

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING  
AGENDA  
JUNE 27, 2016**

**MEETING CALLED TO ORDER: P.M.  
MEETING ADJOURNED: P.M.**

**CALL MEETING TO ORDER: Flag Salute**

**ROLL CALL OF ATTENDANCE:**

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**SUNSHINE LAW:** This meeting is 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.

**MAYOR'S REPORT:** First order of business.

**ORDINANCE 639 NEED MOTION TO OPEN THE PUBLIC HEARING ON:**

**AN ORDINANCE REQUIRING THE REGISTRATION AND MAINTENANCE OF CERTAIN REAL PROPERTY BY MORTGAGEES; PROVIDING FOR PENALTIES AND ENFORCEMENT, AS WELL AS THE REGULATION, LIMITATION AND REDUCTION OF ABANDONED REAL PROPERTY WITHIN THE MUNICIPALITY; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.  
M \_\_\_\_\_ S \_\_\_\_\_**

**WHEREAS**, the present mortgage foreclosure crisis has serious negative implications for all communities trying to manage the consequences of property vacancies and abandoned real properties; and

**WHEREAS**, the Borough of Buena (hereinafter referred to as "Municipality") recognizes an increase in the number of vacancies and abandoned properties located throughout the Municipality; and

**WHEREAS**, the Municipality is challenged to identify and locate owners or foreclosing parties who can maintain the properties that are in the foreclosure process or that have been foreclosed; and

**WHEREAS**, the Municipality finds that the presence of vacant and abandoned properties can lead to a decline in property value, create attractive nuisances and lead to a general decrease in neighborhood and community aesthetics; and

**WHEREAS**, the Municipality has already adopted property maintenance codes to regulate building standards for the exterior of structures and the condition of the property as a whole; and

**WHEREAS**, the Municipality desires to amend the Municipality's Code in order to participate in the County-wide registration program established by the Atlantic County Improvement Authority and administered by Community Champions Corporation that will identify a contact person to address safety and aesthetic concerns to minimize the negative impacts and blighting conditions that occur as a result of the foreclosures; and

**WHEREAS**, the Municipality has a vested interest in protecting neighborhoods against decay caused by vacant and abandoned properties and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration and certification requirements on abandoned and vacant properties located within the Municipality; and

**WHEREAS**, upon passage, duly noticed public hearings, as required by law will have been held by the Municipality, at which public hearings all residents and interested persons were given an opportunity to be heard;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE MUNICIPALITY OF BUENA BOROUGH:**

**SECTION 1.** That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof

**SECTION 2.** That the *Borough of Buena* hereby amends The Municipality of Buena Borough Code, Chapter \_\_\_\_, by creating Article \_\_\_\_, entitled "Abandoned Real Property," to read as follows:

**CHAPTER \_\_\_\_. ARTICLE \_\_\_\_. ABANDONED REAL PROPERTY**

**SECTION \_\_-\_\_. PURPOSE AND INTENT**

It is the purpose and intent of the Municipality to establish a process to address the deterioration and blight of Municipality neighborhoods caused by an increasing amount of abandoned, foreclosed or distressed real property located within the Municipality, and to identify, regulate, limit and reduce the number of abandoned properties located within the Municipality. It is the Municipality's further intent to participate in the County-wide registration program established by the Atlantic County Improvement Authority and administered by Community Champions Corporation as a

mechanism to protect neighborhoods from becoming blighted due to the lack of adequate maintenance and security of abandoned and foreclosed properties.

**SECTION \_\_-\_\_. DEFINITIONS.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

*Abandoned Real Property* - means any real property located in the Municipality, whether vacant or occupied, that is in default on a mortgage, has had a lis pendens filed against it by the Lender holding a mortgage on the property, is subject to an ongoing foreclosure action by the Lender, is subject to an application for a tax deed or pending tax assessors lien sale, or has been transferred to the Lender under a deed in lieu of foreclosure. The designation of a property as "abandoned" shall remain in place until such time as the property is sold or transferred to a new owner, the foreclosure action has been dismissed, and any default on the mortgage has been cured.

