comply with all applicable State and Federal laws, codes, rules and regulations.

SECTION 3: SEVERABILITY.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION 4: INCONSISTENCY.

Any and all ordinances, or parts thereof, in conflict or inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.

SECTION 5: EFFECTIVE DATE

This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

CERTIFICATION

✓

ATTEST:

Deputy Clerk

APPROVED:

Council President

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of an Ordinance introduced by the Borough of Bogota, Bergen County, New Jersey at a meeting held on 02-05-26.



BOROUGH OF BOGOTA

ORDINANCE NO. 1649

PUBLIC HEARING & ADOPTION

DATE: 02-05-26

AN ORDINANCE AMENDING CHAPTER 21A OF THE BOGOTA CODE, ENTITLED "ZONING"

PUBLIC HEARING OPENED

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
Council President L. Kohles			✓				
Councilmember C. Carpenter	✓		✓				
Councilmember W. Hordern		✓	✓				
Councilmember P. McHale			✓				
Councilmember J. Mitchell			✓				
Councilmember D. Vergara			✓				

COMMENTS:

- Borough Attorney provided a brief summary.
- A member of the public asked about the town's obligation to pass or implement these ordinances.

PUBLIC HEARING CLOSED

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
Council President L. Kohles			✓				
Councilmember C. Carpenter		✓	✓				
Councilmember W. Hordern			✓				
Councilmember P. McHale	✓		✓				
Councilmember J. Mitchell			✓				
Councilmember D. Vergara			✓				

ADOPTION:

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
Council President L. Kohles			✓				
Councilmember C. Carpenter	✓		✓				
Councilmember W. Hordern			✓				
Councilmember P. McHale		✓	✓				
Councilmember J. Mitchell			✓				
Councilmember D. Vergara			✓				



**AN ORDINANCE AMENDING CHAPTER 21A OF THE
BOGOTA CODE, ENTITLED "ZONING"**

WHEREAS, Chapter 21A of the Bogota Code, entitled "Zoning", sets forth the zoning and development regulations applicable within the Borough, and;

WHEREAS, the Mayor and Council seek to amend the language in Chapter 21A to conform it to the terms of a settlement reached between the Borough of Bogota and Fair Share Housing Center.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bogota, that Chapter 21A of the Bogota Code is hereby amended, revised and supplemented as follow:

SECTION 1: ESTABLISHMENT OF A NEW SECTION 21A-10.17, ENTITLED "AHO-1 AFFORDABLE HOUSING OVERLAY ZONE"

A new Section 21A-10.17 is hereby established, entitled "AHO-1 Affordable Housing Overlay Zone" which shall read as follows:

§ 21A-10.17 AHO-1 Affordable Housing Overlay Zone.

- a. **Properties Included.** The AHO-1 Affordable Housing Overlay Zone shall include the following properties:
 - Block 45, all lots.
 - Block 60, all lots.
- b. **Principal Permitted Uses.** In the AHO-1 Affordable Housing Overlay Zone, in addition to any use permitted in the underlying zone district, the following uses are permitted:
 - Multifamily residential development.
 - Mixed-use development.
- c. **Permitted Accessory Uses.** Off-street parking, recreation facilities, fences and walls, signs, and other customary accessory uses which are clearly incidental to the principal use.
- d. **Area and Bulk Requirements.**
 1. Minimum Lot Area: 10,000 square feet.
 2. Minimum Lot Width: 75 feet.
 3. Minimum Front Yard: 0 feet.
 4. Minimum Side Yard: 0 feet.
 5. Minimum Rear Yard: 15 feet.



6. Maximum Density: 15 dwelling units per acre.
 7. Minimum Building Coverage: 75 percent.
 8. Maximum Imperious Coverage: 90 percent.
 9. Maximum Building Height: 3 stories/40 feet.
- e. Affordable Housing Requirements. Low- and moderate-income dwelling units shall be provided in accordance with this subsection. The minimum affordable housing set-aside shall be 20% of the dwelling units in the development. Low- and moderate-income housing units shall be governed by the standards set forth in the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq., and shall comply with any other relevant state statutes and regulations. All development including affordable dwelling units shall also be subject to Chapter 22B, Affordable Housing, of the Revised General Ordinances of the Borough of Bogota. In the event of any conflict between Chapter 22B, Affordable Housing, of the Revised General Ordinances of the Borough of Bogota and the regulations of the New Jersey Housing and Mortgage Finance Agency (HMFA), the HMFA regulations shall control.

SECTION 2: ESTABLISHMENT OF A NEW SECTION 21A-10.18, ENTITLED "AHO-2 AFFORDABLE HOUSING OVERLAY ZONE"

A new Section 21A-10.18 is hereby established, entitled "AHO-2 Affordable Housing Overlay Zone" which shall read as follows:

§ 21A-10.18 AHO-2 Affordable Housing Overlay Zone.

- a. Properties Included. The AHO-2 Affordable Housing Overlay Zone shall include the following properties:

Block 3, Lot 1

Block 3, Lot 1.01

Block 3, Lot 2
- b. Principal Permitted Uses. In the AHO-2 Affordable Housing Overlay Zone, in addition to any use permitted in the underlying zone district, the following uses are permitted:

Multifamily residential development.

Mixed-use development. Permitted uses on the ground floor of a mixed-use development shall include retail and service commercial uses.
- c. Permitted Accessory Uses. Off-street parking, recreation facilities, fences and walls, signs, and other customary accessory uses which are clearly incidental to the principal use.
- d. Area and Bulk Requirements.



1. Minimum Lot Area: 20,000 square feet.
 2. Minimum Lot Width: 100 feet.
 3. Minimum Front Yard: 25 feet.
 4. Minimum Side Yard: 20 feet.
 5. Minimum Rear Yard: 25 feet.
 6. Maximum Density: 20 dwelling units per acre.
 7. Minimum Building Coverage: 60 percent.
 8. Maximum Imperious Coverage: 80 percent.
 9. Maximum Building Height: 3 stories/40 feet.
- e. Affordable Housing Requirements. Low- and moderate-income dwelling units shall be provided in accordance with this subsection. The minimum affordable housing set-aside shall be 20% of the dwelling units in the development. Low- and moderate-income housing units shall be governed by the standards set forth in the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq., and shall comply with any other relevant state statutes and regulations. All development including affordable dwelling units shall also be subject to Chapter 22B, Affordable Housing, of the Revised General Ordinances of the Borough of Bogota. In the event of any conflict between Chapter 22B, Affordable Housing, of the Revised General Ordinances of the Borough of Bogota and the regulations of the New Jersey Housing and Mortgage Finance Agency (HMFA), the HMFA regulations shall control.

SECTION 3: INCONSISTENCY.

Any and all ordinances, or parts thereof, in conflict or inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.

SECTION 4: SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court or federal or state agency of competent jurisdiction, then such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.



SECTION 5: EFFECTIVE DATE.

This ordinance shall take effect twenty (20) days after the first publication thereof after final passage and filing with the Bergen County Planning Board.

CERTIFICATION

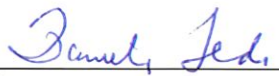
✓

ATTEST:

APPROVED:



Deputy Clerk



Mayor

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of an Ordinance adopted by the Borough of Bogota at a meeting held on 02-05-26.



BOROUGH OF BOGOTA

ORDINANCE NO. 1650

PUBLIC HEARING & ADOPTION

DATE: 02-05-26

AN ORDINANCE AMENDING CHAPTER 2 OF THE BOGOTA CODE, ENTITLED "ADMINISTRATION"

PUBLIC HEARING OPENED

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
Council President L. Kohles			✓				
Councilmember C. Carpenter	✓		✓				
Councilmember W. Hordern					✓		
Councilmember P. McHale		✓	✓				
Councilmember J. Mitchell			✓				
Councilmember D. Vergara			✓				

COMMENTS:

- Mayor Fede- Before consideration of Ordinance 1650, Mayor Fede left the dais and objected to the findings in the preamble of the ordinance. She did not sign the introduction of the ordinance and would not sign the final version. The merger has resulted in the loss of volunteers, loss of services, and no measurable cost savings. She recently attended a meeting where it was suggested that a community environmental response team (CERT) be formed to assist the Fire Department and Police which does not make sense when the Rescue Squad could provide those services.
- Rebecca Foster was told that the Borough was thinking about paying volunteers or DPW workers to perform some of the duties that the Rescue Squad used to provide. The process from September to date would have been easier to accept if the Council declared at the outset it was going to get rid of the Rescue Squad rather than force a merger.

PUBLIC HEARING CLOSED

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
Council President L. Kohles			✓				
Councilmember C. Carpenter	✓		✓				
Councilmember W. Hordern					✓		
Councilmember P. McHale			✓				
Councilmember J. Mitchell			✓				
Councilmember D. Vergara		✓	✓				

ADOPTION:

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
Council President L. Kohles			✓				
Councilmember C. Carpenter	✓		✓				
Councilmember W. Hordern					✓		
Councilmember P. McHale		✓	✓				
Councilmember J. Mitchell			✓				
Councilmember D. Vergara			✓				



**AN ORDINANCE AMENDING CHAPTER 2 OF THE
BOGOTA CODE, ENTITLED "ADMINISTRATION"**

Repeal Section 2-16 of the Bogota Code, entitled "Rescue Squad"

WHEREAS, Chapter 2 of the Bogota Code sets forth the administrative rules and regulations applicable within the Borough; and,

WHEREAS, Section 2-16 of Chapter 2 sets forth the rules and regulations applicable to the Bogota Rescue Squad; and,

WHEREAS, following the recommendations of a report prepared by the Audit Committee established by the Mayor and Council on April 3, 2025, the Bogota Council adopted Resolution #2025-251 at its regularly scheduled meeting of December 4, 2025, which, *inter alia*, transferred the responsibilities of the Bogota Rescue Squad to the Bogota Fire Department; and,

WHEREAS, the Mayor and Council adopted Resolution #2025-263 at its regularly scheduled meeting of December 18, 2025, which appointed the members of the Bogota Rescue Squad as probationary members of the Bogota Fire Department; and,

WHEREAS, the aforementioned appointments were to facilitate the merger of the Bogota Rescue Squad's responsibilities with the Bogota Fire Department; and,

WHEREAS, the Mayor and Council wish to repeal Section 2-16 of Chapter 2 of the Bogota Code, since the responsibilities of the Bogota Rescue Squad have been transferred to the Bogota Fire Department, and its members have been provided the option to join the Bogota Fire Department through its appointment as probationary members of that Department.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bogota, that Chapter 2 of the Bogota Code is hereby amended, revised and supplemented as follows:



SECTION 1: REPEAL OF SECTION 2-16, ENTITLED “RESCUE SQUAD”.

Section 2-16, entitled “Rescue Squad” is hereby repealed in its entirety.

SECTION 2: AMENDMENT TO SECTION 2-9, ENTITLED “VOLUNTEER TRUST”

Section 2-9.2, entitled “Trustees” is hereby amended, revised and supplemented as follows:

The trustees of the Bogota Volunteer Trust, Inc., shall consist of the following members:

- a. The mayor, or his or her designee.
- b. Two (2) members elected for an annual term by each of the following:
 - 1. The volunteer fire department.
 - 2. ~~The first aid squad.~~
 - 3. ~~The rescue squad.~~

SECTION 3: SEVERABILITY.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION 4: INCONSISTENCY.

Any and all ordinances, or parts thereof, in conflict or inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.



SECTION 5: EFFECTIVE DATE

This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

CERTIFICATION

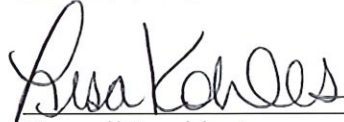
✓

ATTEST:



Deputy Clerk

APPROVED:



Council President

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of an Ordinance adopted by the Borough of Bogota at a meeting held on 02-05-26.



BOROUGH OF BOGOTA

ORDINANCE NO. 1651

PUBLIC HEARING & ADOPTION

DATE: 02-05-26

AN ORDINANCE AMENDING CHAPTER 22A OF THE BOGOTA CODE, ENTITLED "AFFORDABLE HOUSING DEVELOPMENT FEES"

PUBLIC HEARING OPEN

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
Council President L. Kohles			✓				
Councilmember C. Carpenter			✓				
Councilmember W. Hordern		✓	✓				
Councilmember P. McHale	✓		✓				
Councilmember J. Mitchell			✓				
Councilmember D. Vergara			✓				

COMMENTS:

- Borough Attorney provided a brief summary.
- No comments from the public.

PUBLIC HEARING CLOSED

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
Council President L. Kohles			✓				
Councilmember C. Carpenter		✓	✓				
Councilmember W. Hordern			✓				
Councilmember P. McHale	✓		✓				
Councilmember J. Mitchell			✓				
Councilmember D. Vergara			✓				

ADOPTION:

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
Council President L. Kohles			✓				
Councilmember C. Carpenter	✓		✓				
Councilmember W. Hordern			✓				
Councilmember P. McHale			✓				
Councilmember J. Mitchell		✓	✓				
Councilmember D. Vergara			✓				



**AN ORDINANCE AMENDING CHAPTER 22A OF THE
BOGOTA CODE, ENTITLED "AFFORDABLE HOUSING
DEVELOPMENT FEES"**

WHEREAS, Chapter 22A of the Bogota Code sets forth the rules and regulations pertaining to the calculation and collection of affordable housing development fees in the Borough; and,

WHEREAS, the Mayor and Council seek to amend the language in Chapter 22A to conform it to the terms of a settlement reached between the Borough of Bogota and Fair Share Housing Center.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bogota, that Chapter 22A of the Bogota Code is hereby deleted in its entirety and replaced with the following:

SECTION 1: AMENDMENT TO CHAPTER 22A, ENTITLED "AFFORDABLE HOUSING DEVELOPMENT FEES".

Chapter 22A, entitled "Affordable Housing Development Fees" is hereby deleted in its entirety and replaced with the following:

§ 22A-1. PURPOSE.

- a. In *Holmdel Builder's Association v. Holmdel Township*, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985, N.J.S.A. 52:27D-301 et seq., and the State Constitution, subject to the then functioning Council on Affordable Housing's (COAH's) adoption of rules as amended from time to time and/or in accordance with the enacted legislation and/or in accordance with directives from the courts.
- b. Pursuant to P.L. 2008, c. 46, § 8 (N.J.S.A. 52:27D-329.2), COAH was authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that were under the jurisdiction of the Council or court of competent jurisdiction and had a COAH-approved spending plan were able to retain fees collected from nonresidential development.
- c. In *Re: Adoption of N.J.A.C. 5:96 and 5:97* by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015), also known as the Mount Laurel IV decision, the Supreme Court remanded COAH's duties to the Superior Court. As a result, affordable housing development fee collections and expenditures from the municipal affordable housing trust funds to implement municipal Third Round Fair Share Plans through July 1, 2025 were under the Court's jurisdiction and were subject to approval by the Court.



- d. Pursuant to P.L.2024, c. 2, the authority relating to rulemaking on the collection of residential and non-residential development fees is appropriately delegated to the Department of Community Affairs, following the abolition of COAH, effective March 20, 2024. As such, municipalities which have obtained or are in the process of seeking compliance certification may retain and expend these development fees.
- e. This article establishes standards for the collection, maintenance and expenditure of development fees pursuant to the regulations set forth in P.L. 2024, c. 2, N.J.S.A. 52:27D-301 et seq., N.J.A.C. 5:99-1 et seq. and as previously established in accordance with P.L. 2008, c. 46, Sections 8 and 32 through 38.

The purpose of this chapter is to establish standards for the collection, maintenance and expenditure of development fees pursuant to the above. Fees collected pursuant to this chapter shall be used for the sole purpose of providing low- and moderate-income housing.

§ 22A-2. DEFINITIONS.

The following terms, as used in this chapter, shall have the following meanings:

ACT — The Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.), as amended through P.L. 2024, c.2.

ADMINISTRATIVE AGENT — The individual or entity designated by the Borough and approved by the Division to administer affordable units in accordance with this chapter, the regulations of the amended Fair Housing Act (P.L.1985, c. (N.J.S.A. 52:27D-301 et seq.)), as designated pursuant to N.J.A.C. 5:99-7, and the Uniform Housing Affordability Controls set forth at N.J.A.C. 5:80-26 et seq.

AFFORDABLE — A sales price or rent level that is within the means of a low- or moderate-income household as defined within N.J.S.A. 52:27D-301 et seq., and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.7, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.13, as may be amended and supplemented.

AFFORDABLE HOUSING DEVELOPMENT — A development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100% affordable development.

AFFORDABLE HOUSING PROGRAM(S) — Any method of creating or preserving actual housing units available to low- and moderate-income households or creating a realistic opportunity for the construction of such units, and any mechanism in a municipal fair share plan prepared or implemented to address a municipality's fair share obligation.

AFFORDABLE HOUSING MONITORING SYSTEM or AHMS — The Department of Community Affairs (DCA) or Department's cloud-based software application, which shall be the central repository for municipalities to use for reporting detailed information regarding affordable housing developments, affordable housing unit completions, and the collection and expenditures of funds deposited into the municipal affordable housing trust fund.

AFFORDABLE UNIT — A housing unit proposed or created pursuant to the Fair Housing Act and approved for crediting by the court and/or funded through an affordable housing trust fund.

BOROUGH — The Borough of Bogota, in Bergen County, New Jersey..

COAH OR THE COUNCIL — The New Jersey Council on Affordable Housing, as previously established by the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), prior to its abolition effective March 20, 2024 through P.L.2024, c.2.

COMPLIANCE CERTIFICATION — The certification issued to a municipality by a county-level housing judge pursuant to section 3 at P.L. 2024, c. 2, that protects the municipality from exclusionary



zoning litigation during the current round of present and prospective need and through July 1 of the year the next affordable housing round begins, which is also known as a "judgment of compliance" resulting in an "order for repose." The term "compliance certification" includes a judgment of repose granted in an action filed pursuant to section 13 at P.L. 1985, c. 222 (N.J.S.A. 52:27D-313).

DCA or DEPARTMENT — The State of New Jersey, Department of Community Affairs.

DEVELOPER — The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT FEE — Money paid by a developer for the improvement of residential and non-residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and 40:55D-8.1 through 40:55D-8.7 and N.J.A.C. 5:99-3.

DISPUTE RESOLUTION PROGRAM — The Affordable Housing Dispute Resolution Program, established pursuant to section 5 of P.L. 2024, c.2 (N.J.S.A. 52:27D-313.2). The Dispute Resolution Program is established within the Executive Branch of the State, for the purpose of resolving disputes associated with the Fair Housing Act with respect to municipalities seeking to obtain a certification of compliance of their adopted Housing Element & Fair Share Plan.

DIVISION — The Division of Local Planning Services within the Department of Community Affairs.

EMERGENT OPPORTUNITY — A circumstance that has arisen whereby affordable housing will be able to be produced through a delivery mechanism not originally contemplated by or included in a fair share plan that has been the subject of a compliance certification.

EQUALIZED ASSESSED VALUE or EAV— The assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 at P.L. 1973, c. 123 (N.J.S.A. 54:1-35a, 54:1-35b, and 54:1-35c). Estimates at the time of issuance of a building permit may be obtained by the Tax Assessor utilizing estimates for construction cost. Final equalized assessed value will be determined at project completion by the Municipal Tax Assessor.

FAIR SHARE OBLIGATION — The total of the present need and prospective need as determined by a court of competent jurisdiction.

GREEN BUILDING STRATEGIES — Those strategies that minimize the impact of development on the environment and enhance the health, safety and well-being of residents by producing durable, low-maintenance, resource-efficient housing while making optimum use of existing infrastructure and community services.

HOUSING PROJECT — A project, or distinct portion of a project, which is designed and intended to provide decent, safe, and sanitary dwellings, apartments, or other living accommodations for persons of low- and moderate-income; such work or undertaking may include buildings, land, equipment, facilities, and other real or personal property for necessary, convenient, or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, health, recreational, educational, welfare, or other purposes. The term "housing project" may also be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration, and repair of the improvements, and all other work in connection therewith.

MIXED USE DEVELOPMENT — Any development that includes both a non-residential development component and a residential development component, and shall include developments for which: (1) there is a common developer for both the residential development component and the non-residential development component, provided that for purposes of this definition, multiple persons and entities may be considered a common developer if there is a contractual relationship among them obligating each entity to develop at least a portion of the residential or non-residential development, or both, or otherwise to contribute resources to the development; and (2) the residential and non-residential developments are



located on the same lot or adjoining lots, including, but not limited to, lots separated by a street, a river, or another geographical feature.

MUNICIPAL AFFORDABLE HOUSING TRUST FUND — A separate, interest-bearing account held by a municipality for the deposit of development fees, payments in lieu of constructing affordable units on sites zoned for affordable housing, barrier-free escrow funds, recapture funds, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, enforcement fines, unexpended RCA funds remaining from a completed RCA project, application fees, and any other funds collected by the municipality in connection with its affordable housing programs, which shall be used to address municipal low- and moderate-income housing obligations within the time frames established by the Legislature and this chapter.

NEW JERSEY AFFORDABLE HOUSING TRUST FUND — An account established pursuant to N.J.S.A. 52:27D-320.

NON-RESIDENTIAL DEVELOPMENT

1. Any building or structure, or portion thereof, including, but not limited to, any appurtenant improvements, which is designated to a use group other than a residential use group according to the State Uniform Construction Code, N.J.A.C. 5:23, promulgated to effectuate the State Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq., including any subsequent amendments or revisions thereto;
2. Hotels, motels, vacation timeshares, and child-care facilities; and
3. The entirety of all continuing care facilities within a continuing care retirement community which is subject to the Continuing Care Retirement Community Regulation and Financial Disclosure Act, N.J.S.A. 52:27D-330 et seq.

NON-RESIDENTIAL DEVELOPMENT FEE — The fee authorized to be imposed pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 40:55D-8.7.)

PAYMENT IN LIEU OF CONSTRUCTING AFFORDABLE UNITS — The payment of funds to the municipality by a developer when affordable units are not produced on a site zoned for an inclusionary development.

REHABILITATION — The repair, renovation, alteration, or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

RESIDENTIAL DEVELOPMENT FEE — Money paid by a developer for the improvement of residential property as permitted pursuant to N.J.S.A. 52:27D-329.2 and N.J.A.C. 5:99-3.2.

SPENDING PLAN — A plan to predict funds that will be paid into a municipality's affordable housing trust fund and to allocate how those funds will be spent to advance the interest of low and moderate income households subject to limitations required by law.

The definitions in the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.2 and N.J.A.C. 5:99 shall be applicable where a term is not defined. In the event of a discrepancy between a definition in this section and UHAC and N.J.A.C. 5:99, the current UHAC or N.J.A.C. 5:99 definition shall be applicable.

§ 22A-3. RESIDENTIAL DEVELOPMENT FEES.

Development fees assessed on new construction shall be based on the equalized assessed value of land and improvements. Development fees assessed on additions and alterations shall be based only on the increase in equalized assessed value that results from the addition or alteration, the expansion, change to a more intense use, or replacement;

- a. Within all zoning districts, residential developers, except for developers of the types of development specifically exempted in § 22A-5 below, shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted.
- b. When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) has been permitted, developers shall pay a development fee of 6% of the equalized assessed value for each



additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

§ 22A-4. NONRESIDENTIAL DEVELOPMENT FEES.

