

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JANUARY 27, 2020
PAGE 1**

**MEETING CALLED TO ORDER: 7:11 P.M.
MEETING ADJOURNED: 8:44 P.M.**

ROLL CALL OF ATTENDANCE:

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

SUNSHINE LAW:

THE REGULAR MEETING OF MAYOR AND COUNCIL OF THE BOROUGH OF BUENA WAS HELD MONDAY, JANUARY 27, 2020 COMMENCING AT 7:11 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, 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:

Mayor Zappariello apologized for the delay in starting the meeting, a budget meeting prior was the cause.

Mayor Zappariello called on those supporting the 2nd Amendment resolution on the agenda.

Debra Welsford, 219 Cedar Lake Rd., addressed her concern and support of the 2nd Amendment. Councilman Mancuso responded, being a pro-gun advocate was interested in the origination of this resolution. Solicitor Costigan stated she had reviewed the resolution and found inconsistencies in the documentation.

Sandra Hickerson, 210 Upland Ave., Absecon, a 2A advocate and gun owner stated that the resolution was written by Mark Cheeseman and his lawyers. Ms. Hickerson will send a copy of Cape May's adopted Resolution.

JoAnn Sangataldo, Grove Rd stated that she had seen the 2A resolution on a Facebook Page.

Rose Hickerson, Absecon, an advocate of the 2A Sanctuary cities and in favor of keeping guns. Mrs. Hickerson Had concern for the way government in general is heading. Stated her Love of country and state and would like to see a recall of Governor Murphy.

Jean Meeker, Egg Harbor Twp. stated she recognized many females in attendance and not just the average Joe standing to make a voice. Ms. Meeker is in alliance with Sandy Hickerson and the rights of gun owners. The discussion

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JANUARY 27, 2020
PAGE 2**

between Mayor, Council, and the Solicitor continued and they will look at a resolution and contents for another meeting.

Mayor Zappariello continued with the public portion

Robert Gillis, 201 N Harding Highway asked Mayor and Council to consider the offer on the infinity fence location. A discussion ensued concerning the condition of the property and the proposed plan. Matt Portnay, a real estate developer, explained his intention to demolish property by April 1st and to proceed with his plans. Mayor and council agree to prepare a resolution to move forward.

Debbi Casazza, Vice President and trustee of Buena Historical Society since 1997 and **Sandra Zaccaria**, trustee, voiced interest in the VFW building to house historical artifacts. A discussion ensues of details with Mayor, council, and solicitor.

Toni Mattioli, Edwards Ave., was concerned with maintenance of the grass and security of the fence at Brunini Pool, this upcoming season. Mr. Nimohay responded that it will be maintained.

Debra Welsford, had concern with the drainage situation on Cedar Lake Rd and Central Ave. The bus route had changes and the students must walk to Central Ave. on a completely flooded street. Mr. Nimohay had cleaned drain in the past and noted the farm fields on Atlantic Street had flooded. Councilman Mancuso stated that with the rain on Saturday he had seen the flooding. The discussions continued and Bob Smith commented this is Pinelands area. Mayor asked Mr. Smith to contact D.O.T and Soil Conservation on this matter.

Kimberly Hurley, Cedar Lake Rd. had concern with flooding, drainage, and the impact on her farm, which lays at the end of Central Ave.

Bill Coltri 532 Forest Grove Rd asked for updates on the renting of rooms in a property next to his. Sergeant Gonzales reported that officers had gone out on calls concerning this property. The room renting may violate zoning.

PUBLIC HEARING OPENED:

**ORDINANCE NO. 684 AN ORDINANCE AMENDING ORDINANCE 635 THE SALARIES AND WAGES RANGES OF MUNICIPAL OFFICIALS AND EMPLOYEES OF THE BOROUGH OF BUENA FOR THE YEAR 2020.
M/WALKER S/ALVAREZ**

BE IT ORDAINED by the Council of the Borough of Buena, in the County of Atlantic and State of New Jersey, that the following salary and wage ranges are hereby established for municipal officials and employees in the Borough of Buena,

Mayor	\$ 8,112.00 – \$ 8,800.00
Council	\$ 4,161.00 – \$ 4,525.00
Administrator	\$20,000.00 – \$55,000.00
Municipal Clerk	\$30,000.00 – \$50,000.00
Tax Collector	\$30,000.00 – \$50,000.00

