

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
MINUTES
JUNE 24, 2024
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MEETING CALLED TO ORDER: 7:00 P.M.
MEETING ADJOURNED: 8:16 P.M.

CALL MEETING TO ORDER: FLAG SALUTE

ROLL CALL OF ATTENDANCE:

Council Member	Present	Absent
GIOVINAZZI	X	
ALVAREZ	X	
ADAMS	X	
BARSUGLIA	X	
ANDALORO	X	
DESTEFANO	X	

ALSO, IN ATTENDANCE: Acting Clerk Johnston, Solicitor Tonetta, Administrator Coraluzzo, Road Supervisor Nimohay, Borough Auditor Mike Garcia Ford, Scott & Associates, LLC

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, June 24, 2024 commencing at 7:00 p.m. at the Borough Hall with Mayor Baruffi presiding. Mayor Baruffi 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 and the Daily Journal on November 27, 2023 as well as being posted on the bulletin board in borough hall.

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Mr. Garcia noted that the school district’s submitted budget increased slightly totaling 0.25 cents. Mr. Garcia explained that the budget’s introductory hearing was held in May noting a slight increase in the local purpose tax of 0.7.

RESOLUTION 130-24

A RESOLUTION TO ADOPT 2024 MUNICIPAL BUDGET

	Council Member	Aye	Nay	Abstain	Absent	Recuse
MOTION: <u>ALVAREZ</u>	GIOVINAZZI	X				
	ALVAREZ	X				
SECOND: <u>BARSUGLIA</u>	ADAMS	X				
	BARSUGLIA	X				
	ANDALORO	X				
	DESTEFANO	X				
RCV						

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MAYOR’S REPORT: First order of business.

- Mayor Baruffi reported under Solicitor Tonetta’s recommendation that it was not necessary to enter into executive session as indicated on the agenda.
- Council received copies of the letters Mayor sent to County Administrator DelRosso and County Engineer DiMeo on June 13 requesting an update and current status regarding the contract on the Louise Basile Center.
- Requested an update from County Engineer DiMeo regarding assessment letters to be sent to property owners on Central Avenue and Brewster Road.
- With reference to Minotola Estates, Engineer Mohnack and Road Supervisor Nimohay have been gathering data to provide to Borough Land Use Attorney Malinsky to complete the project.
- 1005 S Central Avenue is anticipated to be demolished within the next 40-days. All approvals are final and

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monies have been secured with the resolution being passed this evening.

- Salvation Army sent a thank you letter to Mayor Baruffi and Councilwoman Andaloro for providing them with a freezer. It was noted that they are in need of volunteers.
- Received a letter from the Department of Community Services regarding mosquito bite prevention which is available to the public at the Borough Clerk’s Office.
- Mayor Baruffi and Solicitor Tonetta interviewed Planner Tiffany CuvIELLO who will be presenting the fourth round Housing Element and Fair Share Plan to the Borough.
- Mayor Baruffi will be creating a quarterly newsletter and the first issue will be sent to the Borough residents with their tax bills in August.

MAYOR: PUBLIC COMMENT: OPPORTUNITY FOR ANYONE TO COMMENT WITH A LIMIT OF FIVE (5) MINUTES PER SPEAKER. PLEASE REFER TO THE FOLLOWING STATEMENT

PUBLIC COMMENT PROVIDES AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO INFORM THE MAYOR AND GOVERNING BODY ABOUT THEIR VIEWS. THE MAYOR AND GOVERNING BODY PRESCRIBES TO COUNCIL'S BY-LAWS AND THE NEW JERSEY STATUTES ON OPEN PUBLIC MEETINGS WHEN ENGAGING DURING PUBLIC COMMENT. AS SUCH, EACH INDIVIDUAL SHALL HAVE A 5 MINUTE LIMIT TO COMMENT; HE/SHE CANNOT YIELD TIME TO ANOTHER INDIVIDUAL; HE/SHE MAY ONLY APPROACH THE PODIUM ONCE DURING PUBLIC COMMENT FOR ANY ONE TOPIC; VULGAR OR OFFENSIVE LANGUAGE IS PROHIBITED AND MAYOR AND COUNCIL WILL NOT ENGAGE IN DIALOGUE WITH THE PUBLIC DURING THIS TIME. THE GOVERNING BODY MAINTAINS MODEL