*Accessible Property/Structure* - means a property that is accessible through a comprised/breached gate, fence, wall, etc. or a structure that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.

*Applicable Codes* - means to include, but not be limited to, the Municipality's Zoning Code, the Municipality's Code of Ordinances ("Municipality Code"), and the New Jersey Building Code.

*Blighted Property* - means:

- a) Properties that have broken or severely damaged windows, doors, walls, or roofs which create hazardous conditions and encourage trespassing; or
- b) Properties whose maintenance is not in conformance with the maintenance of other neighboring properties causing a decrease in value of the neighboring properties; or

c) Properties cited for a public nuisance pursuant to the Municipality Code; or

d) Properties that endanger the public's health, safety, or welfare because the properties or improvements thereon are dilapidated, deteriorated, or violate minimum health and safety standards or lacks maintenance as required by the Municipality and Zoning Codes.

*Enforcement Officer* - means any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector, or other person authorized by the Municipality to enforce the applicable code(s).

*Owner* - means any person, legal entity or other party having any ownership interest whether legal or equitable, in real property. This term shall also apply to any person, legal entity or agent responsible for the construction, maintenance or operation of the property involved.

*Property Management Company* - means a local property manager, property Maintenance Company or similar entity responsible for the maintenance of abandoned real property.

*Vacant* - means any building or structure that is not legally occupied.

**SECTION \_\_ - \_\_. APPLICABILITY**

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the Municipality above and beyond any other state, county or local provisions for same.

**SECTION \_\_ - \_\_. ESTABLISHMENT OF A REGISTRY**

Pursuant to the provisions of Section \_\_ - \_\_, the Municipality or designee shall participate in the County-wide registration program established by the Atlantic County Improvement Authority and administered by Community Champions Corporation cataloging each Abandoned Property within the Municipality, containing the information required by this Article.

**SECTION \_\_ - \_\_. REGISTRATION OF ABANDONED REAL PROPERTY**

(a) Any mortgagee who holds a mortgage on real property located

within the Municipality of \_\_\_\_\_ shall perform an inspection of the property to determine vacancy or occupancy, upon default by the mortgagor. The mortgagee shall, within ten (10) days of the inspection, register the property with the Division of Code Enforcement, or designee, on forms or website access provided by the Municipality, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied.

(b) If the property is occupied but remains in default, it shall be inspected by the mortgagee or his designee monthly until (1) the mortgagor or other party remedies the default, or (2) it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the Municipality.

(c) Registration pursuant to this section shall contain the name of the mortgagee and the server, the direct mailing address of the mortgagee and the server, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the folio or tax number, and the name and twenty-four (24) hour contact telephone number of the property management company responsible for the security and maintenance of the property.

(d) A non-refundable annual registration fee in the amount of \$300.00 per property, shall accompany the registration form or website registration.

(e) All registration fees must be paid directly from the Mortgagee, Servicer, Trustee, or Owner. Third Party Registration fees are not allowed without the consent of the Municipality and/or its authorized designee.

(f) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale.

(g) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain vacant or in default.

(h) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change.

(i) Failure of the mortgagee and/or owner to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this article is a violation of the article and shall be subject to enforcement.

(j) Pursuant to any administrative or judicial finding and determination that any property is in violation of this article, the Municipality may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

**SECTION \_\_-\_\_. MAINTENANCE REQUIREMENTS**

(a) Properties subject to this chapter shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state or local law discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned.

(b) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure.

(c) Front, side, and rear yards, including landscaping, shall be maintained in accordance with the applicable code(s) at the time registration was required.

(d) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically

for residential installation. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.

(e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings.

(f) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable code(s).

(g) Failure of the mortgagee and/or owner to properly maintain the property may result in a violation of the applicable code(s) and issuance of a citation or Notice of Violation in accordance with Chapter \_\_\_ of the Municipality of Buena's Code of Ordinances.

Pursuant to a finding and determination by the Municipality's Code Enforcement Officer/Board, Hearing Officer/Special Magistrate or a court of competent jurisdiction, the Municipality may take the necessary action to ensure compliance with this section.