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JANUARY 27, 2020
PAGE 3

Deputy Municipal Clerk	\$27,000.00 – \$39,000.00
Chief Financial Officer	\$40,000.00 – \$60,000.00
Qualified Purchasing Agent	\$ 1,000.00 – \$ 5,000.00
Tax Assessor	\$10,000.00 – \$20,000.00
Zoning Officer	\$ 4,500.00 – \$ 7,210.00
Enforcement Officer	\$ 6,500.00 – \$ 9,200.00
Construction Code	\$ 1,800.00 – \$ 3,500.00
Building Sub-Code Official	\$ 9,000.00 – \$11,000.00
Plumbing Sub-Code Official	\$ 6,500.00 – \$ 9,500.00
Electrical Sub-Code Official	\$ 6,500.00 – \$ 9,500.00
Fire Sub-Code Official	\$ 1,500.00 – \$ 5,000.00
Fire Official	\$ 4,000.00 – \$ 6,000.00
Occupancy Inspector	\$ 3,000.00 – \$ 4,300.00
Road Supervisor	\$50,000.00 – \$75,000.00
EMS Chief	\$40,000.00 – \$63,672.00
EMS Captain	\$63,673.00 – \$69,000.00
Director Emergency Management	\$490.00 – \$ 550.00
Clerk 1- Full Time	\$20,000.00 – \$29,999.00
Clerk 2 - Full Time	\$30,000.00 – \$39,999.00
Clerk 3 - Full Time	\$40,000.00 – \$52,000.00
Clerk 1 - Part Time	\$ 12.50 – \$ 16.00
Clerk 1 (Per Meeting)	\$ 100.00 – \$ 125.00
Land Use Secretary (Per Meeting)	\$ 100.00 – \$ 125.00
Land Use Board Chairman	\$ 30.00 – \$ 33.00
Land Use Board Members	\$ 25.00 – \$ 28.00
EMS – Part Time	\$ 12.00 – \$ 20.00
Substitute Fire Official	\$ 25.00 – \$ 35.00
Streets & Roads Laborer 1	\$ 16.00 – \$ 19.00

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JANUARY 27, 2020
PAGE 4**

Streets & Roads Laborer 2	\$	19.01 – \$	25.00
Streets & Roads Laborer 3	\$	25.01 - \$	28.00
Part-Time Road Laborers & Seasonal	\$	10.00 – \$	15.50

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

DISCUSSION: NONE

**PUBLIC HEARING CLOSED:
M/Baker S/Mancuso**

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

**ORDINANCE NO. 684 ADOPTED:
M/Baker S/Mancuso**

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

BOROUGH OF BUENA
 REGULAR COUNCIL MEETING
 MINUTES
 JANUARY 27, 2020
 PAGE 5

**RESOLUTION 16-20 A RESOLUTION ACCEPTING THE RESIGNATION OF VARIOUS
 EMERGENCY MEDICAL TECHNICIANS EFFECTIVE IMMEDIATELY.
 M/Baker S/Mancuso**

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the following resignation be regrettfully accepted effective immediately:

John B. Belfi
 Nathan A. Saunders

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

**RESOLUTION 17-20 A RESOLUTION BETWEEN THE BOROUGH OF BUENA AND COUNTY
 OF ATLANTIC APPROVING AN AMENDED AGREEMENT REGARDING
 THE REPLACEMENT OF THE PLYMOUTH STREET CULVERT (BV-
 111)
 M/Baker S/Walker**

WHEREAS, the Borough of Buena and County of Atlantic entered into an agreement dated August 14, 2017 regarding the Replacement of Plymouth Street Culvert (BV-111) for the term commencing August 14, 2017 and terminating August 31, 2018; and

WHEREAS, the Borough of Buena approved an amendment of this agreement by way of Resolution 86-19, adopted on August 12, 2019; and

WHEREAS, this agreement will terminate on February 28, 2020; and

WHEREAS, both the Borough of Buena and the City of Atlantic desire to further extend this agreement.

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena, in consideration of the mutual covenants made, agrees as follows:

1. The Agreement dated August 14, 2017 is extended until the termination date of May 29, 2020.
2. All other terms and conditions of the original Agreement shall remain in full force and effect.