MOTIONED TO OPEN THE PUBLIC PORTION OF THE MEETING:

	Council Member	Aye	Nay	Abstain	Absent	Recuse
MOTION: <u>BARSUGLIA</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
SECOND: <u>ANDALORO</u>	BARSUGLIA	X				
	ANDALORO	X				
	RCV	DESTEFANO	X			

Mrs. Wright of Marlyn Avenue, expressed concerns regarding her neighbor’s chickens, roosters, and ducks noting undesirable conditions. Council President Adams acknowledged Mrs. Wright’s concerns.

Alfredo Gonzalez of Arbor Ave expressed concerns regarding an East Arbor Ave property. Mr. Gonzalez provided photos of said property to the appropriate department for review. Mayor and Council acknowledged Mr. Gonzalez’ concerns.

Joanne Rosemont of Minotola asked if there will be concerts in the park this year and inquired about pavers. Councilwoman Barsuglia responded the concerts will begin July 11 and noted that the committee is awaiting arrival of the pavers and work will begin soon.

MOTIONED TO CLOSE PUBLIC PORTION:

	Council Member	Aye	Nay	Abstain	Absent	Recuse
MOTION: <u>BARSUGLIA</u>	GIOVINAZZI	X				
	ALVAREZ	X				
	ADAMS	X				
SECOND: <u>ANDALORO</u>	BARSUGLIA	X				
	ANDALORO	X				
	RCV	DESTEFANO	X			

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RESOLUTION 128-24 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, IN THE STATE OF NEW JERSEY, APPOINTING AYLIN DURDU AS VOLUNTEER FIREFIGHTER

Oath was administered by Mayor Baruffi.

	Council Member	Aye	Nay	Abstain	Absent	Recuse
MOTION: <u>ADAMS</u>	GIOVINAZZI	X				
	ALVAREZ	X				
SECOND: <u>ALVAREZ</u>	ADAMS	X				
	BARSUGLIA	X				
	ANDALORO	X				
	DESTEFANO	X				
RCV						

WHEREAS, Aylin Durdu has made application to the Borough of Buena Fire Department to serve as a Volunteer Firefighter; and

WHEREAS, Fire Chief Barbagli has reviewed and approved said application, and recommends that Mayor and Council appoint Aylin Durdu as Volunteer Firefighter.

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Buena, County of Atlantic, State of New Jersey, does hereby appoint Aylin Durdu as Volunteer Firefighter effective immediately.

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Mayor Baruffi appointed the following as members and alternates of the Land Use Board:

- Class IV Louis Barsuglia to fill the unexpired term of L. Nardone
- Alternate I Aldo Palmieri to fill the unexpired term of L. Barsuglia
- Alternate II Jerry Marinacci to fill the unexpired term of A. Palmieri
- Alternate III Pete Elias to fill the unexpired term of J. Marinacci
- Alternate IV Dennis F. Carolla to fill the unexpired term of P. Elias

Mayor Baruffi appointed Dennis Carolla as Alternate IV Land Use Board Member to fill the unexpired term of Pete Elias. Oath was administered by Mayor Baruffi.

Solicitor Tonetta recommended Resolution 122-24 be removed from the Consent Agenda due to two council members owning liquor licenses in the Borough.

RESOLUTION 122-24 A RESOLUTION APPROVING ALCOHOLIC BEVERAGE LICENSES FOR THE 2024-2025 TERM

	Council Member	Aye	Nay	Abstain	Absent	Recuse
MOTION: <u>ANDALORO</u>	GIOVINAZZI	X				
	ALVAREZ	X				
SECOND: <u>BARSUGLIA</u>	ADAMS			X		
	BARSUGLIA	X				
	ANDALORO	X				
	DESTEFANO			X		
RCV						

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WHEREAS, application for renewal of liquor licenses for the 2024-2025 year have been filed with the Borough Clerk; and

WHEREAS, all filing fees have been paid and all applications hereinafter identified are complete.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the club, distribution and retail consumption licenses be and they are hereby renewed for the 2024-2025 licensing year.

