

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
JANUARY 25, 2016**

MEETING CALLED TO ORDER: 6:30 P.M.

MEETING ADJOURNED: 7:00 P.M.

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, 2016 commencing at 6:30 p.m. at the Borough Hall with Mayor Zappariello presiding. Mayor Zappariello 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 Marolda, Baker, and James, Mancuso, McAvaddy, Richard Tonetta, Solicitor and Dr. Paul Trivellini

ABSENT: Councilman Cugini and Maryann Coraluzzo, Borough Clerk

MAYOR'S REPORT:

RECOGNITION: ANNUAL LIGHTING CONTEST WINNERS
FIRST PLACE- JUSTINE CIRAULO
SECOND PLACE- BRYAN & AMANDA MCEWEN
THIRD PLACE- TOMAS & SYLVIA MUNOZ

Council President Baker presented those in attendance with prize won.

RESOLUTION 21-16 DESIGNATING A BUS STOP ALONG WHEAT ROAD (CR 619) ON THE NORTHERLY SIDE THEREOF. m/Baker s/McAvaddy

BE IT RESOLVED BY THE Mayor and Council of the Borough of Buena, County of Atlantic and State of New Jersey.

That pursuant to NJSA 30-4-8(e) the following described location is designated as a bus stop:

1. Along Wheat Road (CR 619), westbound on the northerly side thereof at:
 - a. US 40 (Harding Highway) and Lincoln Avenue- (mid-block) Beginning 300 feet west of the westerly curbline of US 40 (Harding Highway) and extending 135 feet westerly therefrom. (At Dollar General)

That the Mayor and Council of the Borough of Buena will enforce the needed traffic regulations governing the aforementioned bus stop location and provide the necessary police security to ensure the safety of the travelling public.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				X
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY			X	

**RESOLUTION 22-16 A RESOLUTION ACCEPTING A CHANGE ORDER TO AMEND
A CONTRACT WITH PERNA CONSTRUCTION, LLC FOR
FY2013 AND FY2014 NJDOT MUNICIPAL AID PROJECT-
RECONSTRUCTION OF FLOWER STREET. m/Baker s/McAvaddy**

WHEREAS, in accordance with the project FY2013 ABD FY2014 NJDOT MUNICIPAL AID PROJECT- RECONSTRUCTION OF FLOWER STREET, the Borough's Engineer, Edward J. Walberg, P.E., has prepared a change order recommending an decrease in the contract price by \$16,411.93.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that the change order submitted by the Borough's Engineer, Edward J. Walberg, P.E. providing for an decrease in the contract amount of by \$16,411.93 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.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				x
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY	X			

**RESOLUTION 24-16 RESOLUTION TO TRANSFER APPROPRIATION
BALANCES TRANSFER RESOLUTION #1
m/Baker s/Marolda**

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

Finance S/W	\$	850.00
Tax Assessor S/W	\$	750.00
Tax Assessor O/E	\$	500.00
Administrator O/E	\$	220.00
Engineer O/E	\$	525.00
Zoning Officer S/W	\$	190.00
General Insurance	\$	300.00
Police O/E	\$	1,000.00
EMS S/W	\$	1,400.00
EMS O/E	\$	3,000.00
Sts/Roads S/W	\$	1,000.00
Landfill	\$	575.00
Const. Code Facility Costs	\$	3,200.00
Gasoline/Diesel	\$	9,000.00

TOTAL TRANSFER \$22,510.00

TRANSFER TO

Finance O/E	\$	190.00
Tax Collector O/E	\$	220.00
Legal O/E	\$	600.00
Trash O/E	\$	15,000.00
Gas Heat/Heating Fuel	\$	650.00
Telephone	\$	850.00
Street Lighting	\$	5,000.00

TOTAL TRANSFER \$22,510.00

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				X
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY	X			

RESOLUTION 26-16 GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE. m/Baker s/McAvaddy

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Borough of Buena Council of the Borough of Buena, County of Atlantic, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough of Buena Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Borough of Buena Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Atlantic;

NOW, THEREFORE, BE IT RESOLVED by the Borough of Buena, County of Atlantic, State of New Jersey hereby recognizes the following:

- The Borough of Buena Council does hereby authorize submission of a Strategic plan for the BVT/Buena Borough/Weymouth Twp Municipal Alliance grant for fiscal year 2017 in the amount of:

DEDR	\$26,189.00
Cash Match	\$ 6,547.00
In-Kind	\$19,642.00
- The Borough of Buena Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				X
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY	X			

PERSONNEL:

**RESOLUTION 19-16 A RESOLUTION OF THE BOROUGH OF BUENA ACCEPTING
THE RESIGNATION OF EDWARD CUGINI AS COUNCILMAN
OF THE BOROUGH OF BUENA WITH REGRETS.
m/Baker s/Marolda**

