

**BOROUGH OF BUENA
REGULAR COUNCIL MEETING
NOVEMBER 13, 2017
AGENDA**

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**BOROUGH OF BUENA
REGULAR COUNCIL MEETING MINUTES
November 13, 2017**

MEETING CALLED TO ORDER: 6:32 P.M.

MEETING ADJOURNED: 7:31 P.M.

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, November 13, 2017 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, via email, to the Press of Atlantic City, the Daily Journal and the Atlantic County Record on November 17, 2016, as well as having been posted on the bulletin board at Borough Hall.

PRESENT: Councilpersons Marolda, Mancuso, Alvarez and McAvaddy, Richard Tonetta, Solicitor and Jill McCrea, Administrator, Brianna Pace, Deputy Clerk

ROLL CALL OF ATTENDANCE:

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

PUBLIC PORTION OF MEETING:

Pam Grenier of 348 Wheat Road has an issue with the trailer park on the boulevard being approved.

Solicitor Tonetta advised the application was submitted and adopted in 2007. The state law recently changed and he would have to file for one year extensions. The last extension I am aware of is from July 1, 2016 to June 30, 2017. He said he needs to speak with Solicitor DiDomenico to see if they filed for an extension. He advised that Council has no say - this decision is made by the Planning and Zoning Board and their Solicitor is Mr. DiDomenico.

Brian Siciliano of 212 S. Willow Street also has a concern about the trailer park. He stated that it won't just be for senior citizens but also for low income. He's afraid it will lower the property values.

Bob Smith from Remington, Vernick & Walberg Engineers stated that the site plan approval was in 2008. Mr. Nimohay called him last week to advise that work was taking place. Bob reached out to the

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owners engineer but has yet to hear back. A performance bond needs to be posted by the owner.

Ernie Merighi of Flower Street asked about the zoning amounts.

Brian Siciliano stated that his taxes keep going up and now they are losing the police department. He feels the town should have been notified before that decision was made or put it to vote for the people to make the decision.

Pam Grenier advised she is asking for Council's help to do something about this.

Solicitor Tonetta stated that age restricted communities have certain laws.

Amanda Barry of 206/208 S. Willow Street stated that if this goes up in her experience they will need more ambulances and services.

Solicitor Tonetta will reach out to Mr. DiDomenico and let Council know if he has an extension. Bob Smith will reach out to the owner Frank Carpino.

Carol DeMarco of Summer Ave stated that she can see right through to Willow Street now and the lot floods during rainfall.

John Winkler of 602 Summer Ave. asked if they can cease order until they receive all the information. He believes there is one tree on Boro property about 35-40 feet and he is already 6 feet over his property line.

MAYOR'S REPORT:

**RESOLUTION 128-17 A RESOLUTION OF THE BOROUGH OF BUENA
AWARDING A CONTRACT FOR THE REPLACEMENT OF
THE PLYMOUTH STREET CULVERTS TO KLINE
CONSTRUCTION COMPANY, INC.
m/Marolda s/Mancuso**

WHEREAS, Engineer has sought bids for said replacement of Plymouth Street Culverts and has recommended the contract be awarded to Kline Construction Company, Inc., in the amount of \$333,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Buena provided the CFO has certified the availability of funds, that the Mayor and Clerk are authorized to execute an Agreement with Kline Construction Company, Inc., in the amount of \$333,000.00.

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

RESOLUTION 129-17 A RESOLUTION AWARDING A PROFESSIONAL SERVICES CONTRACT TO REMMINGTON & VERNICK, FOR ALL ENGINEERING SERVICES IN CONNECTION WITH THE PROJECT KNOWN AS FY2016 NJDOT MUNICIPAL AID PROJECT, RESURFACING OF FOREST GROVE ROAD. m/Mancuso s/Alvarez

BE IT RESOLVED by the Borough of Buena that a Professional Services Contract be and the same is hereby awarded to REMMINGTON & VERNICK, of 845 N. Main Street, Pleasantville, NJ, in an amount NOT TO EXCEED \$24,000.00 inclusive of all costs and expenses, for all engineering and inspection services in connection with the project referenced above.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to enter into a Professional Services Contract with REMMINGTON & VERNICK, on behalf of the Borough.