- a. The Borough shall impose, collect, retain, and expend fees collected from non-residential development in accordance with the Statewide Non-Residential Development Fee Act, N.J.S.A. 40:55D-8.1 through 40:55D-8.7 and this chapter.
- b. Within all zoning districts, nonresidential developers, except for developers of the types of development specifically exempted, shall pay a fee of 2.5% of the equalized assessed value of the land and improvements for all new nonresidential construction on an unimproved lot or lots.
- c. Nonresidential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions or alterations to existing structures to be used for nonresidential purposes.
- d. Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the preexisting land and improvement and the equalized assessed value of the newly improved structure, i.e., land and improvement, at the time the final certificate of occupancy is issued. If the calculation required under this subsection results in a negative number, the nonresidential development fee shall be zero.
- e. In all mixed-use projects, developers shall pay to the Borough the 2.5 percent fee generated by the non-residential component of the project unless an exemption of the Statewide Nonresidential Development Fee Act applies.
- f. In the event of any conflict between this ordinance and the Statewide Non-Residential Development Fee Act (SNDFA), the SNDFA shall apply

§ 22A-5. ELIGIBLE EXACTIONS, INELIGIBLE EXACTIONS AND EXEMPTIONS.

- a. The following types of developments are exempt from the imposition of residential and nonresidential development fees:
 1. Affordable housing developments, affordable housing developments where the affordable units are being provided elsewhere in the municipality, and developments where the developer has paid a payment in lieu of on-site construction for all the units in the project shall be exempt from residential development fees. All other forms of new construction shall be subject to development fees, unless exempted below.
 2. Developments that have received preliminary or final approval prior to the imposition of a municipal development fee ordinance shall be exempt from development fees unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site



plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.

3. Residential structures demolished and replaced as a result of a fire, flood, or any natural disaster or catastrophe shall be exempt from paying a development fee, even if the new structure has an increased equalized assessed value as compared to the previous structure.
4. The development fee shall not apply to the expansion of a single- or two-family home where the net increase in interior floor area is less than 15% of the existing structure. In no event shall the development fee be collected where the total increase in floor area is 500 square feet or less. Upon the request of the Zoning Officer, the property owner shall produce, within 30 days, a set of certified plans, signed by a licensed architect, confirming the amount of previously existing and as-built conditions.
5. Non-profit organizations that have received tax exempt status pursuant to the Internal Revenue Code, providing current evidence of that status is submitted to the municipal clerk, together with a certification that services of the organization are provided at reduced rates to those who establish an inability to pay existing charges, shall be exempted from paying a development fee.
6. Federal, State, county, and local governments shall be exempt from paying a development fee.
7. All non-residential construction of buildings or structures on property used by churches, synagogues, mosques, and other houses of worship, and property used for educational purposes, that are tax-exempt pursuant to N.J.S.A. 54:4-3.6, shall be exempt from the imposition of a non-residential development fee pursuant to this section, provided that the property continues to maintain its tax exempt status pursuant to that statute for a period of at least three years from the date of issuance of the certificate of occupancy.
8. Parking lots and parking structures, regardless of whether the parking lot or parking structure is constructed in conjunction with a non-residential development, or whether the parking lot is developed as an independent non-residential development;
9. Any non-residential development that is an amenity to be made available to the public, including, but not limited to, recreational facilities, community centers, and senior centers that are developed in conjunction with, or funded by, a non-residential developer;
10. Non-residential construction resulting from a relocation of, or an on-site improvement to, a nonprofit hospital or a nursing home facility;
11. Projects that are located within a specifically delineated urban transit hub, as defined pursuant to N.J.S.A. 34:1B-208;
12. Projects that are located within an eligible municipality, as defined pursuant to N.J.S.A. 34:1B-208, the Urban Transit Hub Tax Credit Act, when a majority of the project is located within a one-half mile radius of the midpoint of a platform area for a light rail system; and



13. Projects determined by the New Jersey Transit Corporation to be consistent with a transit village plan developed by a transit village designated by the New Jersey Department of Transportation.
- b. A developer of a mixed use development shall be required to pay the non-residential development fee relating to the non-residential development component of a mixed use development subject to the provisions at N.J.S.A. 52:27D-329.1 et seq.
 - c. Non-residential construction connected with the relocation of the facilities of a for-profit hospital shall be subject to the fee authorized to be imposed pursuant to this section to the extent of the increase in equalized assessed valuation.
 - d. A developer of a non-residential development exempted from the non-residential development fee pursuant to this section shall be subject to that fee at such time as the basis for the exemption set forth in this subsection no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.
 - e. If a property that was exempt from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees in these circumstances may be enforceable by the Borough as a lien against the real property of the owner.

§ 22A-6. COLLECTION OF FEES.

The Borough shall collect 100 percent of the development fee for residential and non-residential development prior to the issuance of the certificate of occupancy. 50% of the development fee will be collected at the time of issuance of the building permit. The remaining portion will be collected at, or prior to, the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy. Developers shall be notified of the fee by the Borough, including when payment is required to be made, at the time of land use board approval or application for a construction permit. After issuance of a building permit, the Construction Official shall refer the plans for the development to the Tax Assessor. The Tax Assessor shall certify to the Construction Official the final equalized assessed value in advance of the issuance of a certificate of occupancy by the Construction Official. The remaining portion of the development fee shall be adjusted to reflect any change in the estimated equalized assessed value so that the total of the two payments shall equal 100% of the total development fee based upon the final equalized assessed value.

§ 22A-7. CONTESTED FEES.

- a. A developer may challenge nonresidential development fees imposed by filing a challenge with the Director of the Division of Taxation. Collected fees shall be placed in an interest-bearing escrow account by the Borough of Bogota. The local code enforcement official shall thereafter issue the certificate of occupancy provided that the construction is otherwise eligible for a certificate of occupancy. Appeals from a determination of the Director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A.



54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

§ 22A-8. AFFORDABLE HOUSING TRUST FUND.

- a. There is hereby created a separate, interest-bearing housing trust fund, in a bank utilized by the Borough for its ordinary business purposes, and maintained by the Chief Financial Officer of the Borough, for the purpose of depositing development fees collected from residential and nonresidential developers, any other payments made pursuant to this chapter from residential and nonresidential developers, and proceeds from the sale of units with extinguished controls. The Borough shall provide written authorization, in the form of a three-party escrow agreement between the Borough, the bank or other financial institution, and the Division, to permit the Division to direct the disbursement of the funds, as provided for at N.J.A.C. 5:99-5.6, shall be maintained at all times. This authorization shall be submitted to the Division within 21 days from the opening of the trust fund account and/or within 21 days of any change in banks or other financial institutions in which trust funds are deposited. Bogota's affordable housing trust fund shall be used to address municipal low- and moderate-income housing obligations within the time frames established by the Act and N.J.A.C 5:99-1 et seq. All development fees paid by developers pursuant to this chapter shall be deposited into this fund. The Borough shall identify the funds on its monitoring report pursuant to N.J.A.C. 5:99-5 and include a plan for the use of the funds in its spending plan.
- b. The following additional funds shall be deposited in the Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 1. Payments in lieu of on-site construction of affordable units;
 2. Developer-contributed funds to make 10% of the adaptable entrances in a townhouse or other multistory attached development accessible (barrier-free escrow funds);
 3. Rental income from municipally operated units;
 4. Repayments from affordable housing program loans;
 5. Recapture funds;
 6. Proceeds from the sale of affordable units; and
 7. Enforcement fines
 8. Unexpended RCA funds remaining from a completed RCA project
 9. Any other funds collected in connection with the Borough of Bogota's affordable housing program

§ 22A-9. USE OF FUNDS.

- a. Funds deposited in the housing trust fund may be used for any eligible activity as set forth in the amended Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), N.J.A.C. 5:99-2, and for any housing



activity as approved by the Dispute Resolution Program pursuant to N.J.S.A. 52:27D-329.2.a(4) to address the municipal fair share or by the Division pursuant to N.J.S.A. N.J.A.C. 5:99-4. Such activities include, but are not limited to:

1. A rehabilitation program whose purpose is to renovate deficient housing units that are occupied by low- and moderate-income households, in accordance with the New Jersey State Housing Code, N.J.A.C. 5:28, or the requirements of the Rehabilitation Subcode, N.J.A.C. 5:23-6, as applicable, and costs related to the rehabilitation of the unit. Any recaptured funds from a rehabilitation program shall be deposited into the Borough's affordable housing trust fund and subject to the provisions thereof;
2. New construction of affordable housing units and related development costs; in the case of inclusionary developments, eligible costs shall be prorated based on the proportion of affordable housing units included in the development;
3. Creation of a market to affordable program to pay down the cost of unrestricted units and offer them in sound condition, for sale or rent, at affordable prices to low- and moderate-income households to address all or a portion of the affordable housing obligation;
4. Extensions or improvements of roads and infrastructure directly serving affordable housing development sites; in the case of inclusionary developments, costs shall be prorated based on the proportion of affordable housing units included in the development;
5. RCAs, approved prior to July 17, 2008;
6. Acquisition and/or improvement of land to be used for affordable housing;
7. Accessory dwelling units;
8. The extension of expiring controls;
9. The construction of group homes and supportive and special needs housing;
10. Maintenance and repair of affordable housing units;
11. To defray the costs of structured parking; in the case of inclusionary developments, eligible costs shall be prorated based on the proportion of affordable housing units included in the development;
12. Affordability assistance in accordance with N.J.A.C. 5:99-2.5;
13. Repayment of municipal bonds issued to finance low- and moderate-income housing activity;
14. Any other activity as specified in the approved spending plan or as approved by the Division as an emergent affordable housing opportunity; or
15. Any other activity approved by the Division.



- b. Until a new spending plan is approved pursuant to the declaratory judgement action filed in accordance with the amended Fair Housing Act, the Borough shall be entitled to expend funds from the housing trust fund in accordance with the approved spending plan dated March 2018 in conjunction with the Borough's application for approval for Round 3 or in accordance with the Fair Housing Act as amended in March 2024. Thereafter, funds shall not be expended to reimburse the Borough for activities that occurred prior to the authorization of the Borough to collect development fees; on attorney fees or court costs to obtain a judgment of compliance or order of repose, including any associated administration costs; on any costs in connection with a challenge to a determination of the Borough's fair share obligation; on any costs in connection with a challenge to the Borough's obligation, housing element, or fair share plan.
- c. At least 20% of all development fees collected and interest earned shall be used to provide affordability assistance to very-low-, low- and moderate-income households in affordable units included in the Municipal Fair Share Plan pursuant to N.J.S.A. 52:27D-329.1 and in accordance with N.J.A.C. 5:99-2.5.. One-third of the affordability assistance portion of development fees collected shall be used to provide affordability assistance to those households earning 30% or less of regional median income by region.
 - 1. Affordability assistance programs may include downpayment assistance, security deposit assistance, low-interest loans, and rental assistance.
 - 2. Affordability assistance to households earning 30% or less of regional median income may include offering a subsidy to developers of inclusionary or 100 percent affordable housing developments or buying down the cost of low- or moderate-income units in the Municipal Fair Share Plan to make them affordable to households earning 30% or less of regional median income, including special needs and supportive housing opportunities.
- d. Payments in lieu of constructing affordable units on site and funds from the sale of units with extinguished controls shall be exempt from the affordability assistance requirement. The Borough may contract with a private or public entity to administer any part of its Housing Element and Fair Share Plan, including the requirement for affordability assistance or any program or activity for which the Borough expends development fee proceeds, in accordance with N.J.S.A. 52:27D-301 *et seq.* and N.J.A.C. 5:99-1 *et seq.*
- e. No more than 20% of the revenues collected from development fees each year shall be expended on administration in accordance with N.J.A.C. 5:99-2.4. Administrative expenses may include costs reasonably related to the determination of the fair share obligation and the development of a municipal housing element and fair share plan and may include fees necessary to develop or implement affordable housing programs, an affirmative marketing program, and/or expenses that are reasonably necessary for compliance with the processes of the Program, including, but not limited to, the costs to the Borough of resolving a challenge pursuant to the Program. Administrative expenses may also include costs associated with functions carried out in compliance with UHAC, including activities related to the marketing program and waitlist management, administering the placement of occupants in housing units, income qualification



of households, monitoring the turnover of sale and rental units, preserving existing affordable housing, and compliance with the Division's monitoring requirements. The proportion of a municipal employee's salary related to the MHL or RCA administrator functions and fees for required educational programs, may be paid as an administrative expense from the municipal affordable housing trust fund.

§ 22A-10. MONITORING.

Bogota shall comply with the monitoring and reporting requirements set forth in N.J.S.A. 52:27D-329.2 and N.J.S.A. 52:27D-329.4, and as set forth at N.J.A.C. 5:99-5.

SECTION 2: SEVERABILITY.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION 3: INCONSISTENCY.

Any and all ordinances, or parts thereof, in conflict or inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.

SECTION 4: EFFECTIVE DATE

This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

CERTIFICATION

✓

ATTEST:



Deputy Clerk

APPROVED:



Mayor

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of an Ordinance adopted by the Borough of Bogota at a meeting held on 02-05-26.



BOROUGH OF BOGOTA

ORDINANCE NO. 1652

PUBLIC HEARING & ADOPTION

DATE: 02-05-26

AN ORDINANCE AMENDING CHAPTER 22B OF THE BOGOTA CODE, ENTITLED "AFFORDABLE HOUSING"

PUBLIC HEARING OPENED

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
Council President L. Kohles			✓				
Councilmember C. Carpenter			✓				
Councilmember W. Hordern	✓		✓				
Councilmember P. McHale			✓				
Councilmember J. Mitchell			✓				
Councilmember D. Vergara		✓	✓				

COMMENTS:

- Borough Attorney provided a brief summary.
- A member of the public asked about the town's obligation to pass or implement these ordinances.
- The same resident asked for a brief synopsis of how the ordinances differ from the previous ones.

PUBLIC HEARING CLOSED

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
Council President L. Kohles			✓				
Councilmember C. Carpenter	✓		✓				
Councilmember W. Hordern			✓				
Councilmember P. McHale			✓				
Councilmember J. Mitchell			✓				
Councilmember D. Vergara		✓	✓				

ADOPTION:

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
Council President L. Kohles			✓				
Councilmember C. Carpenter			✓				
Councilmember W. Hordern		✓	✓				
Councilmember P. McHale			✓				
Councilmember J. Mitchell	✓		✓				
Councilmember D. Vergara			✓				



**AN ORDINANCE AMENDING CHAPTER 22B OF THE
BOGOTA CODE, ENTITLED "AFFORDABLE HOUSING"**

WHEREAS, Chapter 22B of the Bogota Code sets forth the rules and regulations pertaining to affordable housing in the Borough; and,

WHEREAS, the Mayor and Council seek to amend the language in Chapter 22B to conform it to the terms of a settlement reached between the Borough of Bogota and Fair Share Housing Center.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Bogota, that Chapter 22B of the Bogota Code is hereby deleted in its entirety and replaced with the following:

SECTION 1: AMENDMENT TO CHAPTER 22B, ENTITLED "AFFORDABLE HOUSING".

Chapter 22B, entitled "Affordable Housing" is hereby deleted in its entirety and replaced with the following:

§ 22B-1. COMPLIANCE WITH REQUIREMENTS FOR AFFORDABLE HOUSING

§ 22B-1.1. Purpose.

The purpose of this section is to provide for and regulate affordable housing in the Borough of Bogota to address the Borough's constitutional obligation to provide for its fair share of low- and moderate-income housing as directed by the Administrative Director of the Courts and as stipulated by P.L.2024, c. 2 and N.J.S.A. 52:27D-301 *et seq.* (the amended Fair Housing Act). N.J.A.C. 5:99-1 *et seq.*, as amended and supplemented, establishes procedures to be used by municipalities in addressing and implementing the requirements set forth in the Amended Fair Housing Act. P.L. 2024, c.2 also established the Affordable Housing Dispute Resolution Program ("Dispute Resolution Program"), which provides a new process for municipalities to come into constitutional compliance with their affordable housing obligations. This chapter is intended to assure compliance with the foregoing provisions and with the regulations of the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 *et seq.*, as amended and supplemented, including provisions for unit affordability controls as well as eligibility for low- and moderate-income households. This chapter shall apply except where inconsistent with applicable law.

§ 22B-1.2. Definitions.

The following terms, when used in this section, shall have the meanings given in this subsection:

ACT — The Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 *et seq.*), as amended through P.L. 2024, c.2.

ADAPTABLE — Constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

ADMINISTRATIVE AGENT — The individual or entity designated by the Borough and approved by the Division as pursuant to N.J.A.C. 5:99-7, responsible for the administration of affordable units in accordance with this section, and as set forth within N.J.S.A. 52:27D-321 and UHAC (N.J.A.C. 5:80-26.1 *et seq.*).



AFFIRMATIVE MARKETING — A regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.16.

AFFORDABILITY AVERAGE — The average percentage of regional median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

AFFORDABLE — A sales price or rent level that is within the means of a low- or moderate-income household as defined within N.J.S.A. 52:27D-301 et seq. and, in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.7, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.13, as may be amended and supplemented.

AFFORDABLE HOUSING DEVELOPMENT — A development included in or approved pursuant to the Housing Element and Fair Share Plan or otherwise intended to address the Borough's fair share obligation, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100% affordable development.

AFFORDABLE HOUSING PROGRAM(S) — Any method of creating or preserving actual housing units available to low- and moderate-income households or creating a realistic opportunity for the construction of such units, and any mechanism in a Municipal Fair Share Plan prepared or implemented to address a municipality's fair share obligation.

AFFORDABLE HOUSING MONITORING SYSTEM or AHMS — The Department of Community Affairs (DCA) or Department's cloud-based software application, which shall be the central repository for municipalities to use for reporting detailed information regarding affordable housing developments, affordable housing unit completions, and the collection and expenditures of funds deposited into the municipal affordable housing trust fund.

AFFORDABLE UNIT — A housing unit proposed or created pursuant to the Act and approved for crediting by the court and/or funded through an affordable housing trust fund.

AGE-RESTRICTED UNIT — A housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population where the adult member of the family who is the head of the household for the purposes of determining income eligibility and rent is a minimum age of either 62 years, or 55 years and meets the provisions of 42 U.S.C. §§ 3601 through 3619, except that due to death, a surviving spouse of less than 55 years of age is permitted to continue to reside in the unit.

AGENCY — The New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1 et seq.).

ALTERNATIVE LIVING ARRANGEMENTS — A structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternative living arrangements include, but are not limited to: transitional facilities for the homeless; Class A, B, C, D and E boarding homes as regulated by the State of New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

ASSISTED LIVING RESIDENCE — A facility that is licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

BARRIER-FREE ESCROW — The holding of funds collected to adapt affordable unit entrances to be accessible in accordance with N.J.S.A. 52:27D-311a et seq. Such funds shall be held in a municipal affordable housing trust fund pursuant to N.J.A.C. 5:99-2.6.

BOROUGH — The Borough of Bogota, in Bergen County, New Jersey.



CERTIFIED HOUSEHOLD — A household that has been certified by an administrative agent as a very-low-income household, low-income household or moderate-income household.

CHOICE — The no-longer-active Choices in Homeownership Incentives for Everyone Program, as it was authorized by the Agency.

COAH OR THE COUNCIL — The Council on Affordable Housing, as previously established by the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) or the Superior Court of the State of New Jersey pursuant to the New Jersey Supreme Court case known as "Mount Laurel IV.", abolished effective March 20, 2024 pursuant to Section 3 at through P.L.2024, c.2 (N.J.S.A. 52:27D-304.1).

COMPLIANCE CERTIFICATION — The certification issued to a municipality by the Dispute Resolution Program or by a county-level housing judge pursuant to section 3 at P.L. 2024, c. 2, that protects the municipality from exclusionary zoning litigation during the current round of present and prospective need and through July 1 of the year the next affordable housing round begins, which is also known as a "judgment of compliance" resulting in an "order for repose." The term "compliance certification" includes a judgment of repose granted in an action filed pursuant to section 13 at P.L. 1985, c. 222 (N.J.S.A. 52:27D-313).

COMPLIANT MUNICIPALITY — A municipality that is in the process of seeking compliance certification pursuant to the directives issued by the Administrative Office of the Courts, has obtained compliance certification, or who has filed for, or has obtained, a Judgment of Compliance, Order for Repose, or other court approval pursuant to the Act.

CONSTRUCTION — New construction and additions, but does not include alterations, reconstruction, renovations, conversion, relocation, or repairs, as those terms are defined in the State Uniform Construction Code promulgated pursuant to the State Uniform Construction Code Act, P.L. 1975, c. 217 (N.J.S.A. 52:27D-119 et seq.).

CONTINUUM OF CARE or CoC — One of the 16 local planning bodies in New Jersey that coordinate service providers and other interested parties to prevent and end homelessness, as authorized by subtitle C of title IV of the McKinney-Vento Homeless Assistance Act of 1987, 42 U.S.C. §§ 11431 through 11435.

COUNTY-LEVEL HOUSING JUDGE — A judge appointed pursuant to section 5 of P.L. 2024, c.2 (N.J.S.A. 52:27D-313.2), to resolve disputes over the compliance of municipal fair share affordable housing obligations and municipal fair share plans and housing elements with the Act.

DCA or DEPARTMENT — The State of New Jersey Department of Community Affairs.

DEFICIENT HOUSING UNIT — A housing unit with health and safety code violations that requires the repair or replacement of a major system. A "major system" includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load-bearing structural systems.

DEVELOPER — Any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land included in a proposed development, including the holder of an option to contract to purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT — The division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

DEVELOPMENT APPLICATION — The application form and all accompanying documents required by ordinance for approval of a subdivision plat, a site plan, planned development, conditional use, zoning variance, or direction of the issuance of a permit pursuant to N.J.S.A. 40:55D-34 or 40:55D-36.

DISPUTE RESOLUTION PROGRAM - The Affordable Housing Dispute Resolution Program, established pursuant to section 5 of P.L. 2024, c.2 (N.J.S.A. 52:27D-313.2). The Dispute Resolution Program is established within the Judiciary of the State, for the purpose of resolving disputes associated



with the Fair Housing Act with respect to municipalities seeking to obtain a certification of compliance of their adopted Housing Element & Fair Share Plan.

DIVISION — The Division of Local Planning Services in DCA.

EMERGENT OPPORTUNITY — A circumstance that has arisen whereby affordable housing will be able to be produced through a delivery mechanism not originally contemplated by or included in a fair share plan that has been the subject of a compliance certification.

EQUALIZED ASSESSED VALUE OR EAV — The assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with sections 1, 5, and 6 at P.L. 1973, c. 123 (N.J.S.A. 54:1-35a, 54:1-35b, and 54:1-35c). Estimates at the time of building permit may be obtained by the tax assessor using construction cost estimates. Final EAV shall be determined at project completion by the municipal assessor.

EXCLUSIONARY ZONING LITIGATION — Litigation challenging the fair share plan, housing element, ordinances, or resolutions that implement the fair share plan or housing element of a municipality based on alleged noncompliance with the Act or the Mount Laurel doctrine, which litigation shall include, but shall not be limited to, litigation seeking a builder's remedy.

EXTENSION OF EXPIRING CONTROLS — Extending the deed restriction period on units where the controls will expire in the current round of a housing obligation, so that the total years of a deed restriction is at least 60 years.