WHEREAS, Edward Cugini has served the Borough of Buena in the capacity of Councilman; and

WHEREAS, during his tenure, Councilman Cugini has provided effective and compassionate representation to the Borough serving Councilman as well as Chair of the Public Safety Committee as well as Director of Public Safety; and

WHEREAS, Councilman Cugini has submitted a letter of resignation dated January 19, 2016, resigning his seat on Borough Council effective January 25, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the resignation of Edward Cugini be regrettfully accepted effective January 25, 2016.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				x
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY	X			

**RESOLUTION 20-16 A RESOLUTION OF THE BOROUGH OF BUENA
ACCEPTING THE RESIGNATION OF DENNIS DEKLERK
AS TAX ASSESSOR FOR THE BOROUGH OF BUENA WITH
REGRETS. m/Baker s/McAvaddy**

WHEREAS, Dennis DeKlerk has served the Borough of Buena in the capacity of Tax Assessor; and

WHEREAS, during his tenure, Dennis DeKlerk has provided effective and compassionate representation to the Borough serving Tax Assessor; and

WHEREAS, Dennis DeKlerk has submitted a letter of resignation dated January 4, 2016, resigning his position effective February 2, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the resignation of Dennis DeKlerk be regrettfully accepted effective February 2, 2016.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				X
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY	X			

**RESOLUTION 23-16 A RESOLUTION OF THE BOROUGH OF BUENA ACCEPTING
THE RESIGNATION OF MICHAEL FEASTER AS
ALTERNATE II BOARD MEMBER OF THE BOROUGH
OF BUENA MUNICIPAL AUTHORITY WITH REGRETS.
m/McAvaddy s/Baker**

WHEREAS, Michael Feaster has served the Borough of Buena in the capacity of Member of the Land Use Board and Alternate II of the Borough of Buena Municipal Utilities Authority; and

WHEREAS, during his tenure, Michael Feaster has provided effective and compassionate representation to the Borough of Buena; and

WHEREAS, Michael Feaster has submitted a letter of resignation dated January 7, 2016, resigning his seat on the Borough of Buena Municipal Utilities Authority effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the resignation of Michael Feaster be regrettfully accepted effective January 7, 2016.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				X
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY	X			

**RESOLUTION 25-16 A RESOLUTION FIXING SALARIES FOR EMPLOYEES
OF THE BOROUGH OF BUENA FOR THE YEAR 2016
m/Baker s/McAvaddy**

WHEREAS, pursuant to a Salary Ordinance enacted prior to this Resolution, money was appropriated for the salaries and wages of municipal employees for the year 2016; and

WHEREAS, the Council of the Borough of Buena has determined to provide salary increases for certain employees of the Borough of Buena;

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF BUENA AS FOLLOWS;

- A. That the following Borough employees shall receive the salary hereinafter set forth, retroactive to January 1, 2016:

1. David Zappariello , Mayor	\$ 8,115.12
2. Rosalie Baker , Councilperson Edward Cugini , Councilperson Robert James , Councilperson Jeffery Marolda , Councilperson Joseph Mancuso , Councilperson Gregory McAvaddy , Councilperson	\$ 4,161.60
3. Paul Trivellini , Administrator/QPA	\$23,970.00
4. Maryann Coraluzzo , Borough Clerk	\$34,911.94
5. Maryann Coraluzzo , Tax Collector	\$45,051.28
6. Gail Knott , Deputy Municipal Clerk	\$41,632.15
7. Cynthia LoGuidice , CFO	\$48,509.53
8. Dennis DeKlerk , Tax Assessor	\$ 7,902.45
9. Dolores Andrews , Assessing/Search Clerk	\$20,395.69
10. Valarie Santagata-Jones , Land Use/Const/Fire	\$34,172.35
11. Thomas Dralle , Land Use Chair	\$30.00 * per meeting attended
12. Richard Baker , Land Use Mbr Jeffrey Marolda , Land Use Mbr Edward Castellari Jr. , Land Use Mbr Kenneth Cheli , Land Use Mbr Charles Fellenbaum , Land Use Mbr Ronald Francis , Land Use Mbr Richard Giovinazzi , Land Use Mbr William Nimohay , Land Use Mbr Aldo Palmieri , Land Use Mbr Sara Saglia , Land Use Mbr Frank Woshnak , Land Use Mbr Anthony Zorzi , Land Use Mbr	\$25.00 * per meeting attended
13. John Keenan , Zoning Officer	\$ 5,769.12
14. Dir. Emergency Management	\$ 492.66
15. Pamela Johnston , Enforcement Officer	\$ 7,350.78
16. Robert Aussenberger , Construction Code Official	\$ 2,392.92
17. Robert Aussenberger , Building Sub Code Off.	\$ 10,404.00
18. Patrick Newton, Jr. , Plumbing Sub Code Off.	\$ 7,397.24
19. Jerome Volpe , Electrical Sub Code Off.	\$ 7,397.24
20. Thomas Banyacksi , Fire Sub-Code Official	\$ 3,641.40
21. Thomas Banyacski , Fire Official	\$ 4,239.63
22. Pamela Johnston , Occupancy Inspector	\$ 3,030.81
23. William Nimohay , Road Supervisor	\$ 65,757.58
24. Dale Jones , Police Records Clerk	\$ 33,109.76

