

BOROUGH OF BUENA
 WORKSHOP MEETING
 MINUTES
 NOVEMBER 12, 2019
 PAGE 1

MEETING CALLED TO ORDER: 7:05 P.M.
MEETING ADJOURNED: 7:36 P.M.

CALL MEETING TO ORDER: Flag Salute

ROLL CALL OF ATTENDANCE:

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY	X				

THE REGULAR MEETING OF MAYOR AND COUNCIL OF THE BOROUGH OF BUENA WAS HELD TUESDAY, NOVEMBER 12, 2018 COMMENCING AT 7:00 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, VIA EMAIL, TO THE PRESS OF ATLANTIC CITY, THE DAILY JOURNAL AND THE ATLANTIC COUNTY RECORD ON NOVEMBER 19, 2018, AS WELL AS HAVING BEEN POSTED ON THE BULLETIN BOARD AT BOROUGH HALL.

MAYOR'S REPORT: FIRST ORDER OF BUSINESS.

PUBLIC PORTION OF THE MEETING:

Robert Gillis, owner of 201 N. Harding Highway, gave an update on the proposed sale of his property. Mr. Gillis thinks that ownership will not change because the potential buyer has terminated dialogue. Since there has been no additional interest, Mr. Gillis contacted Matt Portnoy who purchases and redevelops properties in need of rehabilitation. Mayor Zappariello asked Mr. Portnoy, who was also present, his opinion on the rehabilitative potential of the building. Mr. Portnoy responded the building will, in all likelihood, be demolished.

Bill Coltri of Forest Grove Road expressed concern regarding the increase in burglaries in his neighborhood.

PUBLIC HEARING OPENED:

**ORDINANCE NO. 682 ORDINANCE AMENDING CHAPTER 218 OF THE BOROUGH OF BUENA MUNICIPAL CODE "VEHICLES AND TRAFFIC" AND MORE PARTICULARLY ARTICLE I, § 218-11.
 M/Baker S/Mancuso**

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WHEREAS, N.J.S.A. 39:5A-1 provides that a municipality may make, amend repeal and enforce ordinances to regulate vehicular and pedestrian traffic and the parking of vehicles in parking yards and parking places, which are open to the public or to which the public is invited in conjunction with any business enterprise;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Buena, County of Atlantic, State of New Jersey, that Chapter 218 of the Borough of Buena Municipal Code, entitled "Vehicles and Traffic" and more particularly Article I, General regulations; § 218-11-Parking Prohibited, at all times on certain streets, be amended, to include, as follows:

SECTION I

§ 218-11, shall be amended to include the following:

South West Avenue-westside from West Arctic Avenue, 354 feet, to Jonas Avenue.

SECTION II

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

SECTION III

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION IV

This ordinance shall take effect immediately upon final publication as provided by law.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D/ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY	X				

DISCUSSION: None

PUBLIC HEARING CLOSED:

M/Baker S/Mancuso

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	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY	X				

ORDINANCE NO. 682 ADOPTED:
M/Baker S/Mancuso

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY	X				

NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:

ORDINANCE NO. 683 ORDINANCE PROVIDING FOR THE PREPARATION AND EXECUTION OF A COMPLETE PROGRAM OF REVALUATION OF REAL PROPERTY AND AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$140,000 THEREFOR.
M _____ S _____
NO ACTION WAS TAKEN.

WHEREAS, the Borough of Buena, in the County of Atlantic, New Jersey (the "Borough") has been ordered to prepare and execute a complete program of revaluation of real property; and

WHEREAS, no budget appropriation was included in the local budget for the Borough for the year 2019 for such purposes; and

WHEREAS, the cost of the same is estimated at the sum of \$140,000.

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NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Buena, County of Atlantic, State of New Jersey, (not less than a majority of the members thereof affirmatively concurring), AS FOLLOWS:

SECTION I

Pursuant to N.J.S.A. 40A:4-53(b) of the Local Budget Law, the sum of \$140,000 is hereby appropriated and shall be deemed a special emergency appropriation for the preparation and execution of a complete program of revaluation of real property.

