

MEETING CALLED TO ORDER: 7:05 P.M.
MEETING ADJOURNED: 8:30 P.M.

CALL MEETING TO ORDER: Flag Salute

ROLL CALL OF ATTENDANCE:

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

SUNSHINE LAW: This meeting is 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.

MAYOR'S REPORT:

PUBLIC PORTION OF THE MEETING:

Anyone wishing to address Mayor and Council only, please step forward and give your name and address for the record.

Special Engineer report:

Engineer Bob Smith provided an update on status of the Liberty Village Project.

Solicitor Rick Tonetta explained what recourses could be taken by those in disagreement over the project.

Brian Sicilino expressed his disdain regarding the process and the decision of the Land Use Board to approve the Liberty Village project.

Pam Grenier questioned if the developer was fined for clearing the land without an updated permit.

Mr. Tonetta addressed various questions from members of the audience.

Pam Grenier urged residents present to attend the next Land Use Board meeting.

Ernie Merighi questioned the legitimacy of the developer's actions.

Bob Smith explained he is responsible for inspections on the site and that a performance bond must be posted before permits are granted for developer to start construction.

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Rosa Zori, 201 S. Willow, was upset that she followed the permitting process when building her house and felt the developer was not doing the same.

Audience members questioned if the site was contaminated. Mr. Tonetta explained DEP process for land remediation and the DEP approval process.

Further discussion regarding the history and process of the application ensued between Mr. Sicilino, Ms. Grenier, Mr. Merighi, Ms. Zori, Mr. Smith, and Mr. Tonetta.

Ernie Merighi believed that the project didn't pass the smell test.

Mr. Tonetta urged audience members to obtain legal counsel to examine if the Land Use Boards decision and future actions regarding this project are within the confines of the law. The next Land Use Board meeting is December 19, 2017.

David Armanini asked Mr. Smith if the proximity of water tower will cause any problems.

Various unidentified members of the audience complained about the process and the developer.

Mr. Smith explained the construction process.

David Armanini asked what will be the financial gain for the Borough after adding the impact on emergency services.

Pam Grenier asked about MUA fees for apartment complex.

Mr. Alvarez urged audience members to attend the Land Use, MUA, and Council meetings on a regular basis to keep up to date on Borough business.

Maryann DeFeo was upset with the state of affairs in the Borough.

Disorderly discussion ensued among audience members.

Mayor Zappareillo read a letter he sent to the HOA President Hans Lampart of Buena Gardens. The letter was sent as a response to the gentleman's request to reduce MUA fees per unit at the Gardens.

Rick Coraluzzo, Ricky's Garage, was concerned about his business losing towing for the Borough due to the police merger with Franklin Township.

Mr. Tonetta explained he was on working on legislation with Franklin Township to keep Buena tow operators on the tow list for police incidents that occur in Buena Borough.

John Petrillo, said received poor towing service from Mr. Coraluzzo.

Bill Nimohay, reported that he attended an Office of Emergency Management meeting that included discussion on towing issues. He offered suggestions on how to proceed.

RESOLUTION 133-17 A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES PURSUANT TO THE APPROVAL OF A TOTAL DISABLED VETERAN AND AUTHORIZING A REFUND IN THE AMOUNT OF \$1,265.54 FOR TAXES PAID m/Baker s/Alvarez

WHEREAS, Block 204 Lot 22 was purchased by Harry J. Callahan, a total disabled veteran; and

WHEREAS, the tax assessor has determined that Mr. Callahan is eligible, and has granted, total disabled status on Block 204, Lot 22 also known as 111 Irene Avenue effective October 27, 2017; and

WHEREAS, taxes were paid in full in the amount of \$1,807.92 for the fourth quarter.

NOW THEREFORE BE IT RESOLVED by Mayor and Council of Buena Borough that the Tax Collector is hereby authorized to cancel taxes on Block 204, Lot 22 effective October 27, 2017 and issue a refund in the amount of \$1,265.54, a prorated amount.