- 25. **Elizabeth Battelini**, Clerk 3 \$ 47,351.92
- 26. **Rhonda Ciruolo**, EMS Supervisor \$ 43,059.15

B. The following employees shall be paid at the hourly rate hereafter set forth retroactive to January 1, 2016 or as otherwise stated:

- 1. **Matthew Stricker**, Part Time Police Officer \$ 15.14
Justin Seidel, Part Time Police Officer
- 2. **Andy Vera**, SLEO \$ 14.55
Court Liaison
- 3. **Louis Charlton**, Sr Part Time EMS \$ 14.57
Michael Rodriguez, Sr Part Time EMS
- 4. **Jessica Bellone**, Part Time EMS \$ 12.48
Rebecca Collins, Part Time EMS
Brian Ditmer, Part Time EMS
Francis DiNunzio, Part Time EMS
Carlo Drogo, Part Time EMS
Rebecca Hadry, Part Time EMS
Devon Hausmann, Part Time EMS
Francis Hernandez, Part Time EMS
Michael Koh, Part Time EMS
Malinda Mangaro, Part Time EMS
Rebecca Monzo, Part Time EMS
Kimberly Nelson, Part Time EMS
Jeremy Plauche, Part Time EMS
Ronald Roberts, Part Time EMS
Justin Rodriguez, Part Time EMS
Adam Scott, Part Time EMS
Morgan Sheppard, Part Time EMS
Jonathan Stewart, Part Time EMS
Daniel Sutton, Part Time EMS
Andrew Taylor, Part Time EMS
- 5. **Leonard Coco**, Streets & Roads Laborer 1 \$ 21.17
Alfred Grasso, Streets & Roads Laborer 1 \$ 18.75
Terry Crites, Maintenance Engineer \$ 13.89
Jahaziel Tollichini, Streets & Roads Laborer \$ 10.71
- 6. **Diane Bassetti**, Clerk 1 \$ 14.80
- 7. **Pamela Johnston**, Clerk 1 \$ 13.80
- 8. **Joseph Rascone**, School Crossing Guard \$ 8.84
- 9. **Thomas Dralle**, Part Time Roads Laborers-Skilled \$ 10.50

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				X
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY	X			

ADMINISTRATORS' S REPORT:

RESOLUTION 28-16 A RESOLUTION OF THE BOROUGH OF BUENA ACCEPTING THE RESIGNATION OF ROBERT AUSSENBERG AS CONSTRUCTION CODE OFFICIAL AND BUILDING SUB-CODE OFFICIAL WITH REGRETS. m/Baker s/McAvaddy

WHEREAS, Robert Aussenberg has served the Borough of Buena in the capacity of Construction Code Official and Building Sub-Code Official; and

WHEREAS, during his tenure, Robert Aussenberg has provided effective and compassionate representation to the Borough of Buena; and

WHEREAS, Robert Aussenberg has submitted a letter of resignation, resigning his positions as Construction Code Official and Building Sub-Code Official.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the resignation of Robert Aussenberg be regretfully accepted effective January 25, 2016.

BE IT FURTHER RESOLVED that the Clerk is hereby authorized and directed to advertise for said positions.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				X
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY	X			

SOLICITOR'S REPORT:

RESOLUTION 27-16 RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH TIFFANY A. CUVIELLO, PP, LLC, GALLOWAY, NEW JERSEY FOR PREPARATION OF HOUSING ELEMENT AND FAIR SHARE PLAN FOR MOUNT LAUREL LITIGATION m/Baker s/McAvaddy

WHEREAS, the Borough of Buena has filed pleadings in the Superior Court of New Jersey, Atlantic County seeking certification of its fair share plan and housing element as a result of the Supreme Court of New Jersey disqualifying the Third round rules submitted by the Council on Affordable Housing (C.O.A.H.); and

WHEREAS, the Borough has a need to acquire professional planning services to assist the Borough in its litigation so as to acquire substantial certification of compliance with its third round obligation as a non-fair and open contract pursuant to N.J.S.A. 19:44A-20.5; and

WHEREAS, Tiffany A. CuvIELlo, PP, LLC., specializes in C.O.A.H. Litigation as it relates to the fair share housing obligations and has submitted a proposal indicating she will provide the professional service in an amount not to exceed \$5,000.00; and

