

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
AUGUST 10, 2009**

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, August 10, 2009, commencing at 7:00 p.m. at the Borough Hall with Mayor Baruffi presiding. Mayor Baruffi led the flag salute and announced that this meeting was being held in compliance with the Open Public Meetings Act and notices of this meeting have been provided to the Press of Atlantic City, the Daily Journal and the Atlantic County Record as well as having been posted on the bulletin board at Borough Hall.

PRESENT: Councilpersons Andaloro, Baker, Santagata, Zappariello, Cugini, and DeStefano, Robert De Santo Solicitor and Gail Knott, Deputy Clerk

ABSENT: Maryann Coraluzzo, Borough Clerk

MAYOR'S REPORT:

PRESENTATION: RECOGNIZING MICHAEL WILCOX

ORDINANCE NO. 563 NEED MOTION TO OPEN THE PUBLIC HEARING ON:

AN ORDINANCE ESTABLISHING A MID-BLOCK CROSSWALK ON BREWSTER ROAD (COUNTY ROUTE 672) IN THE BOROUGH OF BUENA.
m/Baker s/Andaloro

DISCUSSION: none

NEED MOTION TO CLOSE THE PUBLIC HEARING:
m/Cugini s/Baker

ORDINANCE 563 ADOPTED:
m/Baker s/Cugini

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

ORDINANCE NO. 564 NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:

AN ORDINANCE REPEALING ORDINANCE NO. 540 ENTITLED "AN ORDINANCE PROHIBITING SEX OFFENDER RESIDENCY WITHIN CERTAIN AREAS OF THE BOROUGH OF BUENA AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF."
m/Cugini s/Zappariello

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

ORDINANCE NO. 565 NEED MOTION TO OPEN THE PUBLIC HEARING ON:

BOND ORDINANCE NO. 565
m/Baker s/Andaloro

DISCUSSION: none

NEED MOTION TO CLOSE THE PUBLIC HEARING:
m/Baker s/Cugini

ORDINANCE 565 ADOPTED:
m/Baker s/Cugini

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

ORDINANCE NO. 566 NEED MOTION TO OPEN THE PUBLIC HEARING ON:

BOND ORDINANCE NO. 566
m/Cugini s/Baker

DISCUSSION: none

NEED MOTION TO CLOSE THE PUBLIC HEARING:
m/Cugini s/Baker

ORDINANCE 566 ADOPTED:
m/Baker s/Andaloro

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

RESOLUTION 75-09 A RESOLUTION APPOINTING STERLING JOHNSON TO THE POSITION OF PART TIME PUBLIC SAFETY TELECOMMUNICATOR IN THE BOROUGH OF BUENA, EFFECTIVE AUGUST 1, 2009 AT THE RATE OF \$12.45 PER HOUR. m/Cugini s/Santagata

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

RESOLUTION 76-09 A RESOLUTION GRANTING PERMISSION TO THE RECREATION COMMISSION OF THE BOROUGH OF BUENA TO CONDUCT A PUBLIC DISPLAY OF FIREWORKS ON SEPTEMBER 13, 2009, BETWEEN 8:00 P.M. AND 10:00 P.M. AT THE BRUNO MELINI PARK, CENTRAL AVENUE, MINOTOLA. m/Cugini s/Andaloro

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

RESOLUTION 79-09 A RESOLUTION APPOINTING CHRISTINE ARMSTRONG TO THE POSITION OF PART TIME PUBLIC SAFETY TELECOMMUNICATOR IN THE BOROUGH OF BUENA, EFFECTIVE AUGUST 10, 2009 AT THE RATE OF \$12.45 PER HOUR. m/Cugini s/Santagata

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

RESOLUTION 80-09 A RESOLUTION APPOINTING NANCY BRUNINI AS A COMMISSIONER OF THE HOUSING AUTHORITY OF THE BOROUGH OF BUENA EFFECTIVE SEPTEMBER 14, 2009 AND EXPIRING SEPTEMBER 13, 2014. m/Baker s/Cugini

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

RESOLUTION 81-09 A RESOLUTION AUTHORIZING THE EXCLUSION OF THE PUBLIC FROM A MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF BUENA TO BE HELD AUGUST 10, 2009. m/Baker s/Cugini

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

RESOLUTION 82-09 A RESOLUTION APPOINTING RONALD S. BONILLA TO THE POSITION OF FULL TIME POLICE OFFICER IN THE BOROUGH OF BUENA POLICE DEPARTMENT EFFECTIVE AUGUST 10, 2009. m/Cugini s/Santagata

