

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
MARCH 14, 2016**

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

MEETING ADJOURNED: 7:55 P.M.

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, March 14, 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, Walker, Baker, and James, Mancuso, McAvaddy, Richard Tonetta, Solicitor and Dr. Paul Trivellini, Gail Knott, Deputy Clerk

ABSENT: all present

MAYOR'S REPORT:

PRESENTATION: Alan Zorzi, Borough of Buena Municipal Utilities Authority

Alan Zorzi, Borough of Buena Municipal Utilities Authority and co-workers were present. Mr. Zorzi gave an overview of the sewer and water authorities processing plant from the beginning to present time. The employees at the processing plant are crossed trained and positions are rotated. No fee increases since 1985.

**RESOLUTION 37-16 BOROUGH OF BUENA
2016 EMERGENCY TEMPORARY BUDGET
m/Baker s/James**

WHEREAS, an emergent condition has arisen with respect to providing appropriation for expenditures and no adequate provision has been made in the 2016 temporary appropriations for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2016 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.40A:4-20) including this resolution total \$1,478,971.80:

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made for the attached list of line items.
2. That said emergency temporary appropriations will be provided for in 2016 municipal budget as adopted.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

	<u>2016</u>
General Government:	
Governing Body	
Other Expenses	\$1,500.00
Tax Assessor	
Other Expenses	\$1,500.00
Legal	
Other Expenses	\$6,000.00
Land Use Board	
Other Expenses	\$1,000.00
Unclassified	
Telephone	\$3,000.00

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

**RESOLUTION 38-16 A RESOLUTION TO AMEND AND TRANSFER APPROPRIATION
BALANCES. TRANSFER RESOLUTION #3
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

Clerk O/E	\$	230.00
Tax Collector O/E	\$	335.00
Land Use Board O/E	\$	180.00
Police O/E	\$	345.00
EMS O/E	\$	1,270.00
St/Roads O/E	\$	11,250.00
Trash	\$	690.00
Construction O/E	\$	330.00
Gasoline	\$	700.00
Social Security & Medicare	\$	500.00
DCRP	\$	280.00

TOTAL TRANSFER

\$16,110.00

TRANSFER TO

Engineer O/E	\$	15,190.00
Legal O/E	\$	920.00

TOTAL TRANSFER

\$16,110.00

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

RESOLUTION 39-16 A RESOLUTION AWARDING A CONTRACT FOR SAMPLING AND ANALYSIS OF MONITORING WELLS AT THE BOROUGH OF BUENA SANITARY LANDFILL TO VAL ASSOCIATES LABORATORY, INC., IN THE AMOUNT OF \$3,989.50. m/Baker s/Marolda

WHEREAS, the Road Supervisor has solicited proposals for sampling and analysis of monitoring wells at the Borough of Buena Sanitary Landfill; and

WHEREAS, the lowest responsible proposal received was submitted by VAL Associates Laboratory, Inc., in the amount of \$3,989.50.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that a contract for laboratory analysis be and the same is hereby awarded to VAL Associates Laboratory, Inc., in the amount of \$3,989.50.

BE IT FURTHER RESOLVED, that the Mayor and the Clerk be and they are hereby authorized to execute a purchase order for the laboratory analysis in the amount of \$3,989.50 upon receipt of certification of funds from the Chief Financial Officer of the Borough of Buena, which shall be attached to this Resolution.

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

ADMINISTRATORS' S REPORT: none

ENGINEER' S REPORT:

Kimberly Lane Storm Drain Pipe

Our office is working on project close-out.

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

Our office is working on project close-out.

Resurfacing of Forsythe Street

Our office is working on project close-out.

FY2015 NJDOT Municipal Aid Project - Reconstruction of Plymouth Road

Our office is preparing to submit the NJDEP permit application for the culvert replacement.

SOLICITOR' S REPORT:

RESOLUTION 40-16 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, APPROVING SURETY REDUCTION, ACCEPTANCE OF ATERNATE SURETY AND RELEASE OF SURETY POSTED. m/Baker s/Walker

WHEREAS, the Boroughs of Buena and Woodbine both seek methods to better control tax burden placed upon its residents and Shared Services have been a proven tool to accomplish this goal; and

WHEREAS, N.J.S.A. 40A:65-1 et seq., the Uniform Shared Services and Consolidation Act can be used to effectuate agreements between local governments for any service intended to reduce property taxes through the reduction of local expenses; and

WHEREAS, the Borough of Buena has employed a Certified Housing Inspector and the Borough of Woodbine has been seeking a replacement for their prior Housing Inspector; and

WHEREAS, the Council of the Borough of Buena and Woodbine find it to be in the best interest of their respective communities.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are authorized to execute a Shared Service Agreement with the Borough of Woodbine for the provision of Housing Inspection Services (Services) as follows:

1. The Services shall include inspection of registered rental units in the Borough of Woodbine and enforcement of any violations of State and Local Laws and Ordinances by court appearances for any violations written. Reports should be generated for each inspection.

2. The estimated cost of the services shall be based upon \$25.00 per inspection, per unit inspected.

3. The Agreement shall be for a period commencing April 1, 2016 and ending December 31, 2016.

4. All payments shall be made based upon a report issued monthly for inspections made, reports generated. Vouchers shall be completed.

5. The general agent shall be the Borough of Buena and the Housing Inspector shall be an employee of the Borough of Buena and shall have all the authority set forth in N.J.S.A. 40A:65-7(d).