SECTION II

Said special emergency appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one-fifth (1/5) of said amount in each such year, commencing in the year 2020 and shall be financed from surplus funds available or from the issuance of special emergency notes, as authorized by separate resolution adopted pursuant to N.J.S.A. 40A:4-55.

SECTION III

This ordinance shall take effect immediately upon final publication as provided by law.

**RESOLUTION 105-19 BOROUGH OF BUENA REVALUATION SPECIAL EMERGENCY
N.J.S.A. 40A:4-53 (b)
M S
NO ACTION WAS TAKEN**

WHEREAS, it has been found necessary to make a Special Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, by the Borough of Buena related to the execution of a complete program of revaluation of real property in the Borough of Buena for \$140,000; and

WHEREAS, N.J.S.A. 40A:4-53(b) provides that it shall be lawful to make such appropriation, which appropriation and/or the "Special Emergency Notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE, BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. An emergency appropriation is hereby made for Revaluation in the total amount of \$140,000.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$28,000.
3. That a "Special Emergency Note", not in excess of the amount authorized pursuant to law, be provided.

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4. That such note shall be executed by the Chief Financial Officer of the Borough of Buena.
5. All Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough of Buena and may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization.
6. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

**RESOLUTION 106-19 RESOLUTION AUTHORIZING THE CARRY OVER OF
 UNUSED VACATION FOR TERRY CRITES
 M/Baker S/Walker**

WHEREAS, the Borough of Buena permits Borough employees to carry over earned and accrued vacation days for one prior year to the present year and thereafter should they not be used, would be vacated, and

WHEREAS, Terry Crites has accumulated 168 hours of vacation time commencing January 2017 through December 2018 and has used 52 hours thereof for a net of 116 hours of unused vacation.

NOW, THEREFORE, BE IT RESOLVED by Mayor and Council of the Borough of Buena that Terry Crites shall be permitted to carry over 116 hours of unused vacation time to the year 2020 and if not used in said year, vacation time will be vacated.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY	X				

RESOLUTION 107-19 A RESOLUTION AUTHORIZING AND DIRECTING THE

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**COUNCIL OF THE BOROUGH OF BUENA TO POST AND
FILE A SCHEDULE OF ALL MEETINGS OF THE COUNCIL
AS REQUIRED BY THE OPEN PUBLIC MEETINGS ACT OF
1975; AND DESIGNATING CERTAIN NEWSPAPERS TO
RECEIVE SAID NOTICES AS REQUIRED UNDER THE
OPEN PUBLIC MEETINGS ACT FOR THE YEAR 2020.
M/Baker S/Mancuso**

WHEREAS, the Open Public Meetings Act of 1975 requires that a schedule of regular meetings of the Council of the Borough of Buena be annually posted and maintained in one public place reserved for public announcements, and requires that the annual notice be filed and maintained by the Clerk of the Borough of Buena; and

WHEREAS, Section III of the Open Public Meetings Act of 1975 requires certain notices of meetings to be submitted to at least two newspapers, one of which shall be the official newspaper, and the second a newspaper which has the greatest likelihood of informing the citizens of the Borough of Buena; and

WHEREAS, the Open Public Meetings Act of 1975 requires that notice of any meetings of the Borough of Buena not provided for in the annual schedule must be (1) posted in at least one public place reserved for public announcements; (2) mailed, telephoned, telegraphed or hand delivered to at least two newspapers designated by the public body; and (3) filed with the Clerk of the municipality.

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

1. The Clerk of the Borough of Buena is hereby authorized and directed to post and maintain posted on the official bulletin board located in the Municipal Building, Borough of Buena, New Jersey, a copy of the attached schedule of regular meetings of the Council of the Borough of Buena for the year 2020 and to file a copy of said notice in the Office of the Borough Clerk.