FAIR SHARE OBLIGATION or AFFORDABLE HOUSING OBLIGATION — The total of the present need and prospective need as determined by the Affordable Housing Dispute Resolution Program, or a court of competent jurisdiction.

FAIR SHARE PLAN — The plan that describes the mechanisms, strategies and the funding sources, if any, by which the Borough proposes to address its affordable housing obligation as established in the Housing Element, including the draft ordinances necessary to implement that plan, and addresses the requirements of P.L.1985, c.222 (N.J.S.A. 52:27D-301 et seq.).

HOUSING ELEMENT — The portion of the Borough's Master Plan, required by the Municipal Land Use Law ("MLUL"), N.J.S.A. 40:55D-28b(3) and the Act, that includes the information required by N.J.S.A. 52:27D-301 et seq., and establishes the Borough's fair share obligation.

HOUSEHOLD INCOME — A household's gross annual income calculated in a manner consistent with the determination of annual income pursuant to section 8 of the United States Housing Act of 1937 (Section 8), not in accordance with the determination of gross income for Federal income tax liability.

HOUSING PROJECT — A project, or distinct portion of a project, which is designed and intended to provide decent, safe, and sanitary dwellings, apartments, or other living accommodations for persons of low- and moderate-income; such work or undertaking may include buildings, land, equipment, facilities, and other real or personal property for necessary, convenient, or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, health, recreational, educational, welfare, or other purposes. The term "housing project" may also be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration, and repair of the improvements, and all other work in connection therewith.

HOUSING REGION — A geographic area established pursuant to N.J.S.A. 52:27D-304.2b

INCLUSIONARY DEVELOPMENT — A development containing both affordable units and market-rate units, in which a substantial percentage of the housing units are provided for a reasonable income range of low- and moderate- income households. This term includes, but is not limited to: new construction, the conversion of a nonresidential structure to residential use, and the creation of new affordable units through the gut rehabilitation or reconstruction of a vacant residential structure.

JUDGMENT OF COMPLIANCE OR JUDGMENT FOR REPOSE — A determination issued by the Superior Court approving a municipality's fair share plan to satisfy its affordable housing obligation for a particular 10-year round.



LOW-INCOME HOUSEHOLD — A household with a household income equal to 50% or less of the regional median income.

LOW-INCOME UNIT — A restricted unit that is affordable to a low-income household.

MAJOR SYSTEM — The primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building, which include, but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load-bearing structural systems.

MARKET-RATE UNITS — Housing not restricted to low- and moderate-income households that may sell or rent at any price.

MODERATE-INCOME HOUSEHOLD — A household with a household income in excess of 50% but less than or equal to 80% of the regional median income.

MODERATE-INCOME UNIT — A restricted unit that is affordable to a moderate-income household.

MONI — The no-longer-active Market Oriented Neighborhood Investment Program, as it was authorized by the Agency.

MULTIFAMILY UNIT — A structure containing five or more dwelling units.

MUNICIPAL HOUSING LIAISON or MHL — An appointed municipal employee who is, pursuant to N.J.A.C. 5:99-6, responsible for oversight and/or administration of the affordable units created within the municipality, and oversight of the authorization of individuals being provided access to the AHMS.

MUNICIPAL HOUSING TRUST FUND — A separate, interest-bearing, account held by a municipality for the deposit of development fees, payments in lieu of constructing affordable units on sites zoned for affordable housing, barrier-free escrow funds, recapture funds, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, enforcement fines, unexpended RCA funds remaining from a completed RCA project, application fees, and any other funds collected by the municipality in connection with its affordable housing programs, which shall be used to address municipal low- and moderate-income housing obligations within the time frames established by the Legislature and as governed at N.J.A.C. 5:99-2.

NEW CONSTRUCTION — The creation of a new housing unit under regulation by a code enforcement official regardless of the means by which the unit is created. Newly constructed units are evidenced by the issuance of a certificate of occupancy and may include new residences created through additions and alterations, adaptive reuse, subdivision, or conversion of existing space, and moving a structure from one location to another.

NONEXEMPT SALE — Any sale or transfer of ownership of a restricted unit to one's self or to another individual other than the transfer of ownership between spouses or civil union partners; the transfer of ownership between former spouses or civil union partners ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a Class A beneficiary; and the transfer of ownership by court order.

ORDER FOR REPOSE — The protection a municipality has from a builder's remedy lawsuit for a period of time from the entry of a judgment of compliance by the Superior Court. A judgment of compliance often results in an order for repose.

PAYMENT IN LIEU OF CONSTRUCTING AFFORDABLE UNITS — The payment of funds to the municipality by a developer when affordable units are not produced on a site zoned for an inclusionary development.

PRESENT NEED — The number of substandard existing deficient housing units in the municipality currently occupied by low- and moderate-income households, which is calculated pursuant to N.J.S.A. 52:27D-329.1 et seq. Also known as the "rehabilitation obligation."

PRICE DIFFERENTIAL — The difference between the controlled sale price of a restricted unit and the contract price at the exit sale of the unit, determined as of the date of a proposed contract of sale for the unit. If there is no proposed contract of sale, the price differential is the difference between the controlled



sale price of a restricted unit and the appraised value of the unit as if it were not subject to UHAC, determined as of the date of the appraisal. If the controlled sale price exceeds the contract price or, in the absence of a contract price, the appraised value, the price differential is zero dollars.

PRIOR ROUND UNIT — A housing unit that addresses a municipality's fair share obligation from a round prior to the fourth round of affordable housing obligations, including any unit that: (1) received substantive certification from COAH; (2) is part of a third-round settlement agreement or judgment of compliance approved by a court of competent jurisdiction, inclusive of units created pursuant to a zoning designation adopted as part of the settlement agreement or judgment of compliance to create a realistic opportunity for development; (3) is subject to a grant agreement or other contract with either the State or a political subdivision thereof entered into prior to July 1, 2025, pursuant to either item (1) or (2) above; or (4) otherwise addresses a municipality's fair share obligation from a round prior to the fourth round of affordable housing obligations. A unit created after the enactment of P.L. 2024, c. 2 (N.J.S.A. 52:27D-304.1) on March 20, 2024, is not a prior round unit unless: (1) it is created pursuant to a prior round development plan or zoning designation that received COAH or court approval on or before the cutoff date of June 30, 2025, or the date that the municipality adopts the implementing ordinances and resolutions for the fourth round of affordable housing obligations, whichever occurs sooner; and (2) its siting and creation are consistent with the form of the prior round development plan or zoning designation in effect as of the cutoff date, without any amendment or variance.

RANDOM SELECTION PROCESS — A lottery process by which currently income-eligible households are selected, at random, for placement in affordable housing units such that no preference is given to one applicant over another, except in the case of a veterans' preference where such an agreement exists; for purposes of matching household income and size with an appropriately priced and sized affordable unit; or another purpose allowed pursuant to N.J.A.C. 5:80-26.7(k)3. This definition excludes any practices that would allow affordable housing units to be leased or sold on a first-come, first-served basis.

REGIONAL ASSET LIMIT — The maximum housing value in each housing region affordable to a four-person household with an income at 80% of the regional median as defined by duly adopted regional income limits published annually by the Affordable Housing Professionals of New Jersey or an entity approved by the court.

REGIONAL CONTRIBUTION AGREEMENT or RCA — A contractual agreement, pursuant to the Act, into which two municipalities voluntarily entered into prior to July 18, 2008, to transfer a portion of a municipality's affordable housing obligation to another municipality within its housing region.

REGIONAL MEDIAN INCOME — The median income by household size for an applicable housing region, as calculated annually in accordance with N.J.A.C. 5:80-26.3.

REHABILITATION — The repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

RENT — The gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

RESTRICTED UNIT — A dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as amended and supplemented, but does not include a market-rate unit that was financed pursuant to UHOP, MONI, or CHOICE.

UHAC — The Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq., as amended and supplemented.

UHOP — The Agency's Urban Homeownership Recovery Program, as it was authorized by the Agency Board.

VERY-LOW-INCOME HOUSEHOLD — A household with a household income less than or equal to 30% of the regional median income.

VERY-LOW-INCOME UNIT — A restricted unit that is affordable to a very-low-income household.



VETERAN — A veteran as defined at N.J.S.A. 54:4-8.10.

VETERANS' PREFERENCE — The agreement between a municipality and a developer or residential development owner that allows for low- to moderate-income veterans to be given preference for up to 50 percent of rental units in relevant projects, as provided for at N.J.S.A. 52:27D-311.j.

WEATHERIZATION — Building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

95/5 RESTRICTION — A deed restriction governing a restricted ownership unit that is part of a housing element that received substantive certification from COAH pursuant to N.J.A.C. 5:93, as it was in effect at the time of the receipt of substantive certification, before October 1, 2001, or any other deed restriction governing a restricted ownership unit with a seller repayment option requiring 95 percent of the price differential to be paid to the municipality or an instrument of the municipality at the first non-exempt sale following the expiration of the deed restriction.

The definitions in the Uniform Housing Affordability Controls (UHAC) at N.J.A.C 5:80-26.2 shall be applicable where a term is not defined. In the event of a discrepancy between a definition in this section and UHAC, the current UHAC definition shall be applicable.

§ 22B-1.3. Applicability.

The provisions of this section shall apply to all affordable housing developments and affordable housing units that currently exist and that are proposed to be created within the Borough of Bogota pursuant to the Borough's most recently adopted Housing Element and Fair Share Plan.

The regulations of the Uniform Housing Affordability Controls (UHAC) at N.J.A.C 5:80-26.1 et seq. shall be applicable to such affordable housing units. In the event of a discrepancy between a regulation in this Chapter and UHAC, the applicable UHAC regulation shall be applicable.

§ 22B-1.4. Programs to Address Present Need.

The Borough of Bogota has determined that it will use the following mechanisms to satisfy its present need affordable housing obligations:

- a. Rehabilitation program.
 1. Bogota shall continue to participate in the Bergen County Home Improvement Program (HIP), including marketing the program in physical and digital formats.
 2. Bogota shall continue to participate in the County of Bergen CDBG rehabilitation program, which shall be designed to renovate deficient housing units occupied by low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28 and the requirements of the Rehabilitation Subcode, N.J.A.C. 5:23-6, as applicable.
 3. All rehabilitated units shall remain affordable to low- and moderate-income households for a period of 10 years (the control period). For owner-occupied units the control period will be enforced with a lien and for renter occupied units the control period will be enforced with a deed restriction.
 4. The Borough of Bogota shall designate, subject to the approval of the Division, one or more administrative agents to administer the rehabilitation program in accordance with N.J.A.C. 5:99. The administrative agent(s) shall provide a rehabilitation manual for the owner occupancy rehabilitation program and a rehabilitation manual for the rental-



occupancy rehabilitation program to be adopted by resolution of the governing body and subject to approval of the Dispute Resolution Program. Both rehabilitation manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the administrative agent(s).

5. Units in a rehabilitation program shall be exempt from the Uniform Housing Affordability Controls (UHAC), but shall be administered in accordance with the following:
 - (a) If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low- or moderate-income household at an affordable rent and affirmatively marketed pursuant to the Court and UHAC.
 - (b) If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to the UHAC.
 - (c) Rents in rehabilitated units may increase annually based on the standards established by UHAC.
 - (d) Applicant and/or tenant households shall be certified as income-eligible in accordance with the UHAC, except that households in owner occupied units shall be exempt from the regional asset limit.

§ 22B-1.5. Inclusionary Zoning.

- a. The regulations of the AHO-1 and AHO-2 Affordable Housing Overlay Zones are set forth in § 21A-10.17 and § 21A-10.18.
- b. Borough-wide Mandatory Setaside.

Notwithstanding the provisions of subsection 22B-1.5a, or any other section in this Chapter, any residential development consisting of five or more dwelling units, at a density above six units per acre, shall reserve at least 20% of the units in the project for low- and moderate-income households.

§ 22B-1.6. Alternative Living Arrangements.

- a. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:99, and UHAC, with the following exceptions:
 1. Affirmative marketing (N.J.A.C. 5:80-26.16). Unless stated otherwise, supportive housing units, including group homes, must comply with the affirmative marketing requirements of their respective sponsoring programs, where applicable; provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Division.
 2. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.4), with the exception of supportive housing units whose sponsoring program determines the unit arrangement, where applicable.



- b. With the exception of units established with capital funding through a twenty-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least thirty-year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Dispute Resolution Program or the Division.
 1. The service provider for the alternative living arrangement shall act as the administrative agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

§ 22B-1.7. Phasing Schedule for Inclusionary Zoning.

- a. Inclusionary developments shall adhere to the project phasing requirements as set forth in UHAC, N.J.A.C. 5:80-26.1 *et seq*, as amended and supplemented.

§ 22B-1.8. New Construction.

The required income and bedroom distributions of affordable housing units, as well as additional applicable standards, shall be as set forth in UHAC, N.J.A.C. 5:80-26.1 *et seq*, as amended and supplemented.

- a. Low/moderate split and bedroom distribution of affordable housing units:
 1. The fair share obligation shall be divided equally between low- and moderate-income units; except that where there is an odd number of affordable housing units, the extra unit shall be a low-income unit. At least 13% of all restricted rental units shall be very-low-income units (affordable to a household earning 30% or less of regional median income). The very-low-income units shall be counted as part of the required number of low-income units within the development.
 2. At least 25% of the obligation shall be met through rental units, including at least half in rental units available to families.
 3. A maximum of 30% of the Borough's obligation may be met with age-restricted units. At least half of all affordable units in the Borough's plan shall be available to families.
 4. Unless otherwise approved pursuant to 7. below, in each affordable development, the following income distribution requirements must be satisfied by all of the restricted units in the development as well as by, considered in isolation, the restricted units that are age-restricted, the restricted units that are supportive housing, and the restricted units that are neither age-restricted nor supportive housing:
 - (a) At least 50 percent of all restricted units are low-income or very-low-income units;
 - (b) At least 50 percent of all restricted efficiency or one-bedroom units, rounded up or down to the nearest whole number in either direction, are low-income units or very-low-income units;
 - (c) At least 50 percent of all restricted two-bedroom units, rounded up or down to the nearest whole number in either direction, are low-income units or very-low-income units;



- (d) At least 50 percent of all restricted three-bedroom units are low-income units or very-low-income units;
 - (e) At least 50 percent of all restricted units with four or more bedrooms, rounded up or down to the nearest whole number in either direction, are low-income units or very-low-income units; and
 - (f) Any very-low-income units are distributed between each bedroom count as proportionally as possible, to the nearest whole unit, to the total number of restricted units within each bedroom count. For example, if half of the restricted units are two-bedroom units, then half of the very-low-income units should be two-bedroom units.
5. Unless otherwise approved pursuant to 7. below, in each affordable development, restricted units that are not age-restricted or supportive housing must be structured in conjunction with realistic market demands such that:
- (a) At a minimum, the number of bedrooms within the restricted units equals twice the number of restricted units;
 - (b) Two-bedroom and/or three-bedroom units compose at least 50 percent of all restricted units;
 - (c) No more than 20 percent of all restricted units, rounded up or down to the nearest whole number in either direction, are efficiency or one-bedroom units;
 - (d) At least 30 percent of all restricted units, rounded up or down to the nearest whole number in either direction, are two-bedroom units;
 - (e) At least 20 percent of all restricted units, rounded up or down to the nearest whole number in either direction, are three-bedroom units; and
 - (f) The remainder of the restricted units, if any, are allocated at the discretion of the developer in accordance with the Borough's housing element and fair share plan.
6. Unless otherwise approved pursuant to 7. below, in each affordable development, restricted units that are age-restricted or supportive housing, except those supportive housing units whose sponsoring program determines the unit arrangement, must be structured such that, at a minimum, the number of bedrooms within the restricted units equals the number of restricted units. For example, the standard may be met by creating a two-bedroom unit for each efficiency unit. In affordable developments with 20 or more restricted units that are age-restricted or supportive housing, two-bedroom units must compose at least five percent of those restricted units..
7. The requirements of 4., 5., and 6. above must be satisfied by all restricted units in the Borough, considered in the aggregate. The individual requirements of 4., 5., and 6. above may be waived or altered for a specific affordable development with written approval from the Division if such waiver or alteration would not result in a material deviation from the



municipal housing element and fair share plan. Any waiver or alteration that would result in a material deviation from the municipal housing element and fair share plan must receive written approval from a county-level housing judge.

b. Accessibility requirements:

1. The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7, and the following:
2. All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
 - (a) An adaptable toilet and bathing facility on the first floor; and
 - (b) An adaptable kitchen on the first floor; and
 - (c) An interior accessible route of travel on the first floor; and
 - (d) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 - (e) If not all of the foregoing requirements in Subsection b2(a) through (d) can be satisfied, then an interior accessible route of travel must be provided between stories within an individual unit; but if all of the terms of Subsection b2(a) through (d) above have been satisfied, then an interior accessible route of travel shall not be required between stories within an individual unit; and
 - (f) An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that Bogota has collected funds from the developer sufficient to make 10% of the adaptable entrances in the development accessible:
 - (1) Where a unit has been constructed with an adaptable entrance, upon the request of a person with disabilities who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
 - (2) To this end, the builder of restricted units shall deposit funds within the Borough of Bogota's Affordable Housing Trust Fund sufficient to install accessible entrances in 10% of the affordable units that have been constructed with adaptable entrances.
 - (3) The funds deposited under Subsection b2(f)(2) above shall be used by the Borough of Bogota for the sole purpose of making the adaptable entrance of an affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.



- (4) The developer of the restricted units shall submit a design plan and cost estimate to the Construction Official of the Borough of Bogota for the conversion of adaptable to accessible entrances.
- (5) Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meets the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Borough's Affordable Housing Trust Fund in care of the Borough Chief Financial Officer, who shall ensure that the funds are deposited into the Affordable Housing Trust Fund and appropriately earmarked.
- (6) Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is "site impracticable" to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7.

c. Design:

1. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.
2. The occupancy standards set forth at N.J.A.C. 5:80-26.5 shall be applicable regarding the design of proposed affordable housing developments.

d. Maximum rents and sales prices:

1. In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC, utilizing the most recently published regional weighted average of the uncapped Section 8 income limits published by HUD .
2. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60% of regional median income; however, municipalities may permit a maximum rent affordable to households earning no more than 70 percent of regional median income for moderate-income units within affordable developments where very-low-income units compose at least 13 percent of the restricted units. In such developments, the number of units with rent affordable to households earning 70 percent of regional median income may not exceed the number of very-low-income units in excess of 13 percent of the restricted units. The average rent for restricted rental units shall be affordable to households earning no more than 52% of regional median income.
3. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for very-low-income, low-income and moderate-income units, provided that at least 13% of all restricted rental units shall be affordable to very-low-income households (earning 30% or less of the regional median household income),



with at least half of such units made available for very-low-income families with children. Such very-low-income units shall be counted toward the minimum 50% low-income requirement to be made available for occupancy by low-income households to address the Borough's prospective need obligation. Nothing in this subsection precludes the Borough from requiring affordable developments to have at least 13 percent of restricted units be affordable to and reserved for very-low-income households.

4. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70% of regional median income, and each affordable development must achieve an affordability average of 55% for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different sales prices for each bedroom type, and low-income ownership units must be available for at least two different sales prices for each bedroom type.
5. In determining the initial sales prices and rent levels for compliance with the affordability average requirements for restricted units other than assisted living facilities and age-restricted developments, the following standards shall be used:
 - (a) A studio or efficiency unit shall be affordable to a one-person household;
 - (b) A one-bedroom unit shall be affordable to a one-and-one-half-person household;
 - (c) A two-bedroom unit shall be affordable to a three-person household;
 - (d) A three-bedroom unit shall be affordable to a four-and-one-half-person household; and
 - (e) A four-bedroom unit shall be affordable to a six-person household.
6. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities and age-restricted developments, the following standards shall be used:
 - (a) A studio or efficiency unit shall be affordable to a one-person household;
 - (b) A one-bedroom unit shall be affordable to a one-and-one-half-person household; and
 - (c) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
7. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95% of the purchase price and the FreddieMac 30-Year Fixed Rate-Mortgage rate of interest), taxes, homeowner and private mortgage insurance and realistic condominium or homeowner association fees, do not exceed 30% of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may



be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented.

8. The administrative agent shall set the initial rent for a restricted rental unit. The initial rent for a restricted rental unit shall be calculated so as not to exceed 30% of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.4, as may be amended and supplemented. For assisted living units, the combined cost of rent, food, and services may not exceed 80 percent of the eligible monthly income of the appropriate household size as determined pursuant to N.J.A.C. 5:80-26.4.
9. The maximum resale price for a restricted ownership unit, if the resale occurs prior to the one-year anniversary of the date on which title to the unit was first transferred to a certified household, is the initial purchase price. If the resale occurs on or after such anniversary date, the maximum resale price is the most recent non-exempt purchase price increased to reflect the cumulative annual percentage increases to the regional median income, effective as of the same date as the regional median income calculated pursuant to N.J.A.C. 5:80-26.3. At the anniversary date of the tenancy of the certified household occupying a restricted rental unit, following proper notice provided to the occupant household pursuant to N.J.S.A. 2A:18-61.1.f, the rent may be increased to an amount commensurate with the annual percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), specifically U.S. Bureau of Labor Statistics Series CUUR0100SAH, titled "Housing in Northeast urban, all urban consumers, not seasonally adjusted." The maximum allowable rent increase for the year will be effective as of the same date as the regional median income limits determined pursuant to N.J.A.C. 5:80-26.3. This rent increase may not exceed five percent in any one year and notice thereof must be filed with the administrative agent. Rents for units constructed pursuant to low-income housing tax credit regulations shall be indexed pursuant to the regulations governing low-income housing tax credits.

§ 22B-1.9. Utilities.

- a. Affordable units shall utilize the same type of cooling and heating sources as market units within an inclusionary development.
- b. Tenant-paid utilities included in the utility allowance shall be set forth in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program. For units constructed with State funding, an alternate utility allowance approved by DCA or the Agency must be used. For units that receive ENERGYSTAR certification, a utility allowance calculated according to an energy consumption model provided by an energy consultant with an active registration with the New Jersey Board of Public Utilities must be used, subject to approval by the administrative agent.

§ 22B-1.10. Occupancy Standards.



The occupancy standards set forth at N.J.A.C. 5:80-26.5 shall be applicable.

- a. In referring certified households to specific restricted units, the administrative agent shall, to the extent feasible and without causing an undue delay in the occupancy of a unit, strive to:
 1. Provide at least one occupant for each bedroom, except for age-restricted units;
 2. Provide a bedroom for every two adult occupants;
 3. With regard to occupants under the age of 18, accommodate the household's requested arrangement, except that such arrangement may not result in more than two occupants under the age of 18 occupying any bedroom; and
 4. Avoid placing a one-person household into a unit with more than one bedroom.

§ 22B-1.11. Control Periods for Restricted Ownership Units and Enforcement Mechanisms.

