

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
AUGUST 10, 2015**

**MEETING CALLED TO ORDER:**  
**MEETING ADJOURNED:**

**CALL MEETING TO ORDER:** Flag Salute

**ROLL CALL OF ATTENDANCE:**

**SUNSHINE LAW:** This meeting is 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.

**MAYOR'S REPORT:** First order of business.

**RESOLUTION 76-15 A RESOLUTION PAYING TRIBUTE AND RESPECT TO MARINE CORPORAL RICARDO (RICKY) DeLAURENTIS FOR HIS DEDICATION AND COMMITMENT TO OUR COUNTRY.**

**M \_\_\_\_\_ S \_\_\_\_\_**

WHEREAS, MARINE CORPORAL RICARDO (RICKY) DELAURENTIS graduated Buena Regional High School in 2008; and

WHEREAS, MARINE CORPORAL RICARDO (RICKY) enlisted in the Marine Corps in May of 2010; and

WHEREAS, upon completion of Boot Camp and Diesel Mechanic Training, Ricky was stationed at Twenty-Nine Palms in California; and

WHEREAS, Ricky was deployed to Afghanistan where he served as a gunner and vehicle commander for seven months in 2013; and

WHEREAS, MARINE CORPORAL RICARDO (RICKY) DELAURENTIS spent over five years protecting and serving our country until his discharge in July, 2015.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Buena do hereby acknowledge, with grateful appreciation, the professional and competent manner in which MARINE CORPORAL RICARDO (RICKY) DELAURENTIS served our country.

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**RESOLUTION 77-15      A RESOLUTION APPROVING ALCOHOLIC BEVERAGE LICENSES FOR THE 2015-2016 TERM.**  
**M        S**

WHEREAS, application for renewal of liquor licenses for the 2015-2016 year have been filed with the Borough Clerk; and

WHEREAS, all filing fees have been paid and all applications hereinafter identified are complete.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the club, distribution and retail consumption licenses be and they are hereby renewed for the 2015-2016 licensing year.

- 0104-33-001-003      Emmanuel and Victor, LLC.
- 0104-33-002-007      Uncle Ricky's LLC.
- 0104-33-003-001      De Maria Richard A
- 0104-31-017-001      Landisville Social Club
- 0104-44-014-012      Pruthvi LLC.
- 0104-31-015-001      Buena Vista Post 270
- 0104-31-004-010      Ozlem, Inc.
- 0104-44-009-004      SJP Liquors
- 0104-33-010-004      Martin's Custom Catering

BE IT FURTHER RESOLVED that the Municipal Clerk is instructed to issue said licenses.

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**RESOLUTION 80-15      A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING THE CLERK TO ADVERTISE FOR PROPOSALS FOR EMS BILLING MANAGEMENT SERVICES.**  
**M        S**

**WHEREAS**, the Emergency Management Services (EMS) for the Borough is in need of an experienced collection and billing management services to pursue third party collection for EMS for a period of one year.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena as follows:

1. That the Clerk is authorized to advertise for bids for EMS collection and billing management services to be published on the official website and once in the official newspaper of the Borough of Buena on or before August 14, 2015.

2. Proposals for EMS Billing Management Services will be accepted in the Office of the Municipal Clerk, 616 Central Avenue, Minotola, New

Jersey.

3. The deadline for submission of proposals will be August 27, 2015, at 2:00 p.m. No proposals shall be received after the time designated

4. Specifications for said position are on file in the Office of the Municipal Clerk, 616 Central Avenue, Minotola, New Jersey, and on the official website for review and copies are available.

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**RESOLUTION 81-15      A RESOLUTION OF THE BOROUGH OF BUENA  
AUTHORIZING A CONTINUING DISCLOSURE AGENT  
SERVICES AND INDEPENDENT REGISTERED MUNICIPAL  
ADVISOR OF RECORD WITH PHOENIX ADVISORS,  
LLC.  
M \_\_\_\_\_ S \_\_\_\_\_**

WHEREAS, the Securities and Exchange Commission ("SEC") implemented its Municipalities Continuing Disclosure Cooperation Initiative (the "MCDC Initiative") on March 10, 2014 to address alleged widespread violations of federal securities laws by municipal and local authority issuers (the "Issuers"), and underwriters of an Issuer's securities, in connection with certain representations about timely continuing disclosures in bond offering documents;

WHEREAS, the MCDC Initiative aims to correct past failures to timely post information required by the Municipal Securities Rulemaking Board ("MSRB"), which Issuers agree to post through the execution of a secondary market disclosure undertaking, on the Electronic Municipal Market Access system ("EMMA");

WHEREAS, under the MCDC Initiative, the SEC will recommend favorable settlement terms to Issuers if they self-report to the SEC possible violations involving materially inaccurate statements relating to prior compliance with the continuing disclosure obligations specified in Rule 15c2-12 under the Securities Exchange Act of 1934; and

WHEREAS, the Borough of Buena, a municipal corporation of the State of New Jersey (the "Borough") desires to determine if its participation in the MCDC Initiative is necessary and advisable; now therefore,

BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF BUENA as follows:

Section 1.      The Borough hereby authorizes the Chief Financial Officer to engage the services of Phoenix Advisors, LLC to conduct an audit of the Borough's continuing disclosure obligations and filings as related to the MCDC Initiative (the "Disclosure Audit").