BOROUGH OF BUENA
 REGULAR COUNCIL MEETING
 MINUTES
 JANUARY 27, 2020
 PAGE 6

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

**RESOLUTION 18-20 A RESOLUTION OF THE BOROUGH OF BUENA TO REMOVE 108 NORTH FRANKLIN STREET, BLOCK 135, LOT 5 AND 225 WEST WEYMOUTH ROAD, BLOCK 113, LOT 16.02 FROM THE ABANDONED PROPERTY LIST.
 M/Baker S/Walker**

WHEREAS, The Mayor and Council of the Borough of Buena published it's Abandoned Properties List on October 21, 2019; and

WHEREAS, Notice was duly provided to all owners of property on the list; and

WHEREAS, the owners of properties located at North Franklin Street, Block 135, Lot 5 And 225 West Weymouth Road, Block 113, Lot 16.02 appealed the listing; and

WHEREAS, each owner provided proof that the property was sold and being rehabilitated; and

WHEREAS, the Solicitor recommends removal of each property from the list; and

NOW, THEREFORE, BE IT RESOLVED by the Council for the Borough of Buena, County of Atlantic, State of New Jersey that 108 North Franklin Street, Block 135, Lot 5 And 225 West Weymouth Road, Block 113, Lot 16.02 be removed from the Abandoned Property List.

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

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JANUARY 27, 2020
PAGE 7

RESOLUTION 19-20 A RESOLUTION DECLARING THE BOROUGH OF BUENA A SECOND AMENDMENT BOROUGH.

**M _____ S _____
TABLED**

WHEREAS, The Constitution of the United States of America is the supreme law of our nation; and

WHEREAS, the Second Amendment to the Constitution states, “A well-regulated militia necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed;” and

WHEREAS, the United States Supreme Court in the District of Columbia v. Heller, 554 U.S. 570 (2008) affirmed that the Second Amendment right to keep and bear arms is not connected in any way to the service of the militia; and

WHEREAS, the United States Supreme Court in United States v. Miller, 307 U.S. 174 (1939) stated firearms that are part of ordinary military use (Weapons of common use) that can contribute to the common defense and are protected by the Second Amendment; and

WHEREAS, there are an estimated 12 million Americans who carry concealed firearms; and

WHEREAS, abridging the rights of lawful gun owners does not reduce the criminal use of firearms by violent offenders; and

WHEREAS, New Jersey Second Amendment Society and Mark Cheeseman v. Christopher S. Porrino U.S. District court 3rd stated, “The Second Amendment extends, prima facie to all instruments that constitute bearable arms, even those not in existence at the time of the founding;” and

WHEREAS, New Jersey Attorney General, Burton Sills, who “close{ly} participated{ed} in the drafting and presentation of the {1966} Gun Control Law,” and whose views the New Jersey has relied upon to decide close interpretive questions concerning that legislation. See Service Armament Co. v. Hyland, 362 A.2d 13, 18, 70 N.J. 550, 560 (1976). In the lead-up to the 1966 Gun Control Law, Attorney General Sills had publicly explained that there was presently “no law against walking down the street with a weapon in your hand or on your body so long as it isn’t concealed,” and that individuals without concealed-carry permits were free to carry guns “in plain view;” and

WHEREAS, In the A-165 Debates of 1966, Attorney General Sills explained that under the new law, “standards are set for the to determine if the issuance of a permit to...carry a pistol or revolver would be in the interest of public health safety, or welfare,” and “(f)or those who wish to carry a pistol or revolver, permits will be required as they are under present New Jersey Law;” and

WHEREAS, violations of existing laws, statutes, and regulations are already criminal offenses, many being felonies; and

WHEREAS, gun control laws, including a plethora of current proposed legislation, are not evidence-based; and

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JANUARY 27, 2020
PAGE 8**

WHEREAS, New Jersey’s Gun Control Law is highly purposed and conscientiously designed toward preventing criminal and other unfit elements from acquiring firearms while enabling the fit elements of society to obtain them with minimal burdens and inconveniences.” {Burton v. Sills 53 N.J. 86 (1968) 248 A.2d 521 at 105.

NOW THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena, in the County of Atlantic, State of New Jersey, as follows:

The Borough of Buena declares the Borough to be a 2nd Amendment/Lawful Gun Owner Borough as defined herein:

- a. The Borough of Buena supports the rights of lawful gun owners to lawfully use firearms: to defend themselves, their loved ones, and other innocents; to lawfully hunt to provide sustenance for their families; and to lawfully participate in shooting sports up to and including Olympic sports.
- b. The Borough of Buena opposes further interference with, or abridging of, the rights of lawful gun owners.
- c. The Borough of Buena opposes gun control, “gun safety” legislation, or “red flag laws,” State, Federal, or local. Agenda No. X1 26 Page 2 of 2.
- d. The Borough of Buena espouses holding accountable the violent criminal offenders rather than the irrational and/or disproven attempts to control lawful tools of self-defense, hunting, and sport.
- e. The Borough of Buena Recognizes said Borough is not immune from past present or future laws, and/or legislation passed by the New Jersey legislature regarding state and local firearms laws or statutes. Therefore, all residents of the Borough of Buena can be prosecuted for ignoring or breaking state laws in force.

