

BOROUGH OF BUENA  
 REGULAR COUNCIL MEETING  
 MINUTES  
 DECEMBER 9, 2019  
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MEETING CALLED TO ORDER: 7:04 P.M.  
 MEETING ADJOURNED: 7:39 P.M.

CALL MEETING TO ORDER: Flag Salute

ROLL CALL OF ATTENDANCE:

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

**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 DECEMBER 19, 2018, AS WELL AS HAVING BEEN POSTED ON THE BULLETIN BOARD AT BOROUGH HALL.

**MAYOR'S REPORT:** A moment of silence was held in for Gennaro "Jerry" Zappariello, former Buena Borough Councilman, and Chuck Chiarello, Mayor of Buena Vista Township, both of whom recently passed away.

**PUBLIC PORTION OF THE MEETING:** NO PUBLIC COMMENT

**PUBLIC HEARING OPENED ON:**

**ORDINANCE NO. 683** ORDINANCE VACATING A PORTION OF FLOWER STREET IN THE BOROUGH OF BUENA, ATLANTIC COUNTY, STATE OF NEW JERSEY.  
 M/WALKER S/ALVAREZ

**WHEREAS**, there exists in the Borough of Buena, a roadway known as Flower Street which is a "paper street" never having been paved or maintained; and

**WHEREAS**, there has been a request to have the Borough vacate a portion of Flower Street pursuant to Resolution 2008-10 paragraph #11 adopted by the Borough of Buena Land Use Board on March 25, 2008, said portion being more particularly described in accordance with the description set forth in Schedule A, annexed hereto; and

**WHEREAS**, the matter has been referred to the Borough Engineer who has

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recommended that the Borough proceed with the vacation since the portion of the roadway is not needed by the Borough; and

**WHEREAS**, the Mayor and Borough Council does hereby determine that the aforementioned portion of the roadway as set forth in the description attached hereto as Schedule A is no longer needed for public purposes; and

**WHEREAS**, N.J.S.A. 40: 67-19 authorizes the municipality to release and extinguish the public's rights arising from a dedication of a street; and

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Buena, Atlantic County, State of New Jersey, as follows:

**SECTION A**

1. The rights of the public and the Borough of Buena in and to the portion of Flower Street as described in the attached Schedule A is hereby extinguished and vacated.
2. At least (7) days prior to the time fixed for the consideration of this ordinance for final passage, a copy thereof, together with a notice of the introduction thereof and the time and place when and where the Ordinance will be further considered for final passage, shall be given by the Borough Clerk to the owners of all real property as shown on the current tax map, whose property adjoins Flower Street whose land may be affected by this Ordinance. This is notice required by N.J.S.A. 40:67-19 and N.J.S.A. 40:49-6.
3. At least (10) days prior to the time fixed for the consideration of this Ordinance for final passage a copy of this Ordinance ,together with its notice of its introduction and the time and place when and where the ordinance will be further considered for final passage, shall be published at least once in a newspaper published and circulated in the Borough. This is also the notice required by N.J.S.A. 40:49-6 and N.J.S.A. 40:67-19.
4. The Borough Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by and under the seal of the municipality, to be a true copy thereof, together with proof of publication thereof, in the office of the Clerk of the Borough of Buena in accordance with the provisions of N.J.S.A. 40: 67-21.

**SECTION B**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION C**

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**SECTION D**

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This Ordinance shall take effect immediately upon final publication as provided by law.

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

**DISCUSSION: NONE**

**NEED MOTION TO CLOSE THE PUBLIC HEARING:  
M/WALKER S/ALVAREZ**

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

**ORDINANCE NO. 683 ADOPTED:  
M/WALKER S/D' ALESSANDRO**

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

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**RESOLUTION 120-19     A RESOLUTION BETWEEN THE BOROUGH OF BUENA AND  
THE BOROUGH OF BUENA MUNICIPAL UTILITIES AUTHORITY  
\$1,500,000 PROJECT FINANCING  
M/WALKER S/ALVAREZ**