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

RESOLUTION 83-09 A RESOLUTION TO AMEND 2009 BUDGET. m/Baker s/Santagata

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

RESOLUTION 84-09 A RESOLUTION AUTHORIZING THE DISBANDMENT OF THE BUENA BOROUGH POLICE DEPARTMENT K-9 UNIT. m/Cugini s/Zappariello

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

RESOLUTION 85-09 A RESOLUTION AUTHORIZING THE GRANT OF PUBLIC ACCESS TO SOUTH JERSEY GAS COMPANY BLOCK 122, LOT 19, CONTINGENT UPON A DEED OF EASEMENT ACCEPTABLE TO THE SOLICITOR.
m/Zappariello s/Santagata

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

RESOLUTION 86-09 A RESOLUTION APPROVING THE HIRING OF NANCY SCARICAMAZZA AS TEMPORARY MUNICIPAL COURT ADMINISTRATOR FOR THE PERIOD OF AUGUST 17 TO AUGUST 21, 2009.
m/Cugini s/Santagata

Ayes:	Nays:	Abstain:	Absent:
Andaloro	n/a	n/a	n/a
Baker			
Santagata			
Zappariello			
Cugini			
DeStefano			

MAYOR'S UPDATE:

Mayor Baruffi reported that the Borough's application for extraordinary aid was denied. Additional cuts will be necessary to legally adopt the 2009 budget.

An update was given by the Mayor on the occupancy of the Commerce Center. Mayor Baruffi stated that the building is now at full capacity.

With regard to dispatching services, Mayor Baruffi appointed a Public Safety Steering Committee with representation from Council, the Landisville Fire and Rescue Company, the Chief of Police and the Minotola Rescue Squad. The purpose of the Committee is to gather facts and determine if the Borough can afford to keep our dispatch center at a cost of \$304,000.00 annually.

ENGINEER'S REPORT:

Mazzoni Property

Our office is currently corresponding with the NJDEP on the next phase funding for groundwater investigation for the site and the required demolition plan for the existing structure. The NJDEP case manager has suggested documenting in our reports that the building demolition would benefit in the overall remediation of the site.

Reconstruction of Delaware Street - 2009 State Aid

Bids for the project were accepted on 7/21/09. Due to unavailability of funds and bid amounts that were lower than anticipated, it was recommended by our office to reject the bids. The bids were rejected at a special Council meeting on 7/28/09.

It was decided that the scope of work would be changed to include an increase in concrete curbing and paving limits to further utilized the \$152,000.00 NJDOT grant. It is anticipated that the project shall be re-advertised at the end of the month as per the approval of the NJDOT.

Borough of Buena Bike Path, Phase III

An addendum was sent out extending the bid opening date to 8/25/09 to coincide with the availability of Borough funds. The municipal ordinance establishing the mid-block crossing on Brewster Road should be passed for second reading which will

then be reviewed by the Board of Chosen Freeholders of Atlantic County. An approval letter from the NJDOT Railroad Engineering Department was received by our office on 7/28/09.

Atlantic County Improvement Authority CDBG Funding

Our office met with the Atlantic County Improvement Authority regarding the CDBG funding policy for the Borough. Due to restrictions with their policies, the \$30,222 FY2008 grant cannot be used for the recent Franklin Street reconstruction as it was intended. However, that funding can be used for a future project. The FY2009 grant application was revised from Delaware Avenue to Flower Street to correspond with recent NJDOT FY2010 Municipal Aid grant applications.

FY2010 NJDOT State Aid Applications

FY2010 NJDOT State Aid applications were submitted on June 12, 2009.

Additional Items

- Final NJDEP permits for the Minotola Estates project were approved. Signed plans shall not be released until applicant has paid BBMUA inspection escrow. The applicant initially estimated that the paving of Central Avenue would start at the end of July. The applicant is now predicting the paving should commence after the sale of the first home.
- Sherwood Forest Homes has substantially completed site improvements. Final site grading and restoration is being completed as the six proposed homes are constructed.
- The Commerce Center Redevelopment Plan has been adopted by Council.
- The Route 54 Redevelopment Plan will have to be amended as a condition of Pinelands certification.
- A redevelopment agreement for Block 145, Lot 8.04 of the Commerce Center Redevelopment Area is currently underway.
- An application for the NJDOT FY2010 Transportation Enhancement A.R.R.A. Program has been submitted for Lighting on the N-S Boulevard Bike Path from Central Avenue to Harding Highway and installing curb/sidewalk on the north side of South Blvd between Nixon St. & Buena Vista Ave.
- A request has been sent to Atlantic City Electric to investigate malfunctioning decorative lights on Central Avenue from Wheat Road to Park Drive in accordance with their agreement. The contact for AC Electric Engineering Department has been notified regarding a discrepancy in pole numbers on Central Avenue. An emergency work order was initiated for the slumping light pole on the corner of Wheat Road and Central Avenue.
- Atlantic County has scheduled the paving of Brewster Road from US Route 40 to Summer Avenue for late September/early October.