BE IT FURTHER RESOLVED that this award is subject to certification of availability of funds by the Chief Financial Officer.

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

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**RESOLUTION 130-17 RESOLUTION TO AMEND TRANSFER APPROPRIATION
BALANCES
TRANSFER RESOLUTION #4
m/Marolda s/Mancuso**

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 S/W	\$ 2,000.00
Administrator S/W	\$ 2,500.00
Buildings & Grounds S/W	\$ 100.00
Land Use Board S/W	\$ 2,000.00
Group Health Insurance	\$ 13,321.00
Health Benefit Waiver	\$ 500.00
Emergency Management O/E	\$ 400.00
Grant Administrator	\$ 3,500.00
Electrical Inspector	\$ 3,000.00
Fire Inspector S/W	\$ 3,900.00
Building Inspector S/W	\$ 5,823.00
Plumbing Inspector S/W	\$ 4,185.00
Construction S/W	\$ 2,500.00
Social Security	\$ 10,000.00
DCRP	\$ 225.00
Fire Official S/W	\$ 4,300.00
Fire Official O/E	\$ 100.00
Salary Adjustments	\$ 7,100.00

TOTAL TRANSFER \$65,454.00

TRANSFER TO

Tax Collector S/W	\$ 100.00
Legal O/E	\$30,000.00
Engineer O/E	\$10,000.00
JIF & MEL General Ins.	\$ 555.38
Workers Compensation	\$14,926.62
Disability Insurance	\$ 200.00
Construction O/E	\$ 8,000.00
Gloucester County 911 Enforcement Officer	\$ 1,632.00
	\$ 40.00

TOTAL TRANSFER \$65,454.00

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

**RESOLUTION 131-17 A RESOLUTION AUTHORIZING AND DIRECTING THE 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 2018.
m/Mancuso s/Alvarez**

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:

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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 2018 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 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.

THE REGULAR MEETINGS OF THE COUNCIL OF THE BOROUGH OF BUENA SHALL BE HELD ON THE FOLLOWING DATES AT 6:30 P.M., AT THE BOROUGH HALL, CENTRAL AVENUE, MINOTOLA, NEW JERSEY, EXCEPT FOR THE REORGANIZATIONAL MEETING AND WORKSHOP SESSIONS WHICH WILL BE HELD AT 6:00 P.M. AT THE BOROUGH HALL, CENTRAL AVENUE, MINOTOLA, NEW JERSEY.

REORGANIZATION MEETING:	JANUARY	3, 2018 6:00 P.M.
	JANUARY	22, 2018
	FEBRUARY	12, and 26, 2018
	WORKSHOP	12 TH AT 6:00 P.M.
	MARCH	12, and 26, 2018
	WORKSHOP	12 TH AT 6:00 P.M.
	APRIL	9, and 23, 2018
	WORKSHOP	9 TH AT 6:00 P.M.
	MAY	14, and 29*, 2018
	WORKSHOP	14 TH AT 6:00 P.M.
	JUNE	11, and 25, 2018
	WORKSHOP	11 TH AT 6:00 P.M.

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JULY 16, 2018
 WORKSHOP 16TH AT 6:00 P.M.

AUGUST 13, 2018
 WORKSHOP 13TH AT 6:00 P.M.

SEPTEMBER 10, and 24, 2018
 WORKSHOP 10TH AT 6:00 P.M.

OCTOBER 9,* and 22, 2018
 WORKSHOP 9TH AT 6:00 P.M.

NOVEMBER 13*, and 26, 2018
 WORKSHOP 13TH AT 6:00 P.M.

DECEMBER 10, 2018
 WORKSHOP 10TH AT 6:00 P.M.

JANUARY 03, 2019

*Tuesday Meeting

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

RESOLUTION 132-17

**A RESOLUTION OF THE BOROUGH OF BUENA
 AUTHORIZING THE CLERK TO ADVERTISE FOR THE
 HIRING OF A PART TIME STREETS AND ROADS
 LABORER(S)
 m/Marolda s/Mancuso**

WHEREAS, the Street and Roads Department is currently understaffed;
 and

WHEREAS, the Mayor and Council recognize the need to fill this
 position.