- a. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.6, as may be amended and supplemented and each restricted ownership unit shall remain subject to the requirements of this chapter for a deed-restricted control period. . The minimum duration of the control period is:
 1. Thirty years for any ownership unit created on or after December 20, 2024.
 2. Thirty years for any ownership unit receiving an extension of affordability controls on or after December 20, 2024, unless the original term of affordability exceeds 30 years, in which case, the minimum control period for the extension is the number of years, not less than 20 years, that in combination with the original term results in 60 years of affordability.
 3. Governed by the grant of substantive certification, judgment of compliance, grant agreement, or other contract for any prior round ownership unit, including all units governed by 95/5 restrictions, sold before December 20, 2024.
 4. Governed by the form of UHAC in effect as of December 20, 2024, for any unit sold between December 20, 2004 and December 20, 2024, that is not the subject of a grant of substantive certification, judgment of compliance, grant agreement, or other contract.
- b. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit, or, if existing affordability controls are being extended, on the effective date of the extension. The date of commencement must be identified in the deed restriction.
- c. For each restricted ownership unit, at initial sale, the administrative agent shall determine a preliminary recapture amount equal to the price differential between the restricted price for the unit, based on the requirements at N.J.A.C. 5:80-26.7, and the nonrestricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value.



- d. The initial purchaser and each successive purchaser during the control period shall execute and deliver to the administrative agent a recapture note, secured by a recapture lien evidenced by a duly recorded mortgage on the unit, obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay a recapture amount at the time of the exit sale. The recapture note and lien must be determined upon exit sale and will be equal to the price differential minus the equity share amount, or another amount determined by an ordinance of the municipal governing body, which must be less than the price differential minus the equity share amount.
- e. The affordability controls set forth in this section and within N.J.A.C. 5:80-26.1 et seq shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- f. A restricted ownership unit shall be required to obtain a continuing certificate of occupancy or a certified statement from the municipal building inspector stating that the unit meets all code standards upon the first transfer of title following the expiration of the deed-restricted control period provided pursuant to N.J.A.C. 5:80-26.6, as may be amended and supplemented.

§ 22B-1.12. Price Restrictions for Restricted Ownership Units, Homeowners' Association Fees and Resale Prices.

- a. Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.7, as may be amended and supplemented, including:
 - 1. The initial purchase price for a restricted ownership unit shall be set by the administrative agent.
 - 2. The administrative agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
 - 3. The master deeds and declarations of covenants and restrictions of affordable developments shall provide no distinction between restricted units and market-rate units in the calculation of the condominium or homeowners' association fees and special assessments to be paid by low- and moderate-income purchasers and those paid by market purchasers. Notwithstanding the foregoing sentence, condominium units subject to a municipal ordinance adopted before December 20, 2004, which ordinance provides for condominium or homeowner association fees and/or assessments different from those provided for in this subsection are governed by the ordinance.
 - 4. The owners of restricted ownership units may apply to the administrative agent to increase the maximum sales price for the unit to reflect eligible capital improvements completed since they purchased the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household, that is the addition of a bedroom and/or bathroom. See Subsection 22B-1.15a.

§ 22B-1.13. Buyer Income Eligibility.

- a. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.8, as may be amended and supplemented. Very-low-income ownership units are



reserved for households with a household income less than or equal to thirty (30) percent of regional median income. Low-income ownership units shall be reserved for households with a household income less than or equal to 50% of regional median income and moderate-income ownership units shall be reserved for households with a household income less than or equal to 80% of regional median income.

- b. Notwithstanding the foregoing, however, the administrative agent may, upon approval by the Borough Committee, . permit moderate-income purchasers to buy low-income units in housing markets where, as determined by the Division, units are reserved for low-income purchasers, but there is an insufficient number of eligible low-income purchasers to permit prompt occupancy of the units. All such low-income units to be sold to moderate-income households shall retain the required pricing and pricing restrictions for low-income units. Similarly, the administrative agent may permit low-income purchasers to buy very-low-income units in housing markets where, as determined by the Division, units are reserved for very-low-income purchasers, but there is an insufficient number of very-low-income purchasers to permit prompt occupancy of the units. Again, all such very-low-income units to be sold to low-income households shall retain the required pricing and pricing restrictions for very-low-income units.
- c. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the administrative agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year.
- d. The administrative agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowners' and private mortgage insurance and realistic condominium or homeowners' association fees, as applicable) does not exceed 35% of the household's eligible monthly income.

§ 22B-1.14. Limitations on Indebtedness Secured by Ownership Unit; Subordination.

- a. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the owner shall submit to the administrative agent a notice of intent to incur such indebtedness, (for example, a home equity loan or solar loan), in such form and with such documentary support as determined by the administrative agent, for a determination in writing that the proposed indebtedness complies with the provisions of this section, and the administrative agent shall issue such determination prior to the owner incurring such indebtedness.
- b. With the exception of original purchase money mortgages, during a control period, neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95% of the maximum allowable resale price of the unit, as such price is determined by the administrative agent in accordance with N.J.A.C. 5:80-26.7(c).

§ 22B-1.15. Capital Improvements to Ownership Units.



- a. The owners of restricted ownership units may apply to the administrative agent to recalculate the maximum sales price for the unit to reflect eligible capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household, that is, the addition of a bedroom and/or bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.
- b. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, or flooring) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the administrative agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a condition of the unit resale, provided the price, which shall be subject to ten-year, straight-line depreciation, has been approved by the administrative agent. Unless otherwise approved by the administrative agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at resale.

§ 22B-1.16. Control Periods for Restricted Rental Units.

- a. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.12, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this section for a deed-restricted control period. The minimum duration of the control period is set forth below. LIHTC units are not governed by the provisions of this section, but rather by the provisions of the State's Qualified Allocation Plan, N.J.A.C. 5:80-33.1 through 33.40.
 1. Forty years for any rental unit created on or after December 20, 2024;
 2. Thirty years for any rental unit in a 100 percent affordable property that, on or after December 20, 2024, elects to extinguish its existing deed restriction to enter into a new deed restriction and commence refinancing and/or rehabilitation for the purpose of preservation;
 3. Thirty years for any other rental unit that, on or after December 20, 2024, extends its affordability controls for a new term of affordability, unless the original term of affordability exceeds 30 years, in which case, the minimum control period for the extension is the number of years, not less than 20, that in combination with the original term results in 60 years of affordability;
 4. Governed by the grant of substantive certification, judgment of compliance, grant agreement, or other contract for any prior round rental unit that was issued its certificate of occupancy before December 20, 2024; and



5. Governed by the form of UHAC in effect as of December 20, 2004, for any prior round rental unit that was issued its certificate of occupancy between December 20, 2004 and December 20, 2024, and that is not the subject of a grant of substantive certification, judgment of compliance, grant agreement, or other contract.
- b. The control period for the restricted rental unit(s) in a development commences on the first date that a unit is issued a certificate of occupancy following the execution of the deed restriction or, if affordability controls are being extended, on the effective date of the extension. The control period for the restricted rental unit(s) in a development continues until the end date identified in the deed restriction, or until the minimum duration has elapsed if a specific end date cannot be determined according to the terms of the deed restriction. After the end of the control period, each restricted rental unit in the development remains subject to the affordability controls of this subchapter until:
 1. The occupant household vacates the unit, at which point affordability controls terminate; or
 2. The occupant household's household income is found to exceed 80 percent of the regional median income for the relevant household size, after which affordability controls terminate at the later of either the next scheduled lease renewal or in 60 days.
- c. Deeds of all real property that include restricted rental units created or extended pursuant to the existing rules shall contain deed restriction language that conforms with the requirements of this subchapter and is substantially in the form set forth at N.J.A.C. 5:80-26 Appendix E. The deed restriction must meet the following requirements:
 1. Is to be read in accordance with the requirements of this subchapter, such that any term that directly conflicts with or circumvents the requirements of this subchapter, regardless of intention, is unenforceable, of no legal effect, and contrary to the public policy of the State;
 2. Is governed by the requirements of this subchapter regardless of the language ultimately utilized in the recorded deed restriction document;
 3. Is severable, such that invalidation of any provision due to inconsistency with these regulations will not terminate the deed restriction, but, rather, will result in the deed restriction being read to include the provision of these regulations with which the original language was inconsistent;
 4. Has priority over all mortgages on the property; and
 5. Must be filed with the records office of the county in which the unit is located by the developer or owner of the restricted rental units, who then must, no later than 30 days after the commencement of the control period, provide to the administrative agent:
 - i. A copy of the filed deed restriction; and



- ii. Certification by the preparer of the deed restriction that the deed restriction conforms with all requirements of this subchapter, and that the deed restriction language at N.J.A.C. 5:80-26 Appendix E, has been included therein.
- d. Failure to record a deed restriction does not, under any circumstances, excuse a property from the requirements of this subchapter. If a development is sold by a developer prior to recording the deed restriction, the buyer is not excused from adhering to the requirements of this subchapter and any recourse shall be to recover from the seller rather than seeking to extinguish any affordability controls of the development. Prior to the issuance of any building permit for the construction/rehabilitation of restricted rental units, the developer/owner and the Borough shall record a preliminary instrument in the form set forth at N.J.A.C. 5:80-26 Appendix P-2, incorporated herein by reference that specifies, at a minimum, the total number of rental units to be constructed/rehabilitated, the number of restricted rental units to be constructed/rehabilitated, the anticipated numbers of restricted rental units that will be very-low-income, low-income, and moderate-income, the address(es) and parcel(s) of the property, and the anticipated timeline for completion, including projected phasing. The preliminary instrument must provide that it will be replaced by the recording of a full deed restriction prior to the issuance of the certificate of occupancy, at which point the preliminary instrument will be extinguished. The full deed restriction must be recorded prior to receiving a certificate of occupancy.
- e. A restricted rental unit shall remain subject to the affordability controls of this section and N.J.A.C. 5:80-26.1 et seq. despite the occurrence of any of the following events:
 - 1. Sublease or assignment of the lease of the unit;
 - 2. Sale or other voluntary transfer of the ownership of the unit; or
 - 3. The entry and enforcement of any judgment of foreclosure or grant of a deed in lieu of foreclosure on the property containing the unit; or
 - 4. The end of the control period, until the occupant household vacates the unit or is found to be income-ineligible (found to exceed 80 percent of the regional median income for the relevant household size, after which affordability controls terminate at the later of either the next scheduled lease renewal or in 60 days).

§ 22B-1.17. Rent Restrictions for Rental Units; Leases.

- a. A written lease shall be required for all restricted rental units (except for units in assisted living residences), and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. Final lease agreements are the responsibility of the landlord and the prospective tenant and all lease provisions must comply with applicable law. The landlord shall provide the administrative agent with sufficient information for preparation of a unit inventory form for entry into the centralized affordable housing unit inventory system. A copy of each lease entered into with a certified household shall be provided to the administrative agent within 10 business days after the execution of each lease.



- b. No additional fees, operating costs, or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the administrative agent.
- c. Application fees (including the charge for any credit check) shall not exceed 5% of the monthly rent of the applicable restricted unit and shall be payable to the administrative agent to be applied to the costs of administering the controls applicable to the unit as set forth in this section and N.J.A.C. 5:80-26.1 et seq.

§ 22B-1.18. Tenant Income Eligibility.

- a. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.14, as may be amended and supplemented, and shall be determined as follows:
 - 1. Very-low-income rental units shall be reserved for households with a household income less than or equal to 30% of regional median income.
 - 2. Low-income rental units shall be reserved for households with a household income less than or equal to 50% of regional median income.
 - 3. Moderate-income rental units shall be reserved for households with a household income less than or equal to 80% of regional median income.
- b. The administrative agent shall certify a household as eligible for a restricted rental unit when the household is a very-low-income household, a low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35% (40% for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.17, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
 - 1. The household currently pays more than 35% (40% for households eligible for age-restricted units) of its household income for rent, and the proposed rent will reduce its housing costs;
 - 2. The household has consistently paid more than 35% (40% for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - 3. The household is currently in substandard or overcrowded living conditions;
 - 4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - 5. The household documents reliable anticipated third-party assistance from an outside source, such as a family member, in a form acceptable to the administrative agent and the owner of the unit.



- c. The applicant shall file documentation sufficient to establish the existence of the circumstances in Subsections b1 through b5 above with the administrative agent, who shall counsel the household on budgeting.

§ 22B-1.19. Municipal Housing Liaison.

- a. Bogota shall adopt an ordinance creating the position of Municipal Housing Liaison. Subject to the approval of the Division, the Borough shall appoint a municipal employee by resolution of the governing body or letter from the chief executive, and shall identify the municipal housing liaison by name and title on the municipal website. The Municipal Housing Liaison is responsible for the creation, preservation and administration of the affordable housing programs, affordable units, monitoring and reporting, and, where applicable, supervising any contracted administrative agent to ensure that they execute the practices, procedures, and standards set forth in this subchapter and within N.J.A.C. 5:80-26.1 et seq.. The Municipal Housing Liaison shall successfully complete the Division's Education Program as described at N.J.A.C. 5:99-9 within the timeframes specified by the Division before assuming the duties of Municipal Housing Liaison.
- b. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Bogota, including the following responsibilities, which may not be contracted out to the administrative agent:
 - 1. Serving as Bogota's primary point of contact for all inquiries from the state, affordable housing providers, administrative agents and interested households;
 - 2. Overseeing the monitoring of and reporting on the status of all proposed and completed affordable housing programs and affordable units in Bogota's Fair Share Plan and ensuring compliance with the requirements of the Amended Fair Housing Act;
 - 3. Overseeing and monitoring administrative agents within the Borough's jurisdiction to ensure compliance with the UHAC;
 - 4. Ensuring that an administrative agent is assigned to administer the sales, rentals, re-sales, and re-rentals of all deed-restricted affordable units in the Borough at all times. For units at the end of their deed-restricted control period, an administrative agent shall be available to administer the sale of all properties until such time of the first authorized non-exempt sale after controls on affordability have been in effect on the unit; Verifying, certifying, and providing monitoring and reporting information within the AHMS at such time and in such form as the Division requires. Access to AHMS shall be authorized only by the municipal housing liaison, or their designee, which shall be a municipal employee. Information regarding specific characteristics of municipal affordable housing projects or programs and the resulting unit completions may be entered into AHMS by a contracted entity other than the municipal housing liaison with the written approval of the Borough and pursuant to the oversight of the municipal housing liaison. Monitoring reports shall include the information described at N.J.A.C. 5:99-5.2 and N.J.A.C 5:99-5.3. Monitoring reports for



each calendar year shall be in the form of a certification specifying that all information provided in the AHMS is complete, accurate, and current through the most recent calendar year and shall be accompanied by a year-end bank or other financial institution statement that will be used to reconcile municipal reporting. Municipal monitoring information certifications shall be submitted by the municipal housing liaison, or their designee, which shall be a municipal employee, through the AHMS, by February 15 of each year for trust fund activity through December 31 of the previous year;

5. Listing, on the municipal website, contact information for the administrative agent for each completed project with an affordable component within the Borough;
 6. Overseeing the coordination of meetings with affordable housing providers, developers, municipal officials, and administrative agents, as needed; and
 7. Where applicable, providing to an administrative agent a copy of the adopted municipal operating manual(s), housing element and fair share plan, and ordinances relating to the creation and administration of the Borough's affordable housing programs and/or affordable units.
- c. The municipal housing liaison may also serve as the administrative agent pursuant to N.J.A.C. 5:99-7 for some or all of the affordable units in the Borough, subject to the submission of qualifications to the Division, successful completion of the Division's Education Program as described at N.J.A.C. 5:99-9, and approval by the Division. These duties of the municipal housing liaison shall be outlined in the municipal ordinance establishing the position of the municipal housing liaison. All applicable tasks not performed by the municipal housing liaison, shall be contracted to an administrative agent pursuant to N.J.A.C. 5:99-7.
- d. The Division shall monitor the performance of any approved municipal housing liaison and may revoke said approval, should the Division find that the municipal housing liaison has failed to administer the Borough's affordable housing programs and/or affordable units in accordance with the rules of the Division pursuant to N.J.A.C. 5:99-5.6.

§ 22B-1.20. Administrative Agent.

- a. The Borough shall designate or approve, for each affordable housing project or program within its fair share plan, an administrative agent to administer the affordable housing program and/or affordable units in accordance with the requirements of the Amended Fair Housing Act, the Program, this chapter, and the UHAC. The administrative agent may be the municipal housing liaison, the RCA administrator, other municipal employee, or a person or entity selected pursuant to the UHAC. Administrative agents shall be approved through the municipal housing liaison (if the prospective administrative agent is an individual other than the current municipal housing liaison), and designation of administrative agents is also subject to approval by the Division.
- b. Qualified administrative agents shall have been certified as required pursuant to N.J.S.A. 52:27D-321, shall have evidence of satisfactory completion of the Division's Education Program



as described at N.J.A.C. 5:99-9; and shall have submitted all other required information to the Division.

- c. The administrative agent shall perform the duties and responsibilities of an administrative agent as set forth at N.J.A.C. 5:99-7 and set forth in UHAC, and in accordance with the requirements of the Amended Fair Housing Act and the Dispute Resolution Program. The Division and the municipal housing liaison shall monitor the performance of all approved administrative agents for compliance with this chapter. In the event the administrative agent does not administer the Borough's affordable housing program and/or affordable units in accordance with the certificate of compliance, municipal ordinance, or the Division's rules, the Division may revoke its approval and/or require the Borough to retain a different administrative agent. The Division reserves the right to revoke approval of an administrative agent for other compelling circumstances.
- d. The primary responsibility of the administrative agent is to ensure that the restricted units under administration are sold or rented, as applicable, only to very-low, low-, and moderate-income households in accordance with the provisions of the UHAC. The administrative agent is also responsible for the following:
 - 1. Affirmative marketing:
 - a) Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Borough of Bogota and the provisions of N.J.A.C. 5:80-26.16; and
 - b) Designate an experienced staff person to provide counseling or contracting to provide counseling services to low- and moderate- income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
 - 2. Household certification:
 - a) Soliciting, scheduling, conducting and following up on applications and/or interviews with interested households;
 - b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income household Providing written notification to each applicant as to the determination of eligibility or noneligibility;
 - c) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendixes J and K of N.J.A.C. 5:80-26.1 et seq.;
 - d) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and



- e) Employing a random selection process as provided in the Affirmative Marketing Plan of the Borough of Bogota when referring households for certification to affordable units. It is noted that supportive housing units, including group homes, must also comply with the selection processes of their respective sponsoring programs, where applicable.
 - f) Subject to the approval of the municipal housing liaison, administrative agents may grant a waiver of the income qualification requirement for units where a buyer has not been identified for an extended period of time and where the administrative agent has developed a set of criteria to determine that a waiver is necessary due to a lack of qualified applicants. This waiver shall not change the deed restriction in any way on the unit and the next sale shall be conducted according to the applicable rules.
3. Affordability controls:
- a) Furnishing to attorneys or closing agents appropriate forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
 - b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded recapture mortgage and note, as appropriate;
 - c) Subject to prior written approval from the municipal housing liaison, ensuring that the removal of the deed restrictions and cancellation of the mortgages are effectuated and properly filed with the Bergen County Register of Deeds or County Clerk's office after the termination of the affordability controls for each restricted unit as set forth in N.J.A.C. 5:80-26.1 et seq;
 - d) Communicating with lenders regarding foreclosures; and
 - e) Ensuring the issuance of continuing certificates of occupancy or certifications from municipal building inspectors, pursuant to N.J.A.C. 5:80-26.11.
 - f) Exercising appropriate authority to discharge and release any or all instruments, as set forth in the UHAC appendices establishing affordability controls;
4. Resales and rentals:
- a) Instituting and maintaining an effective means of communicating information between owners of affordable units and the administrative agent regarding the availability of their restricted units for resale or rental; and
 - b) Instituting, maintaining, and documenting an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental, inclusive of listings on the New Jersey Housing Resource Center pursuant to N.J.S.A. 52:27D-321.6;.
 - c) Sending annual mailings to owners as prescribed for in the UHAC at N.J.A.C. 5:80-26.19;
5. Processing requests from unit owners:



- a) Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this section;
 - b) Reviewing and approving requests to increase the maximum sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air-conditioning systems installed subsequent to the initial sale of the unit;
 - c) Notifying the Borough of an owner's intent to sell a restricted 95/5 unit, as defined in the UHAC at N.J.A.C. 5:80-26.2 ; and
 - d) Making determinations on requests by owners of restricted units for hardship waivers.
6. Enforcement:
- a) Securing annually from the Borough a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;
 - b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the administrative agent;
 - c) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.19(d)4.
 - d) Establishing a program for diverting unlawful rent payments to the Borough's Affordable Housing Trust Fund; and
 - e) Creating and publishing a written operating manual as set forth at N.J.A.C. 5:99-7.2 in plain English and in such other languages as may be appropriate to serving the respective client base for each affordable housing program, to be approved by the municipal housing liaison. The operating manual, administered by the administrative agent and to be approved by the Borough Committee, shall set forth procedures for administering the affordability controls, including procedures for long-term control of restricted units; for enforcing the covenants set forth in the UHAC appendices, consistent with the provisions at N.J.A.C. 5:80-26.19; and for releasing restricted units promptly at the conclusion of applicable control periods. The operating manual shall have a separate and distinct chapter or section setting forth the process for identifying applicant households seeking certification to restricted units, for reviewing applicant household eligibility, and for certifying applicant households in accordance with the household certification and referral requirements set forth at N.J.A.C. 5:80-26.17.
7. Additional responsibilities:



- a) The administrative agent shall have the authority to take all actions necessary and appropriate, as permitted by law, to carry out its responsibilities as set forth in this chapter, N.J.A.C. 5:99-7, and N.J.A.C. 5:80-26.1 et seq.
- b) The administrative agent shall prepare annual reports for submission to the Municipal Housing Liaison and the Division by February 15 of each calendar year, including a detailed description of completed units and any other information necessary for the Borough to produce its status report as required pursuant to N.J.S.A. 52:27D-329.4..
- c) The administrative agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

§ 22B-1.21. Affirmative Marketing Requirements.

- a. The Borough of Bogota shall adopt by resolution an Affirmative Marketing Plan, subject to review by the Division, that is compliant with N.J.A.C. 5:80-26.16, as may be amended and supplemented.
- b. The Affirmative Marketing process is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, English-speaking ability, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age (except for "housing for older persons" as defined at N.J.S.A. 10:5.1 et seq. and age-restricted units as permitted by 42 U.S.C. § 3601 et seq.), number of children, source of lawful income, or any other characteristic described in the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 through 5.50, to housing units that are being marketed by a developer, sponsor or owner of affordable housing. Unless stated otherwise, supportive housing units must comply with the affirmative marketing requirements of their respective sponsoring programs, where applicable. The Affirmative Marketing process is intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. In addition, as a result of the Borough's 2016 settlement agreement with FSHC, the Affirmative Marketing Plan shall require the notification to the New Jersey State NAACP, the Latino Action Network, Fair Share Housing Center and the Bergen County chapter of the NAACP of affordable housing opportunities. It is a continuing program that directs marketing activities toward Housing Region 1 and is required to be followed throughout the period of restriction.
- c. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/ or work in Housing Region 1, comprised of Bergen, Hudson, Passaic and Sussex Counties.
- d. The Borough has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and rerentals. The administrative agent designated by the Borough of Bogota shall implement the Affirmative Marketing Plan to assure the affirmative marketing of all affordable units, including accepting applications and maintaining a list of applicants for each affordable development. The administrative agent shall document and report the affirmative marketing plan for the Borough and the affirmative marketing activities undertaken for each of



the units within their purview to the municipal housing liaison, who shall ensure that developers and administrative agents are marketing units in accordance with the provisions in this section. The marketing of restricted units must be consistent with the affirmative marketing plan adopted by the Borough.