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

**RESOLUTION 20-20 A RESOLUTION ACCEPTING A CHANGE ORDER TO AMEND A CONTRACT WITH ARAWAK PAVING COMPANY, INC. COMPANY, INC. FOR RESURFACING OF PLYMOUTH STREET.
M/Baker S/Mancuso**

WHEREAS, in accordance with the project, Resurfacing of Plymouth Street, the Borough’s Engineer, Remington and Vernick, has prepared a change order recommending

BOROUGH OF BUENA
 REGULAR COUNCIL MEETING
 MINUTES
 JANUARY 27, 2020
 PAGE 9

an increase in the contract price by \$11,058.40.

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 an increase in the contract amount of \$11,058.40 is hereby accepted and approved, contingent upon a Certification of Availability from the Chief Financial Officer, 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:	RECUSE
WALKER			X		
D’ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY				X	

RESOLUTION 21-20 A RESOLUTION TO OMIT FROM BLOCK 117, LOT 6, ASSESSED TO BUENA BUSINESS PARK, LLC., FROM TAX SALE AND AUTHORIZING EQUAL MONTHLY INSTALLMENTS. M/Baker S/Walker

WHEREAS, N.J.S.A. 54:5-19 provides for the governing body to omit from tax sale those properties delinquent for taxes or other municipal liens, or parts thereof, on real property, upon which regular, equal monthly installments are to be made.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that said property owner shall make up to sixty (60) equal monthly installments to include all delinquent taxes held by the municipality, due on the first of each month as set forth on the attached schedule. It shall further be conditioned that all installments of taxes for the current years in which such an agreement is made, and all subsequent taxes, assessments, and other municipal liens imposed or becoming a lien thereafter shall be promptly paid when due. When payment of the aforementioned exceeds the ten-day grace period, then said agreement shall be void and the tax collector shall proceed to enforce such lien by selling in the manner set forth in N.J.S.A. 54:5-19.

BE IT FURTHER RESOLVED that the governing body of the Borough of Buena, County of Atlantic, State of New Jersey, hereby authorizes the tax collector to accept payments in

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JANUARY 27, 2020
PAGE 10

installments as provided on the attached schedule for Block 117, Lot 6, also known as 345 East Weymouth Road and assessed to Buena Business Park, LLC.

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

**RESOLUTION 22-20 A RESOLUTION OF THE BOROUGH OF BUENA AWARDING A CONTRACT TO REMINGTON AND VERNICK, ENGINEERS, FOR ENGINEERING SERVICES FOR FY2019 MUNICIPAL AID PROJECT-RECONSTRUCTION OF SOUTH BOULEVARD.
M/Baker S/Walker**

WHEREAS, the Borough of Buena was awarded a grant of \$280,092.00 by the New Jersey Department of Transportation (NJDOT) for Fiscal Year 2019, Reconstruction of South Boulevard; and

WHEREAS, certain engineering services need be provided for Construction Phase Services; and

WHEREAS, the Borough Engineer's Remington and Vernick, Engineers, have presented a proposal to complete said services in the amount of \$24,000.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the engineer is hereby retained for Construction Phase Services for the Fiscal Year 2019, Reconstruction of South Boulevard in an amount not to exceed \$24,000.00.

BE IT FURTHER RESOLVED that the award is contingent upon the receipt of a Certificate of Availability of Funds from the Chief Financial Officer.

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

BOROUGH OF BUENA
 REGULAR COUNCIL MEETING
 MINUTES
 JANUARY 27, 2020
 PAGE 11

ALVAREZ	X				
MCAVADDY				X	

**RESOLUTION 23-20 RESOLUTION TO AMEND TRANSFER APPROPRIATION BALANCES
 TRANSFER RESOLUTION
 M/Baker 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	
EMS S/W	\$11,000.00
Streets & Roads S/W	\$ 2,361.00
TOTAL TRANSFER	\$13,361.00

TRANSFER TO	
Computer Operations	\$ 2,753.00
EMS O/E	\$ 6,000.00
Gasoline/Diesel	\$ 158.00
Electric	\$ 4,450.00
TOTAL TRANSFER	\$13,361.00