**WHEREAS**, the Borough of Buena, a municipal corporation of the State of New Jersey (the “Borough”) and the Borough of Buena Municipal Utilities Authority (the “Authority”) heretofore entered into a Service Agreement dated as of March 8, 1989 (the “1989 Service Agreement”) providing, among other things, for the payment of Annual Charges (as defined therein) relating to the Authority’s System (as defined therein); and

**WHEREAS**, the definition of “Bond” in the 1989 Service Agreement includes any bond, note or other evidence of indebtedness issued by the Authority to finance any enlargement, alteration, improvement, renewal or replacement of the Authority’s System with respect to which the Borough consents by resolution to be a Bond entitled to the benefits of the 1989 Service Agreement; and

**WHEREAS**, the Authority has determined to undertake improvements to the Authority’s System as set forth in Appendix A hereto, the aggregate estimated cost of which is \$1,500,000 (the “Project”) pursuant to Resolution R-40-2019 of the Authority adopted on November 13, 2019, a copy of which is set forth in Appendix B hereto; and

**WHEREAS**, the Authority has determined to finance the Project through the issuance of bonds and/or project notes to the New Jersey Infrastructure Bank (the “I-Bank”) and the State of New Jersey (the “State”) in order to finance the Project at the lowest possible cost to the Authority; and

**WHEREAS**, the Authority has determined to finance the Project through the issuance of bonds and/or project notes to the New Jersey Infrastructure Bank (the “I-Bank”) and the State of New Jersey (the “State”) in order to finance the Project at the lowest possible cost to the Authority.

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**NOW THEREFORE, BE IT RESOLVED** by the BOROUGH Council of the BOROUGH OF BUENA as follows:

**SECTION 1.** Resolution R 55-19 adopted by the Borough on March 25, 2019 is hereby amended and restated to read as follows:

**“SECTION 1.**The Borough consents to the inclusion of not exceeding \$1,500,000 bonds or notes of the Authority to finance the Project as Bonds under the 1989 Service Agreement to be issued to the I-Bank and the State.

**SECTION 2.** This resolution shall take effect immediately.”

**SECTION 2.** This resolution shall take effect immediately.

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

**RESOLUTION 121-19 RESOLUTION FOR THE BOROUGH OF BUENA TO ENTER INTO A MUTUAL AID AND ASSISTANCE AGREEMENT WITH THE DOROTHY VOLUNTEER FIRE COMPANY.  
 M/D’ ALESSANDRO S/WALKER**

**WHEREAS**, Mutual Aid and Assistance Agreements between municipalities, counties, law enforcement agencies, police, EMS, for companies or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted, pursuant to N.J.S.A. 40A:14-26 and 40A:14-156.1; and

**WHEREAS**, it is deemed to be in the best interest of the residents of Borough of Buena to enter into a Mutual Aid and Assistance Agreement with the Dorothy Volunteer Fire Company to include but not limited to, emergency management, emergency medical service, , major emergency, or other extraordinary devastation, damage or destruction to person and property; in those situations when outside aid and assistance is needed.

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**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Buena, that the Mayor is hereby authorized to execute a Mutual Aid and Assistance Agreement between the Borough of Buena and Dorothy Volunteer Fire Company.

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

**RESOLUTION 122-19     A RESOLUTION RE-APPOINTING CYNTHIA LOGUIDICE TO THE POSITION OF CHIEF FINANCIAL OFFICER EFFECTIVE JANUARY 1, 2020.  
 M/ALVAREZ S/WALKER**

**WHEREAS**, N.J.S.A. 40A:9-140.10 requires that “in every municipality there shall be a chief financial officer appointed by the governing body of the municipality”; and

**WHEREAS**, the Cynthia LoGuidice currently serves in this position, and the Council desires, to re-appoint Cynthia LoGuidice as Chief Financial Officer at an annual salary set forth in the 2020 salary resolution.

