

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

MEETING CALLED TO ORDER:

MEETING ADJOURNED:

CALL MEETING TO ORDER: Flag Salute

ROLL CALL OF ATTENDANCE:

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 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_____S_____**

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				
JAMES				
BAKER				
ZAPPARIELLO				
CUGINI				
MCAVADDY				

DISCUSSION:

PUBLIC HEARING CLOSED:

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

ORDINANCE NO. 628 ADOPTED:

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

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 _____ S _____

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				
JAMES				
BAKER				
ZAPPARIELLO				
CUGINI				
MCAVADDY				

RESOLUTION 31-15 2015 EMERGENCY TEMPORARY BUDGET
M ____ S ____

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 budget as adopted.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

General Government:

Finance Office

Salary & Wages 2,000.00

Maintenance of Tax Map

Other Expenses 2,000.00

Auditors

Other Expenses 5,000.00

Tax Collector

Salary & Wages 3,000.00

Tax Collector

Other Expenses 1,600.00

Borough Administrator

Salary & Wages 5,000.00

Legal Services

Salary & Wages 2,000.00

Land Use Board

Salary & Wages 5,000.00

Grant Administrator

Other Expenses 1,000.00

Insurance:

Health Insurance 100,000.00

Worker's Comp 51,000.00

Disability Insurance 500.00

Public Safety:

Police

Other Expenses 10,000.00

Director of Public Safety

Salary & Wages 1,000.00

EMS

Salary & Wages 10,000.00

Streets and Roads:

Road Repair & Maintenance

Salary & Wages 10,000.00

Road Repair & Maintenance

Other Expenses 1,000.00

Public Buildings & Grounds

Salary & Wages 2,000.00

Public Buildings & Grounds

Other Expenses 5,000.00

Health & Welfare:

Animal Control

Other Expenses 5,000.00

Unclassified:

Gas Heat/Heating Fuel 5,000.00

Electric 5,000.00

Telephone 1,000.00

Interlocal Service Agreements:

Gloucester County 911 50,000.00

Statutory Expenditures:

PERS 63,048.00

PFRS 88,649.00

	AYE :	NAY :	ABSTAIN :	ABSENT :
MAROLDA				
JAMES				
BAKER				
ZAPPARIELLO				

CUGINI				
MCAVADDY				

**RESOLUTION 32-15 A RESOLUTION OF THE BOROUGH OF BUENA AUTHORIZING A
REDUCTION IN CONVENIENCE CENTER TIPPING FEES ON MAY 2,
2015
M_____S_____**

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				
JAMES				
BAKER				
ZAPPARIELLO				
CUGINI				
MCAVADDY				

**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_____S_____**

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				
JAMES				
BAKER				
ZAPPARIELLO				
CUGINI				

MCAVADDY				
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PERSONNEL:

PUBLIC SAFETY DIRECTOR'S REPORT:

ADMINISTRATORS'S REPORT:

SOLICITOR'S REPORT:

COMMITTEE REPORTS:

RECYCLING.....CHAIRMAN JEFFREY MAROLDA
DAVID ZAPPARIELLO, EDWARD CUGINI

STREETS/ROADS.....CHAIRMAN ROBERT JAMES
JEFFREY MAROLDA, GREG MCAVADDY

FINANCE.....CHAIRWOMAN ROSALIE M. BAKER
ROBERT JAMES, DAVID ZAPPARIELLO

RECREATION.....CHAIRMAN DAVID ZAPPARIELLO
ROSALIE M. BAKER, GREG MCAVADDY

PUBLIC SAFETY/STREET LIGHTS..... CHAIRMAN EDWARD CUGINI
ROBERT JAMES, JEFF MAROLDA

BLDGS/GROUNDS/IMPROVEMENTS.....CHAIRMAN GREG MCAVADDY
ROSALIE M. BAKER, EDWARD CUGINI

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 March 9, 2015. If no corrections or additions, entertain a motion to approve M_____S_____

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

CORRESPONDENCE:

1. Our Lady of the Blessed Sacrament request for a Raffle License dated May 17, 2015. M_____S_____

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

Need motion to file correspondence M_____S_____

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

UNFINISHED BUSINESS:

NEW BUSINESS:

BILLS PAID AS LISTED: M_____S_____

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

NEXT MEETING: April 13, 2015

MEETING ADJOURNED: M_____S_____RCV