



*In God We Trust*

Minutes  
March 21, 2024  
Open Session  
7:30pm

**BOROUGH OF BOGOTA  
Mayor and Council Regular Meeting**

**Meeting of the Borough of Bogota Mayor and Council meeting held on this date March 21, 2024 in Borough Hall, 375 Larch Ave, Bogota, New Jersey at 7:30 P.M**

The notice for this meeting's time, date, location, and agenda fulfills the "Open Public Meetings Act," P.L.1975, c. 231, requirements.

**ROLL CALL**

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

Also attending were Borough Administrator O'Malley, Borough Attorney Betesh, and Borough Clerk Flores-Bolivard.

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

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

Charles Severino- spoke in support of the Hometown Heros flag program.

**Jorge Nunez-** congratulated Hector Liriano on being promoted to Captain and spoke about the proposed increase to Council stipends.

**Motion:** Council President Carpenter made a motion to close Citizen Remarks. Seconded by Councilwoman Kohles. The motion passed with a voice vote.

### **OATH OF OFFICE**

Police Captain Promotion – Hector Liriano

**Mayor Fede** administered the Oath of Office to Hector Liriano.

Police Lieutenant Promotion – Geoffrey Cole

**Mayor Fede** administered the Oath of Office to Geoffrey Cole

### **DISCUSSION**

Hometown Heros Flag Program

**The Council** discussed the parameters of the Hometown Heros Flag Program including the size of the flags, the locations where flag would be placed, and the veterans that would be pictured on the flags. They discussed who would work on the project and the ways to pay for the flags.

### **INTRODUCTION OF ORDINANCES**

1615 – Chapter 22 Tree Removal/Replacement Ordinance

**Motion:** Councilman McHale made a motion to introduce Ordinance 1615. Seconded by Council President Carpenter. All Councilmembers present voted yes.

### **PUBLIC HEARING AND ADOPTION OF ORDINANCES**

1610 – Revised Ordinance Amendment to Chapter 21B - Stormwater Control

**Motion:** Council President Carpenter made a motion to open the public hearing on Ordinance 1610. Seconded by Councilman McHale. The motion passed with a voice vote.

No one from the public wished to speak.

**Motion:** Council President Carpenter made a motion to close the public hearing on Ordinance 1610. Seconded by Councilman McHale. The motion passed with a voice vote.

**Motion:** Councilwoman Kohles made a motion to adopt Ordinance 1610. Seconded by Councilman Mitchell. All Councilmembers present voted yes.

1612 – Amending Chapter 23 of the Bogota Municipal Code, Entitled “Police Department – Private Contractors”

**Motion:** Council President Carpenter made a motion to open the public hearing on Ordinance 1612. Seconded by Councilwoman Kohles. The motion passed with a voice vote.

No one from the public wished to speak.

**Motion:** Council President Carpenter made a motion to close the public hearing on Ordinance 1612. Seconded by Councilwoman Vergara. The motion passed with a voice vote.

**Motion:** Councilwoman Kohles made a motion to adopt Ordinance 1612. Seconded by Council President Carpenter. All Councilmembers present voted yes.

1613 – Amending Ch. 9 of the Bogota Code – Building & Housing – Vacant/Abandoned/  
Foreclosed Properties

**Motion:** Councilwoman Kohles made a motion to open the public hearing on Ordinance 1613. Seconded by Councilman Mitchell. The motion passed with a voice vote.

No one from the public wished to speak.

**Motion:** Councilwoman Kohles made a motion to close the public hearing on Ordinance 1613. Seconded by Council Mitchell. The motion passed with a voice vote.

**Motion:** Council President Carpenter made a motion to adopt Ordinance 1613. Seconded by Councilwoman Kohles. All Councilmembers present voted yes.

1614 – Bond Ordinance – Amending Sections 4.B and 10 of the Bond Ordinance (No. 1598)  
Bond Ordinance to authorize the making of various public improvements and the  
acquisition of new additional or replacement equipment and machinery, new  
communication and signal systems equipment.

**Motion:** Council President Carpenter made a motion to open the public hearing on Ordinance 1614. Seconded by Councilwoman Kohles. The motion passed with a voice vote.

No one from the public wished to speak.

**Motion:** Council President Carpenter made a motion to close the public hearing on Ordinance 1614. Seconded by Councilwoman Vergara. The motion passed with a voice vote.

**Motion:** Councilwoman Kohles made a motion to adopt Ordinance 1614. Seconded by Council President Carpenter. All Councilmembers present voted yes.

## CONSENT AGENDA

### Resolutions

2024-93 Veteran Tax Exemption  
2024-94 Recreation Director Contract  
2024-97 Updating Salaries for Part Time Building Inspectors

**Motion:** Council President Carpenter made a motion to approve the consent agenda. Seconded by Councilman McHale. All Councilmembers present voted yes.

### Resolutions to be Voted on Separately

2024-95 Transfer Appropriation Reserves

**Motion:** Council President Carpenter made a motion to pass Resolution 2024-95. Seconded by Councilman McHale. All Councilmembers present voted yes except for Councilwoman Kohles who recused herself.

2024-96 Governing Body Stipend/Salary Increase

**Motion:** Councilwoman Kohles made a motion to pass Resolution 2024-96. Seconded by Councilman Mitchell. The resolution passed with Councilmembers Kohles, McHale, Mitchell, and Vergara voting yes. Council President Carpenter abstained and Councilman Robbins voted no.

2024-98 Amending By-Laws of the Council of the Borough of Bogota

**Motion:** Council President Carpenter made a motion to pass Resolution 2024-98. Seconded by Councilman McHale. All Councilmembers present voted yes except for Councilman Robbins, who voted no.

PC24-04 Payment of Claims

**Motion:** Council President Carpenter made a motion to pass Resolution PC24-04. Seconded by Councilman Mitchell. Council President Carpenter voted no on claims related to Enterprise and yes on all other claims. Councilwoman Kohles voted no on claims related to Enterprise, recused herself on claims related to the DPW or Superintendent Kohles, and yes on all other claims. Councilman Mitchell voted yes on all claims except those relating to Enterprise. Councilmembers McHale, Robbins and Vergara voted yes on all claims.

## APPROVALS

Minutes – Budget Meeting February 22, 2024

**Motion:** Council President Carpenter made a motion to approve the Minutes – Budget Meeting February 22, 2024. Seconded by Councilman Robbins. The motion passed on a voice vote.

Minutes – Work Session Meeting March 7, 2024

**Motion:** Council President Carpenter made a motion to approve the Minutes – Work Session Meeting March 7, 2024. Seconded by Councilman McHale. The motion passed on a voice vote.  
Minutes – Closed Session March 7, 2024

**Motion:** Councilman McHale made a motion to approve the Minutes – Closed Session March 7, 2024. Seconded by Councilman Robbins. The motion passed on a voice vote.

Raffle St. Joseph- Sunday May 12, 2024 11am (Ask to waive \$20 Fee)

**Motion:** Council President Carpenter made a motion to approve the Raffle St. Joseph – Sunday May 12, 2024 11am and to waive the \$20 fee. Seconded by Councilman McHale. The motion passed on a voice vote.

Raffle Friends of the Library- April 20, 2024 11am-3pm (Ask to waive \$20 Fee)

**Motion:** Councilman McHale made a motion to approve the Raffle Friends of the Library- April 20, 2024 11am-3pm and to waive the \$20 fee). Seconded by Councilwoman Vergara. The motion passed on a voice vote.

**2<sup>ND</sup> CITIZEN REMARKS: One (5) minute time limit per person**

**Motion:** Councilman McHale made a motion to open Citizen Remarks. Seconded by Council President Carpenter. The motion passed with a voice vote

**Jorge Nunez-** requested that Council meetings be streamed to increase public participation. He praised the Mayor and Borough Clerk for the conduct of the Council meetings. He addressed the process by which items may be added or removed from the agenda.

**Motion:** Councilman McHale made a motion to close Citizen Remarks. Seconded by Councilmember Robbins. The motion passed with a voice vote.

**Mayor Fede-** the Borough is working on the technology solutions to broadcast meetings. She said that the Council should not have the ability to remove things from the meeting agenda before the meeting takes place, as Borough staff and professionals may have timely items that need action.

**REPORTS**

**Mayor Fede:** declared March 18-24, 2024 as drug and alcohol awareness week. She had an introductory meeting with CSX. She thanked everyone for the successful Ramadan Ceremony. An intern will be interviewing the Town Historian and then placing QR codes with historical information around the Borough. She will be performing a tree hazard evaluation in the park near

the softball field with Borough staff. Ray Dwyer will be the assistant photographer for the Fire Department.

**Council President Carpenter:** shared updates from Bergen County about new buildings and offices. She recommended naming a foreman for the DPW. She announced that Bogota will receive a \$4 million grant for Hose 3 building improvements.

**Councilwoman Kohles:** told the Recreation Committee that there will be a new Recreation Director starting shortly. The Recreation Committee received a presentation from a dance company about having a dance class for senior citizens. The Bogota School District will receive \$3.7 million in state education aid and will not raise taxes this year.

**Councilman McHale:** is pleased that the town finally has a Recreation Director. He would like attention to be brought to flooding creeks in town, the last time they were dredged was a very long time ago.

**Councilman Mitchell:** the Fire Department is happy they received additional funding and that the new fire truck will be arriving shortly.

**Councilman Robbins:** spoke about the number of police calls for service during February. The new Keep Bogota Clean signs are in and being distributed. Notices went out reminding residents about Spring Cleanup.

**Councilwoman Vergara:** There will be a partnership and programming between the Environmental Committee and the school district in the future. Arbor Day will be held on April 27<sup>th</sup>, the Garden Cleanup will be on April 21<sup>st</sup>, and Shredding Day will be held on July 20<sup>th</sup> at the Recreation Center. The Rescue Squad is holding a boot drive on May 4<sup>th</sup>.

**Administrator O'Malley:** bids will be opened for the Fairview Ave NJDOT project on April 2<sup>nd</sup>. PSEG will be removing the pipes from West Fort Lee Road. He tried to fix the electronic sign and contact the manufacturer but they are out of business and he cannot find anyone to help. The light pollution was addressed by moving the lights to point downwards.

**Borough Attorney Betesh:** participated in meeting with Atwater to prepare to issue the final CO and obtain payment. He will work to create a Taxi License Application Form.

**Borough Clerk Flores-Bolivard:** shared that the State Legislature passed the Affordable Housing Bill, a gas tax increase, and that the Bergen County Prosecutor was reappointed. An OPRA bill was being considered but was not voted on.

**CLOSED SESSION**

2024-99 Authorizing Meeting Not Open to the Public, Pursuant to NJSA 10:4-12

1. Attorney-Client Privilege

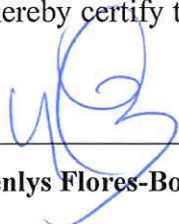
**Motion:** Councilman Mitchell made a motion to pass Resolution 2024-99 and enter closed session. Seconded by Council President Carpenter. The motion passed with a voice vote.

**Motion:** Councilwoman Kohles made a motion to enter open session. Seconded by Council President Carpenter. The motion passed with a voice vote.

**ADJOURMENT**

Being no further business before the governing body, **Councilwoman Kohles** made a motion to adjourn the meeting, which was seconded by **Council President Carpenter**. The motion passed with a voice vote at 9:18pm.

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

  
\_\_\_\_\_  
**Yenlys Flores-Bolivard, Clerk**



**BOROUGH OF BOGOTA**

**INTRODUCTION  
ORDINANCE NO. 1615  
(TREE REMOVAL)**

**AN ORDINANCE AMENDING CHAPTER 22 OF THE BOGOTA  
BOROUGH CODE, ENTITLED "STORMWATER  
MANAGEMENT"**

**WHEREAS**, Borough of Bogota is a participant of the Municipal Stormwater Management Program, established by the New Jersey Department of Environmental Protection ("NJDEP"); and,

**WHEREAS**, the NJDEP has required that all participants in the program adopt an ordinance that establishes the requirements for the removal and replacement of trees within the Borough; and,

**WHEREAS**, the aforementioned ordinance is a "Tier A" permit requirement, and must be adopted in order for the Borough to remain a participant of the Municipal Stormwater Management Program; and,

**WHEREAS**, Chapter 22 of the Bogota Borough Code sets forth the codes and regulations for stormwater management within the Borough of Bogota; and,

**WHEREAS**, for the Borough to remain compliant with the Municipal Stormwater Management Program, it must adopt the aforementioned ordinance by no later than May 1, 2024; and,

**WHEREAS**, the Mayor and Council wish to amend Chapter 22 of the Bogota Borough Code to implement the ordinance required by the NJDEP, so that the Borough remains compliant with the Municipal Stormwater Management Program.





**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Bogota, that a new Section 11 be added to Chapter 22 of the Bogota Borough Code, entitled "Tree Removal-Replacement", and shall read as follows:

**§22-11.1 PURPOSE:**

An ordinance to establish requirements for tree removal and replacement in the Borough of Bogota to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety, and welfare.

**§22-11.2 DEFINITIONS:**

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

- A. "Applicant" means any "person", as defined below, who applies for approval to remove trees regulated under this ordinance.
- B. "Critical Root Radius (CRR)" – means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6" DBH would have a  $CRR = 6" \times 1.5' = 9'$ .
- C. "Diameter at Breast Height (DBH)" means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree. For species of trees where the main trunk divides below the 4 ½ foot height, the DBH shall be measured at the highest point before any division.
- D. "Hazard Tree" means a tree or limbs thereof that meet one or more of the criteria below, with such determination to be made by the Borough's Arborist upon request. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.
  - 1. Has an infectious disease or insect infestation;
  - 2. Is dead or dying;
  - 3. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;



4. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
  5. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).
- E. "Person" means any individual, resident, corporation, utility, company, partnership, firm, or association.
- F. "Planting strip" means the part of a street right-of-way between the public right-of-way and the portion of the street reserved for vehicular traffic or between the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.
- G. "Resident" means an individual who resides on the residential property or contractor hired by the individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.
- H. "Street Tree" means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to the portion of the street reserved for vehicular traffic. This also includes trees planted in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.
- I. "Tree" means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.
- J. "Tree Caliper" means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.
- K. "Tree removal" means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.



## §22-11.3 REGULATED ACTIVITIES:

### A. Tree Removal Requirements

1. The Borough of Bogota is accredited with the New Jersey Urban and Community Forestry Program and has implemented a Community Forestry Plan (the "NJUCFP Plan"), which covers tree care, removal and replacement. The provisions of the NJUCFP Plan are incorporated by reference in this Chapter, and shall apply to any person who seeks to remove or replace a tree covered under its Sections, in addition to the requirements set forth in this Chapter. A copy of the current NJUCFP Plan is available for inspection or copy at the Borough Clerk's Office.
2. The provisions of Chapter 15 of the Borough Code shall apply to any person who seeks to remove a tree covered under its Sections, in addition to the requirements set forth in this Chapter.

### B. Tree Replacement Requirements

1. Any person who removes one or more street tree(s) with a DBH of 2.5" or more, unless exempt under Section 22-11.4, shall be subject to the requirements of the Tree Replacement Requirements Table below.
2. Any person, who removes one or more tree(s), as defined as Tree removal, with a DBH of 6" or more per acre, unless otherwise detailed under Section 22-11.4, shall be subject to the requirements of the Tree Replacement Requirements Table.

The species type and diversity of replacement trees shall be in accordance with Appendix A.

Replacement tree(s) shall:

1. Be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the Tree Replacement Criteria in the table below;
2. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the Borough;
3. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
4. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.