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

**RESOLUTION 123-19     A RESOLUTION OF THE BOROUGH OF BUENA AWARDING A CONTRACT FOR FY2019 NJDOT MUNICIPAL AID PROGRAM FOR THE RECONSTRUCTION OF SOUTH BOULEVARD TO ARAWAK PAVING**

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**COMPANY INC., IN THE AMOUNT OF \$248,900.00 FOR THE  
 BASE BID SUBMITTED. M/D'ALESSANDRO S/ALVAREZ**

**WHEREAS**, South Boulevard is in disrepair; and

**WHEREAS**, Engineer has sought bids for said services and has recommended the contract be awarded to Arawak Paving Co., Inc. in the amount of \$248,900.00 for base bid submitted.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena provided the CFO has certified the availability of funds, that the Mayor and Clerk are authorized to execute an Agreement with Arawak Paving Co., Inc. in the amount of \$248,900.00.

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

**RESOLUTION 124-19 RESOLUTION TO AMEND TRANSFER APPROPRIATION  
 BALANCES TRANSFER RESOLUTION #9  
 M/D'ALESSANDRO S/WALKER**

**WHEREAS**, N.J.S. 40A:4-58 permitting the transfer to appropriate balances where needed for purposes specified in the budget in an amount in excess of the sum appropriated therefore from an appropriation balance deemed to be in excess of the amount necessary to fulfill the purpose of such appropriation.

**NOW, THEREFORE, BE IT RESOLVED** that the following transfers be made in the Borough of Buena Budget:

**TRANSFER FROM**

Governing Body O/E	\$1,600.00
Computer Operations	\$2,100.00
Land Use Board S/W	\$3,000.00
Group Health Insurance	\$6,100.00
Grant Administration	\$4,000.00
Social Security/Medicare	\$1,200.00
Unemployment	\$2,000.00

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**TOTAL TRANSFER                      \$20,000.00**

**TRANSFER TO**

Clerk O/E	\$ 500.00
Finance O/E	\$ 300.00
Legal O/E	\$ 5,000.00
EMS O/E	\$10,200.00
Street Lighting	\$ 4,000.00

**TOTAL TRANSFER                      \$20,000.00**

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

**ENGINEER' S REPORT :**

**Replacement of the Plymouth Street Culverts**

Our office is still waiting for as-builts from the contractor in order to close out the project. The County has offered assistance in obtaining the as-builts.

**FY2015 NJDOT Municipal Aid Project - Resurfacing of Plymouth Street**

Close out documents have been requested from the contractor.

**FY2016 NJDOT Municipal Aid Project - Resurfacing of Forest Grove Road**

A couple of minor punchlist items remain to be completed.

**FY2018 NJDOT Municipal Aid Project – Reconstruction of Forest Grove Road**

Striping has been completed. We are waiting for a schedule from the contractor for completion of the driveways.

**FY2019 NJDOT Municipal Aid Project – Reconstruction of South Boulevard**

Bids were received on November 26, 2019 at 11:00 am. Arawak Paving Company, Inc. was the low bidder with a bid in the amount of \$248,900.00.

**Buena Borough Landfill**

The Pinelands Commission is reviewing the data that was provided by our office.



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**Liberty Village**

The entrance circle has been base paved and the South Boulevard pavement has been restored.

**Expansion of the Commerce Center Redevelopment Area**

The report will have a public hearing at the January 28, 2020 Land Use Board meeting.

**Madison Estates Major Subdivision – Lauren Court**

Our office has requested an update from the bonding company on the status of the site improvements.

**SOLICITOR'S REPORT: No report.**

**COMMITTEE REPORTS:**

***ECONOMIC DEVELOPMENT: CHAIRMAN, MATTHEW WALKER***

Chairman Walker has an upcoming meeting scheduled with Triad to continue the work on projects in town. Master Plan adjustments are in the works as well.

***ROADS/RECYCLING: CHAIRMAN, JOSEPH D'ALESSANDRO, III***

Chairman D'Alessandro reported leaf pickup season has begun in the Borough. The Christmas tree has been decorated, in preparation for Saturday's events. Clean Communities Storm Water Management presentation was made at Buena High school on November 25th and an additional presentation will be held at the senior center on December 12th. All Borough employees are invited. Wheat Road Bakery demolition is underway. The asbestos has been removed. Storm Water Management information is being passed out to residents. Trash and debris are being removed along central Avenue for the Christmas Parade.