2. Written notice of the date, time, place and agenda of any special meeting, rescheduling meeting, hearing or any other meeting of the Borough Council not provided for in the attached schedule as required by the Open Public Meeting Act of 1975, shall be posted by the Borough of Buena on the official bulletin board and filed; and maintained in the Office of the Borough Clerk.

3. The Atlantic County Record is hereby designated as the official newspaper of the Borough of Buena and said newspaper, together with the Press and Daily Journal are hereby designated to receive all notices of meetings required under the Open Meetings Act of 1975. The Clerk of the Borough of Buena is

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hereby authorized and directed to mail the attached schedule to the offices of the Atlantic County Record, the Press and the Daily Journal and to provide notices of all other meetings of the Borough of Buena to said newspapers in accordance with the provisions of the Open Meetings Act.

4. It is the opinion of this body that the Atlantic County Record, the Press and the Daily Journal have the greatest likelihood of informing the public within the jurisdictional area of this body of such meetings.

MEETING	DATE	TIME
Reorganization	January 02, 2020	6:00 P.M.
Council- Regular	January 27, 2020	7:00 P.M.
Council- Workshop	February 10, 2020	7:00 P.M.
Council- Regular	February 24, 2020	7:00 P.M.
Council- Workshop	March 09, 2020	7:00 P.M.
Council- Regular	March 23, 2020	7:00 P.M.
Council- Workshop	April 13, 2020	7:00 P.M.
Council- Regular	April 27, 2020	7:00 P.M.
Council- Workshop	May 11, 2020	7:00 P.M.
Council- Regular	May 26, 2020	7:00 P.M.
Council- Workshop	June 08, 2020	7:00 P.M.
Council- Regular	June 22, 2020	7:00 P.M.

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Council- Regular	July 13, 2020	7:00 P.M.
Council- Regular	August 10, 2020	7:00 P.M.
Council- Workshop	September 14, 2020	7:00 P.M.
Council- Regular	September 28, 2020	7:00 P.M.
Council- Workshop	October 13, 2020	7:00 P.M.
Council- Regular	October 26, 2020	7:00 P.M.
Council- Workshop	November 9, 2020	7:00 P.M.
Council- Regular	November 23, 2020	7:00 P.M.
Council- Regular	December 14, 2020	7:00 P.M.
Reorganization	January 4, 2021	6:00 P.M.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY	X				

**RESOLUTION 108-19 A RESOLUTION ESTABLISHING AND
 IMPLEMENTING A FAIR AND OPEN PROCESS FOR
 THE SELECTION OF VARIOUS PROFESSIONAL
 SERVICE AGREEMENTS.
 M/Baker S/Walker**

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WHEREAS, the Borough Council of the Borough of Buena acknowledges the need for Professional Services to be provided to the Borough of Buena; and

WHEREAS, the Borough Council of the Borough of Buena has adopted Ordinance No.543, an Ordinance Restricting and Controlling the Award of Professional Service Agreements in the Borough of Buena which prohibits the award of a Professional Service Agreement where such professional has made a political contribution to a city elected official; and

WHEREAS, N.J.S.A. 19:44A-20.4 requires municipalities to adopt fair and open procedures for awarding professional service agreements which are otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Borough Council of the Borough of Buena believes it is in the best interest of the Borough of Buena to select professionals primarily on the basis of their qualifications, including qualifications uniquely suited to the needs of the Borough of Buena; and

WHEREAS, to receive statements of qualifications in a manner that fosters a fair and open process, it is necessary and advisable to establish advance general criteria and specific minimum requirements; and

WHEREAS, the Borough Council of the Borough of Buena has determined that a fair and open process requires public advertisement of professional services required in a manner and with sufficient time to provide notice in advance of the contemplation of retaining the services of a professional and the criteria to be considered in determining the best professional for the position; and

WHEREAS, a fair and open process requires that all responses be publicly opened and announced and thereafter that all appointments be made at a public meeting of the Borough Council and then published in accordance with N.J.S.A. 40A:11-5.

