

**BOROUGH OF BUENA  
REGULAR COUNCIL MEETING MINUTES  
NOVEMBER 9, 2015**

MEETING CALLED TO ORDER: 6:30 P.M.

MEETING ADJOURNED: 8:25 P.M.

The regular meeting of Mayor and Council of the Borough of Buena was held Monday, November 9, 2015 commencing at 6:30 p.m. at the Borough Hall with Mayor Baruffi presiding. Mayor Baruffi 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 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.

PRESENT: Councilpersons Marolda, James, Baker, Zappariello, and McAvaddy, Richard Tonetta, Solicitor and Dan Careganto, Public Safety Directory

ABSENT: Councilman Cugini, Dr. Paul Trivellini, Administrator and Borough Engineer

**MAYOR'S REPORT:**

**RESOLUTION 109-15 A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES PURSUANT TO A TOTALLY DISABLED VETERAN EXEMPTION. m/Baker s/Zappariello**

**WHEREAS**, Raul Gonzalez-Rivera, owner and resident of 204 North Auburn Street ( Block 138 Lot 9 ) has applied for exemption from taxes as a Totally Disabled 3Veteran pursuant to NJSA 54:4-3.30 and,

**WHEREAS**, the Borough Tax Assessor has reviewed the application and supplemental proofs and finds them to be in order and,

**WHEREAS**, the Tax Assessor recommends approval of the exemption and,

**WHEREAS**, the exemption commences October 14, 2015 and the tax account must be adjusted to reflect the exemption approval and,

**WHEREAS**, the Tax Collector seeks to balance the account in recognition of the tax exemption,

**NOW THEREFORE BE IT RESOLVED** that the Tax Collector is hereby authorized and directed to cancel 2015 4<sup>th</sup> quarter taxes in the amount of \$1218.96 (calculation: \$1443.52/90 = 16.04 per diem x 76 days exempt = \$1218.96). Applicant agrees to pay remaining fourth quarter balance of \$224.56 by November 10, 2015. Additionally, the Tax Collector is hereby authorized to cancel the 2016 first and second quarter taxes.

A certified copy of this resolution shall be forwarded to the Tax Collector and Tax Assessor.

|             | AYE: | NAY: | ABSTAIN: | ABSENT: |
|-------------|------|------|----------|---------|
| MAROLDA     | X    |      |          |         |
| JAMES       | X    |      |          |         |
| BAKER       | X    |      |          |         |
| ZAPPARIELLO | X    |      |          |         |
| CUGINI      |      |      |          | X       |
| MCAVADDY    | X    |      |          |         |

**PERSONNEL:**

**RESOLUTION: 110-15 A RESOLUTION ACCEPTING THE RESIGNATION OF THE FOLLOWING EMERGENCY MEDICAL TECHNICIANS FROM BUENA EMS. m/Baker s/James**

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Buena that the following resignation be regretfully accepted effective immediately:

**DANICA COSLOP**

**RYAN DENELSBECK**

|             | AYE: | NAY: | ABSTAIN: | ABSENT: |
|-------------|------|------|----------|---------|
| MAROLDA     | X    |      |          |         |
| JAMES       | X    |      |          |         |
| BAKER       | X    |      |          |         |
| ZAPPARIELLO | X    |      |          |         |
| CUGINI      |      |      |          | X       |
| MCAVADDY    | X    |      |          |         |

**PUBLIC SAFETY DIRECTOR'S REPORT: none**

**ADMINISTRATORS'S REPORT: none**

**ENGINEER'S REPORT:**

**Kimberly Lane Storm Drain Pipe**

The contractor has not returned to complete the outstanding punchlist items.

**FY2013 and FY2014 NJDOT Municipal Aid Project - Reconstruction of Flower Street**

The contractor is currently grading the roadway for paving. Paving of the roadway will be completed shortly.

**Louis Drive Drainage**

Our office completed and submitted the legal descriptions for the proposed storm drain easements.

**Resurfacing of Forsythe Street**

The project is complete. We are working on project close-out.

**FY2015 NJDOT Municipal Aid Project - Reconstruction of Plymouth Road**

Design of the culvert replacement and roadway resurfacing is underway.