0104-31-015-001	Buena Vista Post 270
0104-33-002-008	Uncle Ricky's LLC.
0104-33-003-001	De Maria Richard A.
0104-33-004-011	Jersey Pub 4, Inc
0104-33-010-004	Martin's Custom Catering
0104-44-009-004	SJP Liquors
0104-44-014-012	Pruthvi, LLC

BE IT FURTHER RESOLVED that the Municipal Clerk is instructed to issue said licenses.

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CONSENT AGENDA:

Consent Agenda includes items of business which are not controversial and do not require individual discussion. A Motion approving the Consent Agenda is moved, seconded and voted upon as one item by the Borough Council. If any discussion is requested on a Consent Agenda item, it is removed from the Consent Agenda to the Regular Agenda

- **RESOLUTION 123-24** A RESOLUTION APPROVING ALCOHOLIC BEVERAGE LICENSE FOR THE 2024-2025 TERM FOR ELLEWOODSOTO HOSPITALITY, LLC WITH CONTINUED CONDITIONS
- **RESOLUTION 124-24** A RESOLUTION OF THE BOROUGH OF BUENA AWARDDING A CONTRACT TO PYROTECNICO FIREWORKS, INC. FOR THE FIREWORKS DISPLAY IN AN AMOUNT NOT TO EXCEED \$8,427.00
- **RESOLUTION 125-24** A RESOLUTION GRANTING PERMISSION TO THE RECREATION COMMISSION OF THE BOROUGH OF BUENA TO CONDUCT A PUBLIC DISPLAY OF FIREWORKS ON SEPTEMBER 8, 2024 (RAIN DATE: SEPTEMBER 15, 2024 BETWEEN 8:00 P.M. AND 10:00 P.M. AT THE BRUNO MELINI PARK, CENTRAL AVENUE, MINOTOLA
- **RESOLUTION 126-24** A RESOLUTION OF THE BOROUGH OF BUENA COUNTY OF ATLANTIC FOR DEMOLITION OF BUILDING AT 1005B SOUTH CENTRAL AVENUE, MINOTOLA, NJ, BLOCK 193, LOT 3
- **RESOLUTION 127-24** RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH TIFFANY A. CUVIELLO, PP, LLC, GALLOWAY, NEW JERSEY FOR PREPARATION OF FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN AND FILE ANY MONITORING REPORTS
- **BILLS PAID AS LISTED**
- **CLERK'S REPORT**
MINUTES OF THE REGULAR MEETING OF MAY 28, 2024
MINUTES OF THE WORKSHOP MEETING OF JUNE 10, 2024
MINUTES OF THE REGULAR MEETING OF JUNE 10, 2024

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	Council Member	Aye	Nay	Abstain	Absent	Recuse
MOTION: <u>ADAMS</u>	GIOVINAZZI	X				
	ALVAREZ	X				
SECOND: <u>BARSUGLIA</u> RCV	ADAMS	X				
	BARSUGLIA	X				
	ANDALORO	X				
	DESTEFANO	X				

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COMMITTEE REPORTS:

PLANNING/ZONING/INSPECTIONS

COUNCILMAN RICHARD GIOVINAZZI:

- Reported that the owner of 107 S. Willow St. is willing to demolish the building within 45 days.
- 539 N. Harding Hwy is in violation for trash and rubbish and is scheduled for a second hearing on June 27, 2024.
- 114 S. Harding Hwy., 104 S. Franklin St., and 106 S. Franklin St. have rescheduled hearing dates of June 27, 2024 for failure to obtain permits.
- 110 Arbor Ave. has a second hearing date of June 27, 2024 for junk vehicles.
- An unsafe structure notice was sent to 1305 S. Central Ave. stating the building must be demolished or rehabilitated per Borough Code.
- Code enforcement was informed of unsanitary conditions at 1015 W. Summer Road and it was noted that the property owner has made progress in clearing the lot.