***RECREATION: CHAIRWOMAN, ROSALIE M. BAKER***

Council President Baker reports on the Rte. 54/40 Shuttle passenger number in October was 1,016, Average passenger count of 44 per day has an increase of 3.57% from October 2018. Wednesday, December 11th, Buena Historical Society honors Jeff Pace and Tim Kinery from Buena Borough. As well as John Mahoney and Rita Cresci Quinn from Buena Vista Township. The event will be held at Buena Vista County Club. Christmas Parade will be Saturday, December 14th begins at Cleary School. Santa and Mrs. Claus will light the tree and receive everyone at the Buena Senior Center for refreshments. Snowdate will be December 21st. Judging for the best decorated home in the Boro will be Sunday, December 22nd. Winners will be announced at the January Council meeting.  
1st placed will be awarded a \$100.00 Shop Rite Gift Card.  
2nd placed will be awarded a \$ 75.00 Shop Rite Gift Card.  
3rd placed will be awarded a \$ 50.00 Shop Rite Gift Card.

***FINANCE: CHAIRMAN, JOSEPH MANCUSO*** No Report

***PUBLIC SAFETY/STREETS LIGHTS: CHAIRMAN, JORGE ALVAREZ***

Director of Public Safety Alvarez detailed the Emergency Medical Service Report from the previous month.

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**BLDGS/GROUNDS/IMPROVEMENTS: CHAIRMAN, GREG MCAVADDY** No Report

**CLERK'S REPORT:**

MINUTES OF THE SPECIAL MEETING OF NOVEMBER 21, 2019 WERE APPROVED  
**M/D' ALESSANDRO S/WALKER**

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

MINUTES OF THE REGULAR MEETING OF NOVEMBER 25, 2019 WERE APPROVED M/D' ALESSANDRO  
 S/WALKER

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

MINUTES OF THE EXECUTIVE SESSION OF NOVEMBER 25, 2019 WERE APPROVED  
 M/D' ALESSANDRO S/WALKER

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

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MCAVADDY	X				
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**CORRESPONDENCE :**

1. OUR LADY OF BLESSED SACRAMENT REQUEST FOR 2020 BINGO AND RAFFLE GAMES OF CHANCE WAS APPROVED.  
**M/ALVAREZ S/WALKER**

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

1. JAMES THACKRAY, ON BEHALF OF BUENA BUSINESS PARK, REQUEST FOR OMISSION FROM ANNUAL TAX SALE BY ESTABLISHING A PAYMENT PLAN FOR DELINQUENT TAXES WAS APPROVED.  
**M/D' ALESSANDRO S/WALKER**

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

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**CORRESPONDENCE FILED:  
 M/D' ALESSANDRO S/WALKER**

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

**UNFINISHED BUSINESS: NONE**

**NEW BUSINESS:**

Councilman D'Alessandro reported that Travis Smith, a volunteer with the Dorothy Rescue Squad, expressed interest in obtaining employment with our emergency medical services department. A discussion ensued between Councilmen Alvarez and D'Alessandro on appropriate hiring protocol. Councilman D'Alessandro stated he was approached by Mr. Smith while at a meeting to discuss entering into a mutual aid agreement with the Dorothy Volunteer Fire Company. Councilman D'Alessandro requested the governing body consider adopting a resolution to accept Smith's application.

**RESOLUTION 125-19     A RESOLUTION ACCEPTING AN APPLICATION FROM TRAVIS SMITH FOR THE PROCESS OF HIRING FOR THE EMERGENCY MEDICAL SERVICE  
 M/D' ALESSANDRO S/WALKER**

**NOW THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena that the employment application submitted by Travis Smith is hereby accepted as an Emergency Medical Services Technician.

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

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ALVAREZ	X				
MCAVADDY	X				

**BILLS PAID AS LISTED: M/D'ALESSANDRO S/WALKER**

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

**NEXT MEETING: Reorganization- January 2, 2020 at 6:00 p.m.  
 Regular Meeting- January 27, 2020**

Prior to the adjournment of the meeting, Robert Gillis, owner of 201 Harding Highway, gave an update on the status of his property. A discussion ensued regarding outstanding property taxes. Mr. Gillis will present a business plan at a future meeting.

**MEETING ADJOURNED: M/WALKER S/D'ALESSANDRO RCVU**

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PAMELA JOHNSTON