- e. In implementing the Affirmative Marketing Plan, the administrative agent shall designate an experienced staff person to provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law. Implementation of the affirmative marketing plan by the administrative agent should also include all other required provisions set forth at N.J.A.C. 5:80-26.16(f).
- f. The Affirmative Marketing Plan shall contain all the components (i.e. housing project information, eligibility/selection criteria, strategies and mediums of advertising, timelines) required as set forth within N.J.A.C. 5:80-26.16, subsections (d) and (e) in particular. In implementing the Affirmative Marketing Plan, the administrative agent shall consider the use of language translations where appropriate.
- g. The affirmative marketing process for available affordable units shall begin at least four months (120 days) prior to the expected date of occupancy and may begin before construction commences. All affirmative marketing advertising and outreach activities utilized must be employed at the start of the marketing program.
- h. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and the County Library for each county within the housing region; the municipal administration building and the municipal library in the Borough; and the developer's office. The Borough shall post the application links and/or notices of affordable housing either directly on the home page of the Borough's official website or on a landing page directly, clearly, and conspicuously linked to from the home page of the Borough's official website. Preapplications shall be emailed or mailed to prospective applicants upon request.
- i. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, which shall be a condition of approval for any such affordable housing application before the Borough's Land Use Board.

§ 22B-1.22. Enforcement of Affordable Housing Regulations.

- a. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an owner, developer or tenant, the Borough, administrative agent, and the State shall have all remedies provided at law or equity, including, but not limited to forfeiture, foreclosure, tenant eviction, a requirement for household recertification, acceleration of all sums due under a mortgage, recuperation of any funds from a sale in violation of the regulations, divestment of rent proceeds from illegal rentals, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.



- b. It is the responsibility of the municipal housing liaison and the administrative agent(s) to ensure that affordable housing units are administered properly. All affordable units must be occupied within a reasonable amount of time and be re-leased within a reasonable amount of time upon the vacating of the unit by a tenant. If an administrative agent or municipal housing liaison becomes aware of or suspects that a developer, landlord, or property manager has not complied with these regulations, it shall report this activity to the Division. The Division must notify the developer, landlord, or property manager, in writing, of any violation of these regulations and provide a 30-day cure period. If, after the 30-day cure period, the developer, landlord, or property manager remains in violation of any terms of this subchapter, including by keeping a unit vacant, the developer, landlord, or property manager may be fined up to the amount required to construct a comparable affordable unit of the same size and the deed-restricted control period will be extended for the length of the time the unit was out of compliance, in addition to the remedies provided for in this section. For the purposes of this subsection, a reasonable amount of time shall presumptively be 60 days, unless a longer period of time is required due to demonstrable market conditions and/or failure of the municipal housing liaison or the administrative agent to refer a certified tenant.

§ 22B-1.23. Appeals.

Appeals from all decisions of an administrative agent appointed pursuant to this section and N.J.A.C. 5:80-26.1 et seq. shall be filed in writing with the municipal housing liaison. A decision by the municipal housing liaison may be appealed to the Division. A written decision of the Division Director upholding, modifying, or reversing an administrative agent's decision is a final administrative action.

SECTION 2: SEVERABILITY.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION 3: INCONSISTENCY.

Any and all ordinances, or parts thereof, in conflict or inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.



SECTION 4: EFFECTIVE DATE

This ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

CERTIFICATION

✓

ATTEST:

APPROVED:



Deputy Clerk



Mayor

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of an Ordinance adopted by the Borough of Bogota at a meeting held on 02-05-26.

**RESOLUTION # 2026-67****DATE: 02-05-26**

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
L. Kohles			✓				
C. Carpenter		✓	✓				
W. Hordern			✓				
P. McHale			✓				
J. Mitchell	✓		✓				
D. Vergara			✓				
Mayor D. Fede (Tie Vote Only)							

AWARD OF CONTRACT

Be it resolved by the Mayor and Council of the Borough of Bogota Bergen County, New Jersey upon the recommendation of Neglia Group that the Contract for:

BOGOTA GARBAGE COLLECTION AND DISPOSAL

be awarded to Suburban Disposal, Inc. for the bid amount as follows:

5-year Duration Contract

Garbage Collection and Disposal for a period of 5 years per specifications at a price of two hundred sixty-five dollars (\$265.00) per ton including all taxes, fees, and surcharges

As being the lowest responsible bid submitted. This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

Dated:

2/5/2026

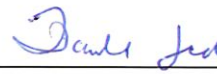
Certified:


Treasurer

Dated:

2/5/26

Approved:


Mayor

CERTIFICATION

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough of Bogota, Bergen County, New Jersey at a meeting held on 02-05-26.


Melissa Baque, Deputy Clerk



EXPERIENCED
DEDICATED
RESPONSIVE

2026-67

negliagroup.com

January 20, 2026

Via E-mail

Ms. Melissa Baque, Deputy Municipal Clerk
Borough Clerk
Borough of Bogota
375 Larch Avenue
Bogota, New Jersey 07603

Re: Recommendation Package
Bid For Garbage Collection and Disposal
Borough of Bogota, Bergen County, New Jersey
NEA Project No.: BOGOADM26

Dear Ms. Baque:

Please be advised that on January 16, 2026, the Borough of Bogota opened bids for Garbage collection and disposal services. The lowest responsible bid was submitted by **Suburban Disposal, Inc.**

Our office has performed an engineering review of the bid packages, but a legal review of the packages is required.

We recommend that this contract be awarded pending available funds, attorney review, and Borough Approval to **Suburban Disposal, Inc.**

Enclosed you will find a copy of the Award of Contract Resolution and Bid Summary. We have emailed the bid packages for review by the Borough Attorney prior to the award and originals are being returned to Borough Hall.

We trust you will find the above in order. Should you have any questions, please do not hesitate to contact the undersigned.

Very truly yours,
Neglia Group

Anthony Kurus, P.E., P.P., C.M.E.
For the Borough Engineer
Borough of Bogota

cc: Conall O'Mally, Borough Administrator (via E-mail)
Greg Bock, Chief Financial Officer (via E-mail)
William Betesh, Borough Attorney (via E-mail & Original Bid Package in Borough Hall)

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LYNDHURST

34 Park Avenue
PO Box 426
Lyndhurst, NJ 07071
p. 201.939.8805 f. 201.939.0846

MOUNTAINSIDE

200 Central Avenue
Suite 102
Mountainside, NJ 07092
p. 201.939.8805 f. 732.943.7249



BOROUGH OF BOGOTA, BERGEN COUNTY, NEW JERSEY
 COLLECTION AND TRANSPORTATION TO DESIGNATED DISPOSAL FACILITY OF GARBAGE, ASHES AND REFUSE
 JANUARY 16, 2026 - 11:00am
 BOGOADM26.001

CONTRACTOR	Collection and Disposal of Garbage per Specifications	Collection and Disposal of Garbage per Specifications
	3 Year Duration Contract	5 Year Duration Contract
Suburban Disposal, Inc. 54 Montesano Road Fairfield, NJ	\$259.00 per ton	\$265.00 per ton
Peter Miele & Son Contracting Teacneck, NJ	NO BID	NO BID
Affordable Cartage, LLC Clifton NJ	NO BID	NO BID

Suburban Disposal Inc
54 Montesano Rd.
Fairfield, NJ 07004 | 973-227-7020

2026-67

January 20, 2026

Neglia Engineering

Attn: Anthony Kuros

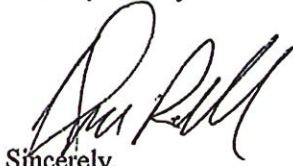
Subject: Bid Confirmation – January 16, 2026

Dear Mr. Kuros,

This letter confirms that the bid submitted by Suburban Disposal, Inc. on January 16, 2026 is inclusive of all applicable taxes, fees, and surcharges as set forth in the bid proposal form, with the exception of the BCUA Solid Waste Service Charge, which may or may not be assessed. If applicable, this charge will be passed through to the Borough.

All tipping fees are included in the per-ton bid price. No separate payment will be made by the Borough to the approved disposal or landfill facility.

Thank you for your attention to this matter.



Sincerely,
John Roselle

**RESOLUTION # 2026-68****DATE: 02-05-26**

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
L. Kohles			✓				
C. Carpenter		✓	✓				
W. Hordern			✓				
P. McHale			✓				
J. Mitchell	✓		✓				
D. Vergara			✓				
Mayor D. Fede (Tie Vote Only)							

APPROVE WEBMASTE SALARY INCREASE – RAY DWYER

WHEREAS, the Bogota Police Department is in need of Webmaster Services for the Bogota Police Department Website; and

WHEREAS, Ray Dwyer is the Borough's Webmaster for the Bogota Municipal Website; and

WHEREAS, the Mayor and Council of the Borough seek to increase Ray Dwyer's annual salary to \$7,500 effective January 1, 2026 for the additional professional services needed; and

WHEREAS, the Borough Administrator has reviewed this matter and recommend the increase of Ray Dwyer's annual salary to \$7,500 effective January 1, 2026 for the additional professional services needed.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bogota, County of Bergen and State of New Jersey, Ray Dwyer's annual salary be and is hereby increased to \$7,500 effective January 1, 2026 for the additional professional services needed for the Bogota Police Department Website.

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution to Ray Dwyer and the Borough Administrator upon its passage.

CERTIFICATION

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough of Bogota, Bergen County, New Jersey at a meeting held on 02-05-26.



Melissa Baque, Deputy Clerk

**RESOLUTION # 2026-69****DATE: 02-05-26**

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
L. Kohles			✓				
C. Carpenter		✓	✓				
W. Hordern			✓				
P. McHale			✓				
J. Mitchell	✓		✓				
D. Vergara			✓				
Mayor D. Fede (Tie Vote Only)							

APPROVE SAFETY COORDINATOR – HECTOR LIRIANO

WHEREAS, the Borough of Bogota is in need of a Safety Coordinator to oversee the Borough's Employee and Work Place Safety Training and to assist our Risk Managers with Borough matters; and

WHEREAS, the Mayor and Council of the Borough seek to hire Captain Hector Liriano to the position of Borough Safety Coordinator effective January 1, 2026 with an annual salary of \$3,600; and

WHEREAS, the Borough Administrator and CFO have reviewed this matter and recommend that Captain Hector Liriano be hired to the position of Borough Safety Coordinator for the Borough of Bogota effective January 1, 2026 at an annual salary of \$3,600.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Bogota, County of Bergen and State of New Jersey, that Captain Hector Liriano be and is hereby hired to the position of Borough Safety Coordinator for the Borough of Bogota effective January 1, 2025 with an annual salary of \$3,600; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution to Captain Hector Liriano and the Borough Clerk's Office upon its passage.

CERTIFICATION

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough of Bogota, Bergen County, New Jersey at a meeting held on 02-05-26.



Melissa Baque, Deputy Clerk

**RESOLUTION # 2026-70****DATE: 02-05-26**

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
L. Kohles			✓				
C. Carpenter		✓	✓				
W. Hordern			✓				
P. McHale			✓				
J. Mitchell	✓		✓				
D. Vergara			✓				
Mayor D. Fede (Tie Vote Only)							

**AUTHORIZING RETROACTIVE COMPENSATION AND SALARY INCREASE FOR
MELISSA BAQUE FOR ASSUMING MUNICIPAL CLERK DUTIES UPON THE
RESIGNATION OF MUNICIPAL CLERK YENLYS FLORES-BOLIVARD**

WHEREAS, Yenlys Flores-Bolivard, Municipal Clerk of the Borough of Bogota, submitted her resignation from the position of Municipal Clerk, effective January 19, 2026; and

WHEREAS, as a result of the resignation of Yenlys Flores-Bolivard, the position of Municipal Clerk became vacant on January 19, 2026; and

WHEREAS, Melissa Baque, Deputy Municipal Clerk of the Borough of Bogota, has been performing the full duties and responsibilities of Municipal Clerk since January 19, 2026; and

WHEREAS, in recognition of the additional duties, responsibilities, and obligations assumed by Melissa Baque in serving as Municipal Clerk, an increase in compensation of \$2,500.00 is deemed appropriate and warranted; and

WHEREAS, Melissa Baque has not yet been compensated for the \$2,500.00 increase for the duties performed since January 19, 2026; and

WHEREAS, the Borough Council deems it in the best interest of the Borough to authorize retroactive compensation to Melissa Baque reflecting the \$2,500.00 increase for assuming the responsibilities of Municipal Clerk;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council hereby authorizes a compensation increase of \$2,500.00 for Melissa Baque for assuming the duties and responsibilities of Municipal Clerk following the resignation of Yenlys Flores-Bolivard; and

BE IT FURTHER RESOLVED that the Borough Council hereby authorizes retroactive compensation to Melissa Baque reflecting the \$2,500.00 increase, effective from January 19, 2026, through the date a permanent Municipal Clerk is appointed; and



RESOLUTION # 2026-70

DATE: 02-05-26

BE IT FURTHER RESOLVED that the Borough Treasurer is hereby directed to process said retroactive compensation and the salary increase accordingly.

CERTIFICATION

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough of Bogota, Bergen County, New Jersey at a meeting held on 02-05-26.

Melissa Baque, Deputy Clerk



RESOLUTION# 2026-71

DATE: 02-05-26

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
L. Kohles			✓				
C. Carpenter		✓	✓				
W. Hordern			✓				
P. McHale			✓				
J. Mitchell	✓		✓				
D. Vergara			✓				
Mayor D. Fede (Tie Vote Only)							

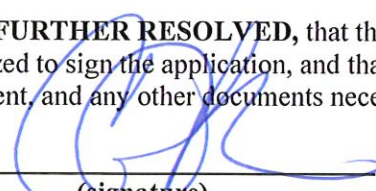
**APPROVE NJ DEPARTMENT OF COMMUNITY AFFAIRS 2026 LOCAL RECREATION
IMPROVEMENT GRANT PROGRAM**

WHEREAS, the Borough of Bogota desires to apply for and obtain a grant from the New Jersey Department of Community Affairs Local Recreation Improvement Grant for approximately \$75,000.00 in order to enhance the recreational opportunities for our residents by supporting the completion of the Petrick Park Phase II Improvements Project; and

WHEREAS, the Borough of Bogota does hereby authorize the application for such a grant and recognizes and accepts that the Department may offer lesser or a greater amount upon receipt of the grant agreement from the New Jersey Department of Community Affairs; and

BE IT THEREFORE RESOLVED, that the Borough of Bogota does further authorize the execution of any such grant agreement; and also, upon receipt of the executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Bogota and the New Jersey Department of Community Affairs; and

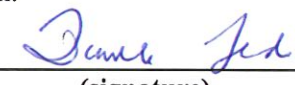
BE IT FURTHER RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:



(signature)
Conrad O'Malley

(type or print name)
Borough Administrator

(title)



(signature)
Danielle Fede

(type or print name)
Mayor

(title)

CERTIFICATION

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough of Bogota, Bergen County, New Jersey at a meeting held on 02-05-26.



Melissa Baque, Deputy Clerk



RESOLUTION# 2026-72

DATE: 02-05-26

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
L. Kohles			✓				
C. Carpenter		✓	✓				
W. Hordern			✓				
P. McHale			✓				
J. Mitchell	✓		✓				
D. Vergara			✓				
Mayor D. Fede (Tie Vote Only)							

**BOGOTA – COUNTY OF BERGEN – APPROVING SHARED SERVICES
AGREEMENT OF COUNTY- OWNED EMERGENCY AND NON-EMERGENCY
EQUIPMENT**

WHEREAS, the Borough of Bogota wishes to enter into a Shared Services Agreement with the County of Bergen County owned Emergency and Non-Emergency Equipment; and

WHEREAS, the County of Bergen owns certain vehicles and equipment (the “Equipment”) that it could make available to the Borough of Bogota, subject to the operational needs of the County; and

WHEREAS, some of the Equipment was acquired by the County’s Office of Emergency Management pursuant to State and Federal grants for the express purpose of making same available to the municipalities within Bergen County, and is controlled by the County’s Office of Emergency Management (“OEM”); and

WHEREAS, other equipment is controlled by other departments of the County, such as Public Works and Parks; and

WHEREAS, due to emergencies, mechanical breakdown or budgetary restrictions, the need arises occasionally for which the Borough of Bogota does not possess the required equipment; and

WHEREAS, the County and Borough of Bogota recognize the need to enter into a written agreement between the County and the Borough in advance of the actual need, to govern the terms under which the County will make the County’s Equipment available for the use of the Borough; and

WHEREAS, the County and the Borough of Bogota have determined that by entering into this Shared Services Agreement governing the terms for sharing of County owned Equipment, the parties will be able to facilitate the prompt availability of such Equipment at such time as the Borough has a need to utilize it; and

WHEREAS, this Agreement is established in accordance with the Uniform Shared Services and Consolidation Act, P.L.2007, c.63 (N.J.S.A. 40A:65-1, et seq.); and



RESOLUTION# 2026-72

DATE: 02-05-26

WHEREAS, the Borough Administrator has reviewed the Shared Services Agreement provided by the County of Bergen attached hereto and incorporated herein by reference and recommends the approval of same.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Bogota, County of Bergen and State of New Jersey that the Shared Service Agreement between the County of Bergen and the Borough of Bogota for County-owned Emergency and Non-Emergency Equipment be and is hereby approved; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution to the Borough Administrator, Bogota Police Department, Bogota Fire Department, Bogota Department of Public Works, Bogota Office of Emergency Management and the County of Bergen upon its passage.

CERTIFICATION

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough of Bogota, Bergen County, New Jersey at a meeting held on 02-05-26.

Melissa Baque, Deputy Clerk

SHARED SERVICES AGREEMENT

BETWEEN

COUNTY OF BERGEN

AND

BOROUGH OF BOGOTA

FOR:

**THE SHARING OF COUNTY-OWNED
EMERGENCY AND NON-EMERGENCY EQUIPMENT**

BERGEN COUNTY OFFICE OF EMERGENCY MANAGEMENT

**BERGEN COUNTY DEPARTMENT OF PUBLIC WORKS
DIVISION OF SHARED SERVICES**

Approved by Bergen County Resolution No. 277-26, dated March 4, 2026
Approved by Borough of Bogota Resolution No. 2026-72, dated February 5, 2026

DATE: March 4, 2026

PREPARED BY:

**BERGEN COUNTY COUNSEL
ONE BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601-7076
(201) 336-6950**

**SHARED SERVICES AGREEMENT
SHARING OF COUNTY-OWNED
EMERGENCY AND NON-EMERGENCY EQUIPMENT**

THIS AGREEMENT is made by and between:

COUNTY OF BERGEN, a body politic and corporate of the State of New Jersey, with administrative offices located at One Bergen County Plaza, Fifth Floor, Hackensack, New Jersey 07601-7076 hereinafter referred to as the "County" and

BOROUGH OF BOGOTA, a body politic and corporate of the State of New Jersey, with administrative offices located at 375 Larch Avenue, Bogota, NJ 07603, hereinafter referred to as the "LOCAL UNIT" OR "MUNICIPALITY."

WITNESSETH:

WHEREAS, the County of Bergen owns certain vehicles and equipment (the "Equipment") that it could make available to the Municipality, subject to the operational needs of the County; and

WHEREAS, some of the Equipment was acquired by the County's Office of Emergency Management pursuant to State and Federal grants for the express purpose of making same available to the municipalities within Bergen County, and is controlled by the County's Office of Emergency Management ("OEM"); and

WHEREAS, other equipment is controlled by other departments of the County, such as Public Works and Parks; and

WHEREAS, due to emergencies, mechanical breakdown or budgetary restrictions, the need arises occasionally for which the Municipality does not possess the required equipment; and

WHEREAS, the County and Municipality recognize the need to enter into a written agreement between the County and the Municipality in advance of the actual need, to govern the terms under which the County will make the County's Equipment available for the use of the Municipality; and

WHEREAS, the County and Municipality have determined that by entering into this Shared Services Agreement governing the terms for sharing of County owned Equipment, the parties will be able to facilitate the prompt availability of such Equipment at such time as Municipality has a need to utilize it; and

WHEREAS, this Agreement is established in accordance with the Uniform Shared Services and Consolidation Act, P.L.2007, c.63 (N.J.S.A. 40A:65-1, et seq.); and

WHEREAS, the County has authorized this agreement by adoption of Resolution No. 277-26, dated March 4, 2026; and

WHEREAS, the Municipality has authorized this agreement by adoption of Resolution No. 2026-72, dated February 5, 2026

NOW THEREFORE BE IT AGREED AS FOLLOWS:

1. Scope of Services.

- A. This Agreement is intended to cover the sharing of equipment controlled by the County's Office of Emergency Management or Division of Emergency Management as appropriate, as well as equipment controlled by other Departments and Divisions of the County.
- B. The purpose of this Agreement is to provide the basic terms under which the Municipality may borrow Equipment from the County for short-term use should the County, in its sole discretion, determine that such Equipment is available for use by the Municipality. By entry into this Agreement, the County does not commit to loan any particular piece of Equipment to Municipality.
- C. It is clearly understood by all the parties concerned that the Equipment must be available to the County for County projects, whenever needed, and that the County is entering into this Agreement with other Municipalities in the County. Consequently, any particular piece of Equipment will only be available whenever not in use or scheduled to be used for a County project or another municipality, and even then, it will only be made available at the sole discretion of the County.
- D. The County anticipates entering into this agreement with all of the municipalities in Bergen County. Therefore, the Municipality agrees to notify the County as far in advance of the Municipality's need for Equipment as possible, to permit the County to determine if the County has available equipment to loan and, if so, to coordinate among possible requests from various municipalities.
- E. While the County will make every effort to make Equipment available to any municipality seeking to borrow Equipment where doing so does not compromise the County's operations, the County shall not be deemed in breach of this Agreement and shall have no liability to the Municipality in the event the County denies Municipality's request to borrow any particular piece of Equipment.
- F. This Agreement shall not apply to any Equipment for which the County requires execution of a separate agreement, or payment of a fee to borrow or use. Nor shall anything in this Agreement preclude the County from requiring execution of a separate agreement or payment of a fee to borrow or use any Equipment.

2. Term; Termination.

- A. The term of this Agreement shall commence upon adoption of authorizing resolutions by both the County and the Municipality, and execution by authorized officials of both entities, and shall continue for a period of one year.
- B. This Agreement shall automatically renew for successive one-year terms unless either party notifies the other in writing of intent to terminate.
- C. This Agreement may be terminated by either party upon thirty days' written notice, for any reason, including administrative convenience.
- D. Termination of this Agreement does not relieve the Municipality from any responsibility for defense or indemnification of any claims against the County or the Municipality's obligations for maintenance or repair of the Equipment occasioned by Municipality's use thereof.
- E. The County shall have no liability to the Municipality for any losses or additional costs that may be incurred by the Municipality as a result of the County's termination of this Agreement.

3. Compensation.

- A. The Equipment loaned under this Agreement shall be loaned by the County to the Municipality free of charge. In the event any reimbursement is available from State or Federal sources (e.g. FEMA reimbursement) for use of such Equipment, Municipality agrees and acknowledges that the County is entitled to such reimbursement.
- B. In the event any payment is due from the Municipality to the County (e.g. for damage to the Equipment resulting from the Municipality's use), the Municipality agrees to pay the County within 45 days after submission of the invoice by the County to the Municipality.

4. County's Contact Person.

- A. For purposes of Equipment controlled by the County's Office of Emergency Management, the County's Contact Person shall be the Director of the County's Division of Emergency Management, the County Emergency Management Coordinator, or either of their designees.
- B. For purposes of Equipment not controlled by the County's Office of Emergency Management, the County's designated Contact Person shall be the Director of the Division of Shared Services within the Department of Public Works.