(h) In addition to the above, the property is required to be maintained in accordance with the applicable code(s).

**SECTION \_\_\_-\_\_\_. SECURITY REQUIREMENTS**

(a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons.

(b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window.

(c) If a mortgage on a property is in default, and the property has become vacant or abandoned, a property manager shall be designated by the mortgagee to perform the work necessary to bring the property into compliance with the applicable code(s), and the property manager must perform regular inspections to verify compliance with the

requirements of this article, and any other applicable laws.

**SECTION \_\_-\_\_. PUBLIC NUISANCE.**

All abandoned real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the Municipality.

**SECTION \_\_-\_\_ PENALTIES; SCHEDULE OF CIVIL PENALTIES.**

Any person who shall violate the provisions of this article may be cited and fined as provided in Chapter \_\_\_ of the Municipality of Buena Borough's Code of Ordinances and New Jersey Statutes, Chapter \_\_\_\_. The following table shows violations of these sections, as may be amended from time to time, which may be enforced pursuant to the provisions of this regulation; and the dollar amount of civil penalty for the violation of these sections as it may be amended. The descriptions of violations" below are for informational purposes only and are not meant to limit or define the nature of the violations or the subject matter of the Municipality Code sections, except to the extent that different types of violations of the Code section may carry different civil penalties. For each Code section listed in the schedule of civil penalties, the entirety of the section may be enforced by the mechanism provided in this section, regardless of whether all activities prescribed or required are described in the "Description of Violation" column. To determine whether a particular activity is prescribed or required by this Code, the relevant Municipality Code section(s) shall be examined.

Description of Violation	Civil Penalty
Failure to register abandoned real property on annual basis and/or any violation of the sections stated within.	\$500.00

**SECTION \_\_-\_\_. INSPECTIONS FOR VIOLATIONS**

Adherence to this article does not relieve any person, legal entity or agent from any other obligations set forth in any applicable code(s), which may apply to the property. Upon sale or transfer of title to the property, the owner shall be responsible for all violations of the applicable code(s) and the owner shall be



responsible for meeting with the Municipality's Code Enforcement Division within forty-five (45) days for a final courtesy inspection report.

**SECTION \_\_-\_\_. ADDITIONAL AUTHORITY**

(a) If the enforcement officer has reason to believe that a property subject to the provisions of this article is posing a serious threat to the public health safety and welfare, the code enforcement officer may temporarily secure the property at the expense of the mortgagee and/or owner, and may bring the violations before the Municipality's code enforcement board or code enforcement special magistrate as soon as possible to address the conditions of the property.

(b) The Code Enforcement Board or Hearing Officer/special magistrate shall have the authority to require the mortgagee and/or owner of record of any property affected by this section, to implement additional maintenance and/or security measure including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.

(c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety and welfare, then the code enforcement board or special magistrate may direct the Municipality to abate the violations and charge the mortgagee with the cost of the abatement.

(d) If the mortgagee does not reimburse the Municipality for the cost of temporarily securing the property, or of any abatement directed by the code enforcement board or special magistrate, within thirty (30) days of the Municipality sending the mortgagee the invoice then the Municipality may lien the property with such cost, along with an administrative fee of \$500.00 to recover the administrative personnel services.

**SECTION \_\_-\_\_. OPPOSING, OBSTRUCTING ENFORCMENT OFFICER; PENALTY.**

Whoever opposes, obstructs or resists any enforcement officer or any

person authorized by the enforcement office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable code(s) or a court of competent jurisdiction.

**SECTION \_\_-\_\_. IMMUNITY OF ENFORCEMENT OFFICER**

Any enforcement officer or any person authorized by the Municipality to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this article.

**SECTION 3. AMENDMENTS.** Registration and Penalty Fees outlined in this article may be modified by a Resolution, passed and adopted of the Municipality Council of the Municipality of Buena Borough.

**SECTION 4. SEVERABILITY.** If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**SECTION 5. REPEALER.** All ordinances or parts of ordinances in conflict herewith, are and the same are hereby repealed.