**Tree Replacement Requirements Table:**

Category	Tree Removed (DBH)	Tree Replacement Criteria (See Appendix A)
1	DBH of 2.5" (for street trees) or 6" (for non-street trees) to 12.99"	Replant 1 tree with a minimum tree caliper of 1.5" for each tree removed
2	DBH of 13" to 22.99"	Replant 2 trees with minimum tree calipers of 1.5" for each tree removed
3	DBH of 23" to 32.99"	Replant 3 trees with minimum tree calipers of 1.5" for each tree removed
4	DBH of 33" or greater	Replant 4 trees with minimum tree calipers of 1.5" for each tree removed

**C. Replacement Alternatives:**

1. If the Borough determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
  - a. Plant replacement trees in a separate area(s) approved by the Borough.
  - b. Pay a fee of Five Hundred (\$500.00) Dollars per tree removed. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

**§22-11.4 EXEMPTIONS:**

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the Borough by all persons claiming an exemption. Proper justification may include photos or statements from a NJ licensed tree expert, as per N.J.S.A. 45:15C-11 or an arborist:

- A. Residents who remove less than four (4) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period.
- B. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
- C. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the Borough;



- D. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
- E. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
- F. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
- G. Hazard trees may be removed with no fee or replacement requirement.

**§22-11.5 ENFORCEMENT:**

This ordinance shall be enforced by the Borough Code Enforcement Officer during the course of ordinary enforcement duties.

**§22-11.6 VIOLATIONS AND PENALTIES:**

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine of Five Hundred (\$500.00) Dollars.

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Bogota as follows:

**SEVERABILITY:**

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

**EFFECTIVE DATE:**

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Adoption Date: 3/21/2024

Approved By: Yenlys Flores-Balvard



**Appendix A**

Approved list of Replacement tree Species and Planting Standards for the Borough of Bogota

Tree Species	Cultivars	Planting Season	Planting Procedure
<u>Acer Rubrum</u> Red Maple		Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type wide range (clay to sandy loam)
<u>Acer Saccharum</u> Sugar Maple		Fall / early winter	Full Sun to Part Shade, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam)
<u>Acaer x Freemanii</u> Freeman Maple	Armstrong, Fairfall, Marmo, scarlet Sentinel	Spring / Fall	Full Sun, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam)
<u>Amelanchier laevis</u> Shadblow Serviceberry		Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type wide range (prefers well-drained loams)
<u>Betula Nigra</u> River Birch		Spring / Fall	Full Sun, Soil Moisture - average to wet, Soil Type- Prefers moist, acidic, fertile soils
<u>Carpinus Caroliniana</u> American Hornbeam	Native Flame	Spring	Part Shade, Soil Moisture - average to wet, Soil Type - Prefers moist, organically rich soils.
<u>Celtis Occidentalis</u> Hackberry		Spring	Full Sun to Part Shade, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam)
<u>Cercis Canadensis</u> Eastern Red Bud		Fall	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type - Performs best in moderately fertile soils
<u>Cercis Chinensis</u> Chinese Redbud		Late Spring / Early Summer	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type - Performs best in moderately fertile soils
<u>Cladrastis Kentukea</u> Yellowwood	Sweetshade, Perkins Pink	Spring	Full Sun, Soil Moisture - average, Soil Type - Prefers



			moist well drained, organically rich soils.
<u>Crataegus Crus-galli</u> Cockspurn Hawthorn	Thornless varieties only	Spring / Fall	Full Sun, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam)
<u>Ginkgo Bilobra</u> Ginkgo, Maidenhair Tree		Spring / Fall	Full Sun, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam)
<u>Gladitsia Triacanthos</u> Honey Locust	Moraine, Shademaster, Sunburst, Imperial	Spring / Fall	Full Sun, Thornless, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam)
<u>Gymnocladus Dioicus</u> Kentucky Coffeetree		Early Winter / Early Spring	Full Sun, Soil Moisture - Medium moisture, Soil Type organically rich, well-drained soils
<u>Halesia Carolina</u> Carolina Silverbell		Spring / Fall	Full Sun, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam)
<u>Liquidambar Styraciflua</u> American Sweetgum	Cherokee, Rotundiloba, Slender Silouette, Worplesdon	Early Winter / Early Spring	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type wide range (clay to sandy loam)
<u>Liriodendron Tulipifera</u> Tulip Tree	Ardis, Arnold, Emerald City, Fastigiatum	Spring / Fall	Full Sun, Soil Moisture - average, Soil Type - organically rich, well-drained loams
<u>Magnolia Virginiana</u> Sweet Bay Magnolia		Spring / Fall	Full Sun to Part Shade, Soil Moisture – average to wet, Soil Type – clay to loam, prefers acidic soils
<u>Metasequoia</u> <u>Glyptostroboides</u> Dawn Redwood		Fall	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type - well-drained loam
<u>Nyssa Sylvatica</u> Black Gum		Spring / Fall	Full Sun, Soil Moisture - average to wet, Soil Type sandy loam.
<u>Ostrya Virginiana</u> Eastern Hop Hornbeam		Spring / Fall	Full Sun to Part Shade, Soil Moisture - Medium moisture, Soil Type organically rich, well-drained soils



<u>Platanus x Acerifolia</u> London Planetree		Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to wet, Soil Type wide range (clay to sandy loam)
<u>Prunus Cistena</u> Purple-leaf Sand Cherry		Early Spring	Full Sun, Soil Moisture - average, Soil Type - organically rich, well-drained loams
<u>Prunus Sargentii</u> Sargent Cherry		Early Spring	Full Sun, Soil Moisture - Medium moisture, Soil Type organically rich, well-drained soils
<u>Prunus Virginiana</u> Chokecherry		Spring / Early Summer	Full Sun to Part Shade, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam)
<u>Quercus Bicolor</u> Swamp White Oak	Hightower	Spring	Full Sun, Soil Moisture - average to wet, Soil Type wide range (clay to sandy loam) Prefers acidic soil
<u>Quercus Coccinea</u> Scarlet Oak	Kindred Spirit, Fastigiata, Skyrocket	Spring	Full Sun, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam)
<u>Quercus Macrocarpa</u> Bur Oak		Spring	Full Sun, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam) Prefers moist well-drained loams
<u>Quercus Muehlenbergii</u> Chinkapin Oak		Spring	Full Sun, Soil Moisture - average to dry, Soil Type wide range (clay to sandy loam) Prefer moist fertile loams
<u>Quercus Michauxii</u> Chestnut Oak		Spring	Full Sun, Soil Moisture - average to wet, Soil Type wide range (clay to sandy loam) Prefer moist fertile loams
<u>Quercus Palustris</u> Pin Oak		Spring	Full Sun, Soil Moisture - average to wet, Soil Type wide range (clay to sandy loam) Prefer moist fertile loams
<u>Quercus Phellos</u> Willow Oak		Spring	Full Sun, Soil Moisture - average to medium moisture, Soil Type wide range (clay to





			sandy loam) Prefer moist well-drained loams
<u>Quercus Rubra</u> Northern Red Oak		Spring	Full Sun, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam) Prefer moist well-drained loams
<u>Quercus Velutina</u> Black Oak		Spring	Full Sun, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam) Prefers acidic soil
<u>Tilia Americana</u> American Linden		Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam) Prefers moist, fertile, well-drained loams
<u>Tilia cordata</u> Little Leaf Linden		Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to medium moisture, Soil Type wide range (clay to sandy loam) Prefers moist, fertile, well-drained loams
<u>Ulmus Americana</u> American Elm	Accolade, Frontier	Spring / Fall	Full Sun to Part Shade, Soil Moisture - average to medium moisture, Soil Type - Prefers moist, fertile, well-drained loams
<u>Zelkova Serrata</u> Zelkova		Spring	Full Sun, Soil Moisture - average to medium moisture, Soil Type - Prefers rich, moist loams



Evergreen Trees

<u>Ilex Opaca</u> Opaca		Spring	Sun/ Part Shade, Soil Moisture - average to medium moisture, Soil Type – Well Drained, acidic soils
<u>Juniperus Virginiana</u> Eastern Red Cedar		Spring	Full Sun, Soil Moisture - average to medium moisture, Soil Type - Prefers rich, moist loams
<u>Pinus Rigida</u> Pitch Pine		Spring	Full Sun, Soil Moisture – Dry , Soil Type - Prefers sandy loam
<u>Pinus Strobus</u> Eastern White Pine		Spring	Full Sun, Soil Moisture - average to medium moisture, Soil Type - Prefers rich, moist sandy loams

**INTRODUCTION APPROVED:** March 21, 2024

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter	✓	✓	✓			
Councilwoman Kohles			✓			
Councilman McHale	✓		✓			
Councilman Mitchell			✓			
Councilwoman Vergara			✓			
Councilman Robbins			✓			

ATTEST:

Borough Clerk

APPROVED:

Mayor

I, Yenlys Flores-Bolivard, Municipal 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 at a meeting held on March 21, 2024.



**BOROUGH OF BOGOTA**

**PUBLIC HEARING & ADOPTION**

**REVISED ORDINANCE NO. 1610**

**AN ORDINANCE AMENDING CHAPTER 21B OF THE  
MUNICIPAL CODE OF THE BOROUGH OF BOGOTA,  
ENTITLED "STORMWATER CONTROL"**

**WHEREAS**, Article I of Chapter 21B of Bogota's Municipal Code defines and regulates the Borough's stormwater management measures, which are aimed to promote flood control, groundwater recharge, and pollution reduction through Green Infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies, and;

**WHEREAS**, Section 7:8 of the New Jersey Administrative Code contains the State of New Jersey's Municipal Stormwater Management Program, which sets forth the stormwater control guidelines that must be administered and followed by each municipality in the State, and;

**WHEREAS**, the New Jersey Department of Environmental Protection, Division of Water Quality, (hereinafter "NJDEP") had made several amendments to Section 7:8, effective July 17, 2023, and;

**WHEREAS**, the Borough is required to amend its stormwater management rules to reflect the newly-revised language in the State's Municipal Stormwater Management Program.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Bogota, that Article I of Chapter 21B of the Bogota Municipal Code is hereby deleted in its entirety and replaced with the following:

**SECTION I: Scope and Purpose.**

**A. Policy Statement**

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including Green Infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

**B. Purpose**

The purpose of this ordinance is to establish minimum stormwater management requirements and controls for “major development,” as defined below in Section II.

**C. Applicability**

1. This ordinance shall be applicable to the following major developments:
  - a. Non-residential major developments; and
  - b. Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.
2. This ordinance shall also be applicable to all major developments undertaken by the Borough of Bogota.
3. An application required by ordinance pursuant to (b)1 above that has been submitted prior to December 21, 2023, shall be subject to the stormwater management requirements in effect on December 20, 2023.
4. An application required by ordinance for approval pursuant to (b)1 above that has been submitted on or after March 2, 2021, but prior to December 21, 2023, shall be subject to the stormwater management requirements in effect on December 20, 2023.
5. Notwithstanding any rule to the contrary, a major development for any public roadway or railroad project conducted by a public transportation entity that has determined a preferred alternative or reached an equivalent milestone before July 17, 2023, shall be subject to the stormwater management requirements in effect prior to July 17, 2023.

#### D. Compatibility with Other Permit and Ordinance Requirements

Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

#### **Section II: Definitions.**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

“CAFRA Centers, Cores or Nodes” means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

“CAFRA Planning Map” means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

“Community basin” means an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

“Compaction” means the increase in soil bulk density.

“Contributory drainage area” means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

“Core” means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

“County review agency” means an agency designated by the Board of County Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A. 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

“Department” means the Department of Environmental Protection.

“Designated Center” means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

“Design engineer” means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, 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 is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq.

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A. 4:1C-1 et seq.

“Disturbance” means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

“Drainage area” means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

“Environmentally constrained area” means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and

preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

"Environmentally critical area" means an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

"Empowerment Neighborhoods" means neighborhoods designated by the Urban Coordinating Council "in consultation and conjunction with" the New Jersey Redevelopment Authority pursuant to N.J.S.A. 55:19-69.

"Erosion" means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

"Green infrastructure" means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;
2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

"HUC 14" or "hydrologic unit code 14" means an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

"Impervious surface" means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

"Infiltration" is the process by which water seeps into the soil from precipitation.

"Lead planning agency" means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

"Major development" means an individual "development," as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;
3. The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

"Motor vehicle" means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

"Motor vehicle surface" means any pervious or impervious surface that is intended to be used by "motor vehicles" and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, race-tracks, and runways.

"Municipality" means any city, borough, town, township, or village.

"New Jersey Stormwater Best Management Practices (BMP) Manual" or "BMP Manual" means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with Section IV.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this Chapter.

"Node" means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

"Nutrient" means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

"Person" means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.



“Pollutant” means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 et seq.)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

"Public roadway or railroad" means a pathway for use by motor vehicles or trains that is intended for public use and is constructed by, or on behalf of, a public transportation entity. A public roadway or railroad does not include a roadway or railroad constructed as part of a private development, regardless of whether the roadway or railroad is ultimately to be dedicated to and/or maintained by a governmental entity.

“Public transportation entity” means a Federal, State, county, or municipal government, an independent State authority, or a statutorily authorized public-private partnership program pursuant to P.L. 2018, c. 90 (N.J.S.A. 40A:11-52 et seq.), that performs a public roadway or railroad project that includes new construction, expansion, reconstruction, or improvement of a public roadway or railroad.

“Recharge” means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

“Regulated impervious surface” means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system” is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

“Regulated motor vehicle surface” means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

“Sediment” means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

“Site” means the lot or lots upon which a major development is to occur or has occurred.

“Soil” means all unconsolidated mineral and organic material of any origin.

“State Development and Redevelopment Plan Metropolitan Planning Area (PA1)” means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

“State Plan Policy Map” is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

“Stormwater” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

“Stormwater management BMP” means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

“Stormwater management measure” means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

“Stormwater runoff” means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

“Stormwater management planning agency” means a public body authorized by legislation to prepare stormwater management plans.

“Stormwater management planning area” means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

“Tidal Flood Hazard Area” means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm

event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

“Urban Coordinating Council Empowerment Neighborhood” means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

“Urban Enterprise Zones” means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

“Urban Redevelopment Area” is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

“Water control structure” means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

“Waters of the State” means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

“Wetlands” or “wetland” means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

### **Section III: Design and Performance Standards for Stormwater Management Measures.**

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
  1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
  2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.

- B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

**Section IV: Stormwater Management Requirements for Major Development.**

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with Section X.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlbergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.P, Q and R:
  - 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
  - 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
  - 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of Section IV.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
  - 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
  - 2. The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of Section IV.O, P, Q and R to the maximum extent practicable;
  - 3. The applicant demonstrates that, in order to meet the requirements of Section IV.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and

4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under IV.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of Section IV.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in Section IV.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

<https://dep.nj.gov/stormwater/bmp-manual/>.

- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1 Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Cistern	0	Yes	No	--
Dry Well <sup>(a)</sup>	0	No	Yes	2
Grass Swale	50 or less	No	No	2 <sup>(e)</sup> 1 <sup>(f)</sup>
Green Roof	0	Yes	No	--
Manufactured Treatment Device <sup>(a)</sup> <sup>(g)</sup>	50 or 80	No	No	Dependent upon the device
Pervious Paving System <sup>(a)</sup>	80	Yes	Yes <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Small-Scale Bioretention Basin <sup>(a)</sup>	80 or 90	Yes	Yes <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Small-Scale Infiltration Basin <sup>(a)</sup>	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

(Notes corresponding to annotations <sup>(a)</sup> through <sup>(g)</sup> are found on Page 14)

Table 2 Green Infrastructure BMPs for Stormwater Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quantity with a Waiver or Variance from N.J.A.C. 7:8-5.3)				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Bioretention System	80 or 90	Yes	Yes <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Infiltration Basin	80	Yes	Yes	2
Sand Filter <sup>(b)</sup>	80	Yes	Yes	2
Standard Constructed Wetland	90	Yes	No	N/A
Wet Pond <sup>(d)</sup>	50-90	Yes	No	N/A

(Notes corresponding to annotations <sup>(b)</sup> through <sup>(d)</sup> are found on Page 14)

Table 3 BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3				
Best Management Practice	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High Water Table (feet)
Blue Roof	0	Yes	No	N/A
Extended Detention Basin	40-60	Yes	No	1
Manufactured Treatment Device <sup>(h)</sup>	50 or 80	No	No	Dependent upon the device
Sand Filter <sup>(c)</sup>	80	Yes	No	1
Subsurface Gravel Wetland	90	No	No	1
Wet Pond	50-90	Yes	No	N/A

(Notes corresponding to annotations <sup>(b)</sup> through <sup>(d)</sup> are found on Page 14)

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at Section IV.O.2;
  - (b) designed to infiltrate into the subsoil;
  - (c) designed with underdrains;
  - (d) designed to maintain at least a 10-foot wide area of native vegetation along at least fifty percent (50%) of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
  - (e) designed with a slope of less than two percent (2%);
  - (f) designed with a slope of equal to or greater than two percent (2%);
  - (g) manufactured treatment devices that meet the definition of green infrastructure at Section II;
  - (h) manufactured treatment devices that do not meet the definition of green infrastructure at Section II.
- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with Section VI.B. Alternative stormwater management measures may be used to satisfy the requirements at Section IV.O only if the measures meet the definition of "green infrastructure" in Section II. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.2 are subject to the contributory drainage area limitation specified at Section O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from Section IV.O.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.



- I. Design standards for stormwater management measures are as follows:
  1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
  2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of Section VIII.C;
  3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
  4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at Section VIII; and
  5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at Section II may be used only under the circumstances described at Section IV.O.4.
- K. Any application for a new agricultural development that meets the definition of major development at Section II shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at Sections IV.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.

- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Office of the County Clerk. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.O, P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to Section X.B.5. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.
- N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to Section IV of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Office of the County Clerk, and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
2. To satisfy the groundwater recharge and stormwater runoff quality standards at Section IV.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at Section IV.F. and/or an alternative stormwater management measure approved in accordance with Section IV.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

Best Management Practice	Maximum Contributory Drainage Area
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

3. To satisfy the stormwater runoff quantity standards at Section IV.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with Section IV.G.
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with Section IV.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with Section IV.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at Section IV.P, Q and R.
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at Section IV.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with Section IV.D.

P. Groundwater Recharge Standards

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at Section V, either:
  - i. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain one-hundred percent (100%) of the average annual pre-construction groundwater recharge volume for the site; or
  - ii. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the projected 2-year storm, as defined and determined pursuant to Section V.D of this ordinance is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
  - i. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan approved pursuant to the Administrative Requirements for the Remediation of Contaminated Sites rules, N.J.A.C. 7:26C, or Department landfill closure plan and areas; and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
  - ii. Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
  - i. Eighty percent (80%) TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
  - ii. If the surface is considered a regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

Table 4 - Water Quality Design Storm Distribution

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

5. If more than one BMP in series is necessary to achieve the required eighty percent (80%) TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

*R* = total TSS Percent Load Removal from application of both BMPs, and

*A* = the TSS Percent Removal Rate applicable to the first BMP

*B* = the TSS Percent Removal Rate applicable to the second BMP.

6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in Section IV.P, Q and R.
  7. In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
  8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
  9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by ninety-five percent (95%) of the anticipated load from the developed site, expressed as an annual average.
  10. The stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.
- R. Stormwater Runoff Quantity Standards
1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.

2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at Section V, complete one of the following:
  - i. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance, do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
  - ii. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the current and projected 2-, 10-, and 100-year storm events, as defined and determined pursuant to Section V.C and D, respectively, of this ordinance, and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
  - iii. Design stormwater management measures so that the post-construction peak runoff rates for the current and projected 2-, 10-, and 100-year storm events, as defined and determined in Section V.C and D, respectively, of this ordinance, are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
  - iv. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with 2.i, ii and iii above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that the increased volume, change in timing, or increased rate of the stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.
3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.



**Section V: Calculation of Stormwater Runoff and Groundwater Recharge.**

A. Stormwater runoff shall be calculated in accordance with the following:

1. The design engineer shall calculate runoff using the following method:

The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 *Part 630, Hydrology National Engineering Handbook*, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

<https://directives.sc.egov.usda.gov/viewerFS.aspx?hid=21422>

or at United States Department of Agriculture Natural Resources Conservation Service, New Jersey State Office.

2. For the purpose of calculating curve numbers and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "curve number" applies to the NRCS methodology above at Section V.A.1. A curve number or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS *Technical Release 55 - Urban Hydrology for Small Watersheds* or other methods may be employed.

5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.
- B. Groundwater recharge may be calculated in accordance with the following:
- The New Jersey Geological Survey Report GSR-32: A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:
- <https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf>
- or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.
- C. The precipitation depths of the current two-, 10-, and 100-year storm events shall be determined by multiplying the values determined in accordance with items 1 and 2 below:
1. The applicant shall utilize the National Oceanographic and Atmospheric Administration (NOAA), National Weather Service's Atlas 14 Point Precipitation Frequency Estimates: NJ, in accordance with the location(s) of the drainage area(s) of the site. This data is available at:  
[https://hdsc.nws.noaa.gov/hdsc/pfds/pfds\\_map\\_cont.html?bkmrk=nj](https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=nj); and
  2. The applicant shall utilize Table 5: Current Precipitation Adjustment Factors below, which sets forth the applicable multiplier for the drainage area(s) of the site, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

**Table 5: Current Precipitation Adjustment Factors**

County	Current Precipitation Adjustment Factors		
	2-year Design Storm	10-year Design Storm	100-year Design Storm
Atlantic	1.01	1.02	1.03
Bergen	1.01	1.03	1.06
Burlington	0.99	1.01	1.04
Camden	1.03	1.04	1.05
Cape May	1.03	1.03	1.04
Cumberland	1.03	1.03	1.01
Essex	1.01	1.03	1.06
Gloucester	1.05	1.06	1.06
Hudson	1.03	1.05	1.09
Hunterdon	1.02	1.05	1.13
Mercer	1.01	1.02	1.04
Middlesex	1.00	1.01	1.03
Monmouth	1.00	1.01	1.02
Morris	1.01	1.03	1.06
Ocean	1.00	1.01	1.03
Passaic	1.00	1.02	1.05
Salem	1.02	1.03	1.03
Somerset	1.00	1.03	1.09
Sussex	1.03	1.04	1.07
Union	1.01	1.03	1.06
Warren	1.02	1.07	1.15

D. Table 6: Future Precipitation Change Factors provided below sets forth the change factors to be used in determining the projected two-, 10-, and 100-year storm events for use in this chapter, which are organized alphabetically by county. The precipitation depth of the projected two-, 10-, and 100-year storm events of a site shall be determined by multiplying the precipitation depth of the two-, 10-, and 100-year storm events determined from the National Weather Service's Atlas 14 Point Precipitation Frequency Estimates pursuant to (c)1 above, by the change factor in the table below, in accordance with the county or counties where the drainage area(s) of the site is located. Where the major development and/or its drainage area lies in more than one county, the precipitation values shall be adjusted according to the percentage of the drainage area in each county. Alternately, separate rainfall totals can be developed for each county using the values in the table below.

**Table 6: Future Precipitation Change Factors**

County	Future Precipitation Change Factors		
	2-year Design Storm	10-year Design Storm	10-year Design Storm
Atlantic	1.22	1.24	1.39
Bergen	1.20	1.23	1.37
Burlington	1.17	1.18	1.32
Camden	1.18	1.22	1.39
Cape May	1.21	1.24	1.32
Cumberland	1.20	1.21	1.39
Essex	1.19	1.22	1.33
Gloucester	1.19	1.23	1.41
Hudson	1.19	1.19	1.23
Hunterdon	1.19	1.23	1.42
Mercer	1.16	1.17	1.36
Middlesex	1.19	1.21	1.33
Monmouth	1.19	1.19	1.26
Morris	1.23	1.28	1.46
Ocean	1.18	1.19	1.24
Passaic	1.21	1.27	1.50
Salem	1.20	1.23	1.32
Somerset	1.19	1.24	1.48
Sussex	1.24	1.29	1.50
Union	1.20	1.23	1.35
Warren	1.20	1.25	1.37

**Section VI: Sources for Technical Guidance.**

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

<https://dep.nj.gov/stormwater/bmp-manual/>.

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available on the Department's website at:

<https://dep.nj.gov/stormwater/maintenance-guidance/>.

B. Submissions required for review by the Department should be mailed to:

The Division of Watershed Protection and Restoration, New Jersey Department of Environmental Protection, Mail Code 501-02A, PO Box 420, Trenton, New Jersey 08625-0420.

**Section VII: Solids and Floatable Materials Control Standards.**

A. Site design features identified under Section IV.F above, or alternative designs in accordance with Section IV.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section VII.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
  - i. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
  - ii. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.

- iii. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
2. The standard in A.1. above does not apply:
  - i. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
  - ii. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;

- iii. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:
  - a. A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
  - b. A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- iv. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- v. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

#### **Section VIII: Safety Standards for Stormwater Management Basins.**

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in Section VIII.C.1, VIII.C.2, and VIII.C.3 for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions
  1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:
    - i. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;

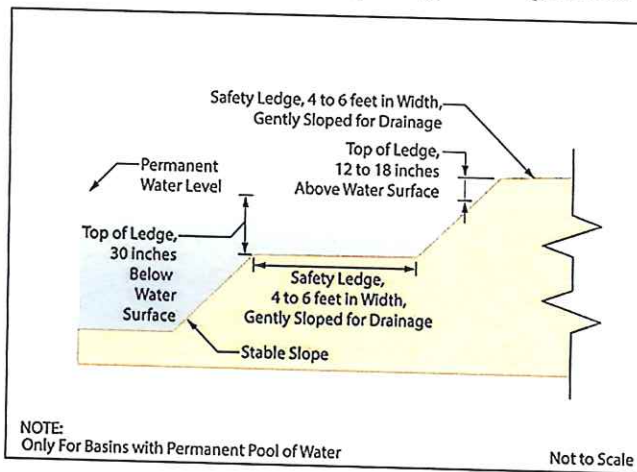
- ii. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
  - iii. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and
  - iv. The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
- i. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
  - ii. The overflow grate spacing shall be no greater than two inches across the smallest dimension
  - iii. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
- i. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to VIII.C, a free-standing outlet structure may be exempted from this requirement;
  - ii. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See VIII.E for an illustration of safety ledges in a stormwater management BMP; and
  - iii. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

#### D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

### E. Safety Ledge Illustration

#### Elevation View –Basin Safety Ledge Configuration



## **Section IX: Requirements for a Site Development Stormwater Plan.**

### A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the Checklist for the Site Development Stormwater Plan at Section IX.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit two (2) copies of the materials listed in the checklist for site development stormwater plans in accordance with Section IX.C of this ordinance.

### B. Site Development Stormwater Plan Approval

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.



C. Submission of Site Development Stormwater Plan

The following information shall be required:

1. Topographic Base Map

The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

2. Environmental Site Analysis

A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.

3. Project Description and Site Plans

A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.

4. Land Use Planning and Source Control Plan

This plan shall provide a demonstration of how the goals and standards of Sections III through V are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater Management Facilities Map

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- i. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- ii. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations

- i. Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in Section IV of this ordinance.
- ii. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and Repair Plan

The design and planning of the stormwater management facility shall meet the maintenance requirements of Section X.

8. Waiver from Submission Requirements

The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in Section IX.C.1 through IX.C.6 of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

**Section X: Maintenance and Repair.**

A. Applicability

Projects subject to review as in Section I.C of this ordinance shall comply with the requirements of Section X.B and X.C.

## B. General Maintenance

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
5. If the party responsible for maintenance identified under Section X.B.3 above is not a public agency, the maintenance plan and any future revisions based on Section X.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
7. The party responsible for maintenance identified under Section X.B.3 above shall perform all of the following requirements:
  - i. maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;

- ii. evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
  - iii. retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section X.B.6 and B.7 above.
8. The requirements of Section X.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
  9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

**Section XI: Penalties.**

- A. Any person(s) who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this ordinance shall be subject to the following penalties:
1. Any person who is convicted for violating the provisions of this Chapter shall be subject to one (1) or more of the following: a fine of not more than two thousand (\$2,000) dollars, imprisonment for any term not exceeding ninety (90) days, and/or a period of community service not exceeding ninety (90) days.
  2. A separate offence or violation shall be deemed to be committed on each day that a violation occurs or continues.
- B. Responsibility for Administration. The superintendent of the department of public works, borough engineer and building department official shall administer, implement and enforce the provisions of this Chapter. Any powers granted or duties imposed upon the superintendent of the department of public works, borough engineer or building department official may be delegated in writing to the person(s) or entities acting in the best interest of or in the employment of the Borough of Bogota

- C. Enforcement of Penalties and Liens. Should the applicant/owner fail to take the corrective actions, the Borough of Bogota shall then have the right to take the available appropriate remedies it deems necessary to correct the violations, and to assert a lien on the subject property in an amount equal to the costs of the remedial actions. The lien shall be enforced in the manner provided or authorized by law for the enforcement of common law liens on personal property. The lien shall be recorded with the Borough of Bogota and shall incur legal interest from the date of recording. The imposition of any penalty shall not exempt the offender from compliance with the provisions of this Chapter.

**Section XII: Severability.**

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

**Section XIII: Effective Date.**

This Ordinance shall be in full force and effect from and after its adoption and any publication as required by law.

**PUBLIC HEARING OPEN**

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter	✓		✓			
Councilwoman Kohles			✓			
Councilman McHale		✓	✓			
Councilman Mitchell			✓			
Councilwoman Vergara			✓			
Councilman Robbins			✓			

**COMMENTS:**

**PUBLIC HEARING CLOSED**

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter	✓		✓			
Councilwoman Kohles			✓			
Councilman McHale		✓	✓			
Councilman Mitchell			✓			
Councilwoman Vergara			✓			
Councilman Robbins			✓			

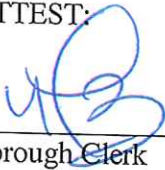
**INTRODUCTION:** March 7, 2024

**ADOPTION:** March 21, 2024

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter			✓			
Councilwoman Kohles	✓		✓			
Councilman McHale			✓			
Councilman Mitchell		✓	✓			
Councilwoman Vergara			✓			
Councilman Robbins			✓			

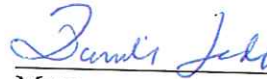
✓

ATTEST:



\_\_\_\_\_  
Borough Clerk

APPROVED:



\_\_\_\_\_  
Mayor

I, Yenlys Flores-Bolivard, Municipal 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 March 21, 2024.



**BOROUGH OF BOGOTA**

**PUBLIC HEARING & ADOPTION  
ORDINANCE NO. 1612**

**AN ORDINANCE AMENDING CHAPTER 23 OF THE  
BOGOTA MUNICIPAL CODE, ENTITLED "POLICE  
DEPARTMENT"**

**WHEREAS**, Chapter 23 of the Bogota Municipal Code sets forth the administrative rules and regulations for the Bogota Police Department; and,

**WHEREAS**, this Chapter currently sets the reimbursement for rate for police services performed on behalf of private contractors; and,

**WHEREAS**, the Mayor and Council wish to revise this section to reflect the rate agreed to in the Department's current Collective Negotiation Agreement.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Bogota, that Chapter 23 of the Bogota Municipal Code is hereby amended, revised, and supplemented as follows:

**SECTION 1: AMENDMENT TO SECTION 23-11.2(a), ENTITLED "PAYMENT AND ESCROW ACCOUNTS".**

Section 23-11.2, entitled "Payment and Escrow Accounts" is hereby amended, revised, and supplemented as follows:

23-11.2 Payment and Escrow Accounts.