- C. The Municipality shall designate one or more Contact Persons and shall advise the County accordingly.

5. Responsibilities of the Parties.

- A. When and if the Municipality wishes to borrow Equipment from the County, the Municipality's Contact Person shall submit to the County's appropriate Contact Person a written request to borrow the Equipment. The request shall include:
 - 1. The piece of Equipment requested;
 - 2. The reason for the request, and the use to which the Equipment will be put;
 - 3. The approximate dates or duration for which the Municipality wishes to borrow the Equipment;
 - 4. Any other information the Municipality wishes to include with its request; and
 - 5. Any other information required by the County, in its discretion, to evaluate the Municipality's request.
- B. Requests for Equipment controlled by the County's Office of Emergency Management shall, unless otherwise permitted by the County, be submitted through the online system utilized by the County's Office of Emergency Management called "WEBEOC," or such other system that the County's Office of Emergency Management may choose to use in the future.
- C. Requests for Equipment not controlled by the County's Office of Emergency Management may be submitted to the Director of the Division of Shared Services within the Department of Public Works, who shall coordinate with the directors of the various County departments and the Administration to determine whether the requested Equipment is available for loan.
- D. The County anticipates entering into this agreement with several municipalities. Therefore, the Municipality agrees to notify the County as far in advance of the Municipality's need for the Equipment, to permit the County to schedule use among the Municipalities seeking to borrow the Equipment.
- E. The County, upon review of the written request, shall:
 - 1. Notify the Municipality's Contact Person of the Equipment's availability, and coordinate a time for the Municipality to take custody of the Equipment; or
 - 2. Notify the Municipality's Contact Person that the requested Equipment cannot be loaned; or
 - 3. If the Equipment can be loaned but is unavailable for the date(s) requested by the Municipality, the County will notify the Municipality accordingly, and, attempt to coordinate an alternate date or set of dates for the Municipality to borrow the Equipment.
- F. The Municipality shall be responsible in most instances for retrieving the Equipment from the County's storage location, which will vary depending upon the piece of Equipment.

- G. The representative of the Municipality taking custody of the Equipment shall sign a statement prior to removing the Equipment from the County's property, indicating and agreeing to the following:
1. Identifying the Equipment, including the make, model, vehicle identification number, serial number, or other Equipment-specific identification;
 2. The date on which the Municipality takes custody of the Equipment;
 3. The date by which the Equipment will be returned;
 4. That the Municipality has inspected the Equipment and independently determined that the Equipment is acceptable for the Municipality's purposes; and
 5. Any operational requirements specific to the Equipment, of which the Municipality should not reasonably be aware.
- H. The Municipality shall return the Equipment no later than the date set forth in the foregoing statement, unless the Municipality requests to keep the Equipment for a longer period, and the County consents.
- I. The Municipality shall take custody of and return the Equipment to the County at the storage location designated by the County. The County shall not be required to deliver the Equipment to or retrieve the Equipment from another location.
- J. Prior to taking custody of the Equipment, the Municipality shall provide the County with one or more certificates of insurance meeting the requirements of Paragraph 9, "Insurance," below.
- K. The Municipality agrees that persons assigned to operate the Equipment ("operators") will possess all required licenses to operate the Equipment and will have fulfilled all training requirements for such operation, prior to operating said Equipment.
- L. The Municipality agrees to utilize the Equipment in full and complete compliance with all Federal, State, and Local laws, standards and requirements as well as any requirements imposed by the County. In the event the County determines that the Municipality has failed to utilize the Equipment in conformance with all Federal, State, and Local laws, standards and requirements, or any requirements imposed by the County, the Municipality shall immediately return the Equipment to the County in the manner directed by the County.
- M. Where the Equipment requires fuel (e.g. vehicles, generators, etc.), Municipality shall be responsible for all fuel utilized while borrowing the Equipment and shall return the Equipment with a full fuel tank.
- N. The Municipality shall be responsible for inspecting the Equipment before taking custody, and before each operation of the Equipment to ensure the Equipment is in operational condition.

- O. The Municipality shall maintain written records regarding receipt, possession, inspection, and use of the Equipment, and provide them to the County upon return of the Equipment.
- P. The Municipality shall be responsible for the cost of repairing any damage to the Equipment occurring while the Equipment is in the Municipality's custody. In the event that the equipment is damaged during the Municipality's possession of same, the County will provide an itemized bill to the Borough and the Municipality will pay same within forty-five days of presentment of the itemized bill.
- Q. Depending upon the length of time the Municipality will be borrowing a piece of Equipment, the County may determine that Municipality must be responsible for the cost of regular scheduled maintenance. The County shall advise Municipality of any regular scheduled maintenance due during the period Municipality is expected to have custody of the Equipment, and whether the Municipality shall be responsible for the cost of such regular scheduled maintenance. The Municipality shall return the Equipment to the County for regular scheduled maintenance in accordance with the manufacturer's recommended maintenance schedule.
- R. All maintenance and repair, including regular scheduled maintenance, of the Equipment shall be conducted by the County at the County's vehicle maintenance facility, currently located at the Bergen County Annex in Paramus, or by such other service provider as the County may determine. If Municipality is responsible for the cost of any maintenance or repair, same shall be charged at the County's then current rates charged under the County's vehicle maintenance shared services agreement, or the County's actual cost where repair or maintenance must be performed by an outside vendor.
- S. The Municipality shall return the Equipment to the County in the same condition as when the Municipality borrowed it, normal wear and tear excepted.
- T. Notwithstanding any other provision of this agreement, the Municipality will return the Equipment to the County upon the County's request within twenty-four (24) hours under normal operations. If an emergent circumstance should occur while the equipment is in the custody of the Municipality, the emergent circumstance shall take precedence, and the Municipality shall mobilize the equipment at the direction of the County Office of Emergency Management.

6. Other Agreements.

The County and the Municipality reserve the right to enter into any other contract with other public or private entities for the performance of any service or services which may be included within the scope of services provided in this Agreement. Nothing in this Agreement shall prohibit the County from entering into agreements to purchase, maintain, borrow, loan, sell, or otherwise dispose of the Equipment to other public or private entities.

7. Dispute Regarding Payment.

As provided in N.J.S.A. 40A:65-1, et seq., in the event of any dispute as to the amount to be paid under the terms of this Agreement, the full amount to be paid in accordance with this Agreement shall be paid. If through subsequent negotiation, litigation, or settlement, the amount due shall be determined agreed to or adjudicated to be less than was actually so paid, the County shall promptly repay the excess.

8. Risk of Loss; Indemnification.

The Municipality acknowledges and agrees that County has made no representation regarding the condition of the Equipment, and the Equipment is being loaned strictly in "as is" and "where is" condition with no warranties, either expressed or implied. The Municipality hereby assumes all risk of damage, injury, liability or loss, including but not limited to damage to any property whatsoever and injury to, or death of, any person whomsoever, occurring by reason of, or in connection with, or as a result of, the Municipality's use of the Equipment, including any loss occasioned by failure of the Equipment to perform as intended.

The Municipality agrees to defend, indemnify and hold harmless the County, including its officers, employees, volunteers, and agents ("County Indemnified Parties"), from any and all liability and claims for damages or injury to persons or property, including death, caused by, or resulting from, or arising out of this Agreement or any of the obligations assumed by the County or the Municipality hereunder. Specifically included in this obligation is the Municipality's agreement to defend, indemnify and hold harmless the County Indemnified Parties from any and all claims asserting failure on the part of the County to properly maintain the Equipment, including but not limited to any claim alleging liability based upon any known or unknown defective, malfunctioning, or nonfunctioning part of the Equipment.

The Municipality, upon notice from the County, shall resist and defend, at the expense of the Municipality, such action or proceeding with counsel satisfactory to the County. In addition, the County may engage separate counsel to appear on its behalf in such action or proceeding without waiving its rights or the Municipality's obligation to defend, indemnify, and hold harmless the County, including its officers, employees, and agents, under this paragraph.

The Municipality shall be solely responsible for any and all theft and/or damage which shall be occasioned by the Municipality's use or occur while the Equipment is being utilized or in the custody of the Municipality, and all such costs shall be borne solely by the Municipality.

9. Insurance.

During the term of this Agreement, the Municipality shall maintain workers' compensation insurance with statutory limits and a minimum of \$1,000,000/\$1,000,000/\$1,000,000 Employers Liability limits, and automobile liability insurance with a minimum liability limit of \$1,000,000.00

Combined Single Limit in full force and effect, covering all employees in the Equipment used in this performance hereunder. In addition, the Municipality shall maintain general liability insurance at limits not less than one million (\$1,000,000.00) dollars covering any claims arising out of the use of the Equipment other than those claims covered by the aforementioned automobile liability insurance. The Municipality shall not take any action to cancel or materially change any of the insurance requirements under this Agreement without the County's prior written approval of such cancellation or change. The County shall be listed as Additional Insured on all policies of insurance. The certificates of insurance must provide for thirty (30) days' notice of cancellation in the event that a Municipality's policy is cancelled for any reason. The Municipality expressly understands and agrees that any insurance protection required by this Agreement shall in no way limit the Municipality's obligations assumed in this Agreement and shall not be construed to relieve the Municipality from liability in excess of such coverage.

It is understood that, while the County of Bergen is the titled owner to the Equipment, the Municipality, being responsible for the operator of the Equipment, will be solely responsible for the provision of motor vehicle liability insurance coverage for the Equipment during such time as the Municipality has custody of the Equipment, with said insurance providing defense and indemnification to the County Indemnified Parties, as Additional Insureds.

10. Dispute Resolution.

In the event a dispute shall arise concerning the terms and conditions of this Agreement, the parties hereto agree to first meet informally. If informal discussion cannot resolve the dispute, the parties agree to pursue mediation prior to commencing court action. Nothing set forth herein shall be construed as relieving the Municipality of returning the Equipment to the County immediately upon demand, regardless of the status of any dispute resolution process.

11. No Waiver.

The failure of a Party to insist on strict performance of any or all of the terms of this Agreement, or to exercise any right or remedy under this Agreement, shall not constitute a waiver or relinquishment of any nature regarding such right or remedy or any other right or remedy. No waiver of any breach or default hereunder shall be considered valid unless in writing and signed by the Party giving such waiver, and no such waiver shall be deemed a waiver of any subsequent breach or default of the same or similar nature.

12. Relationship of the Parties.

Except as otherwise provided herein, nothing shall create any association, joint venture, partnership, or agency relationship of any kind between the parties. Neither party may create or assume any liability, obligation or expense on behalf of the other, to use the other's monetary credit in conducting any activities under this Agreement.

13. Notices.

All notices, demands, consents, approvals, or requests, required or permitted to be given to or served upon the County, shall be in writing. Any such notice, demand, consent, approval, request, instrument or document shall be sufficiently given or served if sent by certified or registered mail, postage prepaid, addressed at the address set forth below, or at such other address as it shall designate by notice, as follows:

If to the Municipality: BOROUGH OF BOGOTA
375 Larch Avenue
Bogota, NJ 07603
ATTENTION: CLERK

BOROUGH OF BOGOTA
375 Larch Avenue
Bogota, NJ 07603
ATTENTION: ADMINSTRATOR

If to the County: Director, Division of Shared Services
Bergen County Department of Public Works
One Bergen County Plaza
Hackensack, NJ 07601

Or

Director, Division of Emergency Management
Bergen County Office of Emergency Management
Bergen County Public Safety Operations Center
285 Campgaw Road
Mahwah, NJ 07430

With a copy to: County Counsel
County of Bergen
One Bergen County Plaza – Room 580
Hackensack, NJ 07601

14. Miscellaneous.

This Agreement may only be modified in writing, duly authorized and signed by the County and Municipality. All notices, statements or other documents required by this Agreement shall be hand-delivered or mailed to the County Contact or Municipal Contact.

15. Governing Law.

This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey.

16. No Assignment.

This Agreement may not be assigned by either party without the written consent of the other. Under no circumstances shall the Municipality grant custody of the Equipment to any third party without the express written consent of the County.

17. No Third-Party Beneficiaries.

This Agreement shall inure to the benefit of the Parties hereto and their successors and permitted assignees. No other person, corporation, company, partnership or other entity shall be deemed a third party or other beneficiary of this Agreement.

18. Counterparts and Electronic Delivery and Signatures.

This Agreement and any amendments or addenda hereto, or any other document necessary for the consummation of the transaction(s) contemplated, administered or controlled by this Agreement ("Agreement Documents"), may be executed and delivered in any number of counterparts, each of which so executed and delivered shall be deemed to be an original and all of which shall constitute one and the same instrument. Any Agreement Document, to the extent delivered by means of a facsimile machine, electronic mail, or other electronic means, shall be treated in all manner and respects as an original agreement or instrument, and shall be considered to have the same binding legal effect as if it were the original signed version thereof delivered in person or via mail. The Parties agree that Agreement Documents may be accepted, executed, or agreed to through the use of an electronic signature in accordance with the Uniform Electronic Transaction Act, N.J.S.A. 12A12-1, et seq. and any associated regulations. Any Agreement Document accepted, executed or agreed to in conformity with such laws will be binding on all Parties the same as if it were physically executed, and all Parties hereby consent to the use of any third-party electronic signature capture service providers as may be chosen by the County.

19. Entire Agreement.

This Agreement sets forth the entire understanding of the parties hereto with respect to the transactions contemplated herein. No change or modification of this Agreement shall be valid unless the same shall be in writing and signed by all the parties hereto.

20. Severability.

If any clause, sentence, paragraph, section or part of this Agreement shall be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof, directly involved in the controversy in which such judgment shall have been rendered.

21. Title and Headings.

Titles and headings to sections or paragraphs herein are inserted merely for convenience of reference and are not intended to be a part of or to affect the meaning or interpretation of this Agreement.

22. Recitals.

The recitals set forth above are incorporated into the body of this Agreement as if set forth at length herein.

23. Effective Date.

This Agreement shall become effective upon passage of authorizing Resolutions by the Municipality and the County as required by the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., and execution hereof by both the County Executive and the Authorized official of the Municipality.

[Signature Page to Follow]

IN WITNESS WHEREOF, the parties have executed this Shared Services Agreement for THE SHARING OF COUNTY-OWNED EMERGENCY AND NON-EMERGENCY EQUIPMENT ("Agreement"), and agree to be bound to the terms thereof, as of the Effective Date.

ATTEST:

COUNTY OF BERGEN

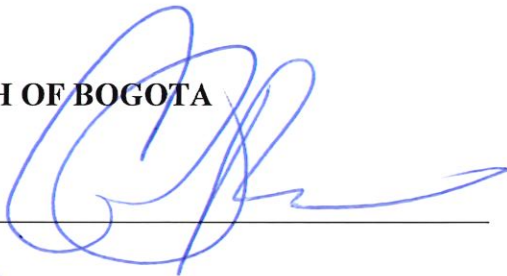
By: _____
James J. Tedesco, III, County Executive or
Thomas J. Duch, Esq., County Counsel/
County Administrator

Dated: _____

ATTEST:

BOROUGH OF BOGOTA



By:  _____

Dated: 3/11/26

Printed: Conall O'Malley

Title: Borough Administrator

IN WITNESS WHEREOF, the parties have executed this Shared Services Agreement for THE SHARING OF COUNTY-OWNED EMERGENCY AND NON-EMERGENCY EQUIPMENT ("Agreement"), and agree to be bound to the terms thereof, as of the Effective Date.

ATTEST:

Veronica Pelc

Dated: 03/11/2026

COUNTY OF BERGEN

By: Thomas J. Duch
James J. Tedesco, III, County Executive or
Thomas J. Duch, Esq., County Counsel/
County Administrator

ATTEST:

AB

Dated: 3/11/26

BOROUGH OF BOGOTA

By: [Signature]

Printed: Conall O'Malley

Title: Borough Administrator



COUNTY OF BERGEN

ONE BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

Certified Copy

Resolution: 277-26

Agenda: 3/4/2026

Public Safety/ Office of Emergency Management

Meeting Date: 3/4/2026

**Purpose: Purpose: Authorize Shared Services Agreement for the Sharing of County-Owned
Emergency and Non-Emergency Equipment with the Borough of Bogota**

Prepared By: RAP

**Sponsored by County Commissioner Thomas J. Sullivan , seconded by the Body as the Whole that this
Resolution be passed and passed by the following vote:**

Yes: 7 - Chairman Tanelli, Vice Chairwoman Silna Zur, Chair Pro Tempore Voss, County
Commissioner Amoroso, County Commissioner Marte, County Commissioner Ortiz,
and County Commissioner Sullivan

**I, Lara Pollitt, Clerk, Board of County Commissioners , certify that this is a true copy of Resolution No.
277-26, passed by the BOARD OF COUNTY COMMISSIONERS on 3/4/2026.**

Lara Pollitt

Attest: _____



COUNTY OF BERGEN

ONE BERGEN COUNTY PLAZA
HACKENSACK, NJ 07601

Certified Copy

Resolution: 277-26

Agenda: 3/4/2026

**BERGEN COUNTY
BOARD OF COUNTY COMMISSIONERS
RESOLUTION**

WHEREAS, the County of Bergen owns certain vehicles and equipment (the "Equipment") that it could make available to the local units within Bergen County, subject to the operational needs of the County; and

WHEREAS, due to emergencies, mechanical breakdown or budgetary restrictions, the need arises occasionally for which the local units do not possess the required equipment; and

WHEREAS, there is often insufficient time to execute formal agreements to enable the sharing of Equipment under such circumstances; and

WHEREAS, by entering into written agreements governing the terms for sharing of County-owned Equipment in advance of the actual need, the County will be able to facilitate the prompt availability of such Equipment at such time as the local units have a need to utilize same; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) promotes the broad use of shared services as a technique to reduce local expenses funded by property taxpayers; and

WHEREAS, County Counsel has prepared a form of Shared Services Agreement "FOR THE SHARING OF COUNTY-OWNED EMERGENCY AND NON-EMERGENCY EQUIPMENT" ("Shared Services Agreement"), a copy of which is annexed to this Resolution; and

WHEREAS, the Shared Services Agreement sets forth the terms under which the County will, subject to availability and the County's operational needs, loan Equipment to municipalities for short-term use; and

WHEREAS, by Resolution No. 346-17, the Board of County Commissioners approved the terms of the Shared Services Agreement; and

WHEREAS, the Borough of Bogota ("Municipality" or "Local Unit") may have need of equipment it does not possess; and

WHEREAS, the Municipality has agreed to the terms of the Shared Services Agreement by adoption

of Borough of Bogota Resolution No. 2026-72, dated February 5, 2026,
a copy of which is annexed hereto.

NOW, THEREFORE, BE IT RESOLVED by the Bergen County Board of County
Commissioners as follows:

1. The recitals set forth above are incorporated into the body of this resolution as if set forth at length herein.
2. The Bergen County Board of County Commissioners hereby agree to the terms of the Shared Services Agreement annexed hereto.
3. The County Executive or his designee is hereby authorized to execute the aforesaid Shared Services Agreement and any other related documents necessary to effectuate the intent and purpose of the Shared Services Agreement in a form to be approved by County Counsel.
4. Pursuant to N.J.S.A. 40A:65-4, upon execution, a copy of the Shared Services Agreement and Adopted Resolution shall be filed with the Division of Local Government Services of the State of New Jersey.

**DATE: 02-05-26**

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
L. Kohles			✓				
C. Carpenter	✓		✓				
W. Hordern					✓		
P. McHale		✓	✓				
J. Mitchell			✓				
D. Vergara			✓				
Mayor D. Fede (Tie Vote Only)							

**APPROVE PAMELA DIRR AS A PROBATIONARY MEMBER OF THE BOGOTA
FIRE DEPARTMENT ENGINE HOSE 2**

WHEREAS, the Bogota Fire Department seeks to maintain a team of qualified and dedicated members to serve the community; and

WHEREAS, Pamela Dirr has submitted an application for membership and has met the necessary qualifications and requirements as determined by the Department; and

WHEREAS, the Bogota Fire Department and Mayor and Council have reviewed the application and recommend approval of Pamela Dirr as a member of the Bogota Fire Department Engine Hose 2.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bogota, County of Bergen, State of New Jersey, that Pamela Dirr is hereby approved as a member of the Bogota Fire Department Engine Hose 2, effective immediately.

BE IT FURTHER RESOLVED, that a copy of this resolution be provided to the Chief of the Bogota Fire Department, Pamela Dirr and filed in the official records of the Borough of Bogota.

CERTIFICATION

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough of Bogota, Bergen County, New Jersey at a meeting held on 02-05-26.

Melissa Baque, Deputy Clerk

**RESOLUTION # 2026-74C****DATE: 02-05-26**

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
L. Kohles			✓				
C. Carpenter	✓		✓				
W. Hordern			✓				
P. McHale		✓	✓				
J. Mitchell			✓				
D. Vergara			✓				
Mayor D. Fede (Tie Vote Only)							

CLOSED SESSION**AUTHORIZING MEETING NOT OPEN TO THE PUBLIC, PURSUANT TO NJSA 10:4-12**

WHEREAS, The Open Public Meetings Act, NJSA 10:4-12, provides that an executive session, not open to the public, may be lawfully held by a public body in certain circumstances when authorized by a resolution; and

WHEREAS, the Mayor and Council find that it is necessary for the Mayor and Council to discuss, in a session, not open to the public, certain matters related to the item or items authorized by NJSA 10:4-12(b) and designated below as follows:

- ☐ Matters, which, by express provisions of a federal law or state statute or rule of court shall be rendered confidential
- ☐ Matters in which the release of information would impair a right to receive funds from the Government of the United States
- ☐ Matters which, if disclosed, would constitute an unwarranted invasion of Privacy, as further defined by NJSA 10:4-12(b) (3)
- ☐ Collective bargaining agreements or negotiations therefore with public employees and/or their representatives
- ☐ Matters involving the purchase, lease, or acquisition of real property with public funds, the setting of banking rates, or the investment of public funds, where the setting of banking rates or the investment of public funds, where the disclosure could adversely affect the public interest, if the discussion were disclosed
- ☐ Tactics or techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection, and any investigation of violations or possible violations of the law
- ☒ Pending or anticipated litigation or contract negotiations in which the Borough is or may become a party
- ☒ Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation, promotion, or disciplinary action of any specific current or prospective public employee(s), unless all the individual(s) affected request(s) in writing that the matters be discussed at a public meeting



RESOLUTION # 2026-74C

DATE: 02-05-26

- ☐ Deliberations of a public body occurring after public hearing that may result in the imposition of a specific civil penalty or the suspension or loss of a license or permit or party as a result of the actions or missions of the party.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of Bogota that an executive session, not open to the public shall be held to discuss matters of topic(s) referred to above as permitted by law and the matters so discussed will be disclosed to the public as soon as possible and to the extent that such disclosure can be made without adversely affecting the public interest or without violation of the confidentiality of personnel. A copy of this resolution will be kept on file in the Borough Clerk's office and is available for public inspection during regular business hours.

CERTIFICATION

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council at a meeting held on 02-05-26.