**SOLICITOR'S REPORT:**

**ORDINANCE NO. 633**

**NEED MOTION TO INTRODUCE AND PASS ON FIRST READING:**

**AN ORDINANCE AMENDING ORDINANCE NO. 583, AS AMENDED, CHAPTER 45 OF THE CODE OF THE BOROUGH OF BUENA m/Marolda s/James**

**WHEREAS**, the Borough Council of the Borough of Buena adopted Ordinance No. 604 and amendments thereto, Chapter 45 of the Code of the Borough of Buena entitled Public Safety Director; and

**WHEREAS**, on October 26, 2015, the Council adopted Ordinance No. 632, amending Ordinance No. 604, as amended, setting forth the rank and numbers of sworn officers making up the Buena Borough Police Department which incorrectly set forth in Section 45-2, the number of Sworn Officers at "not more than four (4) full time and not more than two (2) part time", which, as a result of a clerical error, incorrectly specifies the number to be authorized at four (4) full-time where the correct number of authorized is not more than five (5) full-time and not more than two (2) part-time; and

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Borough of Buena that Ordinance No. 604, as amended, Chapter 45 of the Code of Borough of Buena be amended as follows:

**A.** Section 45-2 B iii shall be deleted in its entirety and replaced as follows:

Section 45-2 B iii. Police Officers (excluding Special Law Enforcement Officer) - not more than five (5) full-time and not more than two (2) part-time.

**BE IT FURTHER ORDAINED** that the balance of Ordinance No. 604, as amended, Chapter 45 of the Code of the Borough of Buena not hereby amended shall remain in full force and effect.

**BE IT FURTHER ORDAINED** that if any section, subsection, paragraph, sentence or other part of this Ordinance shall be adjudged by a Court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, subsection, paragraph, sentence or other part so adjudged, and the remainder of this Ordinance shall be deemed valid and effective.

**BE IT FURTHER ORDAINED** that all Ordinances or parts of Ordinances or Resolutions inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

This Ordinance shall take effect immediately after final passage and publication as required by law. Any Ordinances inconsistent with this Ordinance are hereby repealed.

|             | AYE: | NAY: | ABSTAIN: | ABSENT: |
|-------------|------|------|----------|---------|
| MAROLDA     | X    |      |          |         |
| JAMES       | X    |      |          |         |
| BAKER       | X    |      |          |         |
| ZAPPARIELLO | X    |      |          |         |
| CUGINI      |      |      |          | X       |
| MCAVADDY    | X    |      |          |         |

**COMMITTEE REPORTS:**

**RECYCLING: (COUNCILMAN MAROLDA)**

Councilman Marolda reported that the ACUA will hold a food drive for the Community Food Bank of New Jersey on December 18<sup>th</sup>.

**STREETS/ROADS: (COUNCILMAN JAMES)**

Councilman James provided those present with the road department itinerary.

**FINANCE: (COUNCILWOMAN BAKER)**

Councilwoman Baker reported the Finance Department is continuing to stress keeping within budget for each department.

Councilwoman Baker attended the J.I.F. Safety Meeting on Friday, November 6<sup>th</sup>. Topics for discussion were the Wellness Program, TOLIP Program and signage in the park.

A reminder that the Atlantic County Township Officials Meeting is this Friday at the DiTomasias's Five Points Inn at 7:00 p.m.

**RECREATION: (COUNCILMAN ZAPPARIELLO)**

Councilman Zappariello thanked all who came out to the Halloween Party held by the Recreation Committee.

**PUBLIC SAFETY/STREET LIGHTS: (COUNCILMAN CUGINI) none**

**BLDGS/GROUNDS/IMPROVEMENTS: (COUNCILMAN MCAVADDY) none**

**PUBLIC PORTION OF MEETING:**

Several members of the public were present to discuss the public safety ordinance that was adopted at the last regular meeting. Solicitor Tonetta explained that this ordinance contained an error pertaining to the number of officers. The ordinance was amended to correct this error.

A discussion ensued regarding the possibility of reinstating the position of chief of police as opposed to a full time director of public safety. Former Chief of Police, Doug Adams, stated that at this time no one in our department is eligible for the position. Mayor Baruffi assured those present that no action was being taken during this calendar year. Any decisions will be left up to the new administration.