- a. Private contractors shall pay the treasurer of the Borough, by cash, check, or money order, for all services performed by members of the Borough's Police Department at the rate of *one hundred forty (\$140.00)* dollars per hour as compensation for the Borough's costs associated with the police services.



**SECTION 2: 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, such portion shall be deemed a separate, distinct and independent, and such holding shall not affect the validity of the remaining portions hereof.

**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.

**PUBLIC HEARING OPEN**

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter	✓		✓			
Councilwoman Kohles		✓	✓			
Councilman McHale			✓			
Councilman Mitchell			✓			
Councilwoman Vergara			✓			
Councilman Robbins			✓			

**COMMENTS: None**

**PUBLIC HEARING CLOSED**

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter	✓		✓			
Councilwoman Kohles			✓			
Councilman McHale			✓			
Councilman Mitchell			✓			
Councilwoman Vergara		✓	✓			
Councilman Robbins			✓			





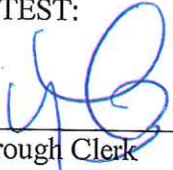
**INTRODUCTION:** February 15, 2024

**ADOPTION:** March 21, 2024

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter		✓	✓			
Councilwoman Kohles	✓		✓			
Councilman McHale			✓			
Councilman Mitchell			✓			
Councilwoman Vergara			✓			
Councilman Robbins			✓			

✓

ATTEST:

  
 \_\_\_\_\_  
 Borough Clerk

APPROVED:

  
 \_\_\_\_\_  
 Mayor

I, Yenlys Flores-Bolivard, Municipal 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 March 21, 2024.



**BOROUGH OF BOGOTA**

**PUBLIC HEARING AND ADOPTION**

**ORDINANCE NO. 1613**

**AN ORDINANCE AMENDING CHAPTER 9 OF THE  
BOGOTA CODE, ENTITLED "BUILDING AND HOUSING"**

**WHEREAS**, Chapter 9 of the Bogota Code sets forth the codes and regulations for buildings and properties located within the Borough of Bogota; and,

**WHEREAS**, Section 11 of Chapter 9 currently establishes a registry for all vacant and abandoned properties located within the Borough; and,

**WHEREAS**, after the aforementioned registry was established, the State of New Jersey adopted N.J.S.A. 40:48-2.12s3, which authorizes the Borough of Bogota to include foreclosed properties in the aforesaid registry, so as to identify and monitor residential and commercial property within the Borough for which a summons and complaint in an action to foreclose on a mortgage has been filed; and,

**WHEREAS**, Section 11 of Chapter 9 currently identifies "any foreclosing entity" as an "owner" under the vacant/abandoned property registry, but the current language limits registration to only foreclosed properties that are vacant and abandoned; and,

**WHEREAS**, the Mayor and Council wish to amend Section 11 to include all foreclosed properties in the aforementioned registry, as permitted by N.J.S.A. 40:48-2.12s3.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Bogota, that Section 11 of Chapter 9 of the Bogota Code, entitled "Registration and Maintenance of Vacant/Abandoned Properties" shall be renamed "Registration of



Vacant/Abandoned/Foreclosed Properties”, and that same shall be amended, revised and supplemented as follows:

**SECTION 1: AMENDMENT TO SECTION 9-11.1, ENTITLED “DEFINITIONS”.**

The definition of “Owner” is hereby amended, revised and supplemented as follows:

**OWNER**

Any title holder, any agent of the title holder having authority to act with respect to a vacant property ~~any foreclosing entity subject to the provisions of N.J.S.A. 46:10B-51 (P.L. 2008, c. 127, Sec. 17, as amended by P.L. 2009, c. 296), or any other entity determined by the Borough of Bogota to have authority to act with respect to the property.~~

A new definition for “Creditor” shall be added, which shall read as follows:

**CREDITOR**

A mortgagee or an agent or assignee of a mortgagee, such as the servicer, who has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. If the entity seeking to foreclose upon the residential or commercial mortgage changes as a result of an assignment, transfer, or otherwise after the filing of the foreclosure complaint in the Superior Court, the new entity shall be deemed the creditor for purposes of this section. For purposes of this section, a creditor shall not include the State, a political subdivision of the State, a State, county or local government entity, or their agent or assigned, such as the servicer.

The definition of “Vacant Property” is hereby renamed to “Vacant/Abandoned Property”, and is hereby amended, revised and supplemented as follows:

Any vacant land, or *any residential or commercial structure* which is not legally occupied or at which substantially all lawful construction operations or residential occupancy has ceased, and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation, including, but not limited to, any property meeting the definition of "abandoned property" in N.J.S.A. 55:19-80; provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order, or where the building is in habitable condition, and where the building is being actively marketed by its owner for sale or rental, shall not be deemed a vacant property for purposes of this section.



**SECTION 2: AMENDMENT TO SECTION 9-11.6, ENTITLED “(RESERVED)”.**

Section 9-11.6 shall be renamed “Requirements of Foreclosed Properties” and shall read as follows:

- (a) A creditor who files a summons and complaint in an action to foreclose shall, in addition to the notice provided to the Borough of Bogota pursuant to Section 17 of P.L. 2008, c. 127 (c. 46:10B-51) or Section 2 of P.L. 2021, c. 444 (C. 40:48-2.12s2), register the residential or commercial property with the Borough as a property in foreclosure and, as part of that registration: (a) provide the Borough with the information regarding the creditor required by paragraph (1) of subsection a. of section 17 of P.L.2008, c.127 (C.46:10B-51) or paragraph (1) of subsection a. of section 2 of P.L.2021, c.444 (C.40:48-2.12s2); (b) identify the date the summons and complaint in an action to foreclose on a mortgage was filed against the subject property, the court in which it was filed, and the docket number of the filing; and (c) identify whether the property is vacant and abandoned in accordance with the definition in the ordinance required by sub-paragraph (f) of this subsection;
- (b) The creditor shall update the information provided to the Borough within ten (10) days of any change in in the name, address, or telephone number of the representative, agent, or individual authorized to accept service on behalf of a creditor required to register pursuant to the property registration program following the filing of the summons and complaint.
- (c) If the creditor is located out-of-State, an in-State representative or agent shall be appointed to act for the foreclosing creditor. An out-of-State creditor who fails to appoint an in-State representative or agent pursuant to this Chapter shall be subject to a fine of two thousand five hundred (\$2,500) dollars for each day of the violation. The aforesaid fine shall commence on the day after the 10-day period for providing notice to the municipal clerk that a summons and complaint in an action to foreclose on a mortgage has been served;
- (d) If the property shall become vacant and abandoned after being registered, as defined in sub-paragraph (f) of this sub-section, the creditor filing a summons and complaint in an action to foreclose shall update the property registration with the municipality to reflect the change in the property’s status;
- (e) The creditor filing a summons and complaint in an action to foreclose shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property if the property is vacant and abandoned at



any time while the property is registered with the property registration program;

- (f) A property shall be considered vacant and abandoned if it is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, because of the presence or finding of at least two of the following:
- (i) overgrown or neglected vegetation;
  - (ii) the accumulation of newspapers, circulars, flyers, or mail on the property;
  - (iii) disconnected gas, electric, or water utility services to the property;
  - (iv) the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
  - (v) the accumulation of junk, litter, trash, or debris on the property;
  - (vi) the absence of window treatments such as blinds, curtains, or shutters;
  - (vii) the absence of furnishings and personal items;
  - (viii) statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
  - (ix) windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
  - (x) doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
  - (xi) a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
  - (xii) an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
  - (xiii) the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
  - (xiv) a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
  - (xv) any other reasonable indicia of abandonment.
- (g) The Code Enforcement Officer for the Borough of Bogota shall be designated to enforce the provisions of this Chapter. In the case of a violation for failure to provide care, maintenance, security and upkeep to the exterior of a vacant and abandoned property, such notice shall require the person or entity to correct the violation within 30 days of



receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.

**SECTION 2: AMENDMENT TO SECTION 9:11-5, ENTITLED "FEE SCHEDULE"**

Section 9:11-5 shall be amended, revised and supplemented as follows:

- A. *For all properties not subject to the provisions of Section 9:11-6, the initial registration of the property shall be two hundred fifty (\$250.00) dollars. Upon renewal of the registration for the second year, the registration fee shall be five hundred (\$500.00) dollars, renewal for the third year shall be one thousand (\$1000.00) dollars, renewal for the fourth year shall be two thousand five hundred (\$2,500.00) dollars, and for every year thereafter said registration fee shall be five thousand (\$5,000.00) dollars.*
- B. *For all properties subject to the provisions of Section 9:11-6, the registration of the property shall be two hundred fifty (\$250.00) dollars for the first year. Upon renewal of the registration for the second year and subsequent years, the registration fee shall be five hundred (\$500.00) dollars annually. If the property is vacant or abandoned, as defined in Section 9:11-6(f) of this Chapter, then an additional two thousand (\$2,000) dollar registration fee shall be paid annually.*

**SECTION 3: AMENDMENT TO SECTION 9:11-9, ENTITLED "VIOLATIONS"**

Section 9:11-9 is hereby amended, revised and supplemented as follows:

- a. *For all properties not subject to the provisions of Section 9:11-6, any person who violates any provision of this section or of the rules and regulations issued hereunder shall be fined not less than \$100.00 and not more than \$2,000.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this subsection shall be recoverable from the owner and shall be a lien on the property; and*



- b. *For all properties subject to the provisions of Section 9:11-6, any creditor found to be in violation of the ordinance, with the exclusion of Section 9:11-6(c), shall be subject to a fine of one thousand five hundred (\$1,500) dollars for each day of the violation. Any fines imposed pursuant to this Section shall commence 31 days following receipt of the notice of violation, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice. No less than twenty (20%) percent of any money collected pursuant to this subsection shall be utilized by the Borough for municipal code enforcement purposes.*
- c. For purposes of this section, failure to file a registration statement within thirty (30) calendar days after a building becomes vacant property or within thirty (30) calendar days after assuming ownership of a vacant property, whichever is later, or within ten (10) calendar days of receipt of notice by the municipality, and failure to provide correct information on the registration statement, or failure to comply with the provisions of such provisions contained herein shall be deemed to be violations of this section.

**SECTION 4: 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 5: 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 6: EFFECTIVE DATE**

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

**PUBLIC HEARING OPEN**

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter			✓			
Councilwoman Kohles	✓		✓			
Councilman McHale			✓			
Councilman Mitchell		✓	✓			
Councilwoman Vergara			✓			
Councilman Robbins			✓			

COMMENTS: *No Comments*

**PUBLIC HEARING CLOSED**

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter	✓		✓			
Councilwoman Kohles		✓	✓			
Councilman McHale			✓			
Councilman Mitchell			✓			
Councilwoman Vergara			✓			
Councilman Robbins			✓			





**INTRODUCTION:** February 15, 2024

**ADOPTION:** March 21, 2024

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter	✓		✓			
Councilwoman Kohles	✓	✓	✓			
Councilman McHale			✓			
Councilman Mitchell			✓			
Councilwoman Vergara			✓			
Councilman Robbins			✓			

✓

ATTEST:

\_\_\_\_\_  
Borough Clerk

APPROVED:

\_\_\_\_\_  
Mayor

I, Yenlys Flores-Bolivard, Municipal 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 March 21, 2024.



**BOROUGH OF BOGOTA**

**PUBLIC HEARING & ADOPTION**

**ORDINANCE NO. 1614**

(Amending ORD. NO. 1598)

BOND ORDINANCE TO AMEND SECTIONS 4.B AND 10 OF THE BOND ORDINANCE (ORD. NO. 1598) ENTITLED: "BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF BOGOTA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,900,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS," ADOPTED JUNE 8, 2023.

-----  
BE IT ORDAINED by the Borough Council of the Borough of Bogota, in the County of Bergen, State of New Jersey, as follows:

Section 1. Section 4.B of Ordinance No. 1598 entitled:

"BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF BOGOTA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,900,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS"

adopted by the Borough Council of the Borough of Bogota, in the County of Bergen, New Jersey (the "Borough") on June 8, 2023 (the



"Prior Ordinance") is hereby amended to (A) delete the acquisition of SUVs for the use of the Police Department from the purposes authorized, (B) add the undertaking of various improvements to the Hose 3 Fire House to the purposes authorized, and (C) increase the period of usefulness of the purposes authorized from 5 years to 7 years, and shall hereafter read as follows:

"[Section 4.]B. (i) Acquisition of new information technology equipment for the use of the Police Department consisting of a policy and procedures computer system and (ii) undertaking of various improvements to the Hose 3 Fire House.

Appropriation and Estimated Cost	\$ 235,000
Down Payment Appropriated	
Bonds and Notes Authorized	\$ 11,200
Period of Usefulness	\$ 223,800 7 years."

Section 2. Section 10 of the Prior Ordinance is hereby amended to increase the average period of usefulness of the purposes authorized from 10.71 years to 10.95 years (an increase of 0.24 years), and shall hereafter read as follows:

"Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 10.95 years computed from the date of said bonds."



Section 3. The capital budget is hereby amended to conform with the provisions of this amendatory bond ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 4. This ordinance shall take effect twenty days after the first publication thereof after final passage.

**PUBLIC HEARING OPEN**

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter	✓		✓			
Councilwoman Kohles		✓	✓			
Councilman McHale			✓			
Councilman Mitchell			✓			
Councilwoman Vergara			✓			
Councilman Robbins			✓			

COMMENTS: *No Comments*

**PUBLIC HEARING CLOSED**

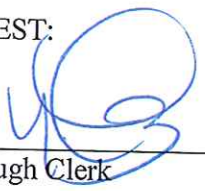
Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter	✓		✓			
Councilwoman Kohles			✓			
Councilman McHale			✓			
Councilman Mitchell			✓			
Councilwoman Vergara		✓	✓			
Councilman Robbins			✓			

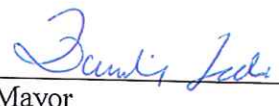


**INTRODUCTION:** March 7, 2024

**ADOPTION:** March 21, 2024

Councilperson	Motion	Second	Yes	No	Absent	Abstain
Council President Carpenter		✓	✓			
Councilwoman Kohles	✓		✓			
Councilman McHale			✓			
Councilman Mitchell			✓			
Councilwoman Vergara			✓			
Councilman Robbins			✓			

✓  
 ATTEST:  
  
 \_\_\_\_\_  
 Borough Clerk

APPROVED:  
  
 \_\_\_\_\_  
 Mayor

I, Yenlys Flores-Bolivard, Municipal 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 UMarch 21, 2024.