Section 2.      The Borough hereby authorizes and directs the Chief

Financial Officer to participate in the MCDC Initiative if, after reviewing the findings of the Disclosure Audit and consulting with Kraft & Capizzi, LLC, the Borough's Bond Counsel, the Chief Financial Officer determines that it is advisable for the Borough to participate in the MCDC

Section 3. The Borough hereby authorizes payment to Phoenix Advisors in the amount of \$650.00 for up to three outstanding issues, plus \$100.00 for each additional outstanding issue, if any, for which filings are required.

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**RESOLUTION 82-15 TO AMEND ADOPTED BUDGET (CHAPTER 159)  
SPECIAL ITEMS OF REVENUE AND APPROPRIATIONS  
(N.J.S.A. 40A: 4-87)  
M \_\_\_\_\_ S \_\_\_\_\_**

**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and

**WHEREAS**, the Borough of Buena, County of Atlantic, has been awarded \$14,171.00 from the Community Development Block Grant.

**NOW, THEREFORE, BE IT RESOLVED** that the council of the Borough of Buena, County of Atlantic, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget for the year 2015 in the sum of \$14,171.00 which is now available as a revenue as follows:

**CDBG Disaster Recovery: \$14,171.00**

**BE IT FURTHER RESOLVED** that a like sum of \$218,801.00 and the same is hereby appropriated under the caption of:

**CDBG Disaster Recovery: \$14,171.00**

**BE IT FURTHER RESOLVED** that the Chief Financial Officer will forward one copy of this resolution to the Director of the Local Government Services

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**RESOLUTION 83-15      A RESOLUTION AUTHORIZING AN INTERGOVERNMENTAL PURCHASE OF AN ELEVEN FOOT SNOW PLOW FROM THE TOWNSHIP OF BUENA VISTA.  
M \_\_\_\_\_ S \_\_\_\_\_**

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF BUENA that the intergovernmental purchase of an eleven foot snow plow is hereby authorized in the amount of \$500.00

BE IF FURTHER RESOLVED that the Acting Chief Financial Officer will issue a Certification of Availability of Funds for said purchase.

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**PERSONNEL:**

**RESOLUTION 78-15      A RESOLUTION APPOINTING JEFFREY JOHNSTON AS A COMMISSIONER OF THE HOUSING AUTHORITY OF THE BOROUGH OF BUENA EFFECTIVE SEPTEMBER 11, 2015 AND EXPIRING SEPTEMBER 10, 2020.  
M \_\_\_\_\_ S \_\_\_\_\_**

WHEREAS, on September 10, 2015, the appointment of Jeffrey Johnston will expire as a Commissioner of the Housing Authority of the Borough of Buena; and

WHEREAS, the Council of the Borough of Buena has determined to reappoint Jeffrey Johnston to a full five year term as a Commissioner of the Housing Authority of the Borough of Buena.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF BUENA that Jeffrey Johnston be and he is hereby appointed as a Commissioner of the Housing Authority of the Borough of Buena for a term of five years, commencing September 11, 2015 and expiring September 10, 2020.

BE IT FURTHER RESOLVED that the Clerk of the Borough of Buena is directed to forward a certified copy of this Resolution to the Executive Director of

the Housing Authority of the Borough of Buena in order to advise the Authority of this appointment.

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**RESOLUTION 79-15      A RESOLUTION RETAINING JOSEPH ANTHONY RASCONE AS SCHOOL CROSSING GUARD FOR THE BOROUGH OF BUENA.**  
**M \_\_\_\_\_ S \_\_\_\_\_**

WHEREAS, the Director of Public Safety has recommended filling the position of school crossing guard; and

WHEREAS, Joseph Anthony Rascone is currently serving in this position.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena as follows:

1. Joseph Anthony Rascone shall be reappointed to the position of part-time crossing guard for two hours per school day.
2. Joseph Anthony Rascone shall be paid an hourly rate in accordance with the 2015 Salary Resolution which shall be paid from the Buena Borough Police Department Salary and Wages.
3. The position of school crossing guard shall be under the auspices and direct control of the Buena Borough Police Department and Director of Public Safety.

