

BOROUGH OF BUENA
REGULAR COUNCIL MEETING
AGENDA
NOVEMBER 24, 2014

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.

RESOLUTION 162-14 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 2015.
M_____S_____

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, telegrammed 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 2014 and to file a copy of said notice in the Office of the Borough Clerk.

**RESOLUTION 165-14 A RESOLUTION ESTABLISHING AND
IMPLEMENTING A FAIR AND OPEN PROCESS FOR
THE SELECTION OF VARIOUS PROFESSIONAL
SERVICE AGREEMENTS.
M_____S_____**

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 together with the criteria established for the consideration of qualification, will be posted at Borough Hall beginning no later than December 2, 2014

- 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 17, 2014.
- 5) Commencing 12:01 p.m. on December 17, 2014, 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 their next 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 2015. 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.

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

RESOLUTION 166-14 A RESOLUTION ACCEPTING A CHANGE ORDER, NO 2, TO AMEND A CONTRACT NEW JERSEY EMERGENCY VEHICLES/PL CUSTOM FOR EMERGENT AND OTHER UNFORSEEN SAFETY ISSUES.
M_____S_____

WHEREAS, the Borough of Buena entered into a contract with New Jersey Emergency Vehicles for the re-chassis of two ambulances; and

WHEREAS, during the process of installing the new chassis, several emergent and other unforeseen safety issues have arisen.

WHEREAS, the Director of Public Safety and Administrator have agreed that these changes are needed for the health, welfare and safety of our employees and the residents we serve; and

WHEREAS, the Acting Chief Financial Officer has certified that funds are available to cover said increase.

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of Buena that the change order submitted by New Jersey Emergency Vehicles, in the amount of \$8,576.00, is hereby accepted and approved as an amendment to said contract.

BE IT FURTHER RESOLVED that Joseph Baruffi, Mayor of the Borough of Buena is authorized to execute the change order aforesaid in order to increase the contract price.

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

RESOLUTION 170-14 RESOLUTION TO TRANSFER APPROPRIATION BALANCES
TRANSFER RESOLUTION #2
M_____S_____

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	\$ 3,000.00
Maint. Of Tax Maps	\$ 225.00
Administrator O/E	\$ 400.00
Legal O/E	\$ 1,000.00
Land Use S/W	\$ 2,000.00
JIF/MEL	\$ 8,000.00
Workers Comp	\$ 170.00
Disability Ins.	\$ 600.00
Police O/E	\$ 3,000.00
Streets & Roads O/E	\$ 2,000.00
Landfill	\$ 2,000.00
Trash O/E	\$ 7,000.00
Construction O/E	\$ 500.00
DRCP	\$ 400.00

TOTAL TRANSFER

\$30,295.00

TRANSFER TO

Public Buildings & Grounds \$ 400.00

Landuse O/E	\$	250.00
Health Insurance	\$	23,100.00
EMS O/E	\$	1,000.00
Animal Control	\$	400.00
Gas/Heat	\$	2,000.00
Telephone	\$	1,000.00
Unemployment	\$	250.00
Electric	\$	1,895.00

TOTAL TRANSFER

\$30,295.00

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

PERSONNEL:

RESOLUTION 164-14 A RESOLUTION APPOINTING DENNIS STEUDLE AS POLICE SERGEANT PERMANENT EFFECTIVE NOVEMBER 24, 2014.
M _____ S _____

WHEREAS, Dennis Steudle has been a Police Officer serving the Buena Borough Community for over nine years; and

WHEREAS, the Public Safety Director Daniel T. Caregnato, Jr., and Lieutenant John Capehart have recommended Corporal Steudle be considered for a promotion in rank to the position of Sergeant, Buena Borough Police from the promotional list certified by the Civil Service Commission.