**RESOLUTION # 2024-93**

**DATE: 03-21-2024**

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

**AUTHORIZING THE COLLECTOR OF TAXES  
TO REFUND PAYMENT TO THE LISTED TAXPAYER  
DUE TO VETERAN EXEMPTION**

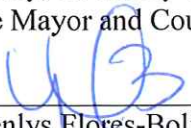
**WHEREAS**, the Assessor has granted a Disabled Veteran Exemption to the parcels listed below and a letter of eligibility from the Veteran’s Administration is on file in the Assessor’s office showing the effective date of exemption,

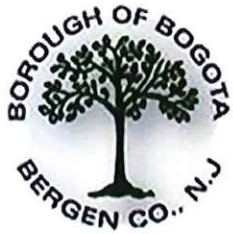
**WHEREAS**, the owner or its mortgage servicer made payments after the date of exemption and tax refunds are due in the amounts listed below,

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Bogota that the Collector of Taxes of the Borough of Bogota is hereby authorized, empowered and directed to cause to be paid to the homeowners the tax refunds due:

ADDRESS	148 QUEEN ANNE RD			EXEMPT DATE	2/16/2023
BLOCK	76				
LOT	10				
QUAL					
<b>2023 PAYMENTS</b>					
	<b>2023</b>	<b>DATE</b>	<b>AMOUNT</b>	<b>DAYS</b>	<b>REFUND DUE</b>
	Q4	11/1/2023	\$3,610.95	90	\$3,538.73
	<b>2024</b>	<b>DATE</b>	<b>AMOUNT</b>	<b>DAYS</b>	<b>REFUND DUE</b>
	Q1	2/1/2024	\$3,543.00	90	\$3,472.14
	<b>TOTAL</b>				<b>\$7,010.87</b>
	<b>REFUNDED DUE</b>				<b>\$7,010.87</b>
	<b>PAYABLE TO:</b>				
	CORELOGIC REFUND DEPARTMENT				
	3001 HACKBERRY RD				
	IRVING, TX 75063				

I, Yenlys Flores-Bolivar, Municipal 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 regular meeting held on 03-21-2024.

  
 Yenlys Flores-Bolivar, Municipal Clerk  
 2024-93



**RESOLUTION # 2024-94**

**DATE: 03-21-2024**

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

**RECREATION DIRECTOR CONTRACT**

See attached.

**CERTIFICATION**

I, Yenlys Flores-Bolivard, Municipal 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 regular meeting held on 03-21-2024.

\_\_\_\_\_  
Yenlys Flores-Bolivard, Municipal Clerk

**EMPLOYMENT AGREEMENT**

This is an Employment Agreement (hereinafter the “Agreement”) between Philip Conte (“Mr. Conte”) and the Borough of Bogota, located at 375 Larch Avenue, Bogota, New Jersey 07603 (“the Borough”).

**WITNESSETH:**

**WHEREAS**, the Borough wishes to retain the services of Philip Conte for the position of full-time Recreation Director, pursuant to Section 2-8 of the Borough Code, and all other applicable statutes and regulations of the Borough and the State of New Jersey; and,

**WHEREAS**, Mr. Conte’s appointment was memorialized via Resolution #2024- 86, which was adopted by the Bogota Governing Body on March 7, 2024, a copy of which is attached as an Exhibit herein; and,

**WHEREAS**, the parties desire to memorialize the terms and conditions of Mr. Conte’s employment within this Employment Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. **Employment.** Subject to the terms and conditions set forth herein, the Borough agrees to employ Mr. Conte as the full-time Recreation Director for the Borough of Bogota.
2. **Term.** This contract shall run for a period of two (2) years, and shall commence on the date this Agreement is executed.
3. **Compensation.** The Borough shall pay Mr. Conte a salary established by this contract for all services rendered in the amount of Seventy Thousand (\$70,000) Dollars per year. Mr. Conte shall not be entitled to receive overtime compensation.
4. **Benefits.** As a full-time employee of the Borough, Mr. Conte shall be entitled to receive any and all benefits afforded the employees of the Borough under the Borough’s Personnel Policies and Procedures Manual, including health and pension benefits.
5. **Vacation/Personal/Sick days.** As a full-time employee of the Borough, Mr. Conte shall be entitled to vacation, personal and sick days in accordance with the Borough’s Personnel Policies and Procedures Manual.
6. **Duties.** The duties of Recreation Director shall include, but not be limited to the following:
  - To work at least forty (40) hours per week in the Borough.



- To work with the Recreation Committee in establishing, supervising and carrying out a recreation program to meet the recreational needs of the residents of the Borough, and to plan for future recreational needs.
  - To work with the Recreation Committee in promulgating, adopting and approving such rules and regulations as necessary to carry out its purpose and objects, subject to review and approval of the Borough Council.
  - To consider recommendations from individuals and groups involving matters of recreation policy, and to present recommendations to the Recreation Committee and the Council.
  - To interpret the Committee's program to public officials and to the general citizenry.
  - To present an annual report to the public and to Borough officials concerning the activities of the Committee.
  - To distribute all policy decisions to the applicable volunteers and paid employees.
  - To attend meetings of the Mayor and Council upon request.
  - When not physically in the Borough, to be available by telephone for consultation with the Mayor, members of the Council and the Borough Administrator.
  - To present a professional demeanor without prejudice, malice or unlawful discrimination at all times, and to carry out all official duties pursuant to the Borough Code and the laws of the State of New Jersey.
  - Any other duties specified in the Borough Code, and as directed by the Borough's Recreation Committee and the Borough Administrator.
7. Education. The Borough shall cover Mr. Conte's enrollment fees related to any courses required for his employment as Recreation Director.
  8. Discharge and Discipline. The Borough may discharge or discipline Mr. Conte for any lawful reason, in accordance with the provisions of the Borough Code, the Borough's Personnel Policies and Procedures Manual and the laws of the State of New Jersey.
  9. Governing Law. The terms of and performance under this Agreement shall be subordinate to and governed by the laws of the State of New Jersey.
  10. Approval. This Agreement shall only become binding and enforceable upon execution of both parties.
  11. Entire Agreement/Severability/Not Construed Against Drafter. This Agreement constitutes the entire understanding between the parties as it relates to the subject matter of this Agreement. The provisions of this Agreement are severable, and if any provision is found to be unlawful or unenforceable, it shall be stricken from said Agreement; however, all remaining provisions to the Agreement shall remain. The



**RESOLUTION # 2024-94**

**DATE: 03-21-2024**

Agreement was negotiated at arms-length and shall not be construed against its drafter.

12. Voluntary and Knowing Agreement. Mr. Conte acknowledges that he has executed this Agreement after being given an opportunity to consult with an attorney of his own choosing, and after considering the terms of the Agreement, and further acknowledges that he has read this Agreement in its entirety, understands all of the terms and freely, voluntarily and knowingly, without duress or coercion, and assents to all the terms and conditions contained herein.

By signing below, all Parties indicate that they have carefully read and understand the terms of this Agreement, enter into this Agreement knowingly, voluntarily and of their own free will, understand its terms and significance and intend to abide by its provisions without exception.

ATTEST

BY: 

YENLYS FLORES-BOLIVARD,  
BOROUGH CLERK

(Seal)

BOROUGH OF BOGOTA

By: 

DANIELE FEDE,  
MAYOR

BY: 

PHILIP CONTE,  
RECREATION DIRECTOR



**RESOLUTION # 2024-94**

**DATE: 03-21-2024**

Agreement was negotiated at arms-length and shall not be construed against its drafter.

12. Voluntary and Knowing Agreement. Mr. Conte acknowledges that he has executed this Agreement after being given an opportunity to consult with an attorney of his own choosing, and after considering the terms of the Agreement, and further acknowledges that he has read this Agreement in its entirety, understands all of the terms and freely, voluntarily and knowingly, without duress or coercion, and assents to all the terms and conditions contained herein.

By signing below, all Parties indicate that they have carefully read and understand the terms of this Agreement, enter into this Agreement knowingly, voluntarily and of their own free will, understand its terms and significance and intend to abide by its provisions without exception.

ATTEST

BY:   
YENLYS FLORES-BOLIVARD,  
BOROUGH CLERK

(Seal)

BOROUGH OF BOGOTA

By:   
DANIELE FEDE,  
MAYOR

BY: \_\_\_\_\_  
PHILIP CONTE,  
RECREATION DIRECTOR



**RESOLUTION # 2024-95**

**DATE: 03-21-2024**

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

**TRANSFER APPROPRIATION RESERVES**

**WHEREAS**, various 2023 bills have been presented for payment this year, which bills represent obligations of the prior fiscal year and were not covered by order number and/or recorded at the time of transfers between the 2023 Budget in the last two months of 2023; and

**WHEREAS**, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the fiscal year are available, until lapsed at the closed of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Bogota, in the County of Bergen, State of New Jersey, (2/3 of the majority of the full membership concurring herein) that the transfers in the amount below be made between the Budget Appropriation Reserves as attached.



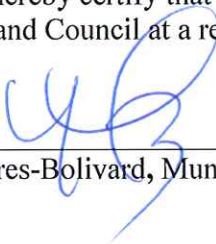
**RESOLUTION # 2024-95**

**DATE: 03-21-2024**

<b>ACCOUNT</b>	<b>FROM</b>	<b>TO</b>
<b>01-2030 APPROPRIATION RESERVES</b>		
20-1552 Legal Services - O/E:	0.00	115,000.00
23-2202 Group Insurance - O/E:	13,800.00	0.00
25-2401 Police - S&W:	20,000.00	0.00
25-2421 Crossing Guards - S&W:	5,000.00	0.00
25-2552 Fire - O/E:	15,000.00	0.00
25-2602 Rescue Squad - O/E:	5,000.00	0.00
25-2651 Uniform Fire Safety - S&W:	5,000.00	0.00
26-2901 DPW - S&W:	25,000.00	0.00
26-3102 Buildings & Grounds - O/E:	7,500.00	0.00
27-3651 Seniors - O/E:	2,500.00	0.00
28-3702 Recreation Services - O/E:	5,000.00	0.00
28-3703 Celebration of Public Events:	12,000.00	0.00
31-4402 Telephone:	0.00	800.00
<b>01-2030 APPROPRIATION RESERVES:</b>	<b>115,800.00</b>	<b>115,800.00</b>

**CERTIFICATION**

I, Yenlys Flores-Bolivard, Municipal 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 regular meeting held on 03-21-2024.

  
\_\_\_\_\_  
Yenlys Flores-Bolivard, Municipal Clerk



**RESOLUTION # 2024-96**

**DATE: 03-21-2024**

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

**GOVERNING BODY STIPEND INCREASE**

**WHEREAS**, the Mayor and Council, the elected officials of the Borough of Bogota are entitled to an annual stipend for their duties to the Borough; and

**WHEREAS**, the Borough elected officials currently earn \$3,403.33 (Mayor) and \$2,552.50 (Council) respectively; and

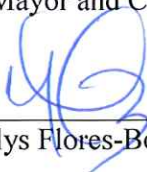
**WHEREAS**, the Borough wishes to increase the annual stipend of elected officials to \$7,000 (Mayor) and \$5,000 (Council) effective January 1, 2024.; and

**WHEREAS**, the Borough Administrator and Borough Attorney have reviewed this matter, and recommend that the elected official’s annual stipend be increased to \$7,000 (Mayor) and \$5,000 (Council) respectively, for their duties to the Borough.

**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 elected officials shall receive an annual stipend increase to \$7,000 (Mayor) and \$5,000 (Council) respectively, effective January 1, 2024.

**BE IT FURTHER RESOLVED**, that the Borough Clerk be and she is hereby authorized and directed to forward a copy of this resolution to the Administration Office upon its passage.

I, Yenlys Flores-Bolivard, Municipal 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 regular meeting held on 03-21-2024.

  
 Yenlys Flores-Bolivard, Municipal Clerk



**RESOLUTION # 2024-97**

**DATE: 03-21-2024**

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

**UPDATING SALARIES FOR PART TIME BUILDING INSPECTORS**

**WHEREAS**, the Borough of Bogota has retained the services of an Electrical Subcode Official and a Plumbing Subcode Official (hereinafter the “Officials”), who work within the Bogota Construction Code Department in accordance with Section 9-1 of the Borough Code; and,

**WHEREAS**, the aforementioned Officials are each paid an annual salary of \$9,800 for their services, per the Borough’s current salary ordinance; and,

**WHEREAS**, each Official also receives a \$5,000 stipend, in addition to their annual salary, for their assistance with “Special Projects”; and,

**WHEREAS**, the aforementioned stipend is published in the Borough’s most recent salary ordinance; and,

**WHEREAS**, the Mayor and Council wish to merge the \$5,000 stipend with each Official’s \$9,800 salary, thereby eliminating the stipend and increasing each Officials’ annual salary to \$14,800.

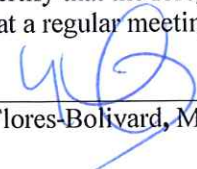
**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Bogota, that the annual salary for Bogota’s Electrical Subcode Official and Plumbing Subcode Official are hereby increased to \$14,800; and,

**BE IT FURTHER RESOLVED**, that this salary adjustment shall take effect as of January 1, 2024; and,

**BE IT FURTHER RESOLVED**, that the aforementioned Officials shall not longer receive the “Special Project Stipend” listed in the Borough’s current salary ordinance; and,

**BE IT FURTHER RESOLVED**, that the Borough Administrator, Borough Clerk, Borough Attorney, and any other necessary Borough Official is hereby directed to amend the Borough’s salary ordinance to reflect the new annual salary of the aforementioned Officials, at such time that the salary ordinance is annually amended.

I, Yenlys Flores-Bolivard, Municipal 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 regular meeting held on 03-21-2024.

  
 Yenlys Flores-Bolivard, Municipal Clerk



**RESOLUTION # 2024-98**

**DATE: 03-21-2024**

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

**AMENDING  
BY-LAWS  
OF THE  
COUNCIL OF THE BOROUGH OF BOGOTA**

**WHEREAS**, the Council had discussed various changes to the Borough’s bylaws at its regularly scheduled meeting of March 7, 2024; and,

**WHEREAS**, Borough Attorney has presented proposed amendments to the bylaws for the Council to consider; and,

**WHEREAS**, the proposed revisions to the Borough’s bylaws are attached as an exhibit to this resolution; and,


**WHEREAS**, the Council wishes to amend the bylaws, as reflected in the attached Exhibit.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Bogota, that the bylaws of the Borough are hereby amended in accordance with the language set forth in the Exhibit attached hereto; and,

**BE IT FURTHER RESOLVED**, that the proposed revisions shall take effect immediately.

**CERTIFICATION**

I, Yenlys Flores-Bolivar, Municipal 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 regular meeting held on 03-21-2024.

  
 \_\_\_\_\_  
 Yenlys Flores-Bolivar, Municipal Clerk





**By Laws Amendment # 2024-98**

**DATE: 03-21-2024**

**BY-LAWS  
OF THE COUNCIL OF  
THE BOROUGH OF BOGOTA**

**2024**

Revised January 17, 2019  
Revised February 17, 2023  
Approved March 2, 2023  
Revised March 21, 2024



## ARTICLE I

The deliberation of the Council shall be governed by Robert's Rules of Order, except when the same are in **conflict with the laws of the State of New Jersey or these By-Laws**, in which event, said Robert's Rules of Order shall be inapplicable.

## ARTICLE II

### Section 1

The Mayor shall preside over the deliberations of the Council and shall conduct the meetings thereof. He/She shall also participate in the determination of Borough affairs to the extent permitted by statute.

### Section 2

The Mayor shall, on all occasions, preserve order and decorum, and he/she shall cause the removal of all persons who interrupt the orderly proceedings of the Council.

### Section 3

When two or more Councilmembers shall request recognition at the same time, the Mayor shall name the one entitled to the floor.

### Section 4

The Mayor shall decide all questions of order without debate, subject to an appeal by the Borough Attorney whose determination shall be binding, and the Mayor may call upon the Borough Attorney for his/her opinion upon any question of order.

### Section 5

The Mayor shall be an ex-officio member of all committees, both standing and special, and shall be informed in advance of all meetings of such committees.

### Section 6

In the absence of the Mayor, or if he/she is unable to perform his/her duties; the Council President or, in his/her inability to act, the Councilmember, having the longest, continuous and uninterrupted term of service, shall act as Presiding Officer, as provided by statute.

### Section 7

The Mayor shall not vote except to give the deciding vote in case of a tie, or as otherwise provided by the laws of the State of New Jersey.



## ARTICLE III Borough Clerk

### Section 1

The Borough Clerk shall attend all meetings of the Council, keep a record of its proceedings and perform such other duties enjoined upon that office by the laws of the State of NJ and these By-Laws.