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**PUBLIC SAFETY DIRECTOR'S REPORT:**

**ADMINISTRATORS' S REPORT:**

1. Computer System-All systems are working reasonably well. Following the passage of the 2015 budget, we have ordered the computers necessary for the year. We are replacing the aged server for the Police Department, computers for the Clerk and Asst. Clerk, and a training laptop for the Police Department and other Borough uses requiring PowerPoint presentations. One of the two computers being removed is being reassigned to the tax payment desk and the other to the Public Safety Director. Software requirements necessitate the improvement of the Clerk's computers but those being removed are adequate for less demanding applications.

2. Copier-The Canon copier in the Police Department was replaced, in violation of purchasing laws, by an aggressive and untrained salesman. The previous copier contract, also in violation, was due to expire in September of this year. Had this been done appropriately, the savings to the Borough would have been approximately \$250 per month. We are returning to the old copier and will seek a replacement, under the state contract, in advance of the expiration date. This should save us approximately \$3000 annually beginning in September.
3. USDA-RD Grant Progress-The roof for over the rear entrance, used in large part for MUA customers is complete. This should reduce the amount of rain and snow carried into the building that creates slippery floors. The hydraulic lifting of the concrete sidewalks around Borough Hall to eliminate trip hazards has been completed. The replacement of the existing water heater with a tankless unit and insulation of the hot water pipes has been completed. This will greatly reduce our gas consumption. Closed circuit television recording for the hallways of the administrative side of the building has also been completed and is operational. This assisted in the capture of the "gentleman" who robbed Borough Hall. The exterior walls have been waterproofed and the repairs to the roof completed. This should extend the roof life by approximately 7-10 years. The fire detection system has been upgraded, includes the dialing function, and was approved by our fire inspector. We are about to order the files for improving the records retention throughout the building. Our repairs have come in under budget for these funds and I will be submitting a change to include additional repairs to Borough Hall that include painting and new floors for the hallways.
4. Park- The playset that we purchased in Millville is at our maintenance facility and will be installed soon near the new children's ball field. We have also devised a parking plan that will restrict vehicles from the field, a safety issue. This is partially completed. The netting for the baseball fields is on site and awaiting installation by the Little League staff. We will be continuing our quest for funding to install a handicapped playground, with a secondary use of providing exercise for seniors. Speaking of seniors, we have a long-range plan that will allow residents of the adjacent senior communities to have safe, unrestricted access to the parks. This includes openings in the crash guards along Melini Drive to allow handicapped-accessible entrance to the parks that coincide with the existing sidewalks and the installation of new portions of sidewalks for the same. We have \$25,000 budgeted for this enhancement and are using our CDBG funding for 2014 and 2015 for this purpose (approximately \$50,000).

In the future, we should look for funding for solar powered lighting for both these walkways and in the park. We may want to consider solar panels on existing and future roofs to offset the costs of lighting the park (grant funding???)

As this park has been funded through the use of Green Acres funds, we have an obligation to operate it in a method that is compliant with their guidelines. Outside groups have as much right to Green Acres parks as our community groups. There are ways to protect the rights of community groups, such as the Little League but it requires ordinance and agreements. I am heartily recommending that we get this in place as soon as possible. Solicitor Tonetta created similar legislation and agreements for the City of Vineland and the Vineland Soccer Association while I served as their administrator, so replicating this should be somewhat simple.

5. Senior Center-The purchase order for replacing the floor tiles in the two bathrooms in the Basile Center has been issued, colors having been selected. We will replace the two vanities. Our facilities persons will paint the rooms, repair the walls, install the vanities, and paint the partitions.
6. Acquired properties-The Borough has come into possession of a number of properties. I have completed and forwarded recommendations regarding which properties should be retained for future Borough use; those that should be sold to be attached to neighboring properties (substandard parcels); and those that should be sold for their intended zoned use. Pam Johnston researched these properties. Based on her research, I am making my initial recommendation to dispose of a number of these properties. We have approved the sale. Currently, there is legal work necessary to market six standard residential lots (with water, sewer, electric and gas) on Kennedy Drive and, after completion of remediation, marketing two similar residential lots on the site of the old Mazzone property on the Boulevard. Revenues from the sale of any of these properties are too late to defray costs for 2015 but will assist in a stable tax base for the future, will reduce the amount of property maintenance by our road department, and will return property to our tax rolls.

We have established the lien on the property at 601 S. Central, consisting of nearly \$90,000 in demolition costs, not including any delinquent taxes. We need to foreclose on this parcel. When these revenues materialize, I would strongly suggest considering a new Master Plan, the addition of the traffic ordinance to the ordinance book (allowing it all to be posted online), and reassessment of properties should this not become a county-wide responsibility. Planning for these when additional funds are available will help prevent future jumps in taxes.