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

- 1) All appointments for Professional Services contained on Schedule A attached to and made a part hereof shall be subject to a fair and open process as set forth below.
- 2) The Borough Clerk shall cause all legal notices to be published on the website for the Borough of Buena stating that a full listing of all professional service appointments subject to a fair and open process

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together with the criteria established for the consideration of qualification, will be posted at Borough Hall beginning no later than November 15, 2019.

- 3) The criteria for each position contained on Schedule A follows immediately subsequent to the Listing on Schedule A. The criteria shall be disclosed, together with the posting of the listed positions at Borough Hall.
- 4) The website posting shall inform potential applicants that all submissions must be made to the Borough Clerk and received no later than 12:00 noon, December 12, 2019.
- 5) Commencing 12:01 p.m. on December 12, 2019, or as soon thereafter as may be available, the Borough Clerk of the Borough of Buena or her designee shall publicly open and announce all submissions in the Borough Council Chambers at Buena Borough Hall.
- 6) The appropriate department heads and the representatives from the appropriate boards shall thereafter review all submissions and report to the Mayor with recommendations.
- 7) Appointments shall thereafter be made at a public meeting of the Borough Council at a future meeting.
- 8) Subsequent to appointments, appropriate notices shall be published in accordance with the requirements of N.J.S.A. 40A:11-5.

BE IT FURTHER RESOLVED that those positions included on Schedule A are those positions which the Borough of Buena Council reasonably believes shall be subject to appointment for the year 2020. However, all such appointments are subject to the availability of funds and the continuing needs of the Borough of Buena. Accordingly, inclusion of a position on Schedule A is not a representation or warranty that such position will be filled, but that if filled, it will be subject to the terms and conditions contained herein.

BE IT FURTHER RESOLVED, that the Borough Council of the Borough of Buena has determined that the terms of this Resolution constitute a fair and open process in accordance with N.J.S.A. 19:44A-20, et seq, and Ordinance No. 543 of the Borough of Buena.

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	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY	X				

**RESOLUTION 109-19 BOROUGH OF BUENA
 OFFICIAL DEPOSITORY/AUTHORIZED SIGNATURES
 M/Baker S/Walker**

WHEREAS, N.J.S.A 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies, a bank or trust company having its business in the State of New Jersey and organized under the laws of the United States or this State.

BE IT RESOLVED, by the Mayor and Council of the Borough of Buena that Newfield National Bank, TD Bank, BB&T, Sun National Bank and Capital Bank be and the same are hereby designated the official Depositories of the Borough of Buena; and

NOW, THEREFORE, BE IT RESOLVED, that authorized signatures for depositories for the year 2019 are as follows:

David Zappariello, Mayor, Rosalie Baker, Council President, Cynthia LoGuidice, Diane Bassetti, Maryann Coraluzzo, Valerie Jones, Pamela Johnston & Fern Brown are authorized for the following:

Special Events

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	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY	X				

**RESOLUTION 110-19 A RESOLUTION APPROVING AN ALCOHOLIC BEVERAGE
 LICENSES FOR THE 2018-2019 TERM.
 M/Baker S/Mancuso**

WHEREAS, application for renewal of an inactive license, No. 0104-33-011-003 issued to Babe's Tavern, Inc. for the 2018-2019 term has been filed with the Borough Clerk; and

WHEREAS, all filing fees have been paid and all applications hereinafter identified are complete, including the Special Ruling to Permit Renewal for the 2018-2019 licensing term.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the retail consumption license be and is hereby renewed, in inactive status, for the 2018-2019 licensing year.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY	X				

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**RESOLUTION 111-19 A RESOLUTION APPROVING AN ALCOHOLIC BEVERAGE
 LICENSES FOR THE 2019-2020 TERM.
 M/Baker S/Walker**

WHEREAS, application for renewal of an inactive license, No. 0104-33-011-003 issued to Babe’s Tavern, Inc. for the 2019-2020 term has been filed with the Borough Clerk; and

WHEREAS, all filing fees have been paid and all applications hereinafter identified are complete, including the Special Ruling to Permit Renewal for the 2019-2020 licensing term.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the retail consumption license be and is hereby renewed, in inactive status, for the 2019-2020 licensing year.