### Section 2

The Borough Clerk shall keep the minutes and ordinance books properly and fully indexed and up-to-date, and shall perform all the duties evolving upon such office and such special services as the Mayor, and Council may require.

### Section 3

It shall not be necessary for the Borough Clerk to read the minutes of the previous meeting, if the said Borough Clerk shall have submitted an electronic draft copy to each of the Councilmembers, as soon as practicable, but at least within seven (7) days before each Council meeting.

### Section 4

Mayor and Council may submit edits to the draft meeting minutes in writing or verbally to the Clerk prior to the approval of the minutes.

### Section 5

The Borough Clerk shall make available the final agenda and all supporting documents, including resolutions, of the Mayor and Council meeting by noon on the Tuesday prior to the meeting. Any items added after 5:00 p.m. on that date shall be added to the next meeting agenda, unless it is an emergency where action is required.

Items may be added to the agenda by the Borough Clerk, Borough CFO or Borough \*\*\*\* Administrator, in addition to the Mayor and two Councilmembers or three Councilmembers.

Items may be removed from the agenda by the Mayor and two Councilmembers, or by three Councilmembers, prior to the meeting that the agenda relates to.

## ARTICLE IV Work Session and Meetings

### Section 1

The Council shall hold an annual re-organization meeting during the first seven (7) days of January of any year, **which meeting shall be the first meeting of the year and** will be held within the Borough at such time and place as the Council may direct.

All regular meetings of the Borough shall take place at 7:30p.m. on the first and third Thursdays of each month. Special or emergency meetings may be called from time to time by the Mayor or



by any four members of the Council upon consultation with the Borough Clerk, Borough Attorney and/or Borough Administrator.

### **Section 2**

The Council, at its annual reorganization meeting shall, by the vote of a majority, of said Council, elect from their members, a President of the Council. He/She shall hold office for one (1) year and until the next annual reorganization meeting. If the Council, at its annual reorganization meeting, fails to elect a President from the Council, the Mayor may appoint the President from the Council, and in such case no confirmation by the Council shall be necessary.

### **Section 3**

If the Mayor is absent from the Borough for a period of three (3) days or, for any reason is unable to act, the President of the Council shall perform all the duties of the Mayor during such absence or inability. The Mayor, in case of his/her intended absence from the Borough for more than three (3) days at any time shall notify the President in writing of such intended absence, whereupon the President shall be acting Mayor, upon the receipt of such notice and continue to act in that capacity until the Mayor's return,

### **Section 4**

If a Councilmember shall be absent from the Borough for more than three (3) days, he/she shall so notify the Mayor and Council President.

### **Section 5**

At the annual reorganization meeting, the Council shall fix the time and place for holding regular meetings during the ensuing year, which time and place, shall not be changed; except by proper notification in accordance with the Open Public Meetings Law [and amendment of the Bylaws](#).

### **Section 6**

It shall be the duty of the Mayor, when necessary, to call special meetings of the Council. In case of his/her neglect or refusal, any four (4) members of the Council may call such meetings at such time and place in such Borough as they may designate. In all cases except those of urgency and importance, at least forty-eight (48) hour notice shall be given to the Mayor and Councilmembers by the Borough Clerk in advance of a special meeting, which shall be conducted in accordance of the New Jersey Open Public Meetings Act. Said notice shall include the time, date, and place of the special meeting and shall include the purpose of the meeting.

### **Section 7**

Three (3) Councilmembers and the Mayor, or in the absence of the Mayor, four (4) Councilmembers shall constitute a quorum.

### **Section 8**

If no quorum is present at any meeting within fifteen minutes of the advertised start time, those assembled shall have power and are authorized to set a new meeting date; and then adjourn.



The following order of business shall be observed:

**Regular Mayor & Council Meeting**

Regular Mayor and Council meetings shall be held on the 3<sup>rd</sup> Thursday of the Month.

Salute to the flag

Roll call (Clerk shall also note the attendance of the Borough Attorney, Borough Administrator, and any other Borough official who may be present at the meeting)

Notice of public hearing

Citizen Remarks

Council Response to Citizen Remarks

**Ceremonies (if any)**

Discussion

Introduction of ordinances

Public hearing of ordinances

Consent agenda including all various approvals, minutes and payment of claims

Other agenda items – Old Business

Correspondence/petitions (read by Clerk)

Citizen Remarks

Reports including Committee Liaisons, Borough Administrator, Borough Clerk, Borough Attorney and Engineer

Closed Session

Adjournment

**Work Session**

Work Sessions shall be held on the 1<sup>st</sup> Thursday of the month

Only one Citizen Remark shall be held during a Work Session, and shall be conducted at the end of the meeting

No Work Session shall be held in the months of July, August, and November

Regular meetings of the Mayor and Council shall be called to **order at 7:30 pm.**

Special meetings shall be called to order at the designated date and time.

Meetings shall end at 10:30 pm, with a voice vote being taken at 10:30pm to extend the meeting by thirty minutes increments with the majority vote of the Council.

**Section 10**

The regular order of business may be suspended at any meeting by a majority vote of Council present or by the Mayor with the consent of Council.



### **Section 11**

All actions of the Council shall be by a majority vote of those present, except as otherwise required by NJ statutes.

### **Section 12**

#### **Rules of Order**

- a) Every member, when speaking, shall address himself/herself to the Chair unless directed otherwise.
- b) While a member is speaking, no other member shall entertain any private discourse. No member of Council shall leave his/her seat without permission of the Chair.
- c) Every member who shall be present, when a question is put, shall vote for or against it, unless he/she shall abstain for any reason.
- d) No person, not a member of the governing body, shall be given the privilege of the floor except by permission of the Mayor or upon the demand of a member of the Council, if supported by the votes of a majority of the Councilmembers present.
- e) A member called to order by the Mayor or Presiding Officer, shall cease speaking immediately unless permitted to explain. He/She may, if he/she wishes, appeal to the Borough Attorney for permission to continue his/her remarks, whose determination shall be binding. If there is no appeal, the decision of the Chair shall stand and be final.
- f) No resolution or motion shall be put for a vote unless seconded.
- g) When a motion is made and seconded, there must be a call for discussion on the resolution prior to the roll call vote.
- h) A motion to lay on the table shall be decided without amendment or debate; and such motion, until it is decided, shall preclude all amendments or debate of the main question.
- i) A motion to adjourn shall be decided without debate and shall always be in order, except when the Council is voting or when a Council person is addressing the Council, or immediately after the question of adjournment has been decided in the negative.
- j) A consent agenda may be used by unanimous agreement of Council.
- k) Items on the consent agenda can be pulled for discussion at any time at the request of the Mayor or a Council Member.
- l) The Mayor and Council Members are prohibited from sending or receiving text messages with other members on the dais until the meeting is adjourned.

#### **The following sections are proposed to be added to Article IV (Meetings)**

### **Section 13**

The Council may, in its discretion, hold their public meetings in-person and remote (i.e. hybrid) format, provided the Open Public Meetings Act, N.J.S.A. 10:4-1, *et seq* and other applicable laws are followed. Remote meetings shall only be mandatory in the event of a public health or other declared emergency that requires meetings to be held remotely, because the emergency reasonably prevents the local public body from safely conducting public business at a physical location with members of the public present.



A. When a meeting is conducted in a hybrid manner, the public accessing the meeting remotely shall have similar access to participate in the meeting as members of the public who are present, and shall be limited to speaking during public comments and other public hearings for no more than 5 minutes per person.

B. The option of hybrid meetings is a convenience to the public. Therefore, unless a declared emergency makes conducting a remote meeting mandatory, Council members, the Borough Attorney, Borough Administrator and Borough Clerk are required to attend all public meetings in person unless their absence is excused.

C. Any agendas or presentation documents that would be viewed or made available to members of the public who physically attend a public meeting shall also be made visible on a video broadcast or be made available for download on the Borough's website ahead of the meeting.

D. The electronic communication technology used for a hybrid or remote public meetings must have a function that allows the Borough to mute the audio of all members of the public, as well as allow members on the dais to mute themselves.

If a member of the public accessing the meeting remotely becomes disruptive, including during any period for public comment, the person charged with running the remote component of the public meeting shall mute or continue muting the disruptive person, at the direction of the Mayor or a majority vote of the Council, after the person is warned that continued disruption may result in their being prevented from speaking. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption and use of profanity.

E. All public notices to a hybrid meeting must include the instructions to access the meeting remotely, and indicate where meeting documents, such as agendas, will be made available for download. Connection instructions shall also be posted on the Borough's webpage ahead of the meeting. If the Borough Council intends to conduct hybrid meetings for a series of regularly scheduled meetings, then the annual meeting notice shall be revised at least seven (7) days prior to the next regularly scheduled hybrid meeting in accordance with this sub-part. If a declared emergency requires public meetings to be conducted remotely, then a copy of the public notice shall also be posted on the door of the Municipal Building. The notice must be viewable from the outside.

F. If members of the public who are remotely accessing the meeting become unable to gain access due to a technical or equipment issue experienced by the Borough, then no official action should be taken at the meeting until the connection for remote users is restored. If the technical issues are not resolved within fifteen (15) minutes, then the meeting shall be adjourned.



## ARTICLE V Committees/Liaisons

### Section 1

There shall be the following standing committees, with 2 Council liaisons appointed to each by the Mayor under the consent of the Council;

1. Administration/Personnel
2. Finance and Tax/Grant Writing
3. Board of Education
4. BACSA
5. Buildings & Grounds/Property Maintenance
6. Construction/Planning and Zoning
7. Department of Public Works
8. Environmental/Shade Tree
9. Fire Department
10. Health and Insurance – Board of Health
11. Library
12. Liaison to the County/State
13. Police/Auxiliary Police/Court/ Office of Emergency Management
14. Recreation
15. Rescue
16. Senior Citizens
17. Transportation (Airport Noise Abatement, Train Issues, etc.)
18. Veterans' Affairs

Notwithstanding the foregoing, there shall be a police committee consisting of three council liaisons whose members and chairperson shall be appointed by the Mayor.

### Section 2

Liaisons may meet with various departments, boards and commissions and report back to and/or make recommendations to the full Council, but may not make any financial commitments nor act outside of any statutory limitations established by the State of New Jersey.

### Section 3

The Mayor may appoint Special Committees with Council consent for purposes other than those embraced in the Standing Committees, designated in Section 1.

### Section 4

The Chairperson of each Standing or Special committee shall be prepared to report to the Mayor and Council at each regular meeting on principal activities and, achievements of their respective committee.





## **ARTICLE VI Ordinances**

All ordinances shall be submitted in writing, with approval as to form by Borough Attorney at a meeting of the Council. The procedure for passage of all ordinances shall conform to the procedure under the Laws of the State of New Jersey. After final passage or adoption of any ordinance, it shall be published as provided by law, together with date of passage.

## **ARTICLE VII Payment of Claims**

### **Section 1**

All bills or claims against the Borough shall be in writing, fully itemized, sworn to as required by statute, and presented on such forms as the Borough shall provide for such purpose. No bills or claims shall be approved by the Borough Council for final payments unless the same shall have been reviewed by the appropriate Council members prior to the regular meeting at which payment is approved. The bill list will be provided to all Council members with the Agenda by noon of the Tuesday preceding the Council meeting.

### **Section 2**

All bills and claims must be supported by a certification that the goods were received in good order, or that the services were satisfactorily rendered, and that the same are in accordance with the agreed specifications and price. Such certification shall be made by the responsible person accepting the same on behalf of the Borough, and who may be held accountable. Each such bill or claim shall then be carefully reviewed, checked, and approved for budget change and classification by or under direction of the Borough official or department head responsible for the budget item affected.

All checked Purchase Orders, with supporting papers attached, shall then be presented to the Finance Committee for examination and audit.

All Purchase Orders, so approved, shall be referred back to the Borough Clerk to be presented at a regular meeting of the Mayor and Council for approval. (Payment of Claims)

Authorization to pay amounts of the approved PO shall be by resolution of the Council.

All bills, Purchase Orders and Bank Statements shall be filed in a safe place and be made available for public inspection.



## **ARTICLE VIII Borough Seal**

### **Section 1**

The seal of the Borough shall be as hereinafter impressed.

### **Section 2**

The seal shall be Circular in form and contain the following; "The Borough of Bogota, Bergen County, New Jersey", including thereafter year of incorporation.

### **Section 3**

The seal shall be in the custody of the Borough. Clerk and shall be impressed on all appropriate documents or papers.

## **ARTICLE IX Amendments**

### **Section 1**

The Mayor or any member of the Council may propose amendments to these By-Laws at any regular meeting.

### **Section 2**

These By-Laws shall be altered or amended only by a majority vote of the entire Council on a roll call vote.

## **ARTICLE X Adoption and Term**

### **Section 1**

The By-Laws shall be adopted by a resolution of Council concurred in by a majority of Council.

### **Section 2**

The By-Laws shall become effective immediately after adoption and shall remain in effect until Council amends same.

I, Yenlys Flores-Bolivard, Municipal 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 03-21-2024.

Yenlys Flores-Bolivard, Municipal Clerk



**RESOLUTION # 2024-99**

**DATE: 03-21-2024**

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

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

**CLOSED SESSION**

**Topic Discuss:**

1. Attorney-Client

**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 finds 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



**RESOLUTION # 2024-99**

**DATE: 03-21-2024**

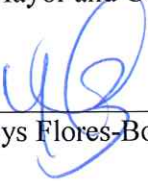
\_\_\_\_\_ Pending or anticipated litigation or contract negotiations in which the Borough is or may become a party

\_\_\_\_\_ 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

\_\_\_\_\_ 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.

I, Yenlys Flores-Bolivard, Municipal 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 regular meeting held on 03-21-2024.