**SECTION 6. CODIFICATION.** It is the intention of the Council of the Municipality of Buena Borough, New Jersey, that the provisions of this Ordinance shall become and be made a part of the Municipality of Buena Borough Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 7. EFFECTIVE DATE.** This ordinance shall become effective upon adoption and publication as provided by law.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**DISCUSSION:**

**NEED MOTION TO CLOSE PUBLIC HEARING:**

**M \_\_\_\_\_ S \_\_\_\_\_**

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**NEED MOTION TO ADOPT ORDINANCE NO. 639:**

**M \_\_\_\_\_ S \_\_\_\_\_**

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**ORDINANCE NO. 640      NEED MOTION TO OPEN THE PUBLIC HEARING ON:**

**AN ORDINANCE AMENDING ORDINANCE 635 THE SALARIES AND WAGES RANGES OF MUNICIPAL OFFICIALS AND EMPLOYEES OF THE BOROUGH OF BUENA FOR THE YEAR 2016.**

**M \_\_\_\_\_ S \_\_\_\_\_**

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 - \$ 8,517.00
Councilpersons	\$ 4,161.00 - \$ 4,370.00
Administrator	\$20,000.00 - \$30,000.00
Borough Clerk/Tax Collector Part Time	\$50,000.00 - \$85,000.00
Borough Clerk – Full Time	\$38,000.00 - \$55,000.00
Tax Collector – Full Time	\$38,000.00 - \$55,000.00
Deputy Municipal Clerk/Clerk 1 Full Time	\$27,000.00 - \$38,000.00
Chief Financial Officer	\$38,000.00 - \$55,000.00
Acting Chief Municipal Financial Officer	\$28,000.00 - \$38,000.00
Tax Assessor	\$ 7,902.00 - \$ 8,298.00
Assessing/Search Clerk	\$20,395.00 - \$21,415.00
Land Use/Construction Code/Fire Secretary	\$32,000.00 - \$38,000.00

Zoning Officer	\$ 4,500.00 - \$ 7,000.00
Enforcement Officer	\$ 6,500.00 - \$ 9,000.00
Construction Code Official	\$ 1,800.00 - \$ 3,000.00
Building Sub-Code Official	\$ 9,000.00 - \$11,000.00
Plumbing Sub-Code Official	\$ 6,500.00 - \$ 9,000.00
Electrical Sub-Code Official	\$ 6,500.00 - \$ 9,000.00
Fire Sub-Code Official	\$ 3,200.00 - \$ 4,500.00
Fire Official	\$ 4,000.00 - \$ 6,000.00
Occupancy Inspector	\$ 3,000.00 - \$ 4,000.00
Road Supervisor	\$50,000.00 - \$70,000.00
EMS Supervisor	\$40,000.00 - \$65,000.00
Director Public Safety - Full Time	\$40,000.00 - \$51,408.00
Director Public Safety – Part Time	\$20,000.00 - \$26,250.00
Director Emergency Management	\$ 492.00 - \$ 525.00
Police Records Clerk	\$33,109.00 - \$34,765.00
Clerk 1- Full Time	\$25,000.00 - \$27,000.00
Clerk 2 - Full Time	\$30,000.00 - \$37,000.00
Clerk 3 - Full Time	\$40,000.00 - \$49,719.00
Clerk 1- Part Time	\$ 12.50 - \$ 16.00
Confidential Assistant – Part Time	\$ 15.00 - \$ 15.75
Land Use Board Chairman	\$ 30.00 - \$ 31.50
Land Use Board Members	\$ 25.00 - \$ 26.25
Senior Part-Time EMS	\$ 14.57 - \$ 15.30
EMS – Part Time	\$ 12.48 - \$ 13.10
Police Officer – Part Time	\$ 14.84 - \$ 15.59
Special Law Enforcement Officer	\$ 14.26 - \$ 14.97
Acting Fire Official	\$ 25.00 - \$ 35.00
Crossing Guard – Part Time	\$ 8.84 - \$ 9.30
Streets & Roads Laborer 1	\$ 16.00 - \$ 25.00
Laborer Recreation	\$ 10.50 - \$ 12.00
Part-Time Road Laborers-Skilled	\$ 10.00 - \$ 16.00
Part-Time Road Laborers-Unskilled	\$ 9.00 - \$ 15.00

