

BOROUGH OF BUENA
 REGULAR COUNCIL MEETING
 AGENDA
 PAGE 1
 AUGUST 10, 2020

MEETING CALLED TO ORDER: P.M.

MEETING ADJOURNED: P.M.

CALL MEETING TO ORDER: FLAG SALUTE

ROLL CALL OF ATTENDANCE:

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER					
D'ALESSANDRO					
BAKER					
MANCUSO					
ALVAREZ					
MCAVADDY					

SUNSHINE LAW: THIS MEETING IS BEING HELD IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT AND NOTICES OF THIS MEETING HAVE BEEN PROVIDED, VIA EMAIL, TO THE PRESS OF ATLANTIC CITY, THE DAILY JOURNAL AND THE ATLANTIC COUNTY RECORD ON NOVEMBER 13, 2019, AS WELL AS HAVING BEEN POSTED ON THE BULLETIN BOARD AT BOROUGH HALL.

MAYOR'S REPORT: FIRST ORDER OF BUSINESS.

PUBLIC PORTION OF THE MEETING:

ANYONE WISHING TO ADDRESS MAYOR AND COUNCIL ONLY, PLEASE STEP FORWARD AND GIVE YOUR NAME AND ADDRESS FOR THE RECORD.

**RESOLUTION 67-20 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 \$11,240.48 from the State of New Jersey Department of Treasury Clean Communities Account Fund

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 of the year 2020 in the sum of \$11,240.48 which is now available as revenue as follows:

Clean Communities Grant: \$11,240.48

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BE IT FURTHER RESOLVED that a like sum of \$11,240.48 and the same is hereby appropriated under the caption of:

Clean Communities Grant: \$11,240.48

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

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER					
D'ALESSANDRO					
BAKER					
MANCUSO					
ALVAREZ					
MCAVADDY					

RESOLUTION 68-20 TAX ANTICIPATION NOTE OF 2020
M S

BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF BUENA, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than the majority of the full membership of the governing body) AS FOLLOWS:

Section 1. In anticipation of the collection of taxes during the current fiscal year, there are hereby authorized to be issued tax anticipation notes of the Borough, each to be known as "Tax Anticipation Note of 2020," in amounts not exceeding \$3,000,000.00. The proceeds of such notes shall be applied only to purposes provided for in the budget or for which taxes are levied for the current year.

Section 2. The following certificate has been prepared by the Chief Financial Officer and is filed in the office of the Borough Clerk:

CERTIFICATE WITH RESPECT TO TAX ANTICIPATION NOTES

I, Cindi Holland, Chief Financial Officer of the Borough of Buena, in the County of Atlantic, New Jersey HEREBY CERTIFY as follows:

1. The gross borrowing power in respect to tax anticipation notes for the fiscal year of 2020, being 30% of the tax levy for all purposes of the fiscal year of 2019, plus 30% of the amount of miscellaneous revenues realized in cash during the fiscal year of 2019, is \$3,130,818.00.

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2. The amount of notes outstanding in anticipation of the collection of taxes of the fiscal year of 2020, except such notes as will be renewed by or paid from the proceeds of the notes to be issued, is \$0.

3. The net borrowing power, being the excess of the first over the second of the two above amounts, is \$3,130,818.00.

4. This certificate is made with respect to \$3,000,000 Tax Anticipation Notes of 2020 about to be authorized by the Borough Council of the Borough of Buena.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
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RESOLUTION 69-20 A RESOLUTION EXTENDING THE GRACE PERIOD FOR THE PAYMENT OF REAL PROPERTY TAXES IN THE BOROUGH OF BUENA FOR THE THIRD QUARTER OF 2020.

M S

WHEREAS, the tax rate for the Borough of Buena was recently certified by the Atlantic County Board of Taxation; and

WHEREAS, the tax bills have not been received by the Tax Collector; and

WHEREAS, the Council of the Borough of Buena, in order to provide adequate notice to property owners of the amount of taxes owed for the third quarter of 2020, believe that the grace period for the payment of taxes should be extended.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that the grace period for the payment of property taxes in the Borough of Buena for the third quarter of 2020 be and the same is hereby extended to twenty-five days after the mailing of the tax bills.

BE IT FURTHER RESOLVED that interest shall only be charged on third quarter property taxes by the Tax Collector for payments received after the twenty-five-day grace period.

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MCAVADDY					

RESOLUTION 70-20 A RESOLUTION AUTHORIZING A REFUND OF LIQUOR LICENSE FEES TO OSTERIA GAETANO, LLC.
M _____ S _____

WHEREAS, the Borough of Buena received \$567.60 in license fees for the 2017-2018 year, \$567.60 for the 2018-2019 year and \$567.60 for the 2019-2020 year from licensee Osteria Gaetano, LLC for license number 0104-33-006-013; and

WHEREAS, on July 22, 2020, an Order was entered by the State of New Jersey Department of Law and Safety, Division of Alcoholic Beverage and Control, by James Graziano, Acting Director, denying relief to the licensee to obtain a new license after failing to timely renew licenses for the years 2017-2018, 2018-2019; and

WHEREAS, the Order directed the Borough of Buena to refund 90% of liquor license fees received to the licensee and retain 10% of these fees as investigation and processing fees in accordance with N.J.S.A. 33:1-25 and N.J.A.C. 13:2-2.11.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Buena, that the amount of \$1532.52 shall be refunded to the licensee, Osteria Gaetano LLC. for license number 0104-33-006-013.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
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RESOLUTION 71-20 A RESOLUTION OF THE BOROUGH OF BUENA ACCEPTING THE RESIGNATION OF FRANCIS HERNANDEZ AS EMERGENCY MEDICAL TECHNICIAN FOR THE BOROUGH OF BUENA, WITH REGRETS.
M _____ S _____