  
\_\_\_\_\_  
Yenlys Flores-Bolivard, Municipal Clerk

PC24-04 Payment of Claims

**Motion:** Council President Carpenter made a motion to pass Resolution PC24-04. Seconded by Councilman Mitchell. Council President Carpenter voted no on claims related to Enterprise and yes on all other claims. Councilwoman Kohles voted no on claims related to Enterprise, recused herself on claims related to the DPW or Superintendent Kohles, and yes on all other claims. Councilman Mitchell voted yes on all claims except those relating to Enterprise. Councilmembers McHale and Robbins voted yes on all claims

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	323,228.83
Total fund 04 General Capital Fund	302,015.00
Total fund 13 Recreation Trust Fund	3,000.00
Total fund 14 Trust Fund - Other	9,705.00
Total fund 17 PAYROLL	4,521.50
Total fund 19 COAH	200.00
<b>GRAND TOTAL:</b>	<b>642,670.33</b>

**Bills List****BOROUGH OF BOGOTA**

03/19/24 05:08:18 PM

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
<b>01-1067-04-0000-000 Taxes Receivable - 2023</b>					
240353	03/19/24	CORELOGIC REFUND	B 76 L 10 - 98% DISABLED VET	3,538.73	03/19/24
<b>Total for</b>		<b>Taxes Receivable - 2023</b>		<b>3,538.73</b>	
<b>Department Total:</b>		<b>Taxes Receivable - 2023</b>		<b>3,538.73</b>	
<b>01-1068-04-0000-000 Taxes Receivable - 2024</b>					
240353	03/19/24	CORELOGIC REFUND	B 76 L 10 - 98% DISABLED VET	3,472.14	03/19/24
<b>Total for</b>		<b>Taxes Receivable - 2024</b>		<b>3,472.14</b>	
<b>Department Total:</b>		<b>Taxes Receivable - 2024</b>		<b>3,472.14</b>	
<b>01-2010-20-1001-000 Appropriation Control General Administration - S&amp;W</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	5,208.33	03/14/24
<b>Total for</b>		<b>Appropriation Control General Administration -</b>		<b>5,208.33</b>	
<b>Department Total:</b>		<b>Appropriation Control General Administration -</b>		<b>5,208.33</b>	
<b>01-2010-20-1002-002 Appropriation Control General Administration - O/E</b>					
240291	03/05/24	TROPHY KING, INC	24315; NEW NAME PLATES;	27.50	03/19/24
<b>Total for</b>		<b>Appropriation Control General Administration -</b>		<b>27.50</b>	
<b>Department Total:</b>		<b>Appropriation Control General Administration -</b>		<b>27.50</b>	
<b>01-2010-20-1010-001 Appropriation Control Grantsperson - O/E Other Expenses</b>					
240300	03/05/24	MILLENNIUM STRATEGIES MARCH 2024 GRANT WRITING		3,000.00	03/19/24
<b>Total for</b>		<b>Appropriation Control Grantsperson - O/E Other</b>		<b>3,000.00</b>	
<b>Department Total:</b>		<b>Appropriation Control Grantsperson - O/E</b>		<b>3,000.00</b>	
<b>01-2010-20-1101-000 Appropriation Control Mayor &amp; Council - S&amp;W Salary &amp;</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	779.90	03/14/24
<b>Total for</b>		<b>Appropriation Control Mayor &amp; Council - S&amp;W</b>		<b>779.90</b>	
<b>Department Total:</b>		<b>Appropriation Control Mayor &amp; Council - S&amp;W</b>		<b>779.90</b>	
<b>01-2010-20-1201-000 Appropriation Control Municipal Clerk - S&amp;W Salary &amp;</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	6,502.60	03/14/24
<b>Total for</b>		<b>Appropriation Control Municipal Clerk - S&amp;W</b>		<b>6,502.60</b>	
<b>Department Total:</b>		<b>Appropriation Control Municipal Clerk - S&amp;W</b>		<b>6,502.60</b>	
<b>01-2010-20-1202-000 Appropriation Control Municipal Clerk - O/E Other</b>					
240349	03/18/24	HARD ROCK HOTEL &	2024 MUNICIPAL CLERK	786.00	03/18/24
240321	03/13/24	STAPLES ADVANTAGE	3560166365, 3557623803,	237.45	03/19/24
<b>Total for</b>		<b>Appropriation Control Municipal Clerk - O/E</b>		<b>1,023.45</b>	
<b>Department Total:</b>		<b>Appropriation Control Municipal Clerk - O/E</b>		<b>1,023.45</b>	
<b>01-2010-20-1301-000 Appropriation Control Financial Administration - S&amp;W</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	768.47	03/14/24
<b>Total for</b>		<b>Appropriation Control Financial Administration</b>		<b>768.47</b>	
<b>Department Total:</b>		<b>Appropriation Control Financial Administration</b>		<b>768.47</b>	
<b>01-2010-20-1302-002 Appropriation Control Financial Administration - O/E</b>					
240335	03/12/24	ACTION DATA SERVICES	DEMAND DEBIT - 03/12/2024	723.82	03/12/24
<b>Total for</b>		<b>Appropriation Control Financial Administration</b>		<b>723.82</b>	
<b>Department Total:</b>		<b>Appropriation Control Financial Administration</b>		<b>723.82</b>	
<b>01-2010-20-1402-001 Appropriation Control Data Processing - O/E</b>					

**Bills List****BOROUGH OF BOGOTA**

03/19/24 05:08:18 PM

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
240346	03/18/24	GREAT AMERICAN	36042201; POSTAGE MACHINE	152.00	03/19/24
240308	03/07/24	WAVEDASH TECHNICAL	HYBRID M&C MEETING	1,630.00	03/19/24
<b>Total for</b>				<b>1,782.00</b>	
<b>Department Total:</b>				<b>1,782.00</b>	
<hr/>					
<b>01-2010-20-1451-000 Appropriation Control Revenue Administration - S&amp;W</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	454.33	03/14/24
<b>Total for</b>				<b>454.33</b>	
<b>Department Total:</b>				<b>454.33</b>	
<hr/>					
<b>01-2010-20-1501-000 Appropriation Control Tax Assessment - S&amp;W Salary &amp;</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	726.17	03/14/24
<b>Total for</b>				<b>726.17</b>	
<b>Department Total:</b>				<b>726.17</b>	
<hr/>					
<b>01-2010-20-1552-002 Appropriation Control Legal Services - O/E Other Matters</b>					
240336	03/14/24	BOGGIA & BOGGIA, LLC	PROF SRVCS THROUGH 1/31/24	7,112.00	03/19/24
<b>Total for</b>				<b>7,112.00</b>	
<b>Department Total:</b>				<b>7,112.00</b>	
<hr/>					
<b>01-2010-21-1801-000 Appropriation Control Planning/Zoning Board - S&amp;W</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	166.67	03/14/24
<b>Total for</b>				<b>166.67</b>	
<b>Department Total:</b>				<b>166.67</b>	
<hr/>					
<b>01-2010-21-1802-001 Appropriation Control Planning/Zoning Board - O/E</b>					
240291	03/05/24	TROPHY KING, INC	24315; NEW NAME PLATES;	55.00	03/19/24
<b>Total for</b>				<b>55.00</b>	
<b>Department Total:</b>				<b>55.00</b>	
<hr/>					
<b>01-2010-22-1951-000 Appropriation Control Construction Code - S&amp;W Salary &amp;</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	4,885.04	03/14/24
<b>Total for</b>				<b>4,885.04</b>	
<b>Department Total:</b>				<b>4,885.04</b>	
<hr/>					
<b>01-2010-22-2001-000 Appropriation Control Property Maintenance - S&amp;W Salary</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	1,760.00	03/14/24
<b>Total for</b>				<b>1,760.00</b>	
<b>Department Total:</b>				<b>1,760.00</b>	
<hr/>					
<b>01-2010-22-2002-003 Appropriation Control Property Maintenance - O/E Other</b>					
240254	03/01/24	VICTORYSTORE.COM, INC	INV# D42126; KEEP BOGOTA	478.91	03/19/24
<b>Total for</b>				<b>478.91</b>	
<b>Department Total:</b>				<b>478.91</b>	
<hr/>					
<b>01-2010-25-2401-000 Appropriation Control Police - S&amp;W Regular</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	76,233.59	03/14/24
<b>Total for</b>				<b>76,233.59</b>	
<hr/>					
<b>01-2010-25-2401-002 Appropriation Control Police - S&amp;W Overtime</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	9,688.57	03/14/24
<b>Total for</b>				<b>9,688.57</b>	

**Bills List****BOROUGH OF BOGOTA**

03/19/24 05:08:18 PM

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
<b>Department Total:</b>			<b>Appropriation Control Police - S&amp;W</b>	<b>85,922.16</b>	
<hr/>					
<b>01-2010-25-2402-007 Appropriation Control Police - O/E Vehicle Maintenance</b>					
240322	03/14/24	ENTERPRISE FM TRUST	FLEET LEASE 2 CHARGERS MARCH	2,216.24	03/19/24
<b>Total for</b>			<b>Appropriation Control Police - O/E Vehicle</b>	<b>2,216.24</b>	
<hr/>					
<b>01-2010-25-2402-008 Appropriation Control Police - O/E Special Services</b>					
240288	03/04/24	BERGEN CNTY POLICE	2024 BCPCA DUES	650.00	03/19/24
240287	03/04/24	INTERN ASSOC. CHIEF OFINV# 0321988;	IACP ANNUAL	190.00	03/19/24
240289	03/04/24	NJSACOP	2024 MEM DUES NJSACP	275.00	03/19/24
<b>Total for</b>			<b>Appropriation Control Police - O/E Special</b>	<b>1,115.00</b>	
<b>Department Total:</b>			<b>Appropriation Control Police - O/E</b>	<b>3,331.24</b>	
<hr/>					
<b>01-2010-25-2421-000 Appropriation Control Crossing Guards - S&amp;W Salary &amp;</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	6,469.20	03/14/24
<b>Total for</b>			<b>Appropriation Control Crossing Guards - S&amp;W</b>	<b>6,469.20</b>	
<b>Department Total:</b>			<b>Appropriation Control Crossing Guards - S&amp;W</b>	<b>6,469.20</b>	
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<b>01-2010-25-2501-000 Appropriation Control Police Dispatching/911 - S&amp;W</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	9,067.58	03/14/24
<b>Total for</b>			<b>Appropriation Control Police Dispatching/911 -</b>	<b>9,067.58</b>	
<b>Department Total:</b>			<b>Appropriation Control Police Dispatching/911 -</b>	<b>9,067.58</b>	
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<b>01-2010-25-2651-000 Appropriation Control Uniform Fire Safety - S&amp;W Salary &amp;</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	2,736.56	03/14/24
<b>Total for</b>			<b>Appropriation Control Uniform Fire Safety -</b>	<b>2,736.56</b>	
<b>Department Total:</b>			<b>Appropriation Control Uniform Fire Safety -</b>	<b>2,736.56</b>	
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<b>01-2010-26-2901-000 Appropriation Control DPW - S&amp;W Regular</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	29,547.87	03/14/24
<b>Total for</b>			<b>Appropriation Control DPW - S&amp;W Regular</b>	<b>29,547.87</b>	
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<b>01-2010-26-2901-002 Appropriation Control DPW - S&amp;W Overtime</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	1,347.76	03/14/24
<b>Total for</b>			<b>Appropriation Control DPW - S&amp;W Overtime</b>	<b>1,347.76</b>	
<b>Department Total:</b>			<b>Appropriation Control DPW - S&amp;W</b>	<b>30,895.63</b>	
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<b>01-2010-26-2902-001 Appropriation Control DPW - O/E Snow Removal</b>					
240304	03/05/24	ATLANTIC SALT INC	INV# 096166; TONS OF ROAD	4,054.84	03/19/24
240264	03/04/24	VAN DINE 4 WHEEL DRIVE	INV# 141670, 141647, 141602	784.54	03/19/24
<b>Total for</b>			<b>Appropriation Control DPW - O/E Snow Removal</b>	<b>4,839.38</b>	
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<b>01-2010-26-2902-003 Appropriation Control DPW - O/E Vehicle Repairs &amp;</b>					
240274	03/04/24	46 TRUCK REPAIR INC.	WO# 000060262 & 000060263	860.00	03/19/24
240202	02/21/24	INTER CITY TIRE	INV# 180726; NEW G-TRUCK	669.75	03/19/24
240292	03/05/24	SANITATION EQUIPMENT, 63558;	EMERGENCY REPAIR;	9,281.47	03/19/24
<b>Total for</b>			<b>Appropriation Control DPW - O/E Vehicle</b>	<b>10,811.22</b>	
<hr/>					
<b>01-2010-26-2902-004 Appropriation Control DPW - O/E Uniform Allowance</b>					
240203	02/21/24	THE BIG AD-VANTAGE,	INV# BOGPW-10; DPW UNIFORMS	4,716.50	03/19/24
240269	03/04/24	THE BIG AD-VANTAGE,	INV# BOGPW-11; SAFETY VEST	462.50	03/19/24
<b>Total for</b>			<b>Appropriation Control DPW - O/E Uniform</b>	<b>5,179.00</b>	



**Bills List****BOROUGH OF BOGOTA**

03/19/24 05:08:18 PM

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
01-2010-26-2902-007			Appropriation Control DPW - O/E Office Supplies		
240270	03/04/24	DIAMOND ROCK SPRING	INV# 246420; 5 GALLONS OF	30.00	03/19/24
<b>Total for</b>		<b>Appropriation Control DPW - O/E Office</b>		<b>30.00</b>	
01-2010-26-2902-008			Appropriation Control DPW - O/E Tools & Equipment		
240341	03/14/24	GOOSETOWN	INV# 162040; RADIO CONTRACT	69.98	03/19/24
<b>Total for</b>		<b>Appropriation Control DPW - O/E Tools &amp;</b>		<b>69.98</b>	
<b>Department Total:</b>		<b>Appropriation Control DPW - O/E</b>		<b>20,929.58</b>	
01-2010-26-3001-000			Appropriation Control Shade Tree - S&W Salary & Wages		
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	160.98	03/14/24
<b>Total for</b>		<b>Appropriation Control Shade Tree - S&amp;W Salary</b>		<b>160.98</b>	
<b>Department Total:</b>		<b>Appropriation Control Shade Tree - S&amp;W</b>		<b>160.98</b>	
01-2010-26-3052-001			Appropriation Control Solid Waste Collection - O/E		
240171	02/15/24	SUBURBAN DISPOSAL INC	FEBRUARY 2024 GARBAGE	48,333.33	03/19/24
<b>Total for</b>		<b>Appropriation Control Solid Waste Collection -</b>		<b>48,333.33</b>	
<b>Department Total:</b>		<b>Appropriation Control Solid Waste Collection -</b>		<b>48,333.33</b>	
01-2010-26-3102-003			Appropriation Control Buildings & Grounds - O/E Other		
240266	03/04/24	BRAEN STONE	INV# 183772; RECYCLED	150.08	03/19/24
240271	03/04/24	CAMPBELL FIRE	INV# 29516,	2,491.50	03/19/24
240261	03/04/24	COOPER PEST SOLUTIONS	INV# 2016301 & 2016302	113.95	03/19/24
240205	02/21/24	GEORGE SITARAS	INV# 2024-001; PAINT MAYOR	1,600.00	03/19/24
240305	03/05/24	HOME DEPOT CREDIT	INV# 2021704; SUPPLIES FOR	601.13	03/19/24
240200	02/21/24	JERSEY ELEVATOR CO,	INV# 40304-B6J1; FULL 8 HR	174.64	03/19/24
240201	02/21/24	MAIN LOCK SHOP	INV# 0191056-IN; BUDDY PLACE	252.00	03/19/24
240272	03/04/24	MINER GC LP	INV# 155799; REPAIR/SERV	1,135.00	03/19/24
240276	03/04/24	QUALITY COOLING CORP	INV# 2024-105; ELEC WIRING	1,295.00	03/19/24
240265	03/04/24	RAPID PUMP & METER	INV# RIRI44939	450.00	03/19/24
240332	03/14/24	TREASURER STATE OF NJ	LAND USE - STREAM	4,000.00	03/14/24
240348	03/18/24	VERIZON	MARCH 2024 DPW ALARM LINE	45.19	03/19/24
<b>Total for</b>		<b>Appropriation Control Buildings &amp; Grounds -</b>		<b>12,308.49</b>	
<b>Department Total:</b>		<b>Appropriation Control Buildings &amp; Grounds -</b>		<b>12,308.49</b>	
01-2010-27-3402-001			Appropriation Control Animal Control Services - O/E		
240351	03/19/24	BERGEN COUNTY DEPT OF ANIMAL CONTROL SERVICES		6,978.51	03/19/24
<b>Total for</b>		<b>Appropriation Control Animal Control Services</b>		<b>6,978.51</b>	
<b>Department Total:</b>		<b>Appropriation Control Animal Control Services</b>		<b>6,978.51</b>	
01-2010-28-3701-002			Appropriation Control Recreation Services - S&W		
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	2,935.00	03/14/24
<b>Total for</b>		<b>Appropriation Control Recreation Services -</b>		<b>2,935.00</b>	
<b>Department Total:</b>		<b>Appropriation Control Recreation Services -</b>		<b>2,935.00</b>	
01-2010-28-3702-001			Appropriation Control Recreation Services - O/E Other		
240261	03/04/24	COOPER PEST SOLUTIONS	INV# 2016301 & 2016302	54.59	03/19/24
<b>Total for</b>		<b>Appropriation Control Recreation Services -</b>		<b>54.59</b>	
01-2010-28-3702-002			Appropriation Control Recreation Services - O/E Senior		