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**DISCUSSION:**

**NEED MOTION TO CLOSE PUBLIC HEARING:**

**M \_\_\_\_\_ S \_\_\_\_\_**

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**NEED MOTION TO ADOPT ORDINANCE NO. 640:**

**M \_\_\_\_\_ S \_\_\_\_\_**

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**RESOLUTION 75-16      A RESOLUTION ACCEPTING THE BID OF CHARLES JOHNSTON  
d.b.a. POWELL'S PLUMBING AND HEATING FOR THE PURCHASE OF  
THE GRASS CROP AT BLACK WATER POND RECREATIONAL AREA.  
M \_\_\_\_\_ S \_\_\_\_\_**

BE IT RESOLVED by the Council of the Borough of Buena that:

1. The bid of Charles Johnston d.b.a. Powell's Plumbing and Heating in the amount of \$500.00 per year for three years be and is hereby accepted, subject to the payment price and the posting of an insurance certificate acceptable to the Borough Solicitor as required by the bid specifications.
2. By payment of the bid price and posting of the insurance certificate, the successful bidder is deemed to have accepted

the term and condition set forth in the specifications.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**RESOLUTION 77-16      A RESOLUTION APPROVING ALCOHOLIC BEVERAGE LICENSES FOR THE 2016-2017 TERM.**

**M      S**

WHEREAS, application for renewal of liquor licenses for the 2016-2017 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 2016-2017 licensing year.

- 0104-33-001-003      Emmanuel and Victor, LLC.
- 0104-33-002-007      Uncle Ricky's LLC.
- 0104-33-003-001      De Maria Richard A
- 0104-31-017-001      Landisville Social Club
- 0104-44-014-012      Pruthvi LLC.
- 0104-31-015-001      Buena Vista Post 270
- 0104-31-004-010      Ozlem, Inc.
- 0104-44-009-004      SJP Liquors
- 0104-33-010-004      Martin's Custom Catering
- 0104-33-011-003      Babe's Tavern Inc
- 0104-33-013-008      Saloon 54 LLC
- 0104-33-006-012      Tre Bellezze LLC

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**RESOLUTION 79-16      RESOLUTION TO CLOSE THE POLICE PETTY CASH CHECKING AND POLICE RECORDS ACCOUNTS**

**M      S**

WHEREAS, the Borough of Buena no longer has a use for Police Petty Cash Checking and Police Records Accounts; and

WHEREAS, there remains balances in the Police Records Account;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the Police Petty Cash Checking account be closed and Police Records accounts closed; with the balance posted as Police Records revenue in the Current Account for the 2016 budget.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**RESOLUTION 78-16      A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL OR APPLY OVERPAYMENTS AND UNDERPAYMENTS.**

**M \_\_\_\_\_ S \_\_\_\_\_**

WHEREAS, there exists a number of tax overpayments and underpayments; and

WHEREAS, it has been determined by the tax assessor and collector that the overpayments and underpayments should be canceled or applied.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena, in the County of Atlantic, State of New Jersey that the attached list be canceled or applied.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**RESOLUTION 82-16      A RESOLUTION OF BUENA BOROUGH AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY FOR THE ADMINISTRATION OF THE PROGRAM INCOME FROM SMALL CITIES GRANTS FOR HOUSING REHABILITATION**

**M \_\_\_\_\_ S \_\_\_\_\_**

WHEREAS, the Borough Council of Buena Borough desires to engage the services of the Atlantic County Improvement Authority to perform various services for the municipality; and