FINANCE/TAX COLLECTOR/ASSESSOR

COUNCILMAN JORGE ALVAREZ:

- Will provide an update at the July 15 meeting for the funds regarding the mayor’s newsletter.

PUBLIC SAFETY/STREET LIGHTS

COUNCILMAN DOUGLAS ADAMS:

- Reported a total of 89 EMS calls for the month of May and a total of 1138 police calls.
- Reported a total of 31 Animal Control calls for service for the month of May.
- Reported a total of 11 calls for Buena Borough Fire Department for the month of May.

RECREATION

COUNCILWOMAN MARINA BARSUGLIA:

- Blackwater Pond trail maintenance is ongoing. Disk golf course will continue to expand to 18 holes.
- Summer concerts will begin July 11, 2024.
- Art in the park will continue through the season.
- Received \$66,000.00 recreation grant to restore two tennis courts.
- Buena Day is scheduled for September 8, 2024 (rain date September 15). Parade will be at noon and activities to follow.

BLDGS/GROUNDS/IMPROVEMENTS

COUNCILWOMAN PATRCIA ANDALORO:

- Opening bid for ADA doors will be held at Borough Hall on July 11, 2024 at 10 A.M.
- It was noted that the air conditioner maintenance is up to date in all municipal buildings.
- Flowers will be planted at the Joe Dale Pavilion.
- Thanked the Road Department for their assistance with landscaping at the municipal buildings.

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ROADS/RECYCLING

COUNCILMAN FRANK DESTEFANO:

- Curbing at St. Michael's Church and Minotola Post Office were painted yellow.
- Potholes are being filled.

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UNFINISHED BUSINESS:

Discussion ensued regarding EMS transport services.


NEW BUSINESS:

None.

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NEXT MEETING: MONDAY, JULY 15, 2024

MEETING ADJOURNED: M/ BARSUGLIA S/ ANDALORO RCVU



Pamela Johnston
Acting Borough Clerk

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RESOLUTION NO. 123-24

A RESOLUTION APPROVING ALCOHOLIC BEVERAGE LICENSE FOR THE 2024-2025 TERM FOR ELLEWOODSOTO HOSPITALITY, LLC WITH CONTINUED CONDITIONS

WHEREAS, application for renewal of liquor licenses for the 2024-2025 year have been filed with the Borough Clerk; and

WHEREAS, all filing fees have been paid and all applications hereinafter identified are complete.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the retail consumption license number 0104-33-001-003 for Ellewoodsoto Hospitality be hereby renewed for the 2024-2025 licensing year subject to special conditions set forth in Resolution 40-24 that the sale of alcoholic beverages be discontinued for the licensed premises at 10 o'clock PM on each day of the week. Said Resolution is attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Director, State of New Jersey, Department of Law and Public Safety, Division of Alcoholic Beverages.

BE IT FURTHER RESOLVED that nothing herein shall prohibit Ellewoodsoto Hospitality LLC from the preparation and sale of food to the general public as a restaurant.

RESOLUTION NO. 124-24

A RESOLUTION OF THE BOROUGH OF BUENA AWARDING A CONTRACT TO PYROTECNICO FIREWORKS, INC. FOR THE FIREWORKS DISPLAY IN AN AMOUNT NOT TO EXCEED \$8,427.00

WHEREAS, the Borough of Buena desires to host fireworks display during its annual Buena/Patriot Day celebration; and

WHEREAS, Pyrotecnico Fireworks, Inc., has submitted a quote to display said fireworks in an amount not to exceed \$8,427.00 which includes \$427.00 in permit fees.

NOW, THEREFORE, BE IT RESOLVED by the Borough and by the Council for the Borough of Buena, County of Atlantic, State of New Jersey that the Mayor is authorized to execute an agreement with Pyrotecnico Fireworks, Inc. in the amount of \$8,427 contingent upon the receipt of a Certificate of Availability of Funds from the Chief Financial Officer.