**Bills List****BOROUGH OF BOGOTA**

03/19/24 05:08:18 PM

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
240309	03/13/24	INSERRA SUPERMARKETS	INV# 01340265236; SR MEETING	44.19	03/19/24
<b>Total for</b>		<b>Appropriation Control Recreation Services -</b>		<b>44.19</b>	
<b>Department Total:</b>		<b>Appropriation Control Recreation Services -</b>		<b>98.78</b>	
<hr/>					
<b>01-2010-28-3703-001 Appropriation Control Celebration of Public Events</b>					
240310	03/13/24	OTC BRANDS, INC.	INV# 73004441301; EASTER	149.55	03/19/24
<b>Total for</b>		<b>Appropriation Control Celebration of Public</b>		<b>149.55</b>	
<b>Department Total:</b>		<b>Appropriation Control Celebration of Public</b>		<b>149.55</b>	
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<b>01-2010-29-3901-000 Appropriation Control Free Public Library - 1/3 mil S&amp;W</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	10,283.88	03/14/24
<b>Total for</b>		<b>Appropriation Control Free Public Library -</b>		<b>10,283.88</b>	
<b>Department Total:</b>		<b>Appropriation Control Free Public Library -</b>		<b>10,283.88</b>	
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<b>01-2010-31-4402-012 Appropriation Control Telephone CABLEVISION - REC BLDG</b>					
240343	03/14/24	OPTIMUM	MARCH 2024 CABLE/ISP CHARGES	172.95	03/14/24
<b>Total for</b>		<b>Appropriation Control Telephone CABLEVISION -</b>		<b>172.95</b>	
<b>01-2010-31-4402-014 Appropriation Control Telephone CABLE TV &amp; ISP - FD CO#1</b>					
240343	03/14/24	OPTIMUM	MARCH 2024 CABLE/ISP CHARGES	269.51	03/14/24
<b>Total for</b>		<b>Appropriation Control Telephone CABLE TV &amp; ISP</b>		<b>269.51</b>	
<b>01-2010-31-4402-016 Appropriation Control Telephone 07870-061598-01-0</b>					
240343	03/14/24	OPTIMUM	MARCH 2024 CABLE/ISP CHARGES	236.87	03/14/24
<b>Total for</b>		<b>Appropriation Control Telephone</b>		<b>236.87</b>	
<b>01-2010-31-4402-017 Appropriation Control Telephone CABLE TV &amp; ISP - OEM</b>					
240343	03/14/24	OPTIMUM	MARCH 2024 CABLE/ISP CHARGES	97.86	03/14/24
<b>Total for</b>		<b>Appropriation Control Telephone CABLE TV &amp; ISP</b>		<b>97.86</b>	
<b>01-2010-31-4402-018 Appropriation Control Telephone CABLE TV &amp; ISP - SQUAD</b>					
240343	03/14/24	OPTIMUM	MARCH 2024 CABLE/ISP CHARGES	99.40	03/14/24
<b>Total for</b>		<b>Appropriation Control Telephone CABLE TV &amp; ISP</b>		<b>99.40</b>	
<b>01-2010-31-4402-020 Appropriation Control Telephone CABLE TV &amp; ISP - BORO</b>					
240343	03/14/24	OPTIMUM	MARCH 2024 CABLE/ISP CHARGES	222.95	03/14/24
<b>Total for</b>		<b>Appropriation Control Telephone CABLE TV &amp; ISP</b>		<b>222.95</b>	
<b>01-2010-31-4402-021 Appropriation Control Telephone 07870-495094-01-4</b>					
240343	03/14/24	OPTIMUM	MARCH 2024 CABLE/ISP CHARGES	273.89	03/14/24
<b>Total for</b>		<b>Appropriation Control Telephone</b>		<b>273.89</b>	
<b>01-2010-31-4402-022 Appropriation Control Telephone VERIZON - ELEVATOR LINE</b>					
240347	03/18/24	VERIZON	MARCH 2024 ELEVATOR LINE	45.19	03/19/24
<b>Total for</b>		<b>Appropriation Control Telephone VERIZON -</b>		<b>45.19</b>	
<b>01-2010-31-4402-028 Appropriation Control Telephone OPTIMUM - 31 FAIRVIEW</b>					
240343	03/14/24	OPTIMUM	MARCH 2024 CABLE/ISP CHARGES	0.00	03/14/24
240343	03/14/24	OPTIMUM	MARCH 2024 CABLE/ISP CHARGES	687.38	03/14/24
<b>Total for</b>		<b>Appropriation Control Telephone OPTIMUM - 31</b>		<b>687.38</b>	
<b>Department Total:</b>		<b>Appropriation Control Telephone</b>		<b>2,106.00</b>	
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<b>01-2010-31-4452-000 Appropriation Control Water Miscellaneous</b>					
240345	03/18/24	VEOLIA WATER NEW	FEB-MARCH WATER CHARGES	20.23	03/18/24
<b>Total for</b>		<b>Appropriation Control Water Miscellaneous</b>		<b>20.23</b>	

**Bills List****BOROUGH OF BOGOTA**

03/19/24 05:08:18 PM

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
<b>Department Total:</b>			<b>Appropriation Control Water</b>	<b>20.23</b>	
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<b>01-2010-31-4602-001 Appropriation Control Gasoline DPW</b>					
240319	03/13/24	VILLAGE OF RIDGEFIELD	FEBRUARY-MARCH FUEL CHARGES	3,137.05	03/19/24
<b>Total for</b>			<b>Appropriation Control Gasoline DPW</b>	<b>3,137.05</b>	
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<b>01-2010-31-4602-002 Appropriation Control Gasoline Police</b>					
240352	03/19/24	WEX BANK	FEBRUARY-MARCH GAS CARD BILL	228.28	03/19/24
240352	03/19/24	WEX BANK	FEBRUARY-MARCH GAS CARD BILL	2,301.50	03/19/24
<b>Total for</b>			<b>Appropriation Control Gasoline Police</b>	<b>2,529.78</b>	
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<b>01-2010-31-4602-003 Appropriation Control Gasoline Recreation</b>					
240319	03/13/24	VILLAGE OF RIDGEFIELD	FEBRUARY-MARCH FUEL CHARGES	35.60	03/19/24
<b>Total for</b>			<b>Appropriation Control Gasoline Recreation</b>	<b>35.60</b>	
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<b>01-2010-31-4602-004 Appropriation Control Gasoline Rescue</b>					
240352	03/19/24	WEX BANK	FEBRUARY-MARCH GAS CARD BILL	336.50	03/19/24
<b>Total for</b>			<b>Appropriation Control Gasoline Rescue</b>	<b>336.50</b>	
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<b>01-2010-31-4602-005 Appropriation Control Gasoline Fire Department</b>					
240319	03/13/24	VILLAGE OF RIDGEFIELD	FEBRUARY-MARCH FUEL CHARGES	440.59	03/19/24
<b>Total for</b>			<b>Appropriation Control Gasoline Fire Department</b>	<b>440.59</b>	
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<b>01-2010-31-4602-006 Appropriation Control Gasoline Surcharge</b>					
240319	03/13/24	VILLAGE OF RIDGEFIELD	FEBRUARY-MARCH FUEL CHARGES	541.99	03/19/24
<b>Total for</b>			<b>Appropriation Control Gasoline Surcharge</b>	<b>541.99</b>	
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<b>01-2010-31-4602-007 Appropriation Control Gasoline Rebate</b>					
240352	03/19/24	WEX BANK	FEBRUARY-MARCH GAS CARD BILL	-101.26	03/19/24
<b>Total for</b>			<b>Appropriation Control Gasoline Rebate</b>	<b>-101.26</b>	
<b>Department Total:</b>			<b>Appropriation Control Gasoline</b>	<b>6,920.25</b>	
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<b>01-2010-32-4652-002 Appropriation Control Solid Waste Disposal Miscellaneous</b>					
240199	02/21/24	ATLANTIC COAST	INV# 125160; MARCH MX COM	3,061.05	03/19/24
240273	03/04/24	ENVIRONMENTAL RENEWAL	INV# 328869; CMPT MX YRD	304.50	03/19/24
<b>Total for</b>			<b>Appropriation Control Solid Waste Disposal</b>	<b>3,365.55</b>	
<b>Department Total:</b>			<b>Appropriation Control Solid Waste Disposal</b>	<b>3,365.55</b>	
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<b>01-2010-36-4722-000 Appropriation Control Social Security System</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	8,740.82	03/14/24
<b>Total for</b>			<b>Appropriation Control Social Security System</b>	<b>8,740.82</b>	
<b>Department Total:</b>			<b>Appropriation Control Social Security System</b>	<b>8,740.82</b>	
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<b>01-2010-36-4730-000 Appropriation Control DCRP</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	0.00	03/14/24
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	136.73	03/14/24
<b>Total for</b>			<b>Appropriation Control DCRP</b>	<b>136.73</b>	
<b>Department Total:</b>			<b>Appropriation Control DCRP</b>	<b>136.73</b>	
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<b>01-2010-42-1190-001 Appropriation Control Bogota BOE - SLEO S&amp;W</b>					
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	14,560.00	03/14/24
<b>Total for</b>			<b>Appropriation Control Bogota BOE - SLEO S&amp;W</b>	<b>14,560.00</b>	
<b>Department Total:</b>			<b>Appropriation Control Bogota BOE - SLEO S&amp;W</b>	<b>14,560.00</b>	

**Bills List****BOROUGH OF BOGOTA**

03/19/24 05:08:18 PM

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
01-2010-42-4901-000			Appropriation Control Municipal Court - S&W		
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	1,378.72	03/14/24
<b>Total for</b>		<b>Appropriation Control Municipal Court - S&amp;W</b>		<b>1,378.72</b>	
<b>Department Total:</b>		<b>Appropriation Control Municipal Court - S&amp;W</b>		<b>1,378.72</b>	
01-2030-20-1402-001			APPROPRIATION RESERVES Data Processing - O/E		
240308	03/07/24	WAVEDASH TECHNICAL	HYBRID M&C MEETING	360.00	03/19/24
<b>Total for</b>		<b>APPROPRIATION RESERVES Data Processing - O/E</b>		<b>360.00</b>	
<b>Department Total:</b>		<b>APPROPRIATION RESERVES Data Processing - O/E</b>		<b>360.00</b>	
01-2030-25-2402-008			APPROPRIATION RESERVES Police - O/E Special Services		
240192	02/21/24	COOPER PEST SOLUTIONS INV# 1938588; PD YELLOW		75.00	03/19/24
<b>Total for</b>		<b>APPROPRIATION RESERVES Police - O/E Special</b>		<b>75.00</b>	
<b>Department Total:</b>		<b>APPROPRIATION RESERVES Police - O/E</b>		<b>75.00</b>	
01-2030-25-2552-001			APPROPRIATION RESERVES Fire - O/E Other Expenses		
240293	03/05/24	VALTEK INC.	DEDUCTIBLE FOR FIXING ENGINE	2,500.00	03/19/24
<b>Total for</b>		<b>APPROPRIATION RESERVES Fire - O/E Other</b>		<b>2,500.00</b>	
<b>Department Total:</b>		<b>APPROPRIATION RESERVES Fire - O/E</b>		<b>2,500.00</b>	
04-2150-55-1532-001			Improvment Authorizations 1532 - Rec/Community Center		
240350	03/19/24	BERGEN CNTY SOIL	SOIL EROSION & SEDIMENT	0.00	03/19/24
240350	03/19/24	BERGEN CNTY SOIL	SOIL EROSION & SEDIMENT	1,025.00	03/19/24
<b>Total for</b>		<b>Improvment Authorizations 1532 - Rec/Community</b>		<b>1,025.00</b>	
<b>Department Total:</b>		<b>Improvment Authorizations 1532 - Rec/Community</b>		<b>1,025.00</b>	
04-2150-55-1560-003			Improvment Authorizations 1560 - Var. Cap. Impvts		
240275	03/04/24	CARRATURA CONSTRUCTION INV# 3366; BOGOTA SIDEWALK		2,400.00	03/19/24
<b>Total for</b>		<b>Improvment Authorizations 1560 - Var. Cap.</b>		<b>2,400.00</b>	
<b>Department Total:</b>		<b>Improvment Authorizations 1560 - Var. Cap.</b>		<b>2,400.00</b>	
04-2150-55-1578-002			Improvment Authorizations 1578 - Var. Cap. Impvts DPW		
221146	09/19/22	SANITATION EQUIPMENT, 2024 VOLVO GARBAGE TRUCK &		286,333.00	03/19/24
<b>Total for</b>		<b>Improvment Authorizations 1578 - Var. Cap.</b>		<b>286,333.00</b>	
<b>Department Total:</b>		<b>Improvment Authorizations 1578 - Var. Cap.</b>		<b>286,333.00</b>	
04-2150-55-1598-007			Improvment Authorizations 1598 - Var. Cap. Impvts Public		
240334	03/14/24	COSTA ENGINEERING	VARIOUS INVOICES; FIREMANS	8,085.00	03/19/24
<b>Total for</b>		<b>Improvment Authorizations 1598 - Var. Cap.</b>		<b>8,085.00</b>	
<b>Department Total:</b>		<b>Improvment Authorizations 1598 - Var. Cap.</b>		<b>8,085.00</b>	
04-2150-55-1608-000			Improvment Authorizations 1608 - Acq. of 13 E. Fort Lee		
240336	03/14/24	BOGGIA & BOGGIA, LLC	PROF SRVCS THROUGH 1/31/24	4,172.00	03/19/24
<b>Total for</b>		<b>Improvment Authorizations 1608 - Acq. of 13 E.</b>		<b>4,172.00</b>	
<b>Department Total:</b>		<b>Improvment Authorizations 1608 - Acq. of 13 E.</b>		<b>4,172.00</b>	
13-2860-00-0000-000			Basketball		
240311	03/13/24	ASPHALT HOOPS, INC	2 REFS/32 GMS DEC '23-MARCH	3,000.00	03/19/24
<b>Total for</b>		<b>Basketball</b>		<b>3,000.00</b>	
<b>Department Total:</b>		<b>Basketball</b>		<b>3,000.00</b>	
14-0005-00-0005-062			Outside Police Employment Fees		

**Bills List****BOROUGH OF BOGOTA**

03/19/24 05:08:18 PM

<u>PO #</u>	<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>	<u>Paid Date</u>
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	0.00	03/14/24
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	8,955.00	03/14/24
<b>Total for</b>		<b>Outside Police Employment Fees</b>		<b>8,955.00</b>	
<b>Department Total:</b>		<b>Outside Police Employment Fees</b>		<b>8,955.00</b>	
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14-2860-	-	-	POAA		
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	0.00	03/14/24
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	0.00	03/14/24
240342	03/14/24	BOROUGH OF BOGOTA	2024-03-15 PR	750.00	03/14/24
<b>Total for</b>		<b>POAA</b>		<b>750.00</b>	
<b>Department Total:</b>		<b>POAA</b>		<b>750.00</b>	
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17-2000-00-1000-			NET PAYROLL NET PAYROLL		
240354	03/19/24	ROBERT PITERSKI	P/R CHECK ISSUE 03/15/2024	4,521.50	03/19/24
<b>Total for</b>		<b>NET PAYROLL NET PAYROLL</b>		<b>4,521.50</b>	
<b>Department Total:</b>		<b>NET PAYROLL NET PAYROLL</b>		<b>4,521.50</b>	
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19-2000-	-	-	RESERVE FOR EXPENDITURES INTEREST ON INVESTMENTS		
240126	02/01/24	PIAZZA & ASSOCIATES,	MARCH 2024 MONTHLY	200.00	03/19/24
<b>Total for</b>		<b>RESERVE FOR EXPENDITURES INTEREST ON</b>		<b>200.00</b>	
<b>Department Total:</b>		<b>RESERVE FOR EXPENDITURES INTEREST ON</b>		<b>200.00</b>	
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