7. Redevelopment Plans-I have reviewed the current two plans, one for Rt. 54 and the other for the Commerce Center. The plan for Rt. 54 is fine as written. The plan for the Commerce Center does not include several parcels that should be included (601 S. Central being one of them). This needs to be modified to include several other plots of land. Also, based on Solicitor Tonetta's suggestion, we need a redevelopment plan for the north side of the Boulevard that includes the old Scott Paper site as well as a number of other current and former business locations. I have discussed these changes with Mr. Nimohay and the Mayor and forwarded these recommendations to our Solicitor. He will be assigning these changes.
8. Generator-Although not covered by any current funding source, the diesel generator in the utility room of the Borough Hall should be replaced with a natural gas-fired external generator. The old unit is insufficient and was installed when the building was constructed. It can only power emergency lighting and minimal services. Further, we store diesel fuel in a tank within the building, not the best situation. Triad Associates is preparing an application to the USDA for replacement of this unit, if funds become available. If successful, side benefits will be increased building energy efficiency and additional storage for building maintenance and custodial.
9. Public Transportation-Buena Borough is the only community in Atlantic County without any form of public transportation. I have had some success with Assemblyman Brown and New Jersey Transit with continuing an existing bus line into Buena Borough. Our discussions have included only hourly service during daytime hours. The State of New Jersey has delayed this change. The principal focus being to get the low income residents of the Borough to employment, doctors,

shopping, etc. This can be a quality of life issue. A secondary benefit would be to possibly make us eligible for "Safe Streets to Transportation" or similar funding for road, sidewalk and safety improvements.

10. Drainage-A major issue exists with the ability of the Blackwater Branch to properly conduct flooding rainfall out of Buena Borough. This is a feeder tributary of the Maurice River that drains Southern New Jersey. It begins in Buena Borough (Atlantic County), travels through Franklin Township (Gloucester County), travels across the City of Vineland (Cumberland County), and empties into the Maurice River, where the water travels to the Delaware Bay. The far west end of the Blackwater Branch was the subject of a major cleanup and

11. Louis Drive- We held a meeting to discuss various issues and Louis Drive was among them. I am suggesting that we acquire a 30' (+ or -) from the two adjacent farm property owners behind the homes on the north side of Louis Drive. This can be done by agreement or by eminent domain. This parcel could provide a berm to prevent property owners from receiving run-off from the fields and a swale to channel water away from the site. As we complete a number of the items that we have bonded, I would suggest that the bonding attorney provide a resolution to combine the unexpended funds to various road and drainage projects, Louis Drive being a primary recipient. This plus a concerted effort with the MUA to provide sewer along with grade improvements to the roadbed should provide considerable relief for property owners.

**SOLICITOR'S REPORT:**

**ENGINEER'S REPORT:**

**Kimberly Lane Storm Drain Pipe**

The contractor has not returned to complete the outstanding punchlist items.

**FY2013 and FY2014 NJDOT Municipal Aid Project – Reconstruction of Flower Street**

The contractor has completed storm drain installation from Route 40 to Franklin Street.

**Louis Drive Drainage**

Our office submitted a proposal to prepare the legal descriptions for the proposed storm drain easements.

**Resurfacing of Forsythe Street**

Paving of the roadway is complete. Stop bars are left to be installed. A punchlist was sent to the contractor.

**COMMITTEE REPORTS:**

RECYCLING.....CHAIRMAN JEFFREY MAROLDA  
DAVID ZAPPARIELLO, EDWARD CUGINI

STREETS/ROADS.....CHAIRMAN ROBERT JAMES  
JEFFREY MAROLDA, GREG MCAVADDY

FINANCE.....CHAIRWOMAN ROSALIE M. BAKER  
ROBERT JAMES, DAVID ZAPPARIELLO

RECREATION.....CHAIRMAN DAVID ZAPPARIELLO  
ROSALIE M. BAKER, GREG MCAVADDY

PUBLIC SAFETY/STREET LIGHTS.....CHAIRMAN EDWARD CUGINI  
ROBERT JAMES, JEFF MAROLDA

BLDGS/GROUNDS/IMPROVEMENTS.....CHAIRMAN GREG MCAVADDY  
 ROSALIE M. BAKER, EDWARD CUGINI

**PUBLIC PORTION OF MEETING:**

Anyone wishing to address Mayor and Council only, please step forward and give your name and address for the record.

**CLERK'S REPORT:**

Minutes of the regular meeting of July 13, 2015. If no corrections or additions, entertain a motion to approve M\_\_\_\_\_S\_\_\_\_\_

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**CORRESPONDENCE:**

1. New Jersey Department of Agriculture requesting authorization/approval to survey for gypsy moth egg masses at no charge to the Borough.  
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Need motion to file correspondence M\_\_\_\_\_S\_\_\_\_\_

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**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**BILLS PAID AS LISTED:** M\_\_\_\_\_S\_\_\_\_\_

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**NEXT MEETING:** September 14, 2015

**MEETING ADJOURNED:** M \_\_\_\_\_ S \_\_\_\_\_ RCV