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D’ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY	X				

**RESOLUTION 112-19 RESOLUTION TO AMEND TRANSFER APPROPRIATION
 BALANCES TRANSFER RESOLUTION #8
 M/Baker S/Walker**

WHEREAS, N.J.S.A. 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

Finance S/W	\$ 4,000.00
Administration S/W	\$ 26,920.00
Administration O/E	\$ 276.00
Group Health Insurance	\$ 47,000.00

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JIF & MEL General Ins.	\$ 22,109.00
TOTAL TRANSFER	<u>\$100,305.00</u>

TRANSFER TO

Clerk S/W	\$ 19,435.00
Legal O/E	\$ 5,000.00
Engineer O/E	\$ 35,000.00
Public Bldgs/Grounds O/E	\$ 7,000.00
Land Use O/E	\$ 2,000.00
Disability Insurance	\$ 1,500.00
Streets & Roads S/W	\$ 30,370.00

TOTAL TRANSFER	<u>\$100,305.00</u>
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	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY	X				

ENGINEER' S REPORT :

Replacement of the Plymouth Street Culverts

Our office is still waiting for as-builts from the contractor in order to close out the project.

FY2015 NJDOT Municipal Aid Project - Resurfacing of Plymouth Street

Our office is working on project close out. The final change order has been approved.

FY2016 NJDOT Municipal Aid Project - Resurfacing of Forest Grove Road

The contractor is finalizing punchlist work. Our office is working on the final change order.

FY2018 NJDOT Municipal Aid Project – Reconstruction of Forest Grove Road

Paving is complete. A few driveway aprons remain to be completed.

FY2019 NJDOT Municipal Aid Project – Reconstruction of South Boulevard

Bids are due on November 19, 2019 at 11:00 am.

Buena Borough Landfill

Our office continues to provide The Pinelands Commission with information when requested.

Liberty Village

The Developer is back on site working on concrete curb installation.

Expansion of the Commerce Center Redevelopment Area

The report was forwarded to the Land Use Board for review and recommendation to Borough Council. It is being scheduled with the Board.

Madison Estates Major Subdivision – Lauren Court

Our office, the Solicitor and Mr. Nimohay met with the bonding company to review the project on October 30, 2019. The bonding company is preparing a bid package for completion of the site work.

SOLICITOR' S REPORT :

Madison Estates/Lauren Court Update was given very well by Bob Smith, and appreciated.

Abandoned Properties meeting with the ACIA on Friday, November 15, 2019 will discuss the eight properties and final list of properties will be provided.

CLERK' S REPORT :

**MINUTES OF THE REGULAR MEETING OF OCTOBER 28, 2019 WERE APPROVED .
 M/Baker S/Walker**

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO			X		
ALVAREZ	X				
MCAVADDY	X				

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BILLS PAID AS LISTED: M/Baker S/Alvarez

	AYE:	NAY:	ABSTAIN:	ABSENT:	RECUSE
WALKER	X				
D'ALESSANDRO	X				
BAKER	X				
MANCUSO	X				
ALVAREZ	X				
MCAVADDY	X				

MAYOR ZAPPARIELLO CONGRATULATED COUNCILMAN WALKER AND COUNCILMAN D'ALESSANDRO ON THEIR WIN IN THE ELECTION.

COUNCILMAN ALVEREZ ASKED PAM JOHNSTON TO ASCERTAIN WHO FRANKLIN TOWNSHIP AND THE CITY OF VINELAND USES FOR ANIMAL CONTROL.

COUNCILMAN MCAVADDY ACKNOWLEDGED HOW WELL THE BUENA REGIONAL GIRLS SOCCER TEAM PLAYED THIS SEASON.

NEXT MEETING: NOVEMBER 25, 2019

MEETING ADJOURNED: M/BAKER S/ALVAREZ RCVU

PAMELA JOHNSTON