RESOLUTION NO. 125-24

A RESOLUTION GRANTING PERMISSION TO THE RECREATION COMMISSION OF THE BOROUGH OF BUENA TO CONDUCT A PUBLIC DISPLAY OF FIREWORKS ON SEPTEMBER 8, 2024 (RAIN DATE: SEPTEMBER 15, 2024 BETWEEN 8:00 P.M. AND 10:00 P.M. AT THE BRUNO MELINI PARK, CENTRAL AVENUE, MINOTOLA

WHEREAS, in connection with the annual Buena/Patriot Day celebration in the Borough of Buena, it has been traditional for annual fireworks display to be presented on the evening of that date; and

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WHEREAS, said fireworks display is in keeping with the traditional celebration of our nation's Independence; and

WHEREAS, the Recreation Committee of the Borough of Buena is desirous of conducting such a public display of fireworks; and

WHEREAS, under the provisions of the New Jersey Statutes, specifically Section 21:3-3 and 4, the approval of the governing body is necessary as a prerequisite of such display; and

WHEREAS, Pyrotecnico Fireworks, Inc., New Castle, PA is to operate said display and is found to be competent operator; and

WHEREAS, such display is of such character; and is so located and will be discharged and fired in such a manner as not be hazardous or endanger any person or persons.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that permission is hereby given to the Recreation Commission of the Borough of Buena to conduct the aforesaid public display of fireworks at the Bruno Melini Park, Central Avenue, Minotola in the Borough of Buena on September 8, 2024 (Rain Date: September 15, 2024) pursuant to N.J.S.A. 21:3-5.

BE IT FURTHER RESOLVED that, a certified copy of this Resolution will be forwarded to the Department of Community Affairs, Division of Fire Safety.

RESOLUTION NO. 126-24

**A RESOLUTION OF THE BOROUGH OF BUENA COUNTY OF ATLANTIC FOR
DEMOLITION OF BUILDING AT 1005B SOUTH CENTRAL AVENUE,
MINOTOLA, NJ, BLOCK 193, LOT 3**

WHEREAS, with funding from CDBG Grant (2015 to 2023) for \$107,818.00; and

WHEREAS, also any CDBG funding that may become available for this project (reimbursement funds from previous project in 2023- Brunini Pool.)

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena these funds shall be applied to the demolition of blight/condemned property at 1005B South Central Avenue, Minotola, NJ, Block 193, Lot 3.

RESOLUTION NO. 127-24

**RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL
SERVICES AGREEMENT WITH TIFFANY A. CUVIELLO, PP, LLC,
GALLOWAY, NEW JERSEY FOR PREPARATION OF FOURTH ROUND
HOUSING ELEMENT AND FAIR SHARE PLAN AND FILE ANY
MONITORING REPORTS**

WHEREAS, in order for the Borough of Buena to maintain its Builder's Remedies immunity and protections, the Borough will need to file required monitoring reports and update its Housing Element and Fair Share Plan to provide for the Round 4 obligation and regulations and review fourth round obligations and determine if adjustments can be made (Obligations); and

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

WHEREAS, Tiffany A. Cuiello, PP, LLC., specializes in Housing Element and Fair Share Plans as required in accordance with the Affordable Housing Laws and the process in which to prepare and completed a Fair Share Housing Plan and has submitted a proposal indicating she will provide the professional service on a time-charge basis at a rate of \$150.00 per hour and in an amount not to exceed \$20,000.00; and

WHEREAS, Tiffany A. Cuiello, 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. Cuiello, 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 Chief financial Officer; 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. Cuiello, PP, LLC, Galloway, New Jersey for Professional Planning Services for the Borough of Buena on a time-charge basis at a rate of \$150.00 per hour and in an amount not to exceed \$20,000.00, for specified services, plus reimbursable expenses, for a contract not to exceed one year beginning June 18, 2024.
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.