People present included, but were not limited to, the following:

- R. Keller
- Pam Grenier
- Mr. Sutter
- Mr. McGee of Local 266
- Ann Cordero
- Douglas Adams
- William Beattie

Gene Sorracco read a letter on behalf of Stuart Alterman, Attorney for the PBA. Mr. Alterman expressed his concern for adopting an ordinance pertaining to the police department without PBA involvement.

With regard to New Jersey Transit Bus 553, several residents were in attendance to express their gratitude and dismay at the change in route.

Richard Giovinazzi, concerns with parking during baseball season at the Bruno Melini Park. Councilman Zappariello will follow up with this matter.

Minutes of the regular meeting of October 26, 2015 were approved m/Baker s/Marolda

|             | AYE: | NAY: | ABSTAIN: | ABSENT: |
|-------------|------|------|----------|---------|
| MAROLDA     | X    |      |          |         |
| JAMES       | X    |      |          |         |
| BAKER       | X    |      |          |         |
| ZAPPARIELLO | X    |      |          |         |
| CUGINI      |      |      |          | X       |
| MCAVADDY    | X    |      |          |         |

Minutes of the special meeting of October 29, 2015 were approved m/Baker s/Marolda

|             | AYE: | NAY: | ABSTAIN: | ABSENT: |
|-------------|------|------|----------|---------|
| MAROLDA     | X    |      |          |         |
| JAMES       | X    |      |          |         |
| BAKER       | X    |      |          |         |
| ZAPPARIELLO | X    |      |          |         |
| CUGINI      |      |      |          | X       |
| MCAVADDY    | X    |      |          |         |

**CORRESPONDENCE:**

JIF DIVIDEND                      TOTAL DIVIDEND AMOUNT: \$16,164

BALANCE IN A.E.L.C.F. as of 10/31/15 (if applicable): \$N/A  
 Please indicate your municipality's preference for receipt of their 2015 dividend below:

Yes, I would like to receive the total dividend as a credit against my 2016 JIF assessment. (Mayor's signature required. No Resolution required.)

Yes, I would like to receive the total dividend in the form of a check. (Mayor's signature and voucher required. No Resolution required.)

Yes, I would like to apply the total dividend to the Aggregate Excess Loss Contingency Fund (A.E.L.C.F.) for future use. (Resolution must be adopted by your individual governing body - contact our office for a sample resolution).

I would like to split the dividend between the above options as follows:

- Credit \$ \_\_\_\_\_
- Check \$ \_\_\_\_\_ (Requires voucher)
- A.E.L.C.F. \$ \_\_\_\_\_ (Requires Resolution)

m/Baker s/Marolda

|             | AYE: | NAY: | ABSTAIN: | ABSENT: |
|-------------|------|------|----------|---------|
| MAROLDA     | X    |      |          |         |
| JAMES       | X    |      |          |         |
| BAKER       | X    |      |          |         |
| ZAPPARIELLO | X    |      |          |         |
| CUGINI      |      |      |          | X       |
| MCAVADDY    | X    |      |          |         |

Need motion to file correspondence m/Baker s/Marolda

|             | AYE: | NAY: | ABSTAIN: | ABSENT: |
|-------------|------|------|----------|---------|
| MAROLDA     | X    |      |          |         |
| JAMES       | X    |      |          |         |
| BAKER       | X    |      |          |         |
| ZAPPARIELLO | X    |      |          |         |
| CUGINI      |      |      |          | X       |
| MCAVADDY    | X    |      |          |         |

**UNFINISHED BUSINESS: none**

**NEW BUSINESS: none**

**BILLS PAID AS LISTED: m/Baker s/Marolda**

|             | AYE: | NAY: | ABSTAIN: | ABSENT: |
|-------------|------|------|----------|---------|
| MAROLDA     | X    |      |          |         |
| JAMES       | X    |      |          |         |
| BAKER       | X    |      |          |         |
| ZAPPARIELLO | X    |      |          |         |
| CUGINI      |      |      |          | X       |
| MCAVADDY    | X    |      |          |         |

**NEXT MEETING:** November 23, 2015

**MEETING ADJOURNED:** m/Baker s/McAvaddy RCVU

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**GAIL KNOTT**  
**DEPUTY CLERK**