WHEREAS, the Atlantic County Improvement Authority is qualified by training and experience to perform the required services in the manner and on the terms and conditions set forth in the attached contract.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Buena Borough that the Atlantic County Improvement Authority is hereby appointed to be the administrators of that portion of the Buena Housing Rehabilitation Program financed by the Program Income generated by previous Small Cities CDBG Grants, and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to enter into and execute the Interlocal Services Agreement

authorizing the Atlantic County Improvement Authority as the Administrator of the Borough's Program Income-Housing Rehabilitation Program and the Agreement shall be filed and open to the public at the office of the Borough Clerk immediately after the adoption of this Resolution.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**RESOLUTION 83-16      AUTHORIZING THE MAYOR TO EXECUTE THE SHARED SERVICES AGREEMENT WITH THE ATLANTIC COUNTY IMPROVEMENT AUTHORITY FOR THE PURPOSE OF ESTABLISHING THE VACANT FORECLOSED HOME REGISTRY SYSTEM WITH COMMUNITY CHAMPIONS CORPORATION**  
**M \_\_\_\_\_ S \_\_\_\_\_**

WHEREAS, the Borough of Buena, recognizes an increase in the number of vacancies and abandoned properties located throughout the municipality; and

WHEREAS, the Atlantic County Improvement Authority has established a county-wide registration program to be administered by the Community Champions Corporation, who will identify a contact person to address safety and aesthetic concerns to minimize the negative impacts that occur as a result of foreclosures and vacant properties; and

WHEREAS, the Borough of Buena wishes to join the Atlantic County Improvement Authority in a Shared Services Agreement to participate in the county-wide registration program with Community Champions Corporation to facilitate communication with the contact person responsible for abandoned and foreclosed homes.

WHEREAS, the Borough of Buena, introduced Ordinance #639 of 2016 on June 13, 2016, requiring the registration and maintenance of certain real property by mortgages and providing for penalties, the Public Hearing on Ordinance #639, 2016, will be on June 27, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the Borough of Buena that the Mayor is authorized to execute the Shared Services Agreement with the Atlantic County Improvement Authority for the purpose of participating in the county-wide registration program with Community Champions Corporation.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				



**PERSONNEL:**

**RESOLUTION 74-16      A RESOLUTION APPOINTING MARYANN CORALUZZO AS LOCAL REGISTRAR FOR THE BOROUGH OF BUENA EFFECTIVE JUNE 16, 2016.**

**M \_\_\_\_\_ S \_\_\_\_\_**

**WHEREAS,** Maryann Coraluzzo has completed the required initial CMR training and successfully passed the exam.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Buena that Maryann Coraluzzo shall be appointed as Local Registrar, effective June 16, 2016 at no additional compensation.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be forwarded to the State Registrar.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**RESOLUTION 76-16      A RESOLUTION RE-APPOINTING LISA PERELLA AS TAX ASSESSOR FOR THE BOROUGH OF BUENA EFFECTIVE JULY 1, 2016 AND EXPIRING JUNE 30, 2020.**

**M \_\_\_\_\_ S \_\_\_\_\_**

WHEREAS, pursuant to N.J.S.A 40A:9-146, the tenured Tax Assessor, Dennis DeKlerk submitted a letter of resignation effective February 2, 2016; and

WHEREAS, the Tax Assessor term is for a period beginning July 1<sup>st</sup> and ending on June 30; and

WHEREAS, the Council of the Borough of Buena has previously determined that it is in the best interest of the Borough to appoint Lisa Perella to the part-time position of Tax Assessor the fill the vacancy; and

WHEREAS, Lisa Perella has the qualifications for said position and holds a current tax assessor certification issued by the New Jersey Department of Community Affairs; and

WHEREAS, the Council of the Borough of Buena has determined that reasonable and appropriate funds are available in the Budget of the Borough for said purposes.

