

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING MINUTES  
MARCH 23, 2015**

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

**MEETING ADJOURNED: P.M. 6:50 P.M.**

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, commencing at 6:30 p.m. at the Borough Hall with Mayor Baruffi presiding. Mayor Baruffi 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 James, Baker, Zappariello and McAvaddy, Richard Tonetta, Solicitor and Maryann Coraluzzo, Borough Clerk

**ABSENT:** Councilman Cugini and Marolda

**MAYOR'S REPORT:**

**ORDINANCE NO. 628 PUBLIC HEARING OPENED ON:**

**CALENDAR YEAR 2015 ORDINANCE TO EXCEED THE MUNICIPAL  
BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14). m/Baker s/James**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Borough Council of the Borough of Buena in the County of Atlantic finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Borough Council hereby determines that a 2.0% increase in the budget for said year, amounting to \$65,187.92 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Buena, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Borough of Buena shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$114,078.87, and that the CY 2015 municipal budget for the Borough of Buena be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

**DISCUSSION: none**

**PUBLIC HEARING CLOSED:**

**m/Baker s/McAvaddy**

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

**ORDINANCE NO. 628 ADOPTED:**

**m/Baker s/Zappariello**

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

**RESOLUTION 30-15      A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE STATE OF NEW JERSEY AND THE BOROUGH OF BUENA.    m/Baker s/McAvaddy**

WHEREAS, The NJOEM, on behalf of the State of New Jersey, is the Grantee receiving funding under the FEMA Public Assistance and/or Hazard Mitigation programs as authorized under the Stafford Act and has the fiduciary responsibility to ensure those funds are spent on eligible Subgrantee facilities and activities, and are properly reimbursed to the Subgrantee; and

WHEREAS, under current information provided, FEMA has determined that the Subgrantee is eligible to apply for and/or receive FEMA funding under the Public Assistance and/or Hazard Mitigation programs, subject to approval of a Project Worksheet for Public Assistance or application for a Hazard Mitigation grant.

NOW, THEREFORE BE IT RESOLVED, in consideration thereof, the parties hereby agree as follows:

**Responsibilities of the Subgrantee**

The Subgrantee is primarily responsible for compliance with and agrees to obtain a working knowledge of the Stafford Act and all applicable FEMA regulations as provided in 44 CFR and FEMA policies that govern the Public Assistance and/or Hazard Mitigation programs and shall adhere to the application of the Stafford Act and those applicable regulations and policies and OMB Circulars A-87, A-102, A-110 and A-133 as a condition for the acceptance of and expenditure of said FEMA funding.

As a further condition for the acceptance of and expenditure of FEMA funding, the Subgrantee hereby agrees to follow all NJOEM guidelines, regulations and directives, to include but not be limited to the following:

- Use NJEMGrants.org, as applicable, to access forms and submit Requests For Reimbursement (RFR) and supporting documentation.
- Subgrantee agrees to promptly notify NJOEM and FEMA of any project that involves the following:
  - Work taking place in floodplains or wetlands
  - Improved projects that increase the size or footprint of a facility (PA Program)
  - Alternate projects (PA Program)

WHEREAS, this agreement is part of the application for Disaster Assistance and will become effective and binding upon approval of a Project Worksheet or Hazard Mitigation Grant and signature on behalf of NJOEM;

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

**RESOLUTION 31-15      2015 EMERGENCY TEMPORARY BUDGET  
m/Baker s/Zappariello**

**WHEREAS**, an emergent condition has arisen with respect to providing appropriation for expenditures and no adequate provision has been made in the 2015 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 2015 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.40A:4-20) including this resolution total **\$1,579,121.81:**

**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 2015 municipal budgets adopted.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

	<u><b>2015</b></u>
<b>General Government:</b>	
<b>Finance Office</b>	Salary & Wages
	2,000.00
<b>Maintenance of Tax Map</b>	
Other Expenses	2,000.00
<b>Auditors</b>	
Other Expenses	5,000.00
<b>Tax Collector</b>	
Salary & Wages	3,000.00
<b>Tax Collector</b>	
Other Expenses	1,600.00
<b>Borough Administrator</b>	
Salary & Wages	5,000.00
<b>Legal Services</b>	
Salary & Wages	2,000.00
<b>Land Use Board</b>	
Salary & Wages	5,000.00
<b>Grant Administrator</b>	
Other Expenses	1,000.00
<b>Insurance:</b>	
Health Insurance	100,000.00
Worker's Comp	51,000.00
Disability Insurance	500.00
<b>Public Safety:</b>	
<b>Police</b>	
Other Expenses	10,000.00
<b>Director of Public Safety</b>	
Salary & Wages	1,000.00
<b>EMS</b>	
Salary & Wages	10,000.00
<b>Streets and Roads:</b>	
<b>Road Repair &amp; Maintenance</b>	
Salary & Wages	10,000.00
<b>Road Repair &amp; Maintenance</b>	
Other Expenses	1,000.00
<b>Public Buildings &amp; Grounds</b>	
Salary & Wages	2,000.00
<b>Public Buildings &amp; Grounds</b>	
Other Expenses	5,000.00
<b>Health &amp; Welfare:</b>	
<b>Animal Control</b>	
Other Expenses	5,000.00
<b>Unclassified:</b>	
Gas Heat/Heating Fuel	5,000.00
Electric	5,000.00
Telephone	1,000.00
<b>Interlocal Service Agreements:</b>	
Gloucester County 911	50,000.00
<b>Statutory Expenditures:</b>	
PERS	63,048.00
PFRS	88,649.00