WHEREAS, Francis Hernandez has served the Borough of Buena in the capacity of Emergency Medical Technician; and

WHEREAS, during his tenure, Francis Hernandez has provided effective and compassionate representation to the Borough while serving as Emergency Medical Technician; and

WHEREAS, Francis Hernandez has resigned his position, effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the resignation of Francis Hernandez be regrettfully accepted effective immediately.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER					
D'ALESSANDRO					
BAKER					
MANCUSO					
ALVAREZ					
MCAVADDY					

RESOLUTION 72-20 A RESOLUTION ACCEPTING A CHANGE ORDER TO AMEND A CONTRACT WITH ARAWAK PAVING COMPANY, INC. COMPANY, INC. FOR RECONSTRUCTION OF SOUTH BOULEVARD.
M _____ S _____

WHEREAS, in accordance with the project, Reconstruction of South Boulevard, the Borough's Engineer, Remington and Vernick, has prepared a change order recommending a decrease in the contract price by \$8,029.38

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that the change order submitted by the Borough's Engineer, Remington and Vernick, providing for a decrease in the contract amount of \$8,029.38 is hereby accepted and approved by the Council of the Borough of Buena, as an amendment to said contract

BE IT FURTHER RESOLVED that David Zappariello, Mayor of the Borough of Buena, is authorized to execute the change order.

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MANCUSO					
ALVAREZ					
MCAVADDY					

RESOLUTION 73-20 A RESOLUTION AUTHORIZING THE CFO TO REFUND AN OVERPAYMENT ON THE LIQUOR LICENSE RENEWAL FEE, IN THE AMOUNT OF \$330.00, TO SJP LIQUORS, INC.
M _____ S _____

WHEREAS, SJP Liquors, Inc. holds a plenary retail distribution license; and

WHEREAS, SJP Liquors, Inc. paid an annual liquor license renewal fee on June 17, 2020 in the amount of \$567.60 instead of the required \$237.60; and

NOW THEREFORE BE IT RESOLVED by Mayor and Council of Buena Borough that the Chief Financial Officer is hereby authorized to refund the amount of \$330.00, to correct this error.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER					
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BAKER					
MANCUSO					
ALVAREZ					
MCAVADDY					

ENGINEER' S REPORT :

Replacement of the Plymouth Street Culverts

- Our office is working with the County to close out the project.

FY2016 NJDOT Municipal Aid Project - Resurfacing of Forest Grove Road

- The punchlist is complete. Our office is working on project close out.

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FY2018 NJDOT Municipal Aid Project – Reconstruction of Forest Grove Road

- The contractor milled and repaved a section of the roadway. Our office is awaiting a schedule for completion of the punchlist work.

FY2019 NJDOT Municipal Aid Project – Reconstruction of South Boulevard

- The project is complete. Our office is working on project close out.

FY2020 NJDOT Municipal Aid Project – Reconstruction of South Boulevard

- Our office submitted to the NJDOT for authorization to advertise for bid.

Buena Borough Landfill

- Our office submitted the proposal for the work requested by The Pinelands Commission.

Expansion of the Commerce Center Redevelopment Area

- The new public hearing has not been scheduled.

Madison Estates Major Subdivision – Lauren Court

- The work to complete the site improvements is tentatively scheduled to begin on August 10, 2020.

SOLICITOR'S REPORT: NO REPORT

COMMITTEE REPORTS:

- ROADS/RECYCLING.....CHAIRMAN, MATTHEW WALKER**
JORGE ALVAREZ, GREG MCAVADDY
- PUBLIC SAFETY/STREET LIGHTS.....CHAIRMAN, JOSEPH D'ALESSANDRO,**
ROSALIE M. BAKER, JOSEPH MANCUSO
- BLDGS/GROUNDS/IMPROVEMENTS.....CHAIRWOMAN, ROSALIE M. BAKER,**
JOSEPH MANCUSO, GREG MCAVADDY
- RECREATIONCHAIRWOMAN, ROSALIE M. BAKER,**
JOSEPH D'ALESSANDRO, MATTHEW WALKER
- ECONOMIC DEVELOPMENT.....CHAIRMAN, JOSEPH MANCUSO**
MATTHEW WALKER, JORGE ALVAREZ
- FINANCE.....CHAIRMAN, JORGE ALVAREZ,**
JOSEPH D'ALESSANDRO, MATTHEW WALKER

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MINUTES OF THE REGULAR MEETING OF AUGUST 10, 2020. IF NO CORRECTIONS OR ADDITIONS,
 ENTERTAIN A MOTION TO APPROVE:

M _____ S _____

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER					
D'ALESSANDRO					
BAKER					
MANCUSO					
ALVAREZ					
MCAVADDY					

UNFINISHED BUSINESS:

NEW BUSINESS:

BILLS PAID AS LISTED: M _____ S _____

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER					
D'ALESSANDRO					
BAKER					
MANCUSO					
ALVAREZ					
MCAVADDY					

NEXT MEETING: SEPTEMBER 14, 2020

MEETING ADJOURNED: M _____ S _____ ALL IN FAVOR? ANY OPPOSED?