WHEREAS, the Borough Council finds that, in accordance with the recommendations of the Public Safety Director and Lieutenant in charge, it is in the best interest of the Buena Borough Police Department and the Borough of Buena to make said promotion.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Buena that Dennis Steudle be promoted to the position of Sergeant, Buena Borough Police Department, effective November 24, 2014.

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

RESOLUTION 167-14 A RESOLUTION ACCEPTING THE RETIREMENT OF STACY STEUDLE FROM THE BOROUGH OF BUENA POLICE DEPARTMENT EFFECTIVE APRIL 1, 2014.
M _____ S _____

WHEREAS, Stacy Steudle served as a police officer and provisional sergeant in the Buena Borough Police Department for many years; and

WHEREAS, during her tenure, Stacy Steudle performed her duties in a professional and competent manner; and

WHEREAS, Stacy Steudle has decided to retire effective April 1, 2014.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that the retirement of Stacy Steudle be regrettfully accepted effective April 1, 2014.

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

**RESOLUTION 168-14 A RESOLUTION AUTHORIZING THE TRANSFER OF A BERETTA PX4 STORM 9MM HANDGUN TO RETIRED LIEUTENANT LAWRENCE PETRILLO.
M _____ S _____**

WHEREAS, Lawrence Petrillo retired from the Borough of Buena Police Department on September 30, 2014; and

WHEREAS, Lawrence Petrillo desires the transfer of his service weapon; and

WHEREAS, Council agrees to transfer one Beretta PX4 Storm 9MM Hand Gun, Serial Number PX172737 to retired Lieutenant Lawrence Petrillo.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Buena that ownership of one Beretta PX4 Storm 9MM Hand Gun, Serial Number PX172737 be transferred from the Borough of Buena to retired Lieutenant Lawrence Petrillo.

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

**RESOLUTION 169-14 A RESOLUTION APPOINTING PART-TIME EMERGENCY MEDICAL SERVICE EMPLOYEES OF THE BOROUGH OF BUENA EFFECTIVE NOVEMBER 24, 2014.
M _____ S _____**

BE IT RESOLVED by the Council of the Borough of Buena that:

The following individuals are hereby appointed and employed, effective November 24, 2014, as part time Emergency Medical Technicians who shall regularly work 20 hours or under per week and shall be paid in accordance with the current salary resolution:

RYAN P. DENELSBECK

JESSICA BELLONE

STEVE PRIEST

FRANCIS DINONZIO

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

PUBLIC SAFETY DIRECTOR'S REPORT:

ADMINISTRATORS'S REPORT:

SOLICITOR'S REPORT:

ENGINEER'S REPORT:

Kimberly Lane Storm Drain Pipe

The contractor has completed a large portion of the punchlist. Paving repairs were recently completed on Forest Grove Road. Additional paving repairs were performed on October 20, 2014.

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

Bids were received on October 7, 2014. One bid was received from Perna Construction, LLC for the Base Bid only in the amount of \$514,925.00. This did not include Forsythe Street. The bid far exceeded the available NJDOT funding as well as the Engineer's Estimate. Borough Council voted to reject the bids. We submitted a request to the NJDOT for a six (6) month extension to award a contract for the FY2013 funding.

Louis Drive Drainage

Our office is currently evaluating alternatives to address the drainage issue.

Resurfacing of Forsythe Street

Bids for the project were received on October 28, 2014. All bids were rejected due to missing or incomplete information. The project was advertised for re-bid on November 5, 2014. Bids are now scheduled to be received on November 18, 2014.

Microsurfacing of Various Streets

Microsurfacing of the following streets is complete:

Johns Avenue - Central Avenue to Willow Street

Willow Street (North) - North Boulevard to Forest Grove Road

FY2015 NJDOT Municipal Aid Application - Reconstruction of Plymouth Street

The referenced application has been submitted.

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 special meeting of November 18, 2014. If no corrections or additions, entertain a motion to approve 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: Special Meeting December 1, 2014 at 4:30 p.m.

Regular December 15, 2014

MEETING ADJOURNED: M_____S_____RCV