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

RESOLUTION 41-16 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING THE SUBMISSION OF A DEVELOPMENT APPLICATION TO THE LAND USE BOARD FOR BLOCK 116, LOT 4 AND AUTHORIZING THE CLERK TO ADVERTISE FOR PROPOSALS FOR ENGINEERING SERVICES. m/Baker s/Marolda

WHEREAS, certain property located within the Borough of Buena and owned by the Borough of Buena is determined to be not needed for public purposes; to wit Block 116, Lot 4 (Property); and

WHEREAS, the Property can be subdivided into six (6) new building lots with all utilities which will be able to be sold individually or together, which will provide tax funds to the Borough for tax relief; and

WHEREAS, the services of a licensed engineer will be required to prepare the plans and application to the Land Use Board.

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

1. The Mayor and Administrator are authorized to prepare and execute an application to the Land Use Board of the Borough of Buena for the subdivision of Block 116, Lot 4 to create a minimum of six (6) new building lots plus the existing lot.

2. The Clerk is authorized to request proposals for Professional Engineering services for the design and submission of a subdivision application to the Buena, Borough Land Use Board.

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

RESOLUTION 42-16 A RESOLUTION OF THE BOROUGH OF BUENA, COUNTY OF ATLANTIC, AUTHORIZING THE EXECUTION OF SHARED SERVICE AGREEMENT WITH THE BOROUGH OF WOODBINE FOR HOUSING INSPECTION SERVICES. m/Baker s/Walker

WHEREAS, the Boroughs of Buena and Woodbine both seek methods to better control tax burden placed upon its residents and Shared Services have been a proven tool to accomplish this goal; and

WHEREAS, N.J.S.A. 40A:65-1 et seq., the Uniform Shared Services and Consolidation Act can be used to effectuate agreements between local governments for any service intended to reduce property taxes through the reduction of local expenses; and

WHEREAS, the Borough of Buena has employed a Certified Housing Inspector and the Borough of Woodbine has been seeking a replacement for their prior Housing Inspector; and

WHEREAS, the Council of the Borough of Buena and Woodbine find it to be in the best interest of their respective communities.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk are authorized to execute a Shared Service Agreement with the Borough of Woodbine for the provision of Housing Inspection Services (Services) as follows:

1. The Services shall include inspection of registered rental units in the Borough of Woodbine and enforcement of any violations of State and Local Laws and Ordinances by court appearances for any violations written. Reports should be generated for each inspection.

2. The estimated cost of the services shall be based upon \$25.00 per inspection, per unit inspected.

3. The Agreement shall be for a period commencing April 1, 2016 and ending December 31, 2016.

4. All payments shall be made based upon a report issued monthly for inspections made, reports generated. Vouchers shall be completed.

5. The general agent shall be the Borough of Buena and the Housing Inspector shall be an employee of the Borough of Buena and shall have all the authority set forth in N.J.S.A. 40A:65-7(d).

RESOLUTION 43-16 A RESOLUTION OF THE BOROUGH OF BUENA IMPLEMENTING A FAIR AND OPEN PROCESS FOR THE SELECTION OF A DIRECTOR OF PUBLIC SAFETY FOR THE BOROUGH OF BUENA. m/McAvaddy s/Marolda

After discussing the matter it was determined that Councilman James will serve as Public Safety Director at no compensation. This resolution was not adopted.

COMMITTEE REPORTS:

RECYCLING: (COUNCILMAN MAROLDA)

Councilman Marolda provided those present with a departmental status report.

RECREATION: (COUNCILMAN WALKER)

Councilman Walker provided upcoming events including the St. Patty's Day Breakfast, Easter Egg Hunt and Landisville Volunteer Fire Company annual fundraiser.

FINANCE: (COUNCILWOMAN BAKER)

Council President Baker reported that the budget is continuing to be worked on. A Budget Workshop Meeting will be held at 5:30 p.m. on Monday, March 28th before the regular meeting.

Councilwoman Baker reported attending the Transportation Meeting about the Shuttle on Tuesday, March 8th at the Martin Luther King Center. The ridership for February was 379. Post cards to all residents will be sent out by Cross County Connection continuing to inform residents about the Shuttle service.

PUBLIC SAFETY/STREETS LIGHTS: (COUNCILMAN JAMES)

The Police and EMS Departments performance reports were given.

Councilman James informed the council members that a Civil Service Announcement for the Lieutenant position will be forthcoming.

Minotola Volunteer Fire Company request for a fund raiser coin drop dated May 27th, 28th - July 1st, 2nd and September 2nd, 3rd 2016 was approved m/Baker s/James

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

ECONOMIC DEVELOPMENT: (COUNCILMAN MANCUSO) no report

BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY)

Councilman McAvaddy reported on the progress in the municipal building.

PUBLIC PORTION OF MEETING:

Ray Keller, 104 E. Pacific Avenue re; concerns with the Public Safety Director position, Police Department and EMS.

Pam Grenier, Borough resident, was present to express her dissatisfaction involving a private conversation between herself and Mayor Zappariello. Ms. Grenier also had concerns with the Public Safety Director position and Police Department.

Brian Fatcher, 102 Kimberly Lane re; concerns with an easement in the Borough and speeding on Kimberly Lane.

CLERK'S REPORT:

Minutes of the regular meeting of February 22, 2016 were approved except for Councilman James who abstained m/Baker s/Mancuso

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

CORRESPONDENCE:

- Atlantic County requesting permission to apply pesticides in the event that high mosquito populations present a nuisance, health hazard or both. m/Baker s/McAvaddy

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

Need motion to file correspondence m/Baker s/McAvaddy

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

UNFINISHED BUSINESS: none

NEW BUSINESS: none

BILLS PAID AS LISTED: m/Baker s/Walker

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

**NEXT MEETING: March 28, 2016 at 5:30 Budget Workshop
March 28, 2016 Regular Meeting**

MEETING ADJOURNED: m/Baker s/McAvaddy RCVU