SOLICITOR'S REPORT:

Solicitor DeSanto stated that the JIF attorneys representing the Borough in the Steudle matter will be present at the next regular meeting.

COMMITTEE REPORTS:

RECYCLING: (COUNCILWOMAN ANDALORO)

Councilwoman Andaloro reported residents in the Borough are eligible for one free recycling bucket per year. The residents must contact the ACUA themselves.

FINANCE: (COUNCILWOMAN BAKER)

Councilwoman Baker announced that a special meeting will be held 6:00 p.m. on August 18th to adopt the municipal budget.

STREETS/ROADS: (COUNCILMAN SANTAGATA)

Councilman Santagata provided everyone with the road department's itinerary.

BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN ZAPPARIELLO)

Councilman Zappariello gave an update on the occupancy program. The Borough's website is still being processed. Councilman Zappariello also reminded all of Council of the upcoming renewal for the cable franchise contract.

PUBLIC SAFETY/STREET LIGHTS: (COUNCILMAN CUGINI)

A Police Performance Report was disseminated. Director Cugini reported that a police car was damaged due to flooding.

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RECREATION: (COUNCILMAN DESTEFANO)

Councilman DeStefano reported that the Recreation Commission meeting was held on August 4th. Final preparations for Buena Day are underway. The next meeting of the Recreation Commission will be held on September 2nd.

PUBLIC PORTION OF THE MEETING:

Jim DuBois, 329 Harding Highway, asking Mayor and Council to consider objecting the Pinelands Commission imposing a septic system management plan. The Solicitor will follow up with this matter for a future meeting.

Bill Coltri, 532 Forest Grove Road, re; fallen trees in the Borough. Councilman Santagata will follow on with this matter.

CLERK'S REPORT:

Minutes of the regular meeting of July 13, 2009 were approved m/Baker s/Cugini RCVU

Minutes of the executive session of July 13, 2009 were approved m/Cugini s/Andaloro RCVU

Minutes of the special meeting of July 28, 2009 m/Baker s/Zappariello all in favor except Councilwoman Andaloro who abstained.

CORRESPONDENCE:

1. Notre Dame Regional School PTA re; request for Bingo License No. BA322.
m/Cugini s/Baker RCVU
2. Legislative Bulletin Update was acknowledged.
3. Letter of resignation Leo Haugen, School Crossing Guard, effective July 21, 2009. m/Cugini s/Baker was accepted with regrets RCVU
4. Letter of resignation Kevin P. Vai, Police Officer, effective August 8, 2009. m/Cugini s/Andaloro was accepted with regrets RCVU
5. South Jersey Gas Company request for Pipeline Easement - Block 122, Lot 19. Please refer to Resolution No. 85-09.
6. New Jersey Department of Agriculture gypsy moth egg mass survey was acknowledged.
7. Land Use Board memo recommending an increase to escrow and application fees collected by the Land Use Board. (Tabled to September 14, 2009 meeting)
8. Mildred Collazo, Municipal Court Administrator, request for a temporary assistant. Please refer to Resolution No. 86-09.

Correspondence filed m/Baker s/Cugini RCVU

UNFINISHED BUSINESS:

Mayor Baruffi will have the police department send a letter requesting flashing lights at the intersection of Summer Road and Harding Highway due to the large number of accidents.

Mayor Baruffi contacted the school board members, on behalf of Cindy and Dean Hickman, to encourage them to reconsider their ruling on the bussing of their child to Cleary Middle School.

Mayor Baruffi reported that the Borough was denied funding through the first round of the Universal Cops Grant.

Council President Santagata extended his thanks to County Executive Levinson for his commitment to repairing and making county roads safer in the Borough.

NEW BUSINESS: none

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BILLS PAID AS LISTED: m/Baker s/Andaloro RCVU

NEXT MEETING: September 14, 2009

MEETING ADJOURNED: m/Cugini s/Zappariello

GAIL KNOTT, DEPUTY CLERK