

BOROUGH OF BUENA
 REGULAR COUNCIL MEETING
 AGENDA
 PAGE 1

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 DECEMBER 19, 2018, 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.

NEED MOTION TO OPEN THE PUBLIC HEARING ON:

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

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 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

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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

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

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

DISCUSSION:

NEED MOTION TO CLOSE THE PUBLIC HEARING:

M _____ S _____

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

ORDINANCE NO. 683 ADOPTED:

M _____ S _____

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

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

M _____ S _____

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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.

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

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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					
D’ALESSANDRO					
BAKER					
MANCUSO					
ALVAREZ					
MCAVADDY					

**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 _____ S _____**

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.

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.

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

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

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					
D'ALESSANDRO					
BAKER					
MANCUSO					
ALVAREZ					
MCAVADDY					

**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 COMPANY INC., IN THE AMOUNT OF \$248,900.00 FOR THE BASE BID SUBMITTED.
M _____ S _____**

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

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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					
D'ALESSANDRO					
BAKER					
MANCUSO					
ALVAREZ					
MCAVADDY					

**RESOLUTION 124-19 RESOLUTION TO AMEND TRANSFER APPROPRIATION
 BALANCES TRANSFER RESOLUTION #9
 M _____ S _____**

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

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

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

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.

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.

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SOLICITOR'S REPORT: No report.

COMMITTEE REPORTS:

ECONOMIC DEVELOPMENT.....**CHAIRMAN, MATTHEW WALKER**
 JOSEPH MANCUSO, ROSALIE M. BAKER

ROADS/RECYCLING..... **CHAIRMAN, JOSEPH D'ALESSANDRO**
 JOSEPH MANCUSO, GREG MCAVADDY

RECREATION**CHAIRWOMAN, ROSALIE M. BAKER,**
 JORGE ALVAREZ, MATTHEW WALKER

FINANCE.....**CHAIRMAN, JOSEPH MANCUSO,**
 ROSALIE M. BAKER, MATTHEW WALKER

PUBLIC SAFETY/STREET LIGHTS.....**CHAIRMAN, JORGE ALVAREZ,**
 GREG MCAVADDY, JOSEPH D'ALESSANDRO

BLDGS/GROUNDS/IMPROVEMENTS..... **CHAIRMAN, GREG MCAVADDY,**
 MATTHEW WALKER, JORGE ALVAREZ

CLERK'S REPORT:

MINUTES OF THE SPECIAL MEETING OF NOVEMBER 21, 2019. IF NO CORRECTIONS OR ADDITIONS,
 ENTERTAIN A MOTION TO APPROVE:

M _____ S _____

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

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MINUTES OF THE REGULAR MEETING OF NOVEMBER 25, 2019. IF NO CORRECTIONS OR ADDITIONS, ENTERTAIN A MOTION TO APPROVE:

M _____ S _____

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

MINUTES OF THE EXECUTIVE SESSION OF NOVEMBER 25, 2019. IF NO CORRECTIONS OR ADDITIONS, ENTERTAIN A MOTION TO APPROVE:

M _____ S _____

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

CORRESPONDENCE:

1. Our Lady of Blessed Sacrament requesting approval for 2020 Bingo and Raffle Games of Chance.

M _____ S _____

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

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2. James Thackray, on behalf of Buena Business Park, requesting omission from annual tax sale by establishing a payment plan for delinquent taxes.

M _____ S _____

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

NEED MOTION TO FILE CORRESPONDENCE:

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					

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

MEETING ADJOURNED: M _____ S _____ All in favor? Any opposed?