WHEREAS, Tiffany A. CuvIELLO, PP, LLC. has or shall submit a Business Entity Disclosure Certification for Non-Fair And Open Contract which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Borough of Buena in the previous one year and that the contract will prohibit Tiffany A. CuvIELLO, PP, LLC, from making any reportable contributions through the term of the contract or its extension to a political or candidate committee in the Borough of Buena; and

WHEREAS, the availability of funds for said Professional Services Contract to be awarded have been certified by the Borough Comptroller; and

WHEREAS, the Local Public Contract Law (N.J.S.A. 40 A: 11 - 1, et seq.) requires that the Resolution authorizing the award of contract for Professional Services without competitive bidding and the contract itself must be available for public inspection.

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

1. That the Mayor and Clerk are hereby authorized and directed to execute a Non-Fair and Open Agreement pursuant to N.J.S.A. 19:44A - 20.5 with Tiffany A. CuvIELLO, PP, LLC, Galloway, New Jersey for Professional Services for Professional Planning Services for the Borough of Buena in an amount not to exceed \$5,000.00, for specified services, plus reimbursable expenses, for a contract not to exceed one year beginning January 25, 2016.
2. That this Professional Services Agreement is awarded without competitive bidding in accordance with NJSA 40 A: 11 - 5 (1)(a) of the Local Public Contracts Law because said services to be rendered or performed require knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction distinguished from general academic instruction or apprenticeship and training.
3. That the Business Disclosure Entity Certification, the Political Contribution Disclosure Form and the Determination of Value be placed on file with the Resolution.
4. That a notice of this action shall be printed once in the official newspaper of the Borough of Buena.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				X
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY	X			

ENGINEER' S REPORT :

Kimberly Lane Storm Drain Pipe

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

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

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

Resurfacing of Forsythe Street

The project is complete. We are working on project close-out.

FY2015 NJDOT Municipal Aid Project - Reconstruction of Plymouth Road

Design of the culvert replacement and roadway resurfacing is on-going.

COMMITTEE REPORTS :

RECYCLING: (COUNCILMAN MAROLDA)

Councilman Marolda thanked and congratulated Road Supervisor Bill Nimohay and his crew for a job well done during and after the snowstorm Jonas.

RECREATION: (COUNCILMAN CUGINI) no report

FINANCE: (COUNCILWOMAN BAKER)

Council President Baker reported that the Finance Office has been working on transfers.

Council President Baker attended the Transportation meeting at the Martin Luther King Center about the Shuttle on January 12, 2016. Residents are encouraged to use the Shuttle. In addition, the Council President conducted the Atlantic County League of Municipalities Meeting on Friday, January 15, 2016. Vince Jones, Emergency Management Coordinator, gave an informative talk on security in municipal buildings. Mayor Zappariello also attended.

Council President Baker, along with Councilman Marolda, attended the Recreation Meeting. Marina Barsuglia was chosen as Chairperson.

On Saturday, February 13, 2016, a dinner dance will be held at the Savoy Inn to benefit Our Lady of the Blessed Sacrament Parish.

On Sunday, February 14, 2016, the American Legion will have their Valentine's Day Breakfast from 8:00 a.m. to 11:00 a.m.

PUBLIC SAFETY/STREETS LIGHTS: (COUNCILMAN JAMES)

Councilman James gave an update on the T-1 line.

ECONOMIC DEVELOPMENT: (COUNCILMAN MANCUSO) no report

BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY)

Councilman McAvaddy gave an update on the rental registration process.

PUBLIC PORTION OF MEETING:

Brian Fatcher thanked and congratulated Road Supervisor Nimohay and his crew for a job well done during and after snowstorm Jonas.

CLERK'S REPORT:

Minutes of the regular meeting of December 14, 2015 were approved m/Bakers/McAvaddy

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				x
BAKER	X			
JAMES	X			

MANCUSO			X	
MCAVADDY	X			

Minutes of the reorganization meeting of January 4, 2016 were approved m/Baker s/Mancuso

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				x
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY	X			

UNFINISHED BUSINESS: none

NEW BUSINESS:

Mayor Zappariello recommended not participating in the JIF Optional Safety Budget Program and applying the \$1,250.00 to our premium. m/Baker s/McAvaddy

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				X
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY	X			

BILLS PAID AS LISTED: m/Baker s/McAvaddy

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA	X			
CUGINI				X
BAKER	X			
JAMES	X			
MANCUSO	X			
MCAVADDY	X			

NEXT MEETING: February 8, 2016

MEETING ADJOURNED: m/Baker s/McAvaddy RCVU

**PREPARED BY MARYANN CORALUZZO,
BOROUGH CLERK FOR DR. PAUL TRIVELLINI, ADMINISTRATOR**