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

1. Lisa Perella is hereby appointed for a term of four years starting July 1, 2016 and ending June 30, 2020.
2. Said Individual shall be compensated at a salary of \$7,902.00 for calendar year 2016.
3. Said individual shall not be governed by the terms and conditions of the Collective Bargaining Agreement between the Borough and its Collective Bargaining.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**RESOLUTION 80-16      A RESOLUTION APPOINTING \_\_\_\_\_ TO THE POSITION  
OF PART-TIME CLERK 1 EFFECTIVE JULY 1, 2016.  
M \_\_\_\_\_ S \_\_\_\_\_**

**WHEREAS**, Borough Council created the position of Clerk 1, to assist the Borough Departments due to the absence of certain Borough employees due to personal reasons; and

**WHEREAS**, a vacancy exists in the Municipal Clerk/Tax Collector's Office due to a retirement;

**WHEREAS**, \_\_\_\_\_ is qualified to serve in the capacity of Part-Time Clerk 1.

**NOW THEREFORE BE IT RESOLVED** by the Council of the Borough of Buena that \_\_\_\_\_ shall serve in the capacity of Part-Time Clerk 1, for fifteen hours per week at the rate of \$12.50 per hour.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**RESOLUTION 81-16      A RESOLUTION APPOINTING JHAZIEL TOLLINCHI AS A FULL-TIME  
STREETS AND ROADS LABORER 1 IN THE BOROUGH OF  
BUENA ROAD DEPARTMENT EFFECTIVE AUGUST 1, 2016.  
M \_\_\_\_\_ S \_\_\_\_\_**

BE IT RESOLVED by the Council of the Borough of Buena that Jahaziel Tollinchi is hereby appointed to the position of full-time Laborer 1 in the Borough of Buena Road Department.

BE IT FURTHER RESOLVED that the hourly rate shall be \$16.00 per hour.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**RESOLUTION 84-16      A RESOLUTION APPOINTING ROBERT JAMES AS EMERGENCY  
MANAGEMENT COORDINATOR FOR THE BOROUGH OF BUENA  
EFFECTIVE JUNE 27, 2016 AND EXPIRING DECEMBER 31, 2016.  
M \_\_\_\_\_ S \_\_\_\_\_**

WHEREAS, due to the resignation of Daniel Caregnato there is a vacancy in the office of Emergency Management Coordinator; and

WHEREAS, Robert James, who serves as the Director of Public Safety has agreed to serve in this position; and

WHEREAS, Director James will be paid the salary set forth in the 2016 Salary Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that Robert James be appointed to the position of Emergency Management Coordinator effective June 27, 2016 and whose term shall expire on December 31, 2016.

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**ADMINISTRATORS' S REPORT:**

**SOLICITOR'S REPORT:**

**COMMITTEE REPORTS:**

- ROADS/RECYCLING..... CHAIRMAN JEFFREY MAROLDA  
JOSEPH MANCUSO, GREG MCAVADDY
- RECREATION.....CHAIRMAN MATTHEW WALKER  
ROSALIE M. BAKER, JEFFREY MAROLDA
- FINANCE.....CHAIRWOMAN ROSALIE M. BAKER  
ROBERT JAMES, MATTHEW WALKER
- PUBLIC SAFETY/STREET LIGHTS..... CHAIRMAN ROBERT JAMES  
GREG MCAVADDY, JEFFREY MAROLDA
- ECONOMIC DEVELOPMENT.....CHAIRMAN JOSEPH MANCUSO  
ROSALIE M. BAKER, ROBERT JAMES
- BLDGS/GROUNDS/IMPROVEMENTS..... CHAIRMAN GREG MCAVADDY  
JOSEPH MANCUSO, MATTHEW WALKER

**PUBLIC PORTION OF MEETING:**

Anyone wishing to address Mayor and Council only, please step forward and give your name and address for the record.

**CLERK'S REPORT:**

Minutes of the regular meeting of June 13, 2016. If no corrections or additions, entertain a motion to approve M\_\_\_\_\_S\_\_\_\_\_

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

**BILLS PAID AS LISTED: M\_\_\_\_\_S\_\_\_\_\_**

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				

**NEXT MEETING: July 11, 2016**

**MEETING ADJOURNED: M\_\_\_\_\_S\_\_\_\_\_**

	AYE:	NAY:	ABSTAIN:	ABSENT:
MAROLDA				
WALKER				
BAKER				
JAMES				
MANCUSO				
MCAVADDY				