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

**RESOLUTION- 24-20 RESOLUTION TO ACCEPT \$1,700.00 FROM INFINITY FENCE. LLC.,
 ROBERT GILLIS, MEMBER IN PAYMENT OF ALL TAXES DUE
 M/Walker S/Mancuso**

WHEREAS, Infinity Fence, LLC., Robert Gillis Member is the owner of Block 137, Lot 1.01 in the Borough of Buena, County of Atlantic, State of New Jersey, and;

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JANUARY 27, 2020
PAGE 12

WHEREAS, Infinity Fence, LLC., Robert Gillis, Member owes back real estate taxes to the Borough of Buena; and

WHEREAS, Infinity Fence, LLC., Robert Gillis Member has signed an Agreement of Sale to sell the property for \$4,850; and

WHEREAS, as a condition of sale and in order to clear title, all back taxes must be paid, and;

WHEREAS, Infinity Fence, LLC., Robert Gillis Member. has offered \$1,700.00 to the Borough of Buena in payment of all taxes due, and;

WHEREAS, the Borough of Buena has considered the offer of Infinity Fence, LL., Robert Gillis, Member and agrees to accept it:

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, STATE OF NEW JERSEY THAT THE AMOUNT OF \$1,700.00 IS HEREBY ACCEPTED IN PAYMNT OF ALL TAXES DUE ON BLOCK 137, LOT 1.01.

BE IT FURTHER RESOLVED THAT AS A CONDITION OF ACCEPTANCE, ANY STRUCTURE PRESENTLY ON THE SITE MUSTBE DEMOLISHED BY APRIL 1, 2020.

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

**RESOLUTION 24a-20 RESOLUTION CONSENTING TO THE APPOINTMENT OF REMINGTON AND VERNICK, ENGINEERS AS ENGINEER FOR THE BOROUGH AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR PROFESSIONAL SERVICES
M/Baker S/Mancuso**

WHEREAS, there exists a need for the appointment of an Engineer for the Borough of Buena for the year 2020; and

WHEREAS, this appointment and/or contract was advertised and is hereby awarded pursuant to a fair and open process in accordance with the provisions of N.J.S.A. 19:44A-20.4 et seq., with the award of the contract and/or the appointment being in the best interest and the most advantageous to the Borough of Buena considering all factors.

BOROUGH OF BUENA
 REGULAR COUNCIL MEETING
 MINUTES
 JANUARY 27, 2020
 PAGE 13

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Buena that REMINGTON AND VERNICK, ENGINEERS is appointed Engineer for the Borough of Buena retroactive to January 1, 2020 and ending on December 31, 2020, or until his or her successor is appointed and qualified; and

BE IT FURTHER RESOLVED that a contract be entered into with the above appointee, in the form attached hereto, and such contract be awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because the aforesaid agreement encompasses professional services recognized, licensed and regulated by law, and is of a nature where it is not possible to obtain competitive bids, and is hereby awarded under a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

BE IT FURTHER RESOLVED, that the compensation, terms and conditions of employment for the Engineer of the Borough of Buena shall be in accordance with the Code of the Borough of Buena and those specified in a formal professional services agreement, and authorization is hereby provided to the Mayor to execute said agreement between Remington and Vernick, Engineers and the Borough of Buena.

	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

It does not appear that we will be getting the as-builts from the contractor. The County requested a proposal from our office to prepare the as-builts.

FY2015 NJDOT Municipal Aid Project - Resurfacing of Plymouth Street

Our office recommended final payment to the contractor. Our office is working on the NJDOT reimbursement package.

FY2016 NJDOT Municipal Aid Project - Resurfacing of Forest Grove Road

A couple of minor punchlist items remain to be completed. The contractor was on site the week of January 20, 2020 to review the outstanding items.

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JANUARY 27, 2020
PAGE 14**

FY2018 NJDOT Municipal Aid Project – Reconstruction of Forest Grove Road

Our office is meeting with the contractor the week of January 27, 2020 to review the punchlist.

FY2019 NJDOT Municipal Aid Project – Reconstruction of South Boulevard

Contracts were sent to the Borough for signature. Construction will begin once the weather is suitable.

Buena Borough Landfill

Our office is waiting for a letter from The Pinelands Commission regarding their review of the data provided by our office. Mayor Zappariello asks that Mr. Smith contact The Pinelands Commission in two weeks for update.