NOW THEREFORE BE IT RESOLVED, by the Council of the Borough of
 Buena that the Clerk is hereby authorized to advertise for the hiring
 of a part time Streets and Roads Laborer(s).

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

ADMINISTRATORS' S REPORT: No report

SOLICITOR'S REPORT:

ENGINEER' S REPORT

FY2015 NJDOT Municipal Aid Project - Resurfacing of Plymouth Street

We received the permit for the culvert replacement from the NJDEP. We are still awaiting word from The Pinelands Commission to determine if the project can proceed under the County's Memorandum of Agreement with The Commission. Bids were received on October 25, 2017. The low bidder was Kline Construction, Inc. with a bid in the amount of \$333,000.00. We received award concurrence from Atlantic County. Borough Council must now award a contract.

A contract for the resurfacing project was awarded to Arawak Paving Company, Inc. at the May 8, 2017 Borough Council Meeting. The initial Payment Voucher was submitted to the NJDOT for processing. Executed contracts were sent to Arawak. The resurfacing component of the project will proceed once the culvert replacement is complete.

Master Plan Re-Examination

Our office has completed our initial planning review. A meeting was tentatively scheduled for November 10, 2017 with the Mayor to review. That was rescheduled and a new meeting date will be scheduled soon.

Resurfacing of Forest Grove Road

The Borough received \$196,000.00 in FY2016 NJDOT funding for the resurfacing of Forest Grove Road. The Borough did not receive FY2017 funding. A contract utilizing the FY2016 funds must be awarded by March 24, 2018 to avoid jeopardizing the funding. Our office submitted a revised proposal for this project dated October 9, 2017.

Bob Smith reported he met with Bill on Old Central and Aberdeen and Weymouth regarding the flooding. They are going to approach the county about a pipe and culvert and will be going back out at the next rain event to review.

COMMITTEE REPORTS:

ROADS/RECYCLING: (COUNCILMAN MAROLDA) Councilman Marolda reported he is working with the DEP, last day for the landfill was November 4th and leaf collection has started.

ECONOMIC DEVELOPMENT: (COUNCILMAN WALKER) No report

RECREATION: (COUNCILWOMAN BAKER) Councilman Alvarez reported on behalf of Councilwoman Baker that the recreation committee has a meeting tomorrow night to discuss the Christmas Parade.

FINANCE: (COUNCILMAN MANCUSO) Councilman Mancuso reported he is working on the budget with finance and will have an update in a couple weeks.

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PUBLIC SAFETY/STREETS LIGHTS: (COUNCILMAN ALVAREZ) No report

BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY) No report

Brian Siciliano asked about the curbing issues and why the drain is in the middle of the road because it's in a higher spot and always floods the road. He also asked what the motivation was for getting rid of the police department and he believes it should have been decided by a public vote.

Amanda Barry asked where the revenue of the tickets will go. Mayor Zappariello responded we will receive the money. She followed up with asking what happens if it doesn't work out. Mayor Zappariello stated that they would review all their options in that case.

Mayor Zappariello stated that there will be savings from closing the police department but they won't be immediate because of other costs associated with closing the department. But he expects the savings in 2019/2020.

CLERK'S REPORT:

Minutes of the meeting of were approved m/Alvarez s/Mancuso

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

CORRESPONDENCE:

- 1. Our Lady of Blessed Sacrament requesting approval for 2018 Bingo and Raffle Games of Chance.
 m/Mancuso s/Alvarez**

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

Administrator McCrea wanted to Congratulate Bill Nimohay on receiving a nomination for NJ Public Works Leader of the Year Award.

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2. Discussion of Best Practices Worksheet.

Need motion to file correspondence m/Mancuso s/Alvarez

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

UNFINISHED BUSINESS: None

NEW BUSINESS: None

BILLS PAID AS LISTED: m/Marolda s/Alvarez

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

NEXT MEETING: November 27, 2017

MEETING ADJOURNED: m/Alvarez s/Mancuso

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

**BRIANNA PACE
 DEPUTY CLERK**