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

**RESOLUTION 32-15      A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING A REDUCTION IN CONVENIENCE CENTER TIPPING FEES ON MAY 2, 2015.   m/Baker s/James**

WHEREAS, the Borough of Buena will be hosting a "Spring Cleaning" event to be held on May 2, 2015; and

WHEREAS, to promote this event, the Council of the Borough of Buena desires to offer residents a reduced tipping rate.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF BUENA that the tipping fees will be reduced on May 2, 2015 to \$15.00 per truck load.

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

**RESOLUTION 33-15      A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING THE DESTRUCTION OF RECORDS ACQUIRED DURING THE RECENT DEMOLITION OF 701 SOUTH CENTRAL AVENUE, MINOTOLA.   m/Baker s/James**

WHEREAS, the Borough of Buena recently demolished structures at 701 South Central Avenue in Minotola; and

WHEREAS, the buildings were unsecured and in a state that warranted immediate destruction of the premises; and

WHEREAS, the buildings contained various records that were also unsecured and are believed to belong to Compass Rose Financial Services, Philadelphia Community Care, and other unknowns; and

WHEREAS, some of these records may be medical in nature, predating 2006, and there has been no response to attempts to contact the owner of this real property and no contact in general for numerous years; and

WHEREAS, the Borough of Buena has carefully removed and locked these records in a secure off-site facility while continuing to contact the owners.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena that the named records be securely transported to an appropriate confidential document shredding site and that an employee of the Borough shall be present for their destruction within ninety days of the adoption of this resolution.

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

**PUBLIC SAFETY DIRECTOR'S REPORT: none**

**ADMINISTRATORS'S REPORT: none**

**SOLICITOR'S REPORT:**

Solicitor Tonetta provided an update on the new COAH requirements. In summary, the Solicitor stated that the Borough received Round Three Certification however, that certification was removed. The Borough will now have to file and appear in Supreme Court to obtain this certification.

**RECYCLING: (COUNCILMAN MAROLDA) none**

**STREETS/ROADS: (COUNCILMAN JAMES)**

Councilman James provided those present with the road department itinerary. Aberdeen Avenue was also discussed.

**FINANCE: (COUNCILWOMAN BAKER)**

Council President Baker reported that the auditors will begin on April 27<sup>th</sup> and should take approximately three weeks.

**RECREATION: (COUNCILMAN ZAPPARIELLO)**

Councilman Zappariello reported on upcoming events. Opening Day will be held on April 11.

**PUBLIC SAFETY/STREET LIGHTS: (COUNCILMAN CUGINI) none**

**BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY) none**

**PUBLIC PORTION OF MEETING:**

Brian Fatcher of Kimberly Lane requested assistance with people speeding on Kimberly Lane. Mr. Fatcher reported on an incident where a student waiting for the bus was almost struck by a vehicle.

Director Caregnato will follow up on the matter. Police presence will be on site to address this situation.

**CORRESPONDENCE:**

1. Our Lady of the Blessed Sacrament request for a Raffle License dated May 17, 2015 was approved. m/Baker s/James

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

**Need Motion to File Correspondence: m/Zappariello s/Baker**

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

**CLERK'S REPORT:**

Minutes of the regular meeting of March 9, 2015 were approved m/Baker s/Zappariello

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

**UNFINISHED BUSINESS: none**

**NEW BUSINESS:**

Council President Baker reported that Chief Justin Lilla of the Minotola Fire Company extended an invitation to Mayor and Council to the housing of their new fire truck. This will be held on April 25, 2015 at 11:00 a.m.

**BILLS PAID AS LISTED:**

m/Baker s/Zappariello

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

**NEXT MEETING: April 13, 2015**

**MEETING ADJOURNED: m/Baker s/James RCVU**

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**MARYANN CORALUZZO  
BOROUGH CLERK**