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 was scheduled to have a public hearing at the January 28, 2020 Land Use Board meeting but will probably be at the February 2020 Land Use Board meeting

Madison Estates Major Subdivision – Lauren Court

The bonding company provided a draft bid package for completion of the site improvements to our office for review. We provided comments on December 19, 2019.

SOLICITOR'S REPORT:

Infinity Fence was discussed at the public portion and a resolution was adopted

VFW Rental was discussed earlier during meeting

Continuing on Working with Robert McGuigan from the Atlantic County Improvement Authority on the Abandoned Property list.

Is working with the C.F.O. on updating and making everything consistent in the Employee Manual.

COMMITTEE REPORTS:

ROADS/RECYCLING: COUNCILMAN WALKER

Councilman Walker reported that the road department had collected all leaves and branches. In addition, road area was cleaned up at wooded area between Martinelli and Central Ave. Trucks ready for snow. Old Central and Cedar Lake roads were flooded. Brush was removed from around bakery, contractor will be starting this week.

PUBLIC SAFETY/STREET LIGHTS: COUNCILMAN JOSEPH D'ALESSANDRO

Councilman D'Alessandro reported the breakdown of Public Safety:

Emergency Operations Plan was approved by Atlantic County and State of NJ
OEM plans a large-scale exercise in the Fall of 2020

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JANUARY 27, 2020
PAGE 15**

Buena EMS responded to 1228 calls in 2019 a 22.67% increase in call volume

Buena EMS responded to 93 calls in December 2019

Franklin Twp. Police 2019

- o 583 Arrests
- o 2630 Tickets
- o 5021 Motor Vehicle Stops
- o 17 DWIs
- o 98 Motor Vehicle Collisions
- o 143 Drug Arrests
- o \$56,842.00 stolen property in Borough

Mutual Aid Agreement with Dorothy Volunteer Fire Company is working well. All parties are pleased with outcome thus far

BLDGS/GROUNDS/IMPROVEMENTS: COUNCILWOMAN, ROSALIE M. BAKER

Council President Baker reported that on December 15, 2019, 281 Annual Rental Registration were mailed. In addition, paid rental registration fees collected were \$3,000.00 for December and \$8,175.00 for January. 2 Code Enforcement letters were sent to property owners. 1 Construction Notice of Violation. 5 Construction Permits were issued. \$2,217.00 in Construction Permit fees and fines.

RECREATION: COUNCILWOMAN ROSALIE M. BAKER

Council President Baker reported the winners for the Best decorated homes for the Holidays

1st Place - Aulffo Family Williams and West Ave awarded \$100.00 Shop Rite gift certificate.

2nd Place - DeFalco Family 326 Wheat Rd was awarded \$75.00 Shop Rite gift Certificate.

3rd Place - Wilfredo Martinez-Ramos Family was awarded \$50.00 Shop Rite gift certificate.

On January 9th, Council President Baker attended the Buena Baseball Softball meeting. Registrations will be at Buena Borough Municipal Hall, on the following dates: Saturday, February 15th 10:00am to 2:00pm. Thursday, February 20th, 6:00pm to 8:00pm. Saturday, February 10:00am to 2:00pm. Next Buena Borough Softball Association will be meeting February 13th.

On January 14th, Council President Baker attended Buena Alliance Meeting. The Senior Citizen Picnic at the High School on May 5th. Ridership for the 54/40 Shuttle in December was 842. The average passenger per day was 40.

ECONOMIC DEVELOPMENT: COUNCILMAN JOSEPH MANCUSO: None

FINANCE: COUNCILMAN JORGE ALVAREZ: The Finance committee held a budget meeting to discuss the formulation the 2020 Municipal Budget.

CLERK'S REPORT:

**MINUTES OF THE REGULAR MEETING OF THE DECEMBER 9, 2019 WERE APPROVED
M/BAKER S/WALKER**

BOROUGH OF BUENA
 REGULAR COUNCIL MEETING
 MINUTES
 JANUARY 27, 2020
 PAGE 16

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

**MINUTES OF THE REORGANIZATION MEETING OF JANUARY 2, 2020 WERE APPROVED
 M/BAKER S/MANCUSO**

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

UNFINISHED BUSINESS: None

NEW BUSINESS: Mayor Zappariello asked for Master Plan review

BILLS PAID AS LISTED: M/Baker S/Walker

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

NEXT MEETING: February 10, 2020

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JANUARY 27, 2020
PAGE 17

MEETING ADJOURNED: M/Baker S/Mancuso RCVU

Pamela Johnston