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

RESOLUTION 134-17 A RESOLUTION AUTHORIZING THE SALE OF TAX SALE CERTIFICATE BY ASSIGNMENT (NO. 020021) m/Baker s/Alvarez

WHEREAS, the Borough of Buena is the holder of Tax Sale Certificate No. 020021, acquired under and by virtue of NJSA 54:5-34; and

WHEREAS, it is deemed financially beneficial to, and in the best interest of, the municipality to sell such tax sale certificate; and

WHEREAS, the Tax Collector has fulfilled the requirements whereby notice of potential assignment has been mailed to the owner at the address as appearing on the tax duplicate; and

WHEREAS, notice of assignment has been posted in three public places within the Borough of Buena as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF BUENA hereby authorize the sale by assignment of Tax Sale Certificate No. 020021

in the amount of \$5,524.70 as shown on the schedule annexed hereto, to:

JOSEPH SANTAGATA
107 SOUTH LAUREL STREET
LANDISVILLE, NJ 08326

For the consideration therein set forth, which sum includes the lien for unpaid subsequent taxes for the period set forth and permitted under NJSA 54-5-113.

BE IT FURTHER RESOLVED that the Mayor and Clerk be and are hereby authorized and empowered to make, execute and deliver any and all assignment forms or other legal documents which may be necessary or desired to effectuate the various sales permitted by this resolution.

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

**RESOLUTION 135-17 A RESOLUTION ESTABLISHING AND IMPLEMENTING A
FAIR AND OPEN PROCESS FOR THE SELECTION OF
VARIOUS PROFESSIONAL SERVICE AGREEMENTS.
m/Baker s/Alvarez**

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

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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 5, 2017.
- 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 19, 2017.

- 5) Commencing 12:01 p.m. on December 19, 2017, 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 2018. 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				X
WALKER	X			
BAKER	X			
MANCUSO				X
ALVAREZ	X			
MCAVADDY				X

ADMINISTRATORS' S REPORT: no report

SOLICITOR'S REPORT: no report

COMMITTEE REPORTS:

COMMITTEE REPORTS:

ROADS/RECYCLING: (COUNCILMAN MAROLDA) None

ECONOMIC DEVELOPMENT: (COUNCILMAN WALKER) None

RECREATION: (COUNCILWOMAN BAKER)

Council President and her husband Richard donated sixteen chairs to the Louise Basile Community Center.

The Route 54/40 Shuttle had 1,240 passengers in October.

Council President Baker attended the Buena Baseball Softball Association meeting on November 9, 2017. Plans for 2018 were discussed.

Council President Baker also attended the Recreation Meeting on November 14, 2017. The parade, tree lighting and decorated home lighting contest were discussed.

Council President Baker attended the Atlantic County League of Municipalities Meeting. Vince Jones, Director of Emergency Management, discussed 911 coordination regulations.

Council President Baker attended the Atlantic County Township Officials meeting on November 15, 2017.

Council President Baker attended the New Jersey League of Municipalities Convention in Atlantic City.

At the November 16, 2017 meeting of the American Public Works Association, Road Supervisor William Nimohay was awarded the Leader of the Year Award.

The Buena Alliance provided our senior citizens a Thanksgiving Dinner at Buena Regional High School. The Natural Helpers, directed by their Guidance Counselor, Judy Venefro, participated in this worthwhile event.

Upcoming Activities:

December 2, 2017- Recreation Commission Annual Tree Lighting and Parade

Best decorated home for the holidays:

1st Place- \$100.00 Shop Rite Gift Card

2nd Place- \$ 75.00 Shop Rite Gift Card

3rd Place- \$ 50.00 Shop Rite Gift Card

On Sunday December 3, 2017, Our Lady of the Blessed Sacrament Parish will have its first Annual Community Songfest Concert. Free admission with a donation of dry or canned food for the pantry.

FINANCE: (COUNCILMAN MANCUSO) None

PUBLIC SAFETY/STREETS LIGHTS: (COUNCILMAN ALVAREZ) None

BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY) None

CLERK'S REPORT:

Minutes of the workshop meeting of November 13, 2017 were tabled due to lack of quorum.

Minutes of the regular meeting of November 13, 2017 were tabled due to lack of quorum.

UNFINISHED BUSINESS: none

NEW BUSINESS: none

BILLS PAID AS LISTED: m/Baker s/Alvarez

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

**NEXT MEETING: DECEMBER 11, 2017- WORKSHOP 6:00 P.M.
REGULAR 6:30 P.M.**

MEETING ADJOURNED: m/Alvarez s/Baker

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

Jill McCrea, Administrator