Melissa Baque, Deputy Clerk

**RESOLUTION # 2026-75****DATE: 02-05-26**

COUNCIL	MOTION	SECOND	YES	NO	RECUSE	ABSTAIN	ABSENT
L. Kohles			✓				
C. Carpenter	✓		✓				
W. Hordern		✓	✓				
P. McHale			✓				
J. Mitchell			✓				
D. Vergara			✓				
Mayor D. Fede (Tie Vote Only)							

OFFER OF EMPLOYMENT – BOROUGH CLERK – SCOTT M. DEVLIN

WHEREAS, the Borough of Bogota is required to have a municipal clerk, pursuant to the provisions of N.J.S.A. 40A:9-133 ; and,

WHEREAS, the Borough has conducted a thorough search to fill this position, which became vacant as of January 17, 2026; and,

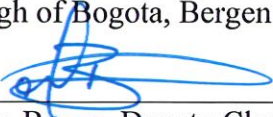
WHEREAS, after a comprehensive evaluation of several candidates, which included interviews, the Mayor and Council have determined that Scott M. Devlin is highly qualified for the position and possesses the skills, qualifications and licensure necessary to perform the duties and responsibilities of Borough Clerk; and,

WHEREAS, the Mayor and Council believe that Mr. Devlin is the ideal candidate to contribute to the success of the Borough of Bogota.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bogota, that the Borough Administrator is hereby authorized and directed to convey an offer an employment to Scott M. Devlin for the position of full-time Borough Clerk for the Borough of Bogota, in accordance with the terms set forth in the Borough's employee manual, Borough Code and salary ordinance.

CERTIFICATION

I, Melissa Baque, Deputy Clerk of the Borough of Bogota, Bergen County, New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Borough of Bogota, Bergen County, New Jersey at a meeting held on 02-05-26.



Melissa Baque, Deputy Clerk

R E S O L U T I O N

COUNCIL	YES	NO	RE- CUSE	AB- SENT
W. HORDERN				
P. MCHALE				
J. MITCHELL				
C. CARPENTER				
L. KOHLES				
D.VERGARA				
MAYOR (Tie Vote Only) D.FEDE				

SEE BELOW



Meeting: 02-05-26
PC26-02 Payment of Claims

DATE February 04, 26

MOTION Mitchell

SECOND Carpenter

Carried ☒ Defeated ☐ Tabled ☐

WHEREAS, as required by NJSA 40A:4-57 and any other applicable requirements, the Chief Financial Officer of the Borough of Bogota has certified there are sufficient funds available in the appropriations of the municipal budget line items to make payment too claimants per the payment of claims;

BE IT RESOLVED that the Mayor and Council of the Borough of Bogota authorizes payment in the aggregate amounts of:

<u>Fund</u>	<u>Amount</u>
Total fund 01 CURRENT FUND	1,667,241.27
Total fund 04 General Capital Fund	448,342.79
Total fund 13 Recreation Trust Fund	2,645.74
Total fund 14 Trust Fund -	26,829.00
Total fund 17 PAYROLL	465.41
Total fund 19 COAH	3,936.25
GRAND TOTAL:	2,149,460.46

Motion: Councilman Mitchell made a motion to approve PC26-02. Seconded by Councilmember Carpenter. Council President Kohles recused herself on any items related to the DPW or Superintendent Kohles, and voted yes on the remainder of items. Councilman Hordern recused himself on any items related to the Bogota Fire Department and voted yes on the remainder of items. Council members Carpenter, McHale, Mitchell, and Vergara voted yes.

Bills List**BOROUGH OF BOGOTA**

02/04/26 09:24:33 AM

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
01-1604-	-	-	I/F - General Capital Fund I/F - General Capital Fund		
260082	01/15/26	BOROUGH OF BOGOTA	INTERFUND TRANSFER	750,000.00	01/15/26
Total for		I/F - General Capital Fund I/F - General		750,000.00	
Department Total:		I/F - General Capital Fund I/F - General		750,000.00	
01-1698-	-	-	DUE TO/FROM BANK DUE TO/FROM BANK		
260078	01/14/26	BOROUGH OF LITTLE	INV# 2025-38; COURT SERVICES	23,568.75	01/15/26
260080	01/14/26	DE LAGE LANDEN	NOVEMBER '25 FIREHOUSE	95.00	01/15/26
260077	01/14/26	HARDWOOD TREE SERVICE	INV# 37797; PRUNED TREES	875.00	01/15/26
260079	01/14/26	JOSEPH DIMAURO JR.	CLOTHING ALLOW/STIPEND FOR	1,424.45	01/15/26
260076	01/14/26	KENNETH GUIDA	CLOTHING ALLOW/STIPEND RADIO	1,350.00	01/15/26
Total for		DUE TO/FROM BANK DUE TO/FROM BANK		27,313.20	
Department Total:		DUE TO/FROM BANK DUE TO/FROM BANK		27,313.20	
01-2010-20-1001-000			Appropriation Control General Administration - S&W		
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	5,208.33	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	5,208.33	01/29/26
Total for		Appropriation Control General Administration -		10,416.66	
Department Total:		Appropriation Control General Administration -		10,416.66	
01-2010-20-1002-001			Appropriation Control General Administration - O/E Water		
260110	01/27/26	AQUA CHILL PARSIPPANY	INV# 106891; JANUARY '26	154.00	02/03/26
Total for		Appropriation Control General Administration -		154.00	
01-2010-20-1002-002			Appropriation Control General Administration - O/E		
260179	02/03/26	DANIELE FEDE	REIMBURSEMENT; HOTEL FOR	682.88	02/03/26
260058	01/14/26	NJLM	REC DIRECTOR - FT- JOB AD	160.00	02/03/26
260059	01/14/26	NJLM	MUNICIPAL CLERK - FT- JOB AD	115.00	02/03/26
Total for		Appropriation Control General Administration -		957.88	
Department Total:		Appropriation Control General Administration -		1,111.88	
01-2010-20-1101-000			Appropriation Control Mayor & Council - S&W Salary &		
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	1,541.65	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	1,541.65	01/29/26
Total for		Appropriation Control Mayor & Council - S&W		3,083.30	
Department Total:		Appropriation Control Mayor & Council - S&W		3,083.30	
01-2010-20-1102-000			Appropriation Control Mayor & Council - O/E Other		
260182	02/03/26	B.C. LEAGUE OF	2026 ANNUAL DUES	150.00	02/03/26
Total for		Appropriation Control Mayor & Council - O/E		150.00	
Department Total:		Appropriation Control Mayor & Council - O/E		150.00	
01-2010-20-1201-000			Appropriation Control Municipal Clerk - S&W Salary &		
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	17,822.88	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	3,933.98	01/29/26
Total for		Appropriation Control Municipal Clerk - S&W		21,756.86	
Department Total:		Appropriation Control Municipal Clerk - S&W		21,756.86	
01-2010-20-1202-000			Appropriation Control Municipal Clerk - O/E Other		
260088	01/20/26	GENERAL CODE	INV# PG00004496; CD	3,320.00	02/03/26

Bills List**BOROUGH OF BOGOTA**

02/04/26 09:24:33 AM

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
260173	02/03/26	LAURA CASTELLANO	CLERK HELP	318.75	02/03/26
Total for		Appropriation Control Municipal Clerk - O/E		3,638.75	
Department Total:		Appropriation Control Municipal Clerk - O/E		3,638.75	
01-2010-20-1301-000 Appropriation Control Financial Administration - S&W					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	941.55	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	993.26	01/29/26
Total for		Appropriation Control Financial Administration		1,934.81	
Department Total:		Appropriation Control Financial Administration		1,934.81	
01-2010-20-1302-000 Appropriation Control Financial Administration - O/E					
260112	01/27/26	BATTAGLIA ASSOCIATES, INV# BO-2026-01; JAN '26		12,625.00	02/03/26
260185	02/03/26	INSTITUTE FOR	2426; ETHICS WEBINAR	-50.00	02/03/26
260185	02/03/26	INSTITUTE FOR	2426; ETHICS WEBINAR	0.00	02/03/26
260185	02/03/26	INSTITUTE FOR	2426; ETHICS WEBINAR	50.00	02/03/26
260185	02/03/26	INSTITUTE FOR	2426; ETHICS WEBINAR	50.00	02/03/26
Total for		Appropriation Control Financial Administration		12,675.00	
01-2010-20-1302-002 Appropriation Control Financial Administration - O/E					
260113	01/27/26	ACTION DATA SERVICES	DEMAND DEBIT - 01/27/2026	576.88	01/27/26
Total for		Appropriation Control Financial Administration		576.88	
Department Total:		Appropriation Control Financial Administration		13,251.88	
01-2010-20-1402-001 Appropriation Control Data Processing - O/E					
260155	02/02/26	T&G INDUSTRIES INC.	595559004; COPY/PRINTER	594.74	02/02/26
260086	01/20/26	TRI-STATE TECHNICAL	INV# 20731; PD & BORO EMAIL	1,469.55	02/03/26
Total for		Appropriation Control Data Processing - O/E		2,064.29	
Department Total:		Appropriation Control Data Processing - O/E		2,064.29	
01-2010-20-1451-000 Appropriation Control Revenue Administration - S&W					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	479.66	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	506.09	01/29/26
Total for		Appropriation Control Revenue Administration -		985.75	
Department Total:		Appropriation Control Revenue Administration -		985.75	
01-2010-20-1452-000 Appropriation Control Revenue Administration - O/E Other					
260112	01/27/26	BATTAGLIA ASSOCIATES, INV# BO-2026-01; JAN '26		8,160.00	02/03/26
Total for		Appropriation Control Revenue Administration -		8,160.00	
Department Total:		Appropriation Control Revenue Administration -		8,160.00	
01-2010-20-1501-000 Appropriation Control Tax Assessment - S&W Salary &					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	766.66	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	808.72	01/29/26
Total for		Appropriation Control Tax Assessment - S&W		1,575.38	
Department Total:		Appropriation Control Tax Assessment - S&W		1,575.38	
01-2010-20-1502-000 Appropriation Control Tax Assessment - O/E Other					
260090	01/20/26	BRT TECHNOLOGIES, LLC INV# 5301; PRC POWERPAD		445.58	02/03/26
260024	01/13/26	MICROSYSTEMS-NJ.com, INV# 18207; TAX ASSESSMENT		1,900.21	02/03/26
Total for		Appropriation Control Tax Assessment - O/E		2,345.79	

Bills List**BOROUGH OF BOGOTA**

02/04/26 09:24:33 AM

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
Department Total:		<u>Appropriation Control Tax Assessment - O/E</u>		<u>2,345.79</u>	
01-2010-20-1552-001 Appropriation Control Legal Services - O/E Retainer -					
260083	01/20/26	BOGGIA & BOGGIA, LLC	FEBRUARY 2026 RETAINER	7,500.00	02/03/26
260083	01/20/26	BOGGIA & BOGGIA, LLC	JANUARY 2026 RETAINER	7,500.00	02/03/26
Total for		<u>Appropriation Control Legal Services - O/E</u>		<u>15,000.00</u>	
Department Total:		<u>Appropriation Control Legal Services - O/E</u>		<u>15,000.00</u>	
01-2010-21-1801-000 Appropriation Control Planning/Zoning Board - S&W					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	175.96	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	185.60	01/29/26
Total for		<u>Appropriation Control Planning/Zoning Board -</u>		<u>361.56</u>	
Department Total:		<u>Appropriation Control Planning/Zoning Board -</u>		<u>361.56</u>	
01-2010-21-1802-001 Appropriation Control Planning/Zoning Board - O/E					
260074	01/15/26	NEW JERSEY PLANNING	2026 ANNUAL DUES	425.00	02/03/26
Total for		<u>Appropriation Control Planning/Zoning Board -</u>		<u>425.00</u>	
Department Total:		<u>Appropriation Control Planning/Zoning Board -</u>		<u>425.00</u>	
01-2010-22-1951-000 Appropriation Control Construction Code - S&W Salary &					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	6,852.32	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	6,875.53	01/29/26
Total for		<u>Appropriation Control Construction Code - S&W</u>		<u>13,727.85</u>	
Department Total:		<u>Appropriation Control Construction Code - S&W</u>		<u>13,727.85</u>	
01-2010-22-2001-000 Appropriation Control Property Maintenance - S&W Salary					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	1,843.38	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	1,906.62	01/29/26
Total for		<u>Appropriation Control Property Maintenance -</u>		<u>3,750.00</u>	
Department Total:		<u>Appropriation Control Property Maintenance -</u>		<u>3,750.00</u>	
01-2010-23-2202-003 Appropriation Control Group Insurance - O/E Dental					
260010	01/13/26	DELTA DENTAL PLAN OF	EMPLOYEE DENTAL COVERAGE	5,160.64	01/16/26
Total for		<u>Appropriation Control Group Insurance - O/E</u>		<u>5,160.64</u>	
01-2010-23-2202-004 Appropriation Control Group Insurance - O/E Life/AD&D					
260102	01/22/26	RELIANCE STANDARD LIFE	JANUARY 2026 EMPLOYEE	339.94	01/22/26
Total for		<u>Appropriation Control Group Insurance - O/E</u>		<u>339.94</u>	
01-2010-23-2202-092 Appropriation Control Group Insurance - O/E Medical					
260178	02/03/26	SHBP - STATE PENSIONS	EE HEALTH BENEFITS FEBRUARY	127,174.38	02/03/26
Total for		<u>Appropriation Control Group Insurance - O/E</u>		<u>127,174.38</u>	
Department Total:		<u>Appropriation Control Group Insurance - O/E</u>		<u>132,674.96</u>	
01-2010-23-2210-000 Appropriation Control Group Health Waiver					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	1,041.65	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	1,041.65	01/29/26
Total for		<u>Appropriation Control Group Health Waiver</u>		<u>2,083.30</u>	
Department Total:		<u>Appropriation Control Group Health Waiver</u>		<u>2,083.30</u>	
01-2010-25-2401-000 Appropriation Control Police - S&W Regular					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	92,254.82	01/14/26

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260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	92,296.49	01/29/26
Total for		Appropriation Control Police - S&W Regular		184,551.31	
01-2010-25-2401-002 Appropriation Control Police - S&W Overtime					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	14,466.36	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	12,365.98	01/29/26
Total for		Appropriation Control Police - S&W Overtime		26,832.34	
01-2010-25-2401-003 Appropriation Control Police - S&W Comp Time Payouts					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	12,550.12	01/14/26
Total for		Appropriation Control Police - S&W Comp Time		12,550.12	
Department Total:		Appropriation Control Police - S&W		223,933.77	
01-2010-25-2402-002 Appropriation Control Police - O/E Equipment Maintenance					
260067	01/14/26	LEXIPOL, LLC	INV# LHI11257091; POLICY	6,541.50	02/03/26
Total for		Appropriation Control Police - O/E Equipment		6,541.50	
01-2010-25-2402-003 Appropriation Control Police - O/E Office Supplies					
260133	01/30/26	AMAZON.COM SERVICES, INC.	INV# 1WQ1-KCYY-D3G4 &	263.13	02/03/26
Total for		Appropriation Control Police - O/E Office		263.13	
01-2010-25-2402-007 Appropriation Control Police - O/E Vehicle Maintenance					
260069	01/14/26	NJMVC	ACCT# OL027200; YEARLY	150.00	02/03/26
Total for		Appropriation Control Police - O/E Vehicle		150.00	
01-2010-25-2402-008 Appropriation Control Police - O/E Special Services					
260093	01/21/26	HOLY NAME MEDICAL	INV# BPD01162026; CPR RECERT	152.00	02/03/26
260094	01/21/26	HOLY NAME MEDICAL	INV# BPD01152026; CPR	111.95	02/03/26
260115	01/27/26	POLIFLY TOWING, INC.	27789; IMPOUND OF EMPLOYEE	225.00	02/03/26
Total for		Appropriation Control Police - O/E Special		488.95	
01-2010-25-2402-009 Appropriation Control Police - O/E Crossing Guards					
260084	01/20/26	CROSSING GUARD	1870 & 1871; CROSSING GUARD	6,532.15	02/03/26
Total for		Appropriation Control Police - O/E Crossing		6,532.15	
Department Total:		Appropriation Control Police - O/E		13,975.73	
01-2010-25-2501-000 Appropriation Control Police Dispatching/911 - S&W					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	9,032.00	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	9,060.32	01/29/26
Total for		Appropriation Control Police Dispatching/911 -		18,092.32	
Department Total:		Appropriation Control Police Dispatching/911 -		18,092.32	
01-2010-25-2552-001 Appropriation Control Fire - O/E Other Expenses					
260065	01/14/26	ALEX BREUSS	REIMBURSEMENT;	281.30	02/03/26
260087	01/20/26	ALEX BREUSS	REIMBURSEMENT; EPASS HOSE	167.23	02/03/26
260098	01/21/26	ALEX BREUSS	REIMBURSEMENT; 2026 CALLS	124.75	02/03/26
260126	01/30/26	ALEX BREUSS	REIMBURSEMENT; TRU FUEL FOR	47.94	02/03/26
260064	01/14/26	PENGUIN MANAGEMENT, INC.	INV# 85464; YEARLY CONTRACT	2,604.00	02/03/26
260063	01/14/26	TOM'S SERVICE CENTER	INV# 22257; CAR 2	629.71	02/03/26
260128	01/30/26	TOM'S SERVICE CENTER	INV# 22159; CAR 3	776.46	02/03/26
Total for		Appropriation Control Fire - O/E Other		4,631.39	
Department Total:		Appropriation Control Fire - O/E		4,631.39	

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01-2010-25-2651-000 Appropriation Control Uniform Fire Safety - S&W Salary &					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	4,200.10	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	4,959.05	01/29/26
Total for				9,159.15	
Department Total:				9,159.15	
01-2010-25-2652-001 Appropriation Control Uniform Fire Safety - O/E Other					
260124	01/30/26	TOM'S SERVICE CENTER	INV# 22209; WORK ON FP	595.58	02/03/26
Total for				595.58	
Department Total:				595.58	
01-2010-26-2901-000 Appropriation Control DPW - S&W Regular					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	34,862.43	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	37,202.18	01/29/26
Total for				72,064.61	
01-2010-26-2901-002 Appropriation Control DPW - S&W Overtime					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	11,202.88	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	25,344.91	01/29/26
Total for				36,547.79	
Department Total:				108,612.40	
01-2010-26-2902-001 Appropriation Control DPW - O/E Snow Removal					
260045	01/14/26	ATLANTIC SALT INC	INV# 105493; TONS OF ROAD	3,965.59	02/03/26
260092	01/21/26	ATLANTIC SALT INC	INV# 106460; TONS OF ROAD	10,214.96	02/03/26
260163	02/02/26	CLIFFSIDE BODY CORP.	INV# S107322 & 107558; PLOW	510.95	02/03/26
Total for				14,691.50	
01-2010-26-2902-002 Appropriation Control DPW - O/E Miscellaneous					
260044	01/14/26	HOME DEPOT CREDIT	INV# 008421/8022390,	483.09	02/03/26
Total for				483.09	
01-2010-26-2902-003 Appropriation Control DPW - O/E Vehicle Repairs &					
260159	02/02/26	46 TRUCK REPAIR INC.	INV# 000062872 & 000062886	5,504.95	02/03/26
260165	02/02/26	NICHOLAS MAURIN	INV# 1260128285; RPR WIRES	310.28	02/03/26
260166	02/02/26	NICHOLAS MAURIN	INV# 1260129287; NEW RADIO	422.84	02/03/26
260052	01/14/26	UNITED MOTOR PARTS	INV# 2756555, 2756556,	412.19	02/03/26
260164	02/02/26	UNITED MOTOR PARTS	INV# 2761804; FUEL CAP &	85.63	02/03/26
Total for				6,735.89	
01-2010-26-2902-005 Appropriation Control DPW - O/E Dues & Subscriptions					
260039	01/14/26	PWANJ	2026 DUES TO PWANJ	75.00	02/03/26
Total for				75.00	
01-2010-26-2902-007 Appropriation Control DPW - O/E Office Supplies					
260167	02/02/26	COSTCO BUSINESS CENTERS	SUPPLIES FOR DPW	322.74	02/03/26
260040	01/14/26	DIAMOND ROCK SPRING	INV# 330495; 5 GALLONS WATER	45.00	02/03/26
260046	01/14/26	DIAMOND ROCK SPRING	INV# 329355; COFFEE FOR DPW	31.00	02/03/26
260169	02/02/26	DIAMOND ROCK SPRING	INV# 331912; COFFEE FOR DPW	15.50	02/03/26
260122	01/30/26	STAPLES ADVANTAGE	INV# 3524156215; ATTENDANCE	78.29	02/03/26
Total for				492.53	

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01-2010-26-2902-008 Appropriation Control DPW - O/E Tools & Equipment					
260023	01/13/26	GOOSETOWN	INV# 180256; RADIO CONTRACT	69.98	02/03/26
Total for				69.98	
01-2010-26-2902-009 Appropriation Control DPW - O/E Education/Training					
260081	01/14/26	RUTGERS N.J. STATE	CPWM CLASSES, P GRECO SPRING	2,279.00	02/03/26
Total for				2,279.00	
Department Total:				24,826.99	
01-2010-26-3001-000 Appropriation Control Shade Tree - S&W Salary & Wages					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	169.96	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	159.43	01/29/26
Total for				329.39	
Department Total:				329.39	
01-2010-26-3102-003 Appropriation Control Buildings & Grounds - O/E Other					
260150	02/02/26	CARRATURA CONSTRUCTION	INV# 3914; MANHOLE @ OAKWOOD	2,800.00	02/03/26
260103	01/23/26	COOPER PEST SOLUTIONS	INV# 2320532 & 2320531; GEN	121.92	02/03/26
260037	01/13/26	DELAWARE OSTEGO	0069220-IN; ANNUAL FEE FOR	100.00	02/03/26
260170	02/02/26	HOME DEPOT CREDIT	INV# 013448/3023179,	427.39	02/03/26
260051	01/14/26	JERSEY ELEVATOR CO,	INV# 463146-Z5N8; FULL 8 HR	185.28	02/03/26
260041	01/14/26	MAIN LOCK SHOP	INV# 0199892-IN; CHNG RESCUE	843.50	02/03/26
260160	02/02/26	QUALITY COOLING CORP	INV#	4,020.00	02/03/26
260123	01/30/26	THIS AND THAT HARDWARE	INV# 2601-056028,	1,992.35	02/03/26
260171	02/02/26	THIS AND THAT HARDWARE	INV# 2601-058366; SUPPLIES	45.98	02/03/26
260097	01/21/26	VERIZON	ACCOUNT #	1.76	01/21/26
Total for				10,538.18	
Department Total:				10,538.18	
01-2010-27-3302-002 Appropriation Control Board of Health - O/E Other					
260056	01/14/26	LITHOTONE CO.	INV# 1608 & 1609	1,276.47	02/03/26
260055	01/14/26	NEW JERSEY REGISTRAR'S	MEMBERSHIP RENEWAL	25.00	02/03/26
Total for				1,301.47	
Department Total:				1,301.47	
01-2010-27-3650-001 Appropriation Control Seniors - S&W Salaries & Wages					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	1,450.00	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	1,400.00	01/29/26
Total for				2,850.00	
Department Total:				2,850.00	
01-2010-27-3651-002 Appropriation Control Seniors - O/E Miscellaneous					
260140	02/02/26	AGETINA GEGA, LLC	PIZZA FOR SR MEETING	343.00	02/03/26
260062	01/14/26	INSERRA SUPERMARKETS	LUNCH FOR SENIOR MEETING	79.96	02/03/26
Total for				422.96	
Department Total:				422.96	
01-2010-28-3701-000 Appropriation Control Recreation Services - S&W Regular					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	5,532.84	01/14/26

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Total for		Appropriation Control Recreation Services -		5,532.84	
01-2010-28-3701-002 Appropriation Control Recreation Services - S&W					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	1,916.00	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	3,712.00	01/29/26
Total for		Appropriation Control Recreation Services -		5,628.00	
Department Total:		Appropriation Control Recreation Services -		11,160.84	
01-2010-28-3702-001 Appropriation Control Recreation Services - O/E Other					
260103	01/23/26	COOPER PEST SOLUTIONS INV# 2320532 & 2320531; GEN		58.41	02/03/26
Total for		Appropriation Control Recreation Services -		58.41	
Department Total:		Appropriation Control Recreation Services -		58.41	
01-2010-29-3901-000 Appropriation Control Free Public Library - 1/3 mil S&W					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	12,351.50	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	10,885.07	01/29/26
Total for		Appropriation Control Free Public Library -		23,236.57	
Department Total:		Appropriation Control Free Public Library -		23,236.57	
01-2010-31-4302-001 Appropriation Control Electricity #6504224218					
260176	02/03/26	PSE&G	JANUARY '26 GAS & ELECTRIC	22,548.99	02/03/26
Total for		Appropriation Control Electricity #6504224218		22,548.99	
Department Total:		Appropriation Control Electricity		22,548.99	
01-2010-31-4402-004 Appropriation Control Telephone Verizon - Main					
260156	02/02/26	VERIZON	ACCOUNT# 156-604-037-0001-07	299.00	02/03/26
Total for		Appropriation Control Telephone Verizon - Main		299.00	
01-2010-31-4402-006 Appropriation Control Telephone Internet - Verizon					
260154	02/02/26	VERIZON WIRELESS	ACCT#	1,679.24	02/03/26
Total for		Appropriation Control Telephone Internet -		1,679.24	
01-2010-31-4402-020 Appropriation Control Telephone CABLE TV & ISP - BORO					
260157	02/02/26	VERIZON	ACCOUNT# 558-020-786-0001-52	13.29	02/03/26
Total for		Appropriation Control Telephone CABLE TV & ISP		13.29	
01-2010-31-4402-025 Appropriation Control Telephone CABLEVISION - WEATHER					
260096	01/21/26	OPTIMUM	JANUARY 2026 CABLE/ISP	119.45	01/21/26
Total for		Appropriation Control Telephone CABLEVISION -		119.45	
Department Total:		Appropriation Control Telephone		2,110.98	
01-2010-32-4652-002 Appropriation Control Solid Waste Disposal Miscellaneous					
260105	01/23/26	ENVIRONMENTAL RENEWAL,INV# 341484; MIXED YARD		130.00	02/03/26
Total for		Appropriation Control Solid Waste Disposal		130.00	
Department Total:		Appropriation Control Solid Waste Disposal		130.00	
01-2010-36-4722-000 Appropriation Control Social Security System					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	10,948.71	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	11,189.00	01/29/26
Total for		Appropriation Control Social Security System		22,137.71	
Department Total:		Appropriation Control Social Security System		22,137.71	
01-2010-36-4730-000 Appropriation Control DCRP					

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260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	0.00	01/14/26
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	70.71	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	0.00	01/29/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	68.79	01/29/26
Total for		Appropriation Control DCRP		139.50	
Department Total:		Appropriation Control DCRP		139.50	
01-2010-42-1190-001 Appropriation Control Bogota BOE - SLEO S&W					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	8,093.88	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	11,096.01	01/29/26
Total for		Appropriation Control Bogota BOE - SLEO S&W		19,189.89	
Department Total:		Appropriation Control Bogota BOE - SLEO S&W		19,189.89	
01-2010-42-4901-000 Appropriation Control Municipal Court - S&W					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	1,455.58	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	1,535.63	01/29/26
Total for		Appropriation Control Municipal Court - S&W		2,991.21	
Department Total:		Appropriation Control Municipal Court - S&W		2,991.21	
01-2030-20-1202-000 APPROPRIATION RESERVES Municipal Clerk - O/E Other					
260109	01/23/26	BERGEN COUNTY	CLERK LUNCH CHECK FEE	20.00	02/03/26
260057	01/14/26	GANNETT MEDIA CORP	INV# 0007479420; VARIOUS	422.44	02/03/26
260089	01/20/26	TIGER LILY BY ENCKE	FLOWERS; RE-ORG/PASSINGS	937.00	02/03/26
Total for		APPROPRIATION RESERVES Municipal Clerk - O/E		1,379.44	
Department Total:		APPROPRIATION RESERVES Municipal Clerk - O/E		1,379.44	
01-2030-20-1402-001 APPROPRIATION RESERVES Data Processing - O/E					
260085	01/20/26	TRI-STATE TECHNICAL	INV# 20356; TECHNICAL	1,650.30	02/03/26
260152	02/02/26	TRI-STATE TECHNICAL	INV# 20763; IT SERVICES	906.05	02/03/26
Total for		APPROPRIATION RESERVES Data Processing - O/E		2,556.35	
01-2030-20-1402-002 APPROPRIATION RESERVES Data Processing - O/E Copy					
260114	01/27/26	T&G INDUSTRIES INC.	INV#4892764;CONTRACT OC	122.15	02/02/26
Total for		APPROPRIATION RESERVES Data Processing - O/E		122.15	
Department Total:		APPROPRIATION RESERVES Data Processing - O/E		2,678.50	
01-2030-20-1502-000 APPROPRIATION RESERVES Tax Assessment - O/E Other					
260151	02/02/26	ASSOCIATED APPRIASAL	INV# 5395; STATE TAX COURT	350.00	02/03/26
Total for		APPROPRIATION RESERVES Tax Assessment - O/E		350.00	
Department Total:		APPROPRIATION RESERVES Tax Assessment - O/E		350.00	
01-2030-20-1552-002 APPROPRIATION RESERVES Legal Services - O/E Other					
260111	01/27/26	BOGGIA & BOGGIA, LLC	PROF SRVCS RENDERED THRU	7,625.00	02/03/26
260012	01/13/26	TRENK, ISABEL, SIDDIQI	PROF SRVCS RENDERED THRU	810.98	02/03/26
Total for		APPROPRIATION RESERVES Legal Services - O/E		8,435.98	
Department Total:		APPROPRIATION RESERVES Legal Services - O/E		8,435.98	
01-2030-20-1652-000 APPROPRIATION RESERVES Engineering Services - O/E Other					
260183	02/03/26	NEGLIA ENGINEERING	PROF SRVCS RENDERED THRU	2,930.00	02/03/26
Total for		APPROPRIATION RESERVES Engineering Services -		2,930.00	

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Department Total:		APPROPRIATION RESERVES Engineering Services -		2,930.00	
01-2030-21-1802-003 APPROPRIATION RESERVES Planning/Zoning Board - O/E					
260057	01/14/26	GANNETT MEDIA CORP	INV# 0007479420; VARIOUS	44.96	02/03/26
Total for		APPROPRIATION RESERVES Planning/Zoning Board -		44.96	
Department Total:		APPROPRIATION RESERVES Planning/Zoning Board -		44.96	
01-2030-25-2402-002 APPROPRIATION RESERVES Police - O/E Equipment					
260068	01/14/26	COMPUTER SQUARE INC	INV# 01818; E TICKET	2,034.00	02/03/26
260067	01/14/26	LEXIPOL, LLC	INV# LHI11257091; POLICY	3,270.75	02/03/26
Total for		APPROPRIATION RESERVES Police - O/E Equipment		5,304.75	
01-2030-25-2402-003 APPROPRIATION RESERVES Police - O/E Office Supplies					
260070	01/14/26	AMAZON.COM SERVICES, VARIOUS INVOICES		1,504.34	02/03/26
Total for		APPROPRIATION RESERVES Police - O/E Office		1,504.34	
01-2030-25-2402-009 APPROPRIATION RESERVES Police - O/E Crossing Guards					
260084	01/20/26	CROSSING GUARD	1870 & 1871; CROSSING GUARD	4,254.07	02/03/26
Total for		APPROPRIATION RESERVES Police - O/E Crossing		4,254.07	
Department Total:		APPROPRIATION RESERVES Police - O/E		11,063.16	
01-2030-25-2552-001 APPROPRIATION RESERVES Fire - O/E Other Expenses					
260066	01/14/26	RAYMOND DWYER	PHOTOS FOR CHIEF'S PLAQUES	95.77	02/03/26
Total for		APPROPRIATION RESERVES Fire - O/E Other		95.77	
Department Total:		APPROPRIATION RESERVES Fire - O/E		95.77	
01-2030-25-2602-001 APPROPRIATION RESERVES Rescue Squad - O/E Other Expenses					
251260	08/27/25	HENDRICKSON FIRE &	EST. 13289; AIR DRYER SRCV &	1,970.73	02/03/26
260101	01/22/26	HENDRICKSON FIRE &	18846; CHASSIS INSPECTION &	1,032.00	02/03/26
Total for		APPROPRIATION RESERVES Rescue Squad - O/E		3,002.73	
Department Total:		APPROPRIATION RESERVES Rescue Squad - O/E		3,002.73	
01-2030-25-2652-002 APPROPRIATION RESERVES Uniform Fire Safety - O/E Fire					
260116	01/28/26	VEOLIA WATER NEW	DECEMBER-JANUARY WATER	0.00	01/28/26
260116	01/28/26	VEOLIA WATER NEW	DECEMBER-JANUARY WATER	6,698.95	01/28/26
Total for		APPROPRIATION RESERVES Uniform Fire Safety -		6,698.95	
Department Total:		APPROPRIATION RESERVES Uniform Fire Safety -		6,698.95	
01-2030-26-2902-001 APPROPRIATION RESERVES DPW - O/E Snow Removal					
260049	01/14/26	CLIFFSIDE BODY CORP.	INV# S107173, S107185; PLOW	489.40	02/03/26
Total for		APPROPRIATION RESERVES DPW - O/E Snow Removal		489.40	
01-2030-26-2902-003 APPROPRIATION RESERVES DPW - O/E Vehicle Repairs &					
251885	12/31/25	AUTOMOTIVE BRAKE	INV# 2754063; PLOW GUIDES	41.06	02/03/26
251887	12/31/25	SUPERIOR DISTRIBUTORS	INV# 253520012; DEF FLUID	346.87	02/03/26
Total for		APPROPRIATION RESERVES DPW - O/E Vehicle		387.93	
Department Total:		APPROPRIATION RESERVES DPW - O/E		877.33	
01-2030-26-3052-001 APPROPRIATION RESERVES Solid Waste Collection - O/E					
250047	01/16/25	SUBURBAN DISPOSAL INC	DECEMBER 2025 GARBAGE	48,333.33	02/03/26
Total for		APPROPRIATION RESERVES Solid Waste Collection		48,333.33	
Department Total:		APPROPRIATION RESERVES Solid Waste Collection		48,333.33	

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01-2030-26-3102-003 APPROPRIATION RESERVES Buildings & Grounds - O/E Other					
260043	01/14/26	MATERA'S NURSERY	INV# 384215, 386125, 384238;	289.65	02/03/26
260120	01/30/26	MATERA'S NURSERY	INV# 9386497; REPAIR ON	245.95	02/03/26
260047	01/14/26	THIS AND THAT HARDWARE	INV# 2512-054856; MOUNTING	7.99	02/03/26
260162	02/02/26	TRAFFIC SAFETY &	INV# 247331; MAPLEWOOD &	1,093.00	02/03/26
Total for				1,636.59	
Department Total:				1,636.59	
01-2030-27-3302-002 APPROPRIATION RESERVES Board of Health - O/E Other					
260057	01/14/26	GANNETT MEDIA CORP	INV# 0007479420; VARIOUS	44.96	02/03/26
251852	12/18/25	STAPLES ADVANTAGE	INV# 6049943324; PAPER	15.39	02/03/26
260129	01/30/26	TREASURER, STATE OF NJ	OCT-DEC 2025 MARRIAGE LIC	0.00	02/03/26
260129	01/30/26	TREASURER, STATE OF NJ	OCT-DEC 2025 MARRIAGE LIC	375.00	02/03/26
Total for				435.35	
Department Total:				435.35	
01-2030-28-3702-001 APPROPRIATION RESERVES Recreation Services - O/E Other					
260061	01/14/26	DAVID ZUIDEMA INC.	INV# 309700; PORTA POTTIES	475.00	02/03/26
Total for				475.00	
Department Total:				475.00	
01-2030-31-4302-001 APPROPRIATION RESERVES Electricity #6504224218					
260153	02/02/26	WOODRUFF ENERGY	DECEMBER-JANUARY NATURAL GAS	1,401.71	02/03/26
Total for				1,401.71	
Department Total:				1,401.71	
01-2030-31-4452-000 APPROPRIATION RESERVES Water Miscellaneous					
260116	01/28/26	VEOLIA WATER NEW	DECEMBER-JANUARY WATER	152.75	01/28/26
Total for				152.75	
01-2030-31-4452-001 APPROPRIATION RESERVES Water Meter #88306893 - 7 E Fort					
260116	01/28/26	VEOLIA WATER NEW	DECEMBER-JANUARY WATER	312.17	01/28/26
Total for				312.17	
01-2030-31-4452-002 APPROPRIATION RESERVES Water Meter #88505411 - 69 Main					
260116	01/28/26	VEOLIA WATER NEW	DECEMBER-JANUARY WATER	32.37	01/28/26
Total for				32.37	
01-2030-31-4452-003 APPROPRIATION RESERVES Water Meter #88228191 - 63 W					
260116	01/28/26	VEOLIA WATER NEW	DECEMBER-JANUARY WATER	166.31	01/28/26
Total for				166.31	
01-2030-31-4452-004 APPROPRIATION RESERVES Water Meter #88417708 - Cypress					
260116	01/28/26	VEOLIA WATER NEW	DECEMBER-JANUARY WATER	327.06	01/28/26
Total for				327.06	
01-2030-31-4452-005 APPROPRIATION RESERVES Water Meter #88227215 - Library					
260116	01/28/26	VEOLIA WATER NEW	DECEMBER-JANUARY WATER	155.10	01/28/26
Total for				155.10	
01-2030-31-4452-006 APPROPRIATION RESERVES Water Meter #88509227 - 164					
260116	01/28/26	VEOLIA WATER NEW	DECEMBER-JANUARY WATER	50.07	01/28/26
Total for				50.07	

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01-2030-31-4452-008 APPROPRIATION RESERVES Water Meter #88305041 - 375 Larch					
260116	01/28/26	VEOLIA WATER NEW	DECEMBER-JANUARY WATER	58.33	01/28/26
Total for				58.33	
Department Total:				1,254.16	
01-2030-32-4652-001 APPROPRIATION RESERVES Solid Waste Disposal BCUA Type 10					
260095	01/21/26	BCUA [SEWER CHARGES]	INV# 4599; DEC 2025 SOLID	31,623.56	01/21/26
Total for				31,623.56	
01-2030-32-4652-002 APPROPRIATION RESERVES Solid Waste Disposal					
260042	01/14/26	ATLANTIC COAST	INV# 1566F263; DEC MX CMD	1,862.83	02/03/26
260118	01/29/26	ATLANTIC COAST	INV# 416G263; MAY MX COMD	645.32	02/03/26
Total for				2,508.15	
Department Total:				34,131.71	
01-2720- - - Due State of NJ Due State of NJ DCA Training Fees					
260119	01/29/26	N.J. DEPT OF COMM	4TH QTR 2025 STATE PERMIT	2,966.00	02/03/26
Total for				2,966.00	
Department Total:				2,966.00	
01-2800- - - RESERVE FOR CREDIT CARD FEES RESERVE FOR CREDIT CARD					
260180	02/02/26	MERCHANT SERVICE FEES DEMAND DEBIT	02/02/2026	245.05	02/02/26
260181	02/03/26	MERCHANT SERVICE FEES DEMAND DEBIT	02/03/2026	20.90	02/03/26
Total for				265.95	
Department Total:				265.95	
04-2150-55-1532-001 Improvment Authorizations 1532 - Rec/Community Center					
241421	06/20/24	NEGLIA ENGINEERING	BOGOTA REC CENTER	7,514.28	02/03/26
Total for				7,514.28	
Department Total:				7,514.28	
04-2150-55-1560-002 Improvment Authorizations 1560 - Var. Cap. Impvts Public					
260073	01/15/26	TREASURER - ST. OF NEWARDSHIP EXCEPTION FEE		114.75	01/15/26
Total for				114.75	
04-2150-55-1560-003 Improvment Authorizations 1560 - Var. Cap. Impvts					
260158	02/02/26	CARRATURA CONSTRUCTION	INV# 3861; BOGOTA SIDEWALK	975.00	02/03/26
Total for				975.00	
Department Total:				1,089.75	
04-2150-55-1598-011 Improvment Authorizations 1598 - Var. Cap. Impvts Road					
250466	03/25/25	NEGLIA ENGINEERING	NJDOT - LARCH AVE	1,967.08	02/03/26
251842	12/16/25	STRAIGHT EDGE	TRAFFIC STRIPING AROUND	9,117.90	02/03/26
Total for				11,084.98	
Department Total:				11,084.98	
04-2150-55-1619-007 Improvment Authorizations 1619 - Var. Cap. Impvts Public					
250733	05/13/25	NEGLIA ENGINEERING	WATERSHED INVENTORY REPORT	3,000.00	02/03/26
251407	09/30/25	NEGLIA ENGINEERING	OLSEN PARK IMPVT PROJECT	10,302.53	02/03/26
260073	01/15/26	TREASURER - ST. OF NEWARDSHIP EXCEPTION FEE		0.00	01/15/26
260073	01/15/26	TREASURER - ST. OF NEWARDSHIP EXCEPTION FEE		3,885.25	01/15/26

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Total for		Improvment Authorizations 1619 - Var. Cap.		17,187.78	
04-2150-55-1619-009 Improvment Authorizations 1619 - Var. Cap. Impvts					
250919	06/20/25	NEGLIA ENGINEERING	ELM AVENUE ROADWAY	2,700.16	02/03/26
Total for		Improvment Authorizations 1619 - Var. Cap.		2,700.16	
<u>Department Total:</u>		<u>Improvment Authorizations 1619 - Var. Cap.</u>		<u>19,887.94</u>	
04-2150-55-1620-001 Improvment Authorizations 1620 - Fairview Ave Reconstruc					
241417	10/21/24	NEGLIA ENGINEERING	PROF SRVCS; FAIRVIEW AVE -	872.69	02/03/26
Total for		Improvment Authorizations 1620 - Fairview Ave		872.69	
<u>Department Total:</u>		<u>Improvment Authorizations 1620 - Fairview Ave</u>		<u>872.69</u>	
04-2150-55-1627-001 Improvment Authorizations 1627 - Rec/Community Center					
250372	03/06/25	BENARD ASSOCIATES,	CONSTRUCTION OF RECREATION	347,560.45	02/03/26
250523	04/08/25	MILLENNIUM	CONINV3453; AUDIO/VISUAL	7,600.00	02/03/26
Total for		Improvment Authorizations 1627 - Rec/Community		355,160.45	
<u>Department Total:</u>		<u>Improvment Authorizations 1627 - Rec/Community</u>		<u>355,160.45</u>	
04-2150-55-1636-007 Improvment Authorizations 1636 - Var. Cap. Impvts Public					
251694	11/25/25	AFFORDABLE INTERIOR	FURNITURE FOR BOGOTA SENIOR	3,375.52	02/03/26
260099	01/22/26	TREASURER - ST. OF NEWLAND USE AUTH APP	OLSEN PARK	17,486.55	01/22/26
Total for		Improvment Authorizations 1636 - Var. Cap.		20,862.07	
04-2150-55-1636-010 Improvment Authorizations 1636 - Var. Cap. Impvts					
251481	10/16/25	NEGLIA ENGINEERING	EMERGENCY SWR COLLAPSE ELM &	6,828.18	02/03/26
260184	02/03/26	NEGLIA ENGINEERING	15 PALISADES SEWER	6,770.00	02/03/26
Total for		Improvment Authorizations 1636 - Var. Cap.		13,598.18	
<u>Department Total:</u>		<u>Improvment Authorizations 1636 - Var. Cap.</u>		<u>34,460.25</u>	
04-2150-55-1637-010 Improvment Authorizations 1637 - NJDOT Hill St & Larch A					
250465	03/25/25	NEGLIA ENGINEERING	HILL STREET IMPROVEMENTS -	17,686.89	02/03/26
Total for		Improvment Authorizations 1637 - NJDOT Hill St		17,686.89	
<u>Department Total:</u>		<u>Improvment Authorizations 1637 - NJDOT Hill St</u>		<u>17,686.89</u>	
04-2150-55-1645-010 Improvment Authorizations 1637 -Storm & Sanitary Sewers					
260091	01/20/26	ROGUT MCCARTHY LLC	PROF SRVCS RENDERED THRU	585.56	02/03/26
Total for		Improvment Authorizations 1637 -Storm &		585.56	
<u>Department Total:</u>		<u>Improvment Authorizations 1637 -Storm &</u>		<u>585.56</u>	
13-2920- - - Cheering					
260106	01/23/26	A STITCH IN TIME	CHEER SNEAKERS/SWEATSHIRTS	597.00	02/03/26
260060	01/14/26	SBHS CPA	COMPETITION REGISTRATION	398.74	02/03/26
260107	01/23/26	SPIRIT BRANDS	ATALNTIC CITY CHEER	1,650.00	02/03/26
Total for		Cheering		2,645.74	
<u>Department Total:</u>		<u>Cheering</u>		<u>2,645.74</u>	
14-2855- - - Outside Police Employment Fees Outside Police Employment					
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	0.00	01/14/26
260075	01/14/26	BOROUGH OF BOGOTA	2026-01-15 PR	9,765.00	01/14/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	0.00	01/29/26
260117	01/29/26	BOROUGH OF BOGOTA	2026-01-30 PR	15,405.00	01/29/26

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Total for		Outside Police Employment Fees	Outside Police	25,170.00	
Department Total:		Outside Police Employment Fees	Outside Police	25,170.00	
14-2877-	-	-	RESERVE FOR UNEMPLOYEMENT TRUS		
260177	02/03/26	STATE OF NEW JERSEY	UI FUND QTR ENDING	1,659.00	02/03/26
Total for		RESERVE FOR UNEMPLOYEMENT TRUS		1,659.00	
Department Total:		RESERVE FOR UNEMPLOYEMENT TRUS		1,659.00	
17-2000-00-1000-			NET PAYROLL NET PAYROLL		
260100	01/22/26	RYAN SMITH	2026-01-15 PR CHECK REISSUE	465.41	01/22/26
Total for		NET PAYROLL NET PAYROLL		465.41	
Department Total:		NET PAYROLL NET PAYROLL		465.41	
19-2000-	-	-	RESERVE FOR EXPENDITURES INTEREST ON INVESTMENTS		
260072	01/15/26	PHILLIPS PREISS	PROF SRVCS THRU 11/302/25;	2,466.25	02/03/26
260071	01/15/26	SURENIAN, EDWDARDS,	PROF SRVCS RENDERED THRU	1,470.00	02/03/26
Total for		RESERVE FOR EXPENDITURES INTEREST ON		3,936.25	
Department Total:		RESERVE FOR EXPENDITURES